
**Feasibility Study for Possible Shared Services
For Emergency Services
For FMERPA
(Fort Monmouth Economic Revitalization Planning Authority)**

**Task 1
Municipal Court Shared Services
Final Report**

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TASK 1 – MUNICIPAL COURT SHARED SERVICES
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TASK 1 - MUNICIPAL COURT SHARED SERVICES

TASK 1 SUMMARY

The focus of this Task 1 section is the municipal courts of the Boroughs of Eatontown, Oceanport and Tinton Falls. Portions of Fort Monmouth are located in each of these communities. In particular, this section of this report focuses on an analysis of municipal court personnel, facilities, security, workload and general administrative operations. This Feasibility Study also included a broad overview of operations and structure of each court in order to determine how services might be shared. There are observations, conclusions and recommendations with particular focus on opportunities for shared services involving one or more municipality referenced in this report. Addendum A profiles Fort Monmouth and the three host communities of Tinton Falls, Eatontown, and Oceanport. Addendum B describes possible solutions that may be considered for sharing municipal court services.

In order to arrive at the recommendations, considerable available facts and data have been collected, reviewed, organized, digested, and arranged in a format suitable for analysis. The analysis was first accomplished individually by Task 1 team members, and then reviewed and discussed collectively, by all team members.

The Jersey Professional Management (JPM) Study Team has determined that a great many of the observations lend themselves to an efficient delivery of governmental service. The municipal courts are particularly well suited for these cooperative arrangements commonly known as shared services. The JPM Study Team therefore recommends that the Borough of Eatontown become the lead agency for an expanded shared service agreement to include Oceanport Borough. Under this arrangement, the Borough of Tinton Falls would continue to remain independent for reasons stated in this report, while the Borough of Eatontown and Shrewsbury Township would share services and facilities with Oceanport Borough. This recommendation is intended as a short term solution, as an effective and cost saving measure.

Further consideration was given to additional neighboring municipalities that might be considered for sharing services referenced in this report. As part of this study, an invitational meeting was conducted for five (5) selected neighboring municipalities. It is not clear yet how many of those five or other municipalities may wish to pursue opportunities for joint regional court services. However, it is clear that joint regional municipal court services is feasible, but also has the potential for significant enhanced

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services, cost savings, as well as cost avoidances. The JPM Study Team therefore recommends that the full effort and resources of the host communities and other interested communities, avail themselves of the outstanding opportunity to create a Joint Monmouth County Regional Court as part of the planned re-use of Fort Monmouth facilities. This recommendation is made by the Study Team only after careful consideration of the many factors that directly and indirectly affect the host communities and the neighborhood municipalities in the future, as described further in this report.

METHODOLOGY

In order to access fact material for this report, a number of methods were employed:

- A general request for key public documents was made to the respective municipal representatives. Such a request was made by Jersey Professional Management during the first week of May, 2008. Many documents have been received, read and reviewed by team members.
- General meetings with municipal officials and employees were held for the purpose of introducing personnel to the goals and the timeline of conducting the study, and to the professionals conducting the study. These meetings created an opportunity for those employees and officials to provide documents, be available for interviews, and be able to obtain a clearer understanding of the process. A general meeting was held on Monday, May 12, 2008, for this purpose.
- Specific interviews were conducted with principal employees at the worksites, if practical, to obtain information, meet additional employees, and to observe operations. A number of these meetings took place in the Boroughs of Oceanport, Eatontown and Tinton Falls. The focus has been on municipal court administrators and each of the three has been interviewed at least once by three team members. Ranking police personnel also have been interviewed to learn about their interaction with the respective courts. Administrative staff personnel were also included at these face-to-face meetings.
- Visits were scheduled to view facilities, measure their size, and to observe operating conditions. Court sessions have been observed. All three court rooms have been observed and measured.
- A meeting was held with Monmouth County Superior Court Judge and members of his staff. These individuals are responsible for the operations of all municipal

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court activities within Monmouth County. It was deemed appropriate and necessary to inform and maintain liaison with these officials.

- Input was obtained from knowledgeable persons having prior experience in court consolidation and court operations in other jurisdictions. The JPM Study Team has drawn upon its experience with other jurisdictions where it has performed similar shared service studies, including Sayreville, Cape May City, Buena Vista Township, and numerous other municipalities.
- Team meetings were held frequently during this fact-finding process and notes were organized and exchanged so there was understanding and agreement among team members.

Our preliminary “observations” were discussed. We noted that the three courts are quite different in workload. Tinton Falls is heavily influenced by State Police traffic patrols on the Garden State Parkway and has more Parkway frontage than any other New Jersey municipality, specifically for approximately sixteen miles. This produces a significant caseload for the court and the “vehicle stops” frequently result in a wide variety of criminal violations and for persons from all over the East Coast of the United States. By contrast, the Oceanport court has a small caseload with one, single full time employee. The number of court hours for an entire year range between 24 and 36 hours, equivalent to about one work week.

In addition to interviewing personnel, additional public data and reports were collected with regard to working conditions, work hours, compensation, and labor contract constraints. It does not appear that there are any unusually difficult personnel obstacles that would prevent some form of Shared Services. However, there are a number of details that would require coordination, including an appropriate time line for sharing of special services within the Fort Monmouth region.

The JPM Study Team (along with the FMERPA Project Manager) held an initial meeting with Neighboring Municipalities’ representatives on May 20, 2008 to assess potential interest in shared services arrangements. Responses from each of those municipalities may be found in the Task 4 report.

The New Jersey Administrative Office of the Courts periodically issues statewide directives. One such directive deals with Municipal Court Security. This and other directives have recently placed significant financial burdens on municipalities. While the state has been reasonable in allowing time for adherence to these directives, they are important, and so we reviewed the annual court visitation reports and interviewed municipal officials to determine what measures have been taken, or are planned to be taken, to bring the court facilities into compliance.

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Finally, any observations that might lead to conclusions needed to be balanced against cost/benefit considerations. There are certain benefits to shared services and certain constraints. It is necessary to weigh the costs against the benefits or the cost savings against the constraints. Cost information was collected through review of budget and audit documents, through interviews with public officials and through independent analysis of costs of equipment and personnel, as well as a review of the numbers of personnel and skill levels required for the workload.

SHARED SERVICE

Definition

There are two types of cooperative court arrangements recognized and permitted under state statutes. NJS 2B:12-1 distinguishes and provides the following definition:

The first type is a joint municipal court whereby two or more municipalities, by ordinance enter into agreement establishing a single joint municipal court, and providing for its administration. The judge is nominated and appointed by the Governor with the advice and consent of the Senate. Two single bank accounts are to be established; one for bail and one designated general account.

The second arrangement is known as a shared court whereby two or more municipalities agree to provide jointly for use of courtroom, chambers, equipment, supplies and employees for their municipal courts, and agree to appoint judges and administrators without establishing a joint municipal court. The identities of the individual courts continue in all orders and processes.

It should be noted that Senate No. 335 was a bill that had been pre-filed for introduction in the 2008 session of the State Legislature. As enacted, this law would authorize each municipality that shares courtroom facilities with one or more municipalities to appoint a judge and an administrator. This was enacted into law on March 26, 2008.

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Benefits and Opportunities for Shared Services

1. Common administrative tasks such as training, scheduling, controlling, budgeting and development of departmental policy and procedures are performed by each municipal court. Consolidating these department tasks under a shared service will avoid the time, effort, and expense of administrative redundancy.
2. In small departments, because of time and personnel limitations, supervisory personnel often function as a clerical worker and cannot devote full attention to their supervisory responsibilities. A consolidated department increases personnel resources limiting these role conflicts.
3. A shared service agreement whereby Oceanport Court would use Eatontown facilities and personnel would free administrative space in the Oceanport municipal building for other municipal purposes. This arrangement could offer immediate and short term benefits to the taxpayers of these municipalities.
4. Services to the public would be enhanced because court sessions serving both Eatontown and Oceanport would be held weekly, instead of twice a month, as is presently the case in Oceanport. The administrative offices would be open during all regular business hours.
5. There would be a reduction by one third (24) in the total number of court sessions. This provides opportunities for reduced costs, especially for police personnel providing security services within the court.
6. There will be miscellaneous overhead savings associated with training, certification, equipment, supplies, and court interpreters.
7. There will be only one certified court administrator.
8. There are similar characteristics in each municipality as they are largely developed with stable population numbers with similar breakdowns in the type of municipal court caseload.
9. Simply stated, the cost of operating one department is lower than operating two or more departments, in other words, one of the recognized economies of scale.

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Constraints to Shared Services

1. Shared court services will eventually put a strain on municipal court administrative facilities in Eatontown as the caseload increases. However, a Notice of Interest has been filed by Eatontown for total relocation of their administrative operations to a Fort Monmouth building (Mallette Hall) in the relatively near future. This includes court administrative offices and courtroom space.
2. There may be some inconvenience to those residing in Oceanport, for example, who wish to visit the violations bureau to satisfy a summons. They would be required to go to Eatontown if they wish to satisfy the summons in person, rather than by mail or credit card. However, we note the distance between the Oceanport border and Mallette Hall, on Fort Monmouth, is only several hundred yards.
3. There are human resource management issues since personnel changes will be necessary in order to accomplish the change with the envisioned cost savings.
4. Partial loss of direct local control. Although the state, through the office of the Superior Court Vicinage, exercises primary oversight over municipal courts, the governing body of municipalities also exercises a degree of local control including setting salaries, office hours, certain policies, etc.
5. Partial loss of citizen contact. Citizens are often uncertain of what shared services will actually mean to them. It is sometimes difficult to address whether or not services will improve. Some citizens in these communities may believe their relationship with the municipal court will diminish. If it does occur, it likely will be temporary, and exist only for a short time. We must note that the majority of court contacts are with non-residents.

FACTUAL DATA

Oceanport Municipal Court

Personnel – The Certified Municipal Court Administrator has been employed by Oceanport since 1998. Her salary is \$42,455. She has ten years service in the New Jersey state pension system and is the sole full time employee of the Oceanport Municipal Court. She is backed up by the Court Administrator in Bradley Beach and Deputy Court Administrator in Shrewsbury Township. A part-time clerk is also employed and works

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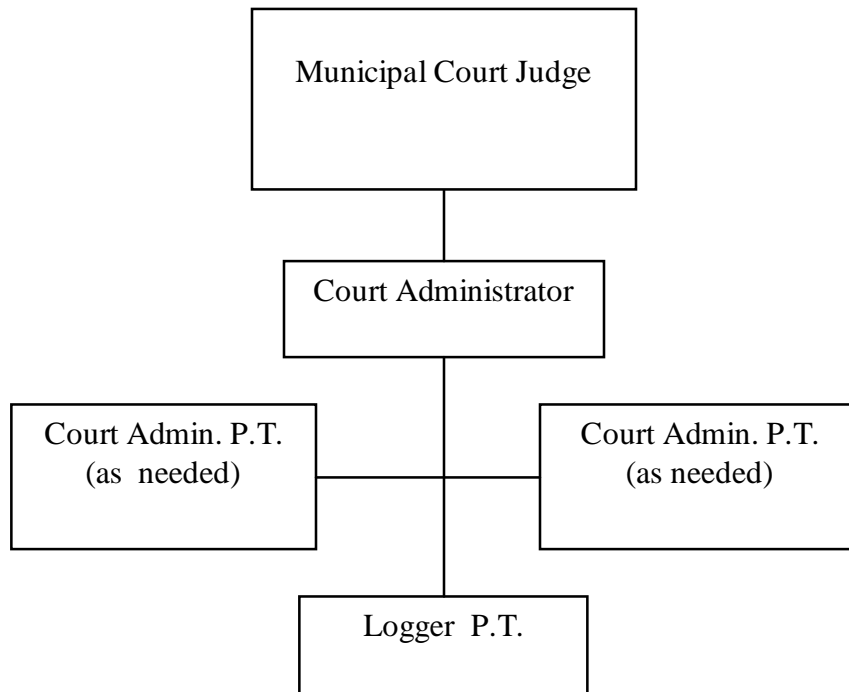
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only on court days. She is described as a “logger” and operates the recording device. The Court Administrator works a schedule of 10:00 am to 5:00 pm, except on court days when her hours are 6:00 am to 1:00 pm. She does not regularly take a lunch break, and is one of few Court Administrators that is not present in the courtroom during court sessions.

The Oceanport Judge has a three year term scheduled to terminate in December 2010. His salary is \$17,644. A Prosecutor and Public Defender are also appointed for a combined salary of approximately \$10,000 annually, depending upon hours worked.

This court provides a marginal level of service to the community and is severely constrained by inadequate facilities and a lack of security as described further.

Borough of Oceanport Municipal Court Table of Organization (Existing)



Position	Salary
Municipal Court Judge	\$17,645.
Court Administrator	<u>\$42,455.</u>
	\$60,100

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Facilities - The Municipal Court Administrative Office is a single room within the main municipal building that also houses the municipal library and police headquarters. The office is triangular shaped measuring approximately 112 square feet. It is located off the office of the municipal tax assessor requiring one to "pass through" the tax assessment office, to reach the court office. The doorway into the court office has a "window" door allowing the lower portion to be secured while business is conducted through the upper portion.

Inside the office is the usual equipment found in a New Jersey municipal court. There is one work station, a state approved computer terminal, a printer, telephone, fax and filing cabinets. The office is small and in fair condition. There is little or no storage capacity and boxes of files line the walls and spill over into the adjoining tax assessment office.

Municipal Court is scheduled on the first and third Wednesday of each month beginning at 8:00 am. Court sessions usually conclude by 9:00 am or 9:30 am. The court is located down a corridor of approximately 100 feet on the opposite side of the building from the court office. The courtroom is a multipurpose room used for council meetings, board meetings and municipal court. The capacity of the room is 144 persons and it is approximately 1,512 square feet in size.

The courtroom has one public entrance through double doors located at the back of the room centered off the main north wing corridor of the building. The room has equal rows of secured wooden benches on each side of the center aisle. There is a railing to separate the tables used for the prosecutor and the defense counsel. The bench is elevated and the judge sits in the center. The lower portion of the divider is bullet proof and helps protect the judge while seated. There is a "panic button" located on the bench that is connected to the police station within the building. On one side of the courtroom there is a secured door which is used solely by police or court staff. To the rear of the bench is a door which leads to the judge's chamber.

Security – The Superior Court adopted a Statewide Municipal Security Policy on July 6, 2006. The Policy requires every New Jersey municipal court to create a local municipal court security committee and also to develop a local municipal court security plan. Each court is required to submit its plan to the Assignment Judge for review. Among the duties of the municipal court security committee are to help implement the plan and to review court security on a continuing basis and to conduct an annual risk assessment.

The JPM Study Team found no evidence of a municipal court security committee for the Borough of Oceanport. Indeed, the Court Administrator confirmed that there is no written security plan. She did indicate that there is a wand that police officers use to screen for

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weapons on court days. However, persons are free to enter, leave and then reenter the room while court is in session. The light switch does have a box cover for safety purposes.

Workload – The Oceanport municipal court office workload is rather light with about 200 cases per month. The workload is proportionately divided among indictable, DP/PDP, Ordinance, DWI, Moving and Parking. About two thirds of the cases are moving violations. The total workload and the type of workload appear stable over the past three years. Comparisons can be seen by viewing the complete workload statistics that appear below:

Oceanport Caseload

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Average</u>
Indictables	63	49	60	57
DP/PDP	169	164	159	164
Ordinance	51	115	136	101
DWI	29	26	18	24
Moving	1621	1652	1574	1616
Parking	350	450	250	350
Total Cases	2283	2456	2197	2312

EATONTOWN MUNICIPAL COURT

Personnel – The Eatontown Certified Municipal Court Administrator is a qualified professional employee hired in 2001 by Eatontown. She has prior court experience in Wall, Deal, Sea Bright and Allenhurst. Her current salary is \$62,900 and she has 19 years in the state pension system. The Court Administrator is assisted by two Deputy Court Administrators and a part time Violations Bureau Clerk.

One of the Deputies is not certified, has been employed since 1989 and has plans to retire in five years. Her salary is \$38,600. Another Deputy was employed in 2008 and is working toward certification. The Violations Bureau Clerk began in 2007 and makes \$13.55 per hour. She works a 30 hour week. Eatontown is not a NJ civil service municipality (Department of Personnel) but the members of the staff (except the Court Administrator) are members of the American Federation of State and Municipal Employees (AFSME). Employment terms and conditions can be found in the union contract. Court offices are open 8:30 am until 4:30 pm and full time personnel work a 35 hour work week.

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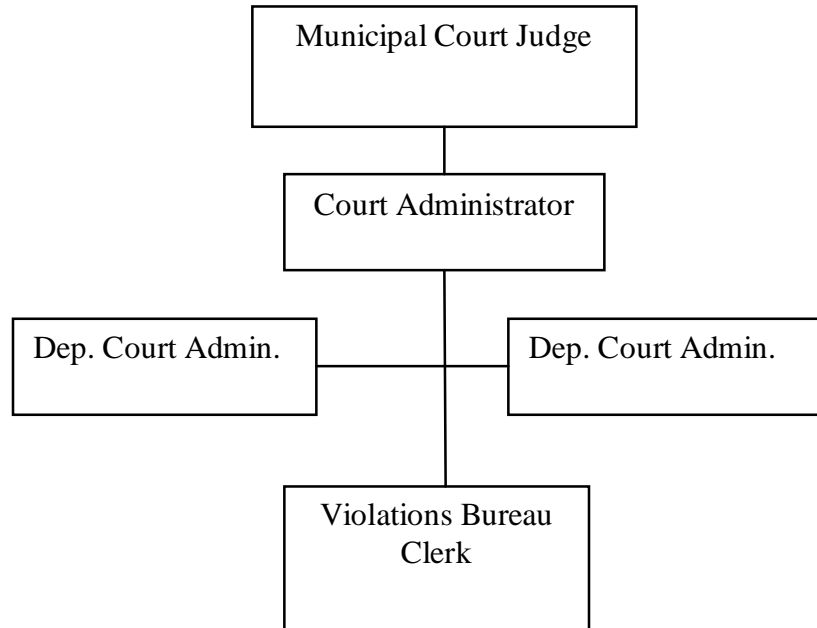
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The Eatontown Judge has a three year term expiring in December 2010. He has served for approximately 20 years in Eatontown. His current salary is \$44,890. A conflict judge has also been appointed and presides in matters of potential conflict of interest. A Prosecutor and Public Defender also serve the court.

The 2008 Visitation Report commends the Court Administrator for “visible teamwork and professionalism in processing this (increased) caseload.” The court is also commended for meeting or exceeding vicinage backlog goals reflecting “good case management and efficient customer service.” This court provides an excellent level of service to the community.

Borough of Eatontown Municipal Court

Table of Organization (Existing)



Personnel

Position	Salary
Municipal Court Judge	\$44,890
Court Administrator	\$62,900
Deputy Court Administrator	\$38,600
Deputy Court Administrator	\$30,000
Violations Bureau Clerk	<u>\$28,184*</u>
	\$204,574

*estimate based upon hourly rate of 13.35

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Facilities - The Eatontown Court is a shared court with Shrewsbury Township. There is a shared services agreement between the two municipalities which is renewed annually. The Court Administrative offices are located near the main lobby of the municipal building. The Court Administrator has a private office of approximately 144 square feet. It has one workstation. There are two other office spaces of approximately 384 and 256 square feet. In each room there are two workstations, for a total of 5 workstations. All court staff, including the Judge and Public Defender, uses these spaces. The usual equipment of computer terminals, filing cabinets, fax and printers are housed in this area as well. There is also a laptop computer used during court sessions. Public business is conducted through a window near the main lobby.

Before and during court sessions the prosecutor uses an upstairs large council meeting room to meet with lawyers. This alleviates crowding downstairs and helps control the orderly flow of cases as the court session evolves. This room is larger than the court room and could be adapted for court use, but is not currently used for court sessions.

Security – The Eatontown Municipal Court does have both a security plan and municipal security committee in place. The plan is written and was readily accessible by the Court Administrator who provided a copy. The municipal security response committee is composed of the following municipal officials: Court Administrator, Chief of Police, Business Administrator, Borough Attorney, Fire Marshall, Vicinage Municipal Division Manager, Borough Council Representative, and Municipal Court Judge.

The Eatontown Municipal Court Security Plan complies with the policy in that its plan addresses three basic components; Architectural (facility features), technological (equipment and devices), and operational (personnel, policies, and procedures). The five basic security areas are addressed; perimeter, including parking lots; access control at entrances and exits; circulation control; courtroom security; and emergency procedures. Three flaws were identified and have been or are in the process of being corrected. Police escorts are now provided for bank deposits. Duress buttons are provided at the bench and at the violations payment window replacing a “door bell” on the bench that rang in the dispatch office. According to the February 26, 2008 Vicinage Visitation Report, a walk through magnetometer, as well as two new hand held scanners, were recently purchased for use.

Workload – The Eatontown Court carries a relatively heavy workload with a large increase of 36% for 2007, following two years of negligible increases in 2005 and 2006. Virtually all of the increase was due to moving violations up more than 50% from 5907 to 9151. There are also a significant number of violations relating to parking in Eatontown with nearly 75% of the total violations for the courts in this study. The staff of this court also processes all of the cases for Shrewsbury Township which has between six and eleven cases per month.

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There were a total of 114 Shrewsbury cases in 2007. Comparisons can be seen by viewing the workload statistics that appear below:

Eatontown Caseload

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Average</u>
Indictables	427	416	472	438
DP/PDP	878	896	817	864
Ordinance	72	196	94	120
DWI	39	45	60	48
Moving	5,974	5,907	9,151	7,010
Parking	1,167	1,404	1,224	1,265
Total Cases	8,557	8,684	11,818	9,686

Township of Shrewsbury Caseload

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Average</u>
Indictables	8	8	24	13
DP/PDP	26	31	22	26
Ordinance	14	19	4	12
DWI	0	2	2	1
Moving	6	42	34	27
Parking	22	29	28	26
All Cases	75	131	114	107

Eatontown/Shrewsbury Caseload

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Average</u>
Indictables	435	424	496	451
DP/PDP	904	927	839	890
Ordinance	86	215	98	132
DWI	39	47	62	49
Moving	5980	5949	9185	7037
Parking	1189	1433	1252	1291
Total Cases	8632	8815	11932	9793

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TINTON FALLS MUNICIPAL COURT

Personnel – The Certified Court Administrator has 24 years experience with the Borough of Tinton Falls. Previously she served a year with Monmouth Beach so she has the tenure and age to make her eligible for retirement according to the rules of the New Jersey Pension System. However, she has no current plans to retire. She is experienced, manages a staff of seven and a large caseload. She is compensated at a rate of \$84,264 per year.

Four deputies serve along with the Court Administrator, two are certified and one is part-time. There are also two Violation Bureau Clerks and a part-time data entry clerk. The two certified deputies earn \$55,744 and \$32,996. One deputy court administrator works 20 hours per week. The other two deputies (uncertified) earn \$54,944 and \$55,744. One full time Violations Bureau Clerk earns \$53,662 and the other earns \$49,250. A part-time Data Entry Clerk is also employed and paid \$14,399.

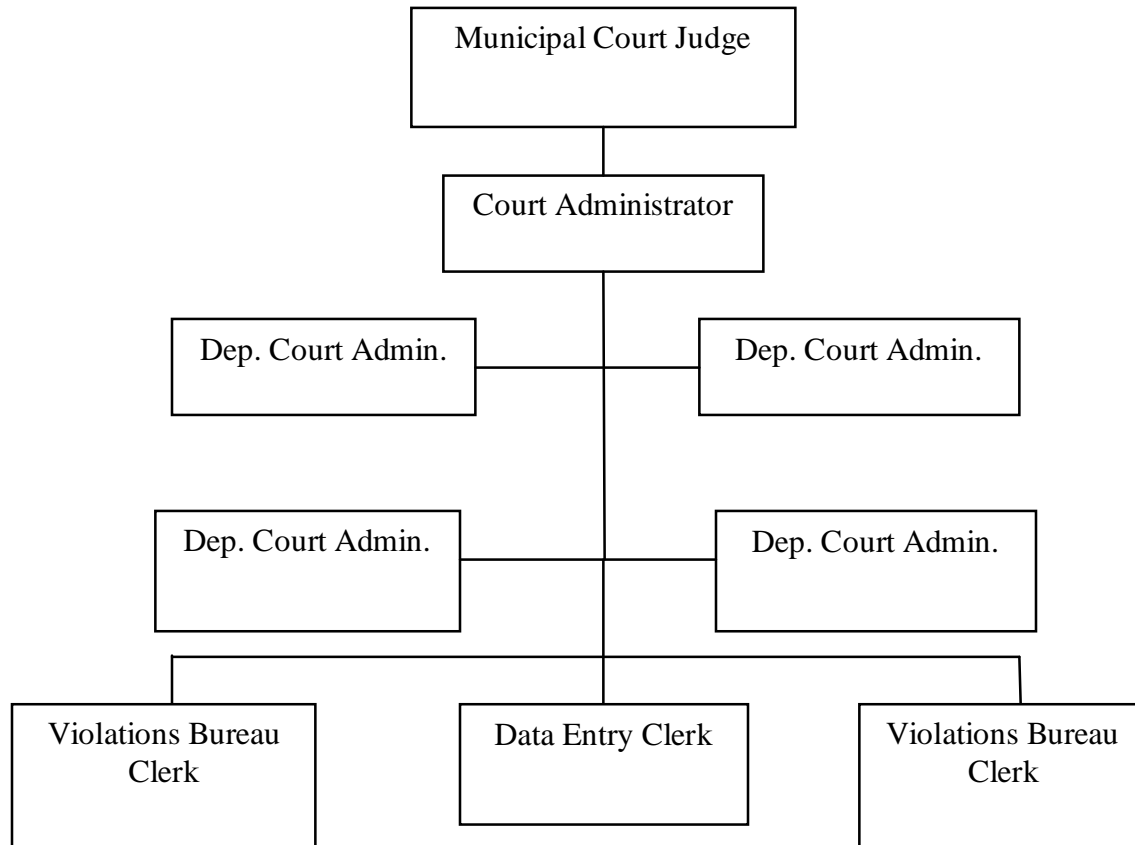
The Judge has a current three year term expiring in December 2010. His salary in Tinton Falls is \$62,796. A local attorney serves as the Prosecutor for the Borough at a salary of \$41,863, and a Public Defender is appointed to represent defendants, as necessary, at a salary of \$9,000 annually.

Tinton Falls is a non civil service community. While the Court Administrator is not a member of a union, her staff members are all represented by a Teamsters local. Terms and conditions of employment are detailed in the union contract and are supplemented by an extensive written personnel policy for Borough Employees.

The Tinton Falls municipal court operation is a well managed court facility, with well trained employees. The working environment and equipment used in this facility are new and above average.

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**Borough of Tinton Falls
Municipal Court
Table of Organization**



Position	Salary
Municipal Court Judge	\$62,796
Court Administrator	\$84,264
Deputy Court Administrator	\$55,744
Deputy Court Administrator (PT)	\$32,996
Deputy Court Administrator	\$54,944
Deputy Court Administrator	\$55,744
Violations Bureau Clerk	\$53,662
Violations Bureau Clerk	\$49,250
Data Entry Clerk (PT)	\$14,399
Total Annual Salaries	\$463,799

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Facilities – The Tinton Falls court facilities are located in a new municipal complex. Judge Thompson has described them as “the state of the art” with respect to security and equipment. The courtroom is located on the first floor with double door entry from the front lobby of the building. The courtroom is approximately 3,150 square feet with a seating capacity of 175. There is a railing separating the public from the court participants. The Judge’s bench is raised and shielded by a bullet proof barrier designed to protect him while he is seated. On one side of the bench is a secure door leading to a cellblock area of the police department. On the other side of the bench there is also a secured door leading to the Court Administrative Offices. One deficiency of the new facility is identified in the December 2007 Municipal Court Visitation Report; it is the lack of a witness stand.

The Court Administrative offices are part of a curved office area containing offices for the Judge, the Prosecutor, and Court Administrator. The Judge’s chambers are in a room 12’ by 14’ near the courtroom. The Prosecutor uses a 12’ by 20’ conference room. The Court Administrator’s office is 168 square feet and has one workstation and the necessary office equipment. There are nine additional workstations for the staff along the curved wall. The public is served through bulletproof windows between the lobby and the work area adjacent to two of these work stations. Next to these windows is a secured door which serves the staff. Court offices and equipment appear to be adequate and well maintained.

The court offices are located at 556 Tilton Avenue, Tinton Falls, NJ. They are open Monday from 8:00 am to 5:00 pm and Tuesday through Friday from 8:00 am to 4:30 pm. Court sessions are held each Tuesday from 8:00 am until concluded. ADA guidelines have been followed in this new court facility and the December 2007 Visitation Report shows compliance in all respects to ADA requirements for the courtroom, the bench, violations bureau, and court administrative offices. It also shows compliance with handicap parking requirements, handicap restroom requirements and availability of assisted listening devices.

Security – It has been represented that there is a written security plan for the Municipal Court, but it was not immediately available to the JPM Study Team, when requested. We have reviewed the Monmouth Vicinage Visitation Report of December 2007 and it generally gives the court a good security review.

There is walk-through security detector present for court sessions. We observed a police officer manning this device and requiring those exiting the court and reentering to again pass through the detector. If the metal detector alarm sounds, the officer uses a hand held wand to detect the source of the alarm. A police captain sits with the prosecutor during plea bargaining to provide security and assist in the plea bargaining negotiations. Working security buttons are in place both within the courtroom and at the Violations

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Bureau window. The bench contains protective ballistic material and the Judge has direct and private access entering into and exiting from the courtroom, as well as, to restroom facilities. The Judge also has a secured parking place. Prisoners are brought through a “police only” secured door and escorted by officers. There is special seating for prisoners.

The money collected by the court is taken daily to the local bank by armored car pick-up. Amounts are reduced because credit card payments are now acceptable according to policies established by the municipality in December 2007.

Workload – The workload for the Tinton Falls Municipal Court is significant and represents more than 50% of the caseload of the courts in this study (Oceanport, Eatontown, Shrewsbury Township, Tinton Falls) In fact, it was 58.7% in 2005, 60.5% in 2006 and 52.3% in 2007. While these percentages represent all cases for the Tinton Falls Court, the percentages for DWI and moving violations represent the predominant caseload. Parking and indictable categories make up a lesser percentage than in the other courts. Comparisons can be seen by viewing the workload statistics that appear below:

Tinton Falls Caseload

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Average</u>
Indictables	298	328	237	288
DP/PDP	607	608	515	577
Ordinance	83	72	104	86
DWI	126	130	138	131
Moving	14,350	16,030	14,452	14,944
Parking	89	73	61	74
All Cases	15,563	17,241	15,507	16,104

Three Court Caseload Comparisons

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>Average</u>	<u>% of Total</u>
Eatontown/ Shrewsbury	8632	8815	11932	9793	35%
Oceanport	2283	2456	2197	2312	8%
Tinton Falls	15,563	17,241	15,507	16,104	57%
Total	28,483	30,518	31,643	28,209	100%

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OBSERVATIONS

1. The scheduled closure of Fort Monmouth will mean the elimination of more than 5,000 jobs as well as the traffic associated with the daily commute of the majority of those job holders who use automobiles to travel to and from work. While this job loss will likely be phased, the Fort Monmouth Reuse and Redevelopment Plan is likely to result in similar or somewhat more traffic flows through the adjoining communities and thus court caseloads relative to moving violations are likely to be modestly increased over time.
2. Since Tinton Falls is adding the Charles Woods section, and if the approximate 250 acres is re-zoned for town homes, condominiums, civic buildings, and 36,500 feet of retail space, it may create minimal additional workload for the police and the municipal courts.
3. Since Eatontown will gain the approximate 450 acres of the Fort located on the east side of Hope Road, as well as the Howard Commons military housing area, there will be minor impact on the court workload.
4. There is a priority within the planning process to consider the needs of the homeless, and a priority to meet the needs of housing for low and moderate income persons. It is likely that portions of the Fort Monmouth property, within one or more jurisdictions, will become locations for new housing to meet these needs. It is unknown exactly how these decisions will affect the municipal court caseloads, but housing of any type will moderately increase the courts workload.
5. The Oceanport Municipal Court caseload is light, requiring less than three hours per month of actual court time. From ten to twenty percent of the caseload is parking violations, in other words, it is similar to Eatontown, but it is different from Tinton Falls caseload.
6. The Oceanport administrative court facilities are inadequate in that they are small; (112 square feet) entered from and actually physically part of the tax assessment offices, and located on the opposite side of the building from the municipal court room. There is little room for storage of supplies or files.
7. The Oceanport Municipal Court administrative offices are open 35 hours a week, but because it is essentially a one person operation, the hours are not entirely regular business hours. They do not parallel the hours when the offices in the remainder of the building are open. The hours appear to work for the Judge and the Court Administrator but not necessarily for the public. For example, the office does not open until 10:00 am except on court days. On court days, the office

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closes at 1 pm. It is not good personnel policy to have an employee work 7 hours without a lunch break, but that is the practice as described to us

8. The Eatontown Municipal Court appears to be well run. It is properly staffed and has been commended for its teamwork. There is an emphasis on training and service to the public. The Court Administrator is current with training and minimizing court backlog, as well as adhering to security directives and upgrading security within the court operations.
9. The Eatontown Municipal Court has experience with the concept of a shared court having shared court services with Shrewsbury Township for many years. The current agreement is for three years and terminates December 31, 2009. Shrewsbury Township has paid Eatontown \$12,000 for 2008 and will pay \$12,500 in 2009.
10. The Tinton Falls Municipal Court is located in a new facility within a new municipal complex sized to accommodate the current and future expected growth within the Borough. It has been described as "state of the art" by the Municipal Judge. Of special note is the fact that the new facility has been designed to be in compliance with ADA requirements and modern security measures.
11. The Tinton Falls Court is staffed adequately. There are four Deputy Court Administrators. The JPM Study Team questions why there is a necessity for more than two persons to hold that title.
12. There was no indication in any of the courts visited that a log is being kept of persons entering or leaving the court, while court is in session. This is a good practice for added security and it limits those frequently entering and exiting the court for unnecessary personal purposes.
13. In general there are significant opportunities for shared municipal court services to work efficiently and effectively. Shared services are encouraged by state policy and practice. Grants may be available to help implement viable proposals. Specifically, municipal court operations are regulated by policy in such a way that operations are virtually identical from court to court with respect to reporting, security requirements, bail operations, terminology, and training. The same "state-approved" terminals are used in each court and the courts are monitored frequently. There are existing models for shared municipal court services throughout the state, including the proven model in Eatontown where its court facilities and personnel are shared with Shrewsbury Township. The pending closure of Fort Monmouth provides opportunities for new models of cooperative and shared arrangements. Sharing municipal court services may open facilities for other public purposes and may be cost effective without a reduction of services.

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REGIONAL COURT ALTERNATIVES

In addition to the many observations and options previously noted for sharing municipal court service among municipalities, the JPM Study Team toured the Fort Monmouth physical facilities. A number of buildings on the Fort site were included in Notices of Interest filings (NOI). This gave the Study Team first hand exposure to some of the specific buildings on the Fort site that could be considered for re-use as a Regional Municipal Court. The study team identified a series of alternatives that were developed, each containing certain assumptions. However, in concept, all options leading to a Regional Municipal Court or shared service arrangement to serve the host communities and potentially other municipalities in proximity to the proposed Monmouth County Regional Court.

It should be noted that the current Assignment Judge of the Superior Court was cooperative and is supportive of the concept for Joint or Shared Municipal Courts. This study is predicated upon one or more of the host municipalities (Eatontown, for example) assuming a leadership role in the creation of a regional municipal court under the direction of the Municipal Division, Superior Court of New Jersey.

Several options were explored:

Option 1 – Assumes Eatontown’s acquisition of Mallette Hall (Fort Monmouth Regional Court)

- Tinton Falls Municipal Court would continue to operate as it does now with the exception of Oceanport no longer using the video conferencing resource.
- Eatontown, Oceanport and Shrewsbury Township would operate out of a new facility in what was formerly Mallette Hall. This would be a merged court facility in terms of both office operations and courtroom operations. This option contemplates a fully operational Joint Regional Court concept in terms of both merged office operations and a common courtroom with a common Judge and a part-time Assistant Judge, if the caseload so warrants. Neighboring municipalities could be included upon request, via an interlocal agreement, or other arrangement. Mallette Hall offers an opportunity with a building apparently suitable for modification.

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Option 2 – Assumes Eatontown acquisition of Mallette Hall

- Tinton Falls Municipal Court would continue to operate as it does now with the exception of Oceanport no longer using the video conferencing resource.
- Eatontown, Oceanport, Shrewsbury Township and interested neighboring communities would operate out of a new facility in what was formerly Mallette Hall. This would be a shared court facility in terms of office operations and courtroom operations.

There are other alternatives that could be considered either during a transitional period or on a permanent basis. Some of these alternatives are:

Alternative A - There would be a shared courtroom in Mallette Hall (owned by Eatontown) that would save the costs associated with meeting guidelines of the Administrative Office of the Court (AOC), but each municipality would operate from that single facility, as if it were their own facility.

Alternative B - There would be a shared courtroom that would save the costs associated with meeting guidelines of the Administrative Office of the Court (AOC), but each municipality would operate from that single facility as if it were their own facility. Additionally, in a facility such as Mallette Hall converted for municipal use, there could be leased office space for other municipalities to operate their own municipal court office, independent from the host municipality's municipal court office.

Alternative C - There would be a Regional Shared Municipal Court office and a common courtroom with each municipality naming their own Judge who would preside during the disposition of cases for their municipality.

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COST CONSIDERATIONS

Eatontown Municipal Court Revenues

The revenue and budget appropriations for Eatontown and Shrewsbury Township are combined as a result of the existing Inter-local Service agreement for the Municipal Courts.

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>
Eatontown Revenues	\$497,985	\$537,706	\$668,086
Shrewsbury Revenues	10,500	11,000	11,500
Total Revenues	\$508,485	\$548,706	\$679,586
Total Expenses	\$187,001	\$191,050	\$199,340
Net Revenues	\$321,484	\$357,656	\$480,246
Estimated Total Population			15,379
Net Revenue per Capita			\$31.23

Oceanport Municipal Court Revenues

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>
Oceanport Revenues	\$97,654	117,572	\$116.293
Total Expenses	53,756	56,585	60,825
Net Revenues	\$43,898	\$60,987	\$55,468
Estimated Population			5,868
Net Revenue per Capita			\$9.45

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Tinton Falls Municipal Court Revenues

Court Year	<u>2005</u>	<u>2006</u>	<u>2007</u>
Tinton Falls Revenues	\$700,000	\$750,000	\$752,012
Total Expenses	\$458,165	\$475,545	\$515,555
Net Revenues	\$241,835	\$274,455	\$236,457
Estimated Population			17,641
Net Revenue per Capita			\$13.40

There are certain economic advantages to sharing services in one of the several methods described. The economic advantages however, should not be the primary objective. As reported by the Tinton Falls Municipal Court Judge, "it is principally the police activities that are the driving force behind the revenue stream of the municipal court." The principal objective of the joint or shared court options is therefore to improve the level of service to the public in an economical manner. The budget appropriations have increased only nominally in this study period as reported in the tables of Revenues and Appropriations.

In 2007, the operations of the municipal courts in the host towns have produced a net positive return to the taxpayer for municipal court services. As listed in the charts above, in 2007 the amount was \$31.23 per capita in Eatontown, \$13.40 per capita in Tinton Falls, and \$9.45 per capita in Oceanport.

It must be noted that certain costs are not generally included in the cost of municipal operations since they are not charged directly into court appropriation. For example, the compensation of the Prosecutor and Public Defender are typically included in the Police Department appropriations. In addition, municipal employee benefit costs in many cases are specific to the individual. Numerous benefits are connected to length of service, such as sick leave, vacations and other leave entitlements, while some others such as payroll taxes, health care, pensions and life insurance are related to age, family size, group rates etc. A common practice is to use 40% of salary cost as an approximate amount of benefit cost that is applied to gross salaries of municipal employees. It is obvious that building space occupied by municipal court operations has a value. However, this space is generally provided by the municipality with capital funding, the amortized cost being co-

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mingled with other municipal obligations and not allocated directly to the municipal court cost center. Maintenance and utility costs are similar items not charged to the “other expense” budget category, but rather are co-mingled with other similar costs for other departments. Within the limitations noted, the operating budgets have been estimated and are suggested here as cost comparisons for proposed Regional and Shared Service options. Both comparisons exclude any reference to Tinton Falls operations as it is recommended that Tinton Falls continue to stand as a single Municipal Court since they have recently constructed a new “state of the art” municipal court and other reasons noted previously.

Staff Levels

Staff levels for a Shared Court are detailed below for comparative purposes. Salaries of Oceanport and Eatontown are current, while the shared service assumes approximate salaries for a larger combined court.

Shared Court Personnel Staffing

Position	<u>Eatontown</u>	<u>Oceanport</u>	<u>Current Combined Total</u>	<u>Proposed Shared Court</u>
Court Administrator (FT)	1	1	2	1
Deputy Court Administrator	2	0	2	2
Violations Bureau Clerk	1	0	1	1
Court Clerk/Assistant	0	1(PT)	1(PT)	1(FT)
Total Staff	4	2	6	5
Judge (PT)	1	1	2	2
Prosecutor (PT)	1	1	2	2
Public Defender (PT)	1	1	2	2

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Shared Court Total Expenses

Position	Eatontown	Oceanport	Total	Shared Court
Judge	\$44,890	\$17,645	\$62,535	\$62,535
Court Administrator	\$62,900	\$42,455	\$105,355	\$65,000
Deputy Court Admin	\$38,600		\$38,600	\$38,600
Deputy Court Admin	\$30,000		\$30,000	\$30,000
Violations Clerk / Court Assistant	\$28,124	(EST)\$1500	\$29,624	\$28,124
Court Assistant (new)				\$22,000
Total Court Staffing S&W	\$204,514	\$61,600	\$266,114	\$246,259
(EST) FICA/PERS *	\$24,948	\$7,792	\$32,740	\$30,229
(EST) HEALTH BENEFITS **	\$50,000	\$12,500	\$62,500	\$62,500
O/E	\$9,900	\$4,000	\$13,900	\$11,900
Total Court Expense	\$289,362	\$85,892	\$375,254	\$350,888

* FICA is based on an estimated 7.65% of Salary and PERS is based on an estimated 5% of Salary.

** Health Benefits are based on a premium of \$12,500 per person.

In the case of allocating the cost of joint and shared service, it is the recommendation of the JPM Study Team that the above factors be taken into account, only as an ingredient used to develop a formula for cost sharing. For example, since Eatontown has a three year average of 80.73% of the combined caseload for Eatontown and Shrewsbury, they would assume 80.73% of the Municipal Court costs for 2008. Likewise, Oceanport would pay the remaining 19.27%. It is recommended that a facility rental fee of \$5,000 and an administrative fee of \$7,000, for a total of \$12,000, be paid annually by Oceanport to Eatontown as the lead agency. We estimate approximately 50% of this \$12,000 fee will be saved by Oceanport in line items other than Municipal Court in their annual budget, such as electricity, HVAC, etc. Therefore, the net cost to Oceanport for this fee is only approximately \$6,000, rather than the \$12,000 as listed in the chart below.

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Shared Court Cost Allocation Based on 3 Year Average Caseload and 2007 Costs

	3 Year Average Caseload	% of AverageCases	2007 Costs	Shared Court Costs	Rental/ Admin Fee	Final Shared Costs
Eatontown	9,686	80.73%	\$289,362	\$283,272	\$-12,000	\$271,272
Oceanport	2,312	19.27%	\$85,892	\$67,616	\$12,000	\$79,616
Total	11,998	100%	\$375,254	\$350,888	\$0	\$350,888

Based on the above, the Eatontown appropriations for 2008 Municipal Court would be \$271,272 while Oceanport's would be \$79,616. Therefore the net annual savings to Eatontown is approximately \$18,000 and approximately \$6,000 annual savings to Oceanport, unless you count the additional \$6,000 savings in other budget line items referenced above in which case the annual savings to Oceanport is \$12,000.

Using only the above analysis, it would appear that the greatest benefit could be obtained with a Shared Service agreement among Eatontown, Shrewsbury Township and Oceanport. However, the Shared Service recommendation is only a short term benefit. In addition, the staff level complies with the "visitation" recommendation of the Superior Court. Conversely, the recommended Regional Court staff level represents a scenario that can accommodate expansion and growth not only among the host municipalities, but also among the potentially interested neighboring municipalities. The salary levels are without benefit of salary surveys, but represent a salary level predicated upon a larger court staff with greater volumes handled by the staff.

CONCLUSIONS

1. The Municipal Court of Tinton Falls is a smooth functioning court in a modern, first class facility that handles a large caseload efficiently. Therefore, it should remain intact as it is properly sized for the present and for predicted growth.
2. Because of its small caseload and inadequate court administrative facilities, consideration should be given to combining the Municipal Court of Oceanport with the Municipal Court of Eatontown in a shared or Joint Court arrangement.
3. Further study should be done to see if there are not additional Monmouth County municipal courts that could be served through shared service arrangements due to geographic proximity, similar demographics, size of caseload and opportunities for significant cost savings.

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RECOMMENDATIONS

The JPM Study Team recommends that the Oceanport Municipal Court be combined with the Eatontown Municipal Court to share courtroom, administrative staff, chambers, equipment and supplies, but each retain their individual identity. The Eatontown Court Administrator is certified, experienced and capable of adding Oceanport. The present part time position in Eatontown can be eliminated and one full time position can be restored consistent with the staffing recommendations contained in the last official vicinage visitation in December 2007.

The Oceanport municipal court as it presently exists, does not maintain normal office hours to properly serve the public. The office space is inadequate, and does not comply with current minimum standards. A shared service arrangement would improve the quality and level of service to the public and would decrease the cost of operations.

The Eatontown municipal court is presently adequately staffed and has a positive revenue stream. Municipal Court staffing levels are a product of a formula used by the Superior Court based on the weighted workload generated by caseloads before the Municipal Court. In the Eatontown / Shrewsbury visitation, the reports indicate that the court would function well with 4.5 full time employees. After discussions with the Eatontown Court Administrator, we recommend a combined court with Oceanport which would be adequately served with 5 full time staff persons, consisting of a Court Administrator, two Deputies, a Violations Clerk and an Administrative Clerk. This would increase the Eatontown staff by one half of a position, and eliminate all of the office positions in the Oceanport Court.

Please note that Jersey Professional Management does not recommend any lay-offs or terminations of existing employees and that savings will only occur after "EITHER" Court Administrator leaves "through attrition". The savings would be less until that time, as the second Court Administrator, presumably Oceanport's, would function in a lower capacity until that time, at the same salary as now, and the "new" position would not be filled until one of the two Court Administrators retires, resigns or gets transferred to a different department.

Cost Avoidance

More significantly is the potential for avoiding costs. As was stated earlier in this report, in its present condition, the Oceanport municipal court facilities do not comply with current safety requirements and the building is incapable of being expanded without a large capital expense. It is not in the public interest to make a large capital commitment if alternatives are available, as presented by the closing of Fort Monmouth.

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Recognizing that the re-use of Fort Monmouth will increase the residential housing and non-residential uses (and therefore the municipal court activities), it follows that the current municipal court facilities will become inadequate upon the closing of the Fort. This will lead to the need for additional staff and facilities with the size of facilities and staffing being dependent upon and correlated to the staging of the reuse schedule. Use of a modified building such as Mallette Hall would be particularly well suited for the future needs of Eatontown Borough and other participants interested in shared services. Mallette Hall has sufficient space to accommodate anticipated growth among the host communities of Eatontown, Oceanport, and Shrewsbury Township, and furthermore could accommodate the neighborhood communities referenced in the Task #4 section with minor additional staffing and space allocation adjustments.

The recommendation of this JPM Study Team is the Oceanport Municipal Court should be combined with the Eatontown Municipal Court in a shared service arrangement, with Eatontown becoming the lead agent. The Eatontown Court Administrator is certified by the State and experienced and capable of adding Oceanport. This addition would function in a manner similar to the Eatontown inter-local agreement that exists between Eatontown and Shrewsbury Township, and would serve as an immediate, short term improvement to the existing service levels in Oceanport. The cost would be related to increasing an existing part-time employee position to a full time employee position, and nominal operational and transitional costs that might be incurred for telephone and stationery changes, etc. Desk space is already provided for the part-time position that will become a full time position.

For the reasons previously stated, this JPM Study Team recommends that a much greater public benefit could be achieved with the creation of a Monmouth County Regional Municipal Court to serve the host communities and other interested neighboring municipalities. True economies of scale could be achieved with a regional court. The availability of land and office space would be adequate for initial and long term growth of court activities in the Fort Monmouth area. Mallette Hall could become a viable acquisition for the Borough of Eatontown.

Cost Avoidance is Possible Due to Availability of Mallette Hall

Success for the creation of a shared court is often dependent upon the location of a site, and the capital cost of the construction of a building. In the case of a Monmouth County Regional Municipal Court, the Fort Monmouth location and the Mallette Hall building remedies both of these concerns.

The staff levels and employee retraining is also a factor to be addressed in a proposed Regional Court. In this case, the competence of existing personnel allows for an easy transition since the job descriptions are essentially the same for each position in each

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municipality, and staff levels have been established by guidelines of the Superior Court. Since the required technology for all municipal courts is established by the Superior Court, and much of the equipment is specified by the State, the transition could be made with relative ease.

A significant benefit from a Regional Court would be the ease in which additional neighboring municipalities could join. The future participants would share in the operating costs in an amount determined by the caseload generated by each municipality.

Task 1 - Municipal Court Shared Services

Final Report

Respectfully Submitted

JERSEY PROFESSIONAL MANAGEMENT

Frederick E. Jahn

Senior Vice President

Task 1 Team Leader

July 7, 2008



Attachment 1

FMERPA Feasibility Study for Shared Municipal Court Services

The following is a list of documents that Jersey Professional Management will need from each Court.

- List of Employees including Court Officers -
 - Name
 - Title
 - Assignment
 - Date of hire
 - Current Salary
- Organizational Chart
- Activity reports showing total filings and breakdown for last 3 years
- Court Budget and Revenues for last 3 years
- Current Work Schedules
- Current Labor Agreements
- Employee policy manual
- Equipment Inventory last 5 years
- Number of Court Sessions per month
- Names and contact info for Vicinage personnel

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Attachment 2

Jersey Professional Management
FMERPA Shared Services Feasibility Study
Agenda - Municipal Courts
Monday, May 12, 2008

1. Description and Background of Jersey Professional Management.
 - 1.1 Experience with Municipal Courts
2. Introductions of Jersey Professional Management Study Team
 - 2.1 Tom Shannon, Senior Vice President
 - 2.2 Richard Deaney, Senior Manager
 - 2.3 Dave Kochel, Senior Manager
 - 2.4 Al Varga, Senior Manager
3. Scope of Shared Services Feasibility Study
 - 3.1 This study is NOT a departmental or performance review.
4. Study Process:
 - 4.1 General Meeting
 - 4.2 Departmental meetings with municipal employees & officials
 - 4.3 Research and analysis of local personnel policies & practices
 - 4.4 Review and research of reports, schedules, caseloads, etc.
5. Study team members will work collaboratively and independent.
 - 5.1 Important for each team member to have access to a contact person.
 - 5.2
6. Feasibility Study Goals
7. Review list of requested documents (see attached list)
8. Questions and answers
9. Schedule follow-up meetings and facility tour with Court Administrator.