



## Legislation Details (With Text)

**File #:** 12-0322      **Version:** 1      **Name:** Able 1 MOU  
**Type:** Resolution      **Status:** Filed  
**File created:** 1/31/2012      **In control:** Public Safety  
**On agenda:** 3/21/2012      **Final action:** 3/21/2012

**Title:** Dept/ Agency: Police  
Action:  Ratifying     Authorizing     Amending  
Type of Service:  
Memorandum of Understanding with Essex County Prosecutor's Office  
Purpose: To allow the operation of NPD's Helicopter Able 1 throughout Essex County  
Entity Name: Essex County Prosecutor's Office  
Entity Address: 50 West Market Street, Newark NJ 07102  
Contract Amount: \$ 65,000.00 with matching funds from the City of Newark, totaling \$130, 000.00  
Contract Period: July 25, 2011 through October 22, 2011  
Contract Basis:  Bid     State Vendor     Prof. Ser.     EUS  
 Fair & Open     No Reportable Contributions     RFP     RFQ  
 Private Sale     Grant     Sub-recipient     n/a  
Additional Information:  
Resolution to enter into a MOU with the ECPO to allow the NPD and the ECPO to utilize the helicopter Able 1 to investigate, deter and prevent violent crimes

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/21/2012	1	Municipal Council	Adopt	Pass

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**Additional Information:**  
**Resolution to enter into a MOU with the ECPO to allow the NPD and the ECPO to utilize the helicopter Able 1 to investigate, deter and prevent violent crimes**

**WHEREAS**, the City of Newark Police Department (NPD) and the Essex County Prosecutors Office (ECPO) entered into a Memorandum of Understanding (MOU) to utilize the NPD's helicopter (hereinafter "ABLE-1") to investigate, deter and prevent auto thefts, narcotic crimes, carjackings and other violent crimes; and

**WHEREAS**, the City of Newark (the City), is committed to ensuring public safety through the coordination of resources and spirit of cooperation that exists with the ECPO; and

**WHEREAS**, as part of this joint three month summer initiative, the ECPO granted NPD an amount not to exceed \$65,000.00 to assist in funding the operation and maintenance, training, insurance, fuel and storage of ABLE-1; and

**WHEREAS**, the grant of funds from the ECPO is predicated on the NPD's expenditure of dollar for dollar matching funds up to \$65,000.00 from the NPD's Forfeiture Funds; and

**WHEREAS**, the MOU mistakenly identified the Forfeiture Funds as Federal and not Local as correctly set forth in the certification of funds; and

**WHEREAS**, this funding was provided as an immediate asset and response for the NPD's summer crime initiative; and

**WHEREAS**, the parties agreed that the cost of the use of ABLE-1, as contemplated by this agreement, shall not exceed \$130,000.00, and further understand and agreed that any required funding beyond that amount that may be required for the operation and maintenance of ABLE-1 during the ninety (90) days, would either be shared by the parties or be cause for the Mayor, and/or his designee the Business Administrator and/or the Police Director to immediately terminate its obligations thereunder; and

**WHEREAS**, the helicopter was based out of Linden Airport and had access to a helipad at the Newark Watershed at Charlotteburg Dam; and

**WHEREAS**, the purpose of this MOU was to delineate the responsibilities of the ECPO and the City and its Police Department to maximize inter-agency cooperation and formalize relationships between the parties.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Police Director, are hereby authorized to enter into and execute the Memorandum of Understanding (MOU) with the ECPO to utilize the NPD's helicopter to investigate, deter and prevent auto thefts, narcotic crimes, carjackings and other violent crimes.
2. The term of the MOU shall be from the date of signature by representatives of both parties for a period of ninety (90) days.
3. The acceptance of the grant and execution of the MOU are ratified from July 25, 2011 to the date of adoption.
4. The ECPO's grant in the amount of \$65,000.00 is accepted. The cash match of \$65,000 will

be funded through Forfeiture Funds.

5. Attached hereto is a Certification of Funds from the Municipal Comptroller which states that there are available legally appropriated funds for the purpose set forth hereinabove.
6. The funds are from Local Forfeiture Funds as set forth in the certification of funds and not Federal Forfeiture Funds as mistakenly set forth in the MOU.
7. A duly executed copy of the aforesaid MOU shall be filed forthwith in the Office of the City Clerk by the Director of the Police Department.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee the Police Director to accept a grant in the amount not to exceed \$65,000.00 from the Essex County Prosecutor's Office with a cash match of \$65,000.00 required to be funded through Forfeiture Funds and to execute a Memorandum of Understanding between the City of Newark and its Police Department and the Essex County Prosecutors Office (ECPO) to utilize the NPD's helicopter for the summer crime initiative.