

**RESOLUTION OF THE TOWNSHIP OF FRANKLIN,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY,
AUTHORIZING THE TOWNSHIP OF FRANKLIN
THROUGH THE FRANKLIN TOWNSHIP POLICE
DEPARTMENT TO FILE AN APPLICATION TO
PARTICIPATE IN THE FEDERAL 1033 PROGRAM TO
ENABLE SAID DEPARTMENT TO REQUEST AND
ACQUIRE EXCESS DEPARTMENT OF DEFENSE
EQUIPMENT.**

RESOLUTION NO. 2017 - 23

WHEREAS, federal law permits the Department of Defense to transfer to federal and state agencies personal property of the Department that it determines is suitable for use by agencies in law enforcement activities, including counter drug and counterterrorism activities and is excess to the needs of the Department, and

WHEREAS, this program is generally known as the “1033 program,” that allows local law enforcement agencies to obtain, at little or no cost surplus federal property; and

WHEREAS, on March 16, 2015, Governor Christie signed Senate Bill No. 2364 (P.L. 2015, c.23), which now establishes, in the absence of federal requirements, a system of local oversight over local law enforcement agencies that participate in and acquire equipment through the 1033 program; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2a, municipal governing bodies must now authorize participation in the 1033 program by a “resolution adopted by a majority of the full membership of the governing body of a local unit prior to transmittal of any such application to the State Coordinator of the program; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2b, the acquisition of any property by a local law enforcement agency shall be approved by a “resolution adopted by a majority of the full membership of the governing body.”

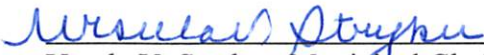
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Franklin, County of Warren, State of New Jersey that:

1. Pursuant to N.J.S.A. 40A:5-30.2a, the governing body hereby authorizes and directs the Chief of Police to designate a qualified individual to file the necessary application materials for continued participation in the 1033 program.
2. Pursuant to N.J.S.A. 40A:5-30.2b, the governing body hereby authorizes and directs the Officer in Charge of the Franklin Township Police Department to designate a qualified individual to maintain an inventory of surplus property obtained under the 1033 program, subject to the following conditions:

- a. Within thirty (30) days of its acquisition, all property obtained under the program shall be subject to review by the governing body to determine whether any such property obtained should be rejected and removed from the Township's inventory; and
- b. If after appropriate notice to the governing body, no action to reject the property obtained is taken within thirty (30) days of its acquisition, it shall hereby be deemed accepted by the governing body and put into service or otherwise disposed of as necessary.

CERTIFICATION

This is to certify the above is a true copy of a Resolution adopted by the Township Committee of the Township of Franklin at a meeting of said Township Committee conducted on February 23, 2017.



Ursula V. Stryker, Municipal Clerk