

**BOROUGH OF FRANKLIN  
COUNTY OF SUSSEX**

**Resolution No. 2019-49**

**RESOLUTION AUTHORIZING THE BOROUGH OF FRANKLIN THROUGH THE FRANKLIN POLICE DEPARTMENT TO ACQUIRE WHEELED TACTICAL VEHICLES (HUMVEE) AND HUMVEES - LISTED AS TRUCK, UTILITY ON THE AVAILABLE LIST, (2) TRUCK CARGO, (2) TRUCK DUMP, ETC. THROUGH THE FEDERAL 1033 LESO PROGRAM**

**WHEREAS**, federal law permits the Department of Defense to transfer to federal and state agencies property of the Department that it determines is suitable for use by agencies in law enforcement activities, including counterdrug 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**, The Borough’s participation will enable the Borough to acquire valuable equipment that it could not otherwise afford, and to prepare for, respond to, and assist in recovery from events such as Super storm Sandy; Straight line winds, Hurricane Irene, Severe winter storms, severe flooding, and several Nor’easters; and

**WHEREAS**, on March 16, 2015, former 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 “resolution adopted by majority of the full membership of the governing body”

**NOW THEREFORE IT BE RESOLVED**

That the Borough Council hereby approve and accept the acquisition of the following equipment under the United States Department of Defense 1033 program:

1. The Franklin Borough Police Department is authorized to acquire upto 3 “HUMVEE” vehicles which may or may not be armoured, listed as truck, utility on the available list, (2) truck cargo, (2) truck dump, etc. from the 1033 LESO program at NO cost to the Borough of Franklin.

**CERTIFICATION:** I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin at a regular meeting held on May 14, 2019.

  
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Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
JOSEPH LIMON	X			
JOHN POSTAS	X			
STEPHEN SKELLENGER	X			
GILBERT SNYDER			X	
GLENN SOULES	X			
STEPHAN ZYDON JR.	X			
MAYOR GIORDANO (Tie Only)				