

RESOLUTION NO. 2021-71

RESOLUTION AUTHORIZING THE BOROUGH OF FRANKLIN THROUGH THE FRANKLIN BOROUGH POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE FRANKLIN BOROUGH POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the *Borough of Franklin County of Sussex* that the *Franklin Borough Police Department* is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January, 2021 to December 31, 2021; and

NOW THEREFORE BE IT FURTHER RESOLVED that *Franklin Borough Police Department* is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Franklin Borough Police Department, without restriction; and


NOW THEREFORE BE IT FURTHER RESOLVED that Franklin Borough Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes: controlled property items authorized for acquisition, including quantity, e.g., (1) utility truck/Humvees, UAH - Up Armored Humvee, (12) 5.56 millimeter rifles, or (1) MRAP, watercrafts, utility trucks, passenger vehicles, all-terrain vehicles, tractors, and trucks; and

BE IT FURTHER RESOLVED that the *Franklin Borough Police Department* shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the *Franklin Borough Police Department* shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January, 2021 to December 31, 2021.

CERTIFICATION: I, Colleen L. Little, Acting 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 July 20, 2021.


 Colleen L. Little, Acting Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA	x			
JOSEPH LIMON	x			
JOHN POSTAS	x			
STEPHEN SKELLENGER	x			
GILBERT SNYDER	x			
STEPHAN ZYDON JR.	x			
MAYOR SOWDEN (Tie Only)				