

**ORDINANCE  
TOWNSHIP OF FRANKLIN  
ORDINANCE DETERMINING POSITIONS ELIGIBLE FOR THE DEFINED  
CONTRIBUTION PLAN**

**O-16-14**

**WHEREAS**, the State Legislature adopted Chapter 92 of the Laws of 2007 (N.J.S.A. 43:15C-1 et seq.) to create the Defined Contribution Retirement Program to provide retirement benefits to various county and municipal officials; and,

**WHEREAS**, N.J.S.A. 43:15C-2 requires the governing body of each county, municipality, and other local entity to adopt, as appropriate, either a resolution or ordinance to determine the positions that are substantially similar in nature to the advice and consent of the Senate for appointments by the Governor of the State, pursuant to guidelines or policy that shall be established by the Local Finance Board in the Department of Community Affairs, and for which officials appointed to such positions shall be eligible for and shall participate in the Defined Contribution Retirement Program, subject to the provisions of law; and,

**WHEREAS**, the Township Committee of the Township of Franklin has considered the guidelines issues by the Local Finance Board;

**NOW THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey that:

**Chapter      DEFINED CONTRIBUTION RETIREMENT PROGRAM**

**§      -1. Eligible Positions Required to Participate.**

Pursuant to N.J.S.A. 43:15C-2, the following positions are deemed to be eligible for and shall participate in the Defined Contribution Retirement Program:

- a. Business Administrator; and
- b. Department Heads.

**BE IT FURTHER ORDAINED**, this Ordinance shall be implemented, construed and subject to the aforesaid Chapter 92 of the Laws of 2007 (N.J.S.A. 43:15C-1 et seq.) as amended from time to time, and any regulations or guidance documents from the Local Finance Board or the Division of Pensions and Benefits.

**BE IT FURTHER ORDAINED**, that if any section, sentence, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of the competent jurisdiction, such holdings shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

**BE IT FURTHER ORDAINED**, a copy of this Ordinance shall be filed with the Director of the Division of Pensions & Benefits of the New Jersey Department of the Treasury.

**BE IT FURTHER ORDAINED**, this Ordinance shall take effect upon its final passage, adoption and publication provided by law.

Attest: Township of Franklin

\_\_\_\_\_  
Barbara Freijomil, Clerk

\_\_\_\_\_  
Edward Leopardi, Mayor

**CERTIFICATION**

I, Barbara Freijomil, Clerk of the Township of Franklin, in the County of Gloucester, do hereby certify that the foregoing is a true and correct copy of an Ordinance introduced by the Township Committee of the Township of Franklin at a meeting held on Tuesday, June 24, 2014, and will be considered for Public Hearing and final adoption at 7 PM on July 22, 2014, at which time any person interested therein will be given an opportunity to be heard.

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BARBARA FREIJOMIL, CLERK

Notice is hereby given that the foregoing Ordinance O-16-14 was finally adopted at a meeting of the Franklin Township Committee held on the July 22, 2014 at 7:00 in the Township of Franklin Municipal Building, 1571 Delsea Drive, Franklinville, NJ.

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BARBARA FREIJOMIL, CLERK

	Yes	No	Abstain	Absent
Mr. Genna				
Mr. Deegan				
Mrs. Neely				
Mr. Gonzalez				
Mayor Leopardi				