

**TOWNSHIP OF FRANKLIN
GLOUCESTER COUNTY, NEW JERSEY**

RESOLUTION NO. R-143-2023

RESOLUTION ACKNOWLEDGING THE OFFICE OF STATE COMPTROLLER REVIEW OF SICK AND VACATION LEAVE POLICIES IN NEW JERSEY MUNICIPALITIES – FRANKLIN TOWNSHIP FULLY COMPLETED CORRECTIVE ACTION PLAN

Whereas, the New Jersey State Legislature enacted a law on June 8, 2007 to reform both sick and vacation leave for municipal employees;

WHEREAS, On May 21, 2010 the New Jersey State Legislature enacted a law which enacted a one and only form of sick leave payment, which is a payment up to \$15,000 at retirement from a pension system. The law specifically stated that annual payments to employees cover by the law (ie sick sellback) are not permitted.

WHEREAS, from 2017 to 2021 the New Jersey Office of the State Comptroller conducted a judgmental sampling of 60 municipalities with resident populations of greater than 10,000 person.

WHEREAS; On July 7, 2022, the New Jersey Office of the State Comptroller wherein Franklin Township was found to have violations within several of their collective bargaining agreements which did not adhere to the above 2010 sick leave payment law.

WHEREAS; Franklin Township corrected the violation within the AFSCME Local 3574 contract which was settled in 2022 and memorialized by R-112-22 and the Township Administrator had spoken with representatives of both Police Department collective bargaining units concerning the above law and informed them that the practice of yearly selling back of sick time has been stopped effective June 2022 based on the fact that was contrary to the above referenced state laws (which was memorialized by R-171-22); and

WHEREAS; Franklin Township's Administrator along with its appointed Solicitor have reviewed the Township personnel policies, ordinances, individual employment contracts and all collective bargaining agreements for adherence to New Jersey State Law; and

WHEREAS; Franklin Township has had its independent auditor Bowman & Company review all accrual records to ensure proper calculation and documentation. Additionally, the Administrator, the Chief Financial Officer and the Human Resource Coordinator have all reviewed all internal policies, procedures and current accrual balances for accuracy; and

WHEREAS; Franklin Townships Administrator and the Human Resource Coordinator have implemented a double check system for all payments of accrual balances at time of retirement, separation from employment or termination of employment to ensure compliance with the above mentioned state statutes; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, that the Township will continue to ensure that all policies, procedures and internal controls will be explicitly followed from this date forward, will conform and adhere to the above 2007 and 2010 sick and vacation leave laws as passed and enacted by the State Legislature.

AND BE IT FURTHER RESOLVED , that a properly executed copy of this resolution be forwarded to the New Jersey Office of the State Comptroller by the Township Administrator for the their records and to show Franklin Township’s completed corrective action plan and full compliance with the above law.

ADOPTED, at a regular meeting of the Township Committee of the Township of Franklin on June 13, 2023

COMMITTEE MEMBER	MOTION	2 nd	YES	ABSTAIN	NO	ABSENT
T. Doyle						
J. Keen						
M. Marsh						
H. Flaim						
J. Bruno						

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Clerk

John Bruno, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the forgoing Resolution was presented and duly adopted by the Township Committee at a meeting held on Tuesday June 13, 2023.

Barbara Freijomil, Clerk