

**ORDINANCE NO. 3868-10**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY MORE PARTICULARLY CHAPTER 13, BOARDS, COMMISSIONS AND COMMITTEES, ARTICLE XIII, INSURANCE COMMISSION; ARTICLE XV, LIBRARY BOARD OF TRUSTEES, SECTION 13-65, MEMBERSHIP; ARTICLE XXII, ABSENTEEISM POLICY, SECTION 13-92, REMOVAL OF BOARD, COMMISSION OR COMMITTEE MEMBERS NOT SUBJECT TO STATE STATUTE GUIDELINES FOR THE REMOVAL OF SUCH MEMBERS; CHAPTER 26, HOUSING AUTHORITY, SECTION 26-2, COMPOSITION; TERMS OF OFFICE; APPOINTMENTS; CHAPTER 294, RENT CONTROL, ARTICLE I, RENT LEVELING BOARD, SECTION 294-8, RENT LEVELING BOARD ESTABLISHMENT; COMPOSITION; CHAIRPERSON; APPOINTMENTS; TERMS; SERVICES OF ATTORNEY AND SECRETARY; COMPENSATION.**

**SUMMARY**

An Ordinance amending Chapter 13, Boards, Commissions and Committees by repealing Article XIII, Insurance Commission in its entirety; change "One member shall be the Mayor or other chief executive officer of the municipality" to "One member shall be the Mayor or his designee"; remove "Senior Affordable Housing Advisory Committee" from Section 13-92; the addition of a Housing Authority Council Liaison and a Rent Leveling Board Council Liaison.

**BE IT ORDAINED**, by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey as follows:

**SECTION I**

Chapter 13, Boards, Commission and Committees, Article XIII, Insurance Commission of the Municipal Code of the Township, County of Somerset, New Jersey is hereby repealed in its entirety:

**ARTICLE XIII, Insurance Commission**  
**[Adopted 12-13-1994 by Ord. No. 1866 (§ 3-72 of the 1990 Code)]**

**§ 13-54. Continuation of existing Commission; powers and duties.**

The Township Insurance Commission heretofore created is continued with the following functions, duties and powers:

- A. ~~The primary function of the self insurance commission is to review the Township's motor vehicle self insurance program.~~
- B. ~~The Commission shall undertake an annual meeting at which time reports are filed as to the status of all self insurance account. Additional meetings are held on an as need basis.~~

**§ 13-55. Membership; vacancies.**

- A. ~~The Insurance Commission shall consist of the Township Manager and two Township department heads, appointed by the Township Council for a term of one year and until their successors have been duly appointed and qualified.~~
- B. ~~In the event of a vacancy during an unexpired term of office, a person shall be appointed as a member of said body to serve for such unexpired term.~~

**SECTION II**

Chapter 13, Boards, Commission and Committees, Article XV, Library Board of Trustees, Section 13-65, Membership of the Municipal Code of the Township, County of Somerset, New Jersey is hereby amended as follows:

**ARTICLE XV, Library Board of Trustees**  
**[Amended 10-10-2000 by Ord. No. 3162 (§ 3-69 of the 1990 Code)]**

**§ 13-65. Membership.**

The Library Board of Trustees shall consist of seven members:

- A. Five members shall be citizens, at least four of whom shall be residents of the municipality, and shall be appointed by the Mayor to serve five-year terms expiring on December 31. Members shall serve for their respective terms and until their successors thereafter have been appointed and qualified. [Amended 2-24-2009 by Ord. No. 3816]

- B. One member shall be the Mayor or other chief executive officer of the municipality .
- C. One member shall be the local superintendents of schools, or in the event there be no such official, the principal with power of supervision over the local school system.

### **SECTION III**

Chapter 13, Boards, Commission and Committees, Article XXII, Absenteeism Police, Section 13-92, Removal of board, commission or committee members not subject to state statute guidelines for the removal of such members of the Municipal Code of the Township, County of Somerset, New Jersey is hereby amended as follows:

#### **ARTICLE XXII, Absenteeism Policy [Adopted 2-13-2007 by Ord. No. 3656]**

#### **§ 13-92. Removal of board, commission or committee members not subject to state statute guidelines for the removal of such members.**

C. The boards, commissions and committees subject to this section include (includes boards, commissions and committees either not covered by state statute or under a state statute that does not address the issue of removal of members):

- (1) Advisory Board of Health.
- (2) Advisory Recreation Council.
- (3) Agricultural Advisory Committee.
- (4) Business and Industrial Advisory Board.
- (5) Cable Television Advisory Committee.
- (6) Emergency Life Support Delivery Committee.
- (7) Fire Prevention Board.
- (8) Human Relations Commission.
- (9) Joint Advisory Committee.
- (10) Library Board of Trustees.
- (11) Open Space Advisory Committee.
- (12) Rent Leveling Board.
- ~~(13) Senior Affordable Housing Advisory Committee.~~
- (14) Senior Citizen Advisory Committee.
- (15) Shade Tree Commission.
- (16) Trails Advisory Committee.
- (17) Youth Services Commission/Alliance Against Substance Abuse.

### **SECTION IV**

Chapter 26, Housing Authority, Section 26-2, Composition; terms of office; appointments of the Municipal Code of the Township, County of Somerset, New Jersey is hereby amended as follows:

#### **Chapter 26, HOUSING AUTHORITY**

#### **§ 26-2. Composition; terms of office; appointment.**

The Housing Authority shall consist of seven members as provided for in N.J.S.A. 40A:12A-17. The Council shall appoint five Commissioners of the Housing Authority, and the Commissioners shall hold office for terms of five years from the date of appointment, except that all vacancies shall be filled for the unexpired term. All Commissioners shall hold office until their successors have been appointed and qualified. One member of the Housing Authority shall be appointed by such state authority as is by law designated to make such appointment, and such member shall hold office at the pleasure of the state authority appointing him. The Commissioner appointed by the state authority shall be entitled to vote as a member of the Housing Authority and shall be entitled to all other privileges of membership on such Housing Authority. Not more than one Commissioner may be an officer or employee of the Township. The Township Manager shall appoint one member of the Commission, who shall hold office for a term of five years. The Township Council shall appoint a Council Liaison, who shall hold office for a term of one year.

**SECTION V**

Chapter 294, Rent Control, Article I, Rent Leveling Board, Section 294-8, Rent Leveling Board established; composition; Chairperson; appointments; terms; services of attorney and secretary; compensation of the Municipal Code of the Township, County of Somerset, New Jersey is hereby amended as follows:

**ARTICLE I**

**Rent Leveling Board**

**[Adopted 9-13-1973 by Ord. No. 647; amended in its entirety 12-15-1983 by Ord. No. 1155  
(Ch. 193, Art. I, of the 1990 Code)]**

**§ 294-8. Rent Leveling Board established; composition; Chairperson; appointments; terms; services of attorney and secretary; compensation.**

- A. There is hereby created a Rent Leveling Board within the Township of Franklin.
- B. The Board shall consist of five members and two alternate members. The Township Council shall also appoint a Council Liaison. Not more than one of the members shall be a landlord, or, if no landlord shall be willing to be so appointed, then, in such event, the Council may appoint a person who is employed in some capacity by a landlord. Further, not more than one tenant shall serve as a regular member of said Board. [Amended 5-24-1984 by Ord. No. 1169]
  - C. The Chairperson shall be chosen by the membership from among the members.
  - D. All members shall be appointed by the Township Council.
  - E. Terms.
    - (1) The initial terms shall be as follows:
      - (a) Two members shall be appointed to three-year terms.
      - (b) Two members shall be appointed to two-year terms.
      - (c) One member shall be appointed to a one-year term.
    - (2) The alternate members shall be appointed for terms of one year.
    - (3) Any subsequent appointment shall be for a three-year term, except for alternate members, who shall serve for one-year terms.
    - (4) Members shall serve their respective terms and until their successors are thereafter appointed and qualified. [Added 2-24-2009 by Ord. No. 3813]
    - (5) The Council Liaison shall be appointed for a one-year term.

**SECTION VI**

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the extent that if any clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

**SECTION VII**

All ordinances or parts of ordinances which are inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION VII**

This Ordinance shall take effect immediately upon adoption and publication according to law.

**ORDINANCE NO. 3868-10**

This is a true copy of an ordinance adopted by the Township Council, Township of Franklin, Somerset County, New Jersey.

Introduced: February 9, 2010  
Public Hearing: March 9, 2010  
Adoption: March 9, 2010  
Published: March 15, 2010  
Effective: March 29, 2010

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Ann Marie McCarthy, Township Clerk

