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New Jersey State League

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"While no one would call me "shy," and I take an active, visible role in much of what goes on, I am a big believer in working to create consensus."

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Janice S. Mironov
Mayor, East Windsor Twp.



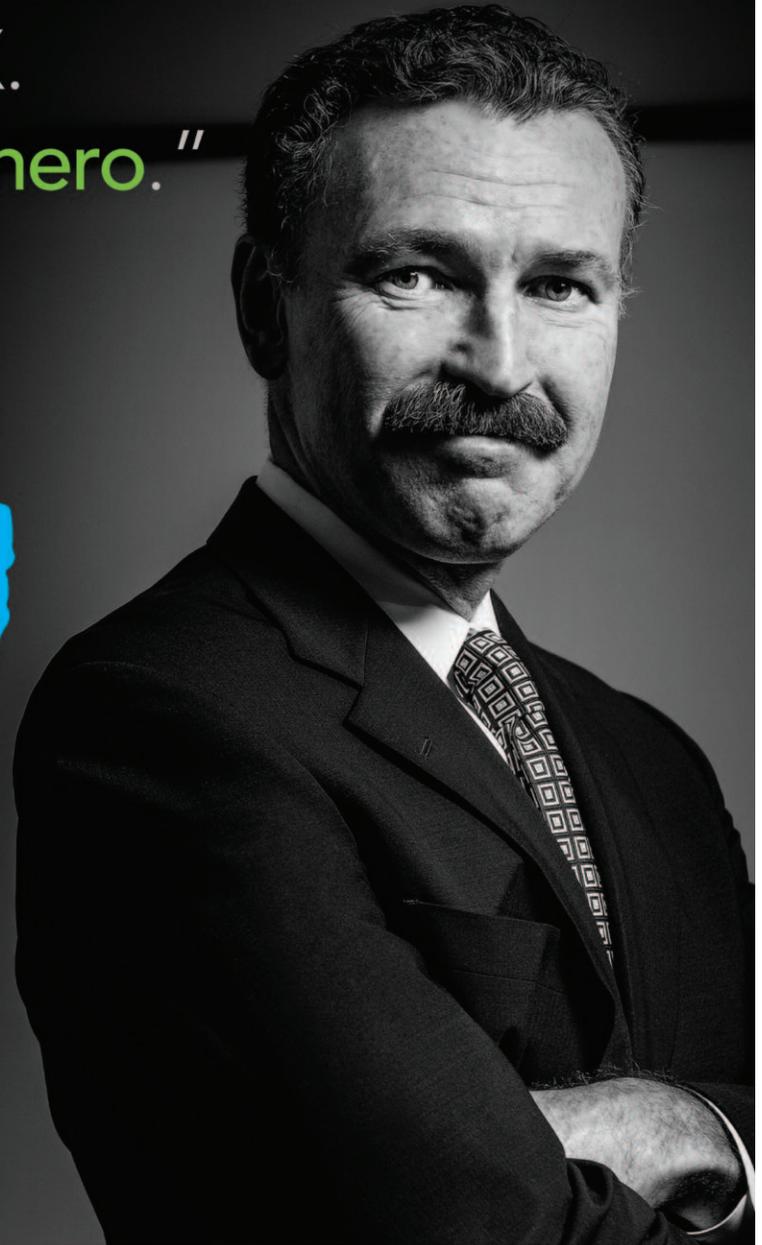


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Editor
William G. Dressel, Jr.

Contributing Editors
Lori Buckelew
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Managing Editor
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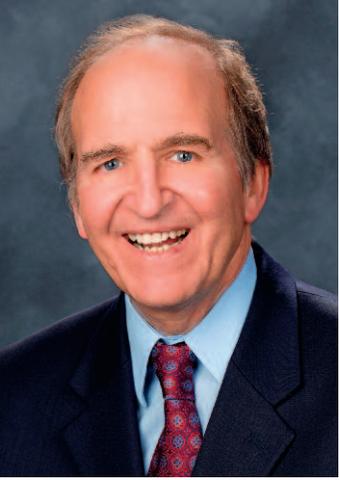
Subscription Manager
Thomas Fratticcioli

Creative Director
Dawn Becan, White Eagle Printing Co.

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FROM 222 WEST STATE STREET
BILL DRESSEL, LEAGUE EXECUTIVE DIRECTOR

MAKE THIS YOUR YEAR FOR ADVOCACY

Sandy's punch packed a wallop. But the people of New Jersey have a lot of heart. Dazed, but undaunted, we will recover and we will rebuild. As that work continues, we need to renew our commitment to deal with other concerns and challenges as well.

[JUST AS WE DID WHEN SANDY STRUCK, WE NEED TO WORK TOGETHER TO FIND PRACTICAL WAYS TO PROMOTE ECONOMIC DEVELOPMENT, ENVIRONMENTAL PROTECTION, PUBLIC SAFETY, PUBLIC HEALTH AND AFFORDABLE HOUSING.]

to control property taxes. For this reason, state policymakers need to carefully consider the costs, as well as the perceived benefits, of their legislative proposals. They also need to resist the temptation to divert local property tax relief monies to address state budget problems.

Just as we did when Sandy struck, we need to work together to find practical ways to promote economic development, environmental protection, public safety, public health and affordable housing.

In this month's Legislative Update section, NJLM's new President, Mayor Janice Mironov of East Windsor Township will introduce you to our legislative priorities for the coming year. We need the active participation of every municipal official to advance this ambitious agenda. Make this your year to speak up at the state level on behalf of your constituents and all New Jersey's citizens.

The damage done to New Jersey by Hurricane Sandy cannot be over-estimated. But, neither can the resilience of New Jersey's local officials.

You can rely on your own talents. And you'll get through this, as you have other challenges in the past. You can rely on each other. For almost a century now, through your League of Municipalities, you have learned and spoken as one. And together, you have overcome long odds and major crises. For almost 100 years, your League of Municipalities has been providing Mayors and other local officials with the tools they need to better serve their fellow citizens.

Just as Hurricane Sandy 'packed a powerful punch,' New Jersey's local leaders are also a force to be reckoned with. ▲

As 2013 begins, we must redouble our efforts to recover from the Energy Tax and CMPTRA cuts of 2008, 2009 and 2010. That funding belongs in local budgets. And by restoring those dollars, the state can help struggling property taxpayers all around the state, especially those unlucky enough to have been in Sandy's path.

The Legislature and the Administration need to recognize that local governments do all they can

NEW JERSEY MUNICIPALITIES



CONTENTS

January 2013



HURRICANE RECOVERY

COLUMNS

From 222 West State Street 2
By Bill Dressel

As I See It 28
By Chris Buoni, Council Member & Christopher J. Schultz, Township Manager, Medford Township

Washington Watch 44
By Robert Menendez, U.S. Senator

Under the Gold Dome 52
By Darryl Isherwood

Legislative Update 60
By Janice S. Mironov

Legal Q&A 72
By Matthew Weng, Esq.

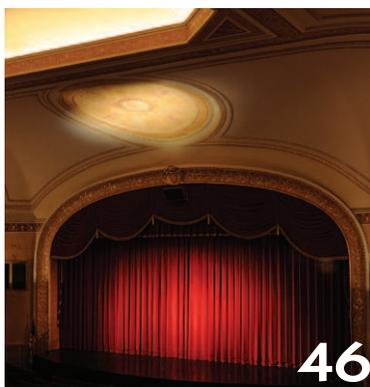
Business Card Directory 86

Garden Statements 88
By Taran Samhammer

Datelines 88
By Danielle Holland-Htut



CREDIT CARD METERS



INVESTING IN THE ARTS

FEATURES

Q and A with the League President 4
By Janice S. Mironov, NJLM President; Mayor, East Windsor Township

Special Section on Hurricane Recovery

Our Recovery Depends on Leadership at All Levels 8
By Chris Christie, Governor

Courage Amidst Devastation
Hard Hit Towns Rally to Help Storm Victims 12
By Kyra Z. Duran, NJM Managing Editor

NJLM Programs Focus on Hurricane Recovery 22

Preparing Municipalities for Climate Change and Flooding 24
By Randall Solomon, Co-Director, Sustainable Jersey

Annual Report of the Executive Director 30

Credit Card Meters
New Technology Helps Solve an Old Problem 42
By Jay A. Gillian, Mayor, Ocean City

Rah Rah Rahway
Driving Tourism by Investing in the Arts 46
By Samson Steinman, Executive Director, Union County Performing Arts Center; President, Rahway City Council

Just Call Us Art-lantic City 48
By John Palmieri, Executive Director of the Casino Reinvestment Development Authority & Liza Cartmel, President and CEO of the Atlantic City Alliance

Adjusting State Regulations to Make Shared Services Work 54
By Robert M. Czech, Chair/CEO, New Jersey Civil Service Commission

East Windsor Mayor Janice S. Mironov Elected League President 58

League Officers for 2012-2013 Elected 59

Recognizing Decades of Leadership
NJLM's Mayors Hall of Fame 62

Measuring Investment Returns from the Municipal Perspective 64
By Leslie A. Anderson, Executive Director, New Jersey Redevelopment Authority & Arthur A. Linfante, Value Research Group, LLC

Long-term Care Communities Make Good Neighbors 70
By James W. McCracken, New Jersey Ombudsman for the Institutionalized Elderly

A Look Inside the NJDEP's Waiver Rule
Is Your Project Saved? 74
By Mary Pat Robbie, Director Resource Conservation Burlington County & Eric Rosina, Director of Environmental Services, ACT Engineers, Inc.

The Bayonne Bridge Project
Creating Jobs Now and Securing Our Future 80
By David Samson, Chairman, The Port Authority of New York & New Jersey

Annual Business Meeting 82

Resolutions Passed at NJLM Business Meeting 84



League President Janice Mironov, Mayor of East Windsor Township, visits with residents outside the East Windsor Senior Center.

New League President Janice Mironov

A Champion of Consensus

1

Why did you first become involved in your town's government?

I have always had an interest in government, albeit not necessarily elective office. I grew up in Englewood, New Jersey, which always had a high level of political and social activity. Then, while at Wellesley College, I had paid summer internships for the City of Atlanta, Boston Housing Authority, and (during my last summer) for a congressional group in Washington D.C. After graduation, I continued to work for the congressional group while attending law school in Washington, D.C. After returning to New Jersey and ultimately locating in East Windsor Township, I was encouraged to get involved in the local Democratic Party organization, which I did. I also decided to apply to be on the township planning board, and did some municipal attorney work.

I had the desire and belief that I could help make positive changes in the community. By this point, I knew many people and thought my background would be helpful. So, I became more involved in local politics and ultimately ran for municipal office. I have served as Mayor of East Windsor Township for the past 17 consecutive years. While much of my interest had always focused more on state and national issues, I discovered that serving as Mayor is a great way to directly impact people and events. As a Mayor, you can get real things done. I especially enjoy involvement and projects with young people in the community.

2

What are the most significant challenges facing local governments?

The greatest challenges facing local government today revolve around budgeting and fiscal issues, while meeting the basic municipal responsibilities and providing necessary services. In the past several years it has become more difficult to effectively plan and manage local finances due to (1) the state and national economic downturns, (2) the decline in property values and the resulting volume of tax appeals and statutorily-required municipal tax refunds, (3) the state's decision to withhold more and more funds which belong to towns, and (4) the many other limitations and burdens placed upon municipal officials.

Another huge challenge has arisen in the area of planning and land use control, as a result of some of the overreaching and interference by some state officials which serve to undermine thoughtful local planning and important community goals, and create increased litigation and costs. Examples of these types of legislative/administrative actions include (1) the age-restricted conversion law, (2) repeated permit extensions, (3) the creation of new "inherently beneficial" status for non-permitted uses such as the placement of solar panels on productive farmland, and (4) attempts to "grab" municipal housing trust funds, thereby leaving taxpayers holding the bag.

3

How would you describe your style of leadership?

My style of leadership involves a great deal of communication and information flow, formally and informally, both to the public and to other elected officials and appointees. Making available substantive and accurate information helps generate better and more positive decision making. It also results in an enhanced sense of trust and confidence by the public. I believe strong structure and good organization are important elements in effectively sharing information, receiving input and ideas, and productively guiding discussions and decisions. While no one would call me "shy," and I take an active, visible role in much of what goes on, I am a big believer in working to create consensus. Getting everyone on board, both within the Township Council and among the public, creates a higher level of satisfaction and enjoyment for everyone in government and in the community. And in the end, more constructive things get accomplished and citizens are more enticed to get involved locally.

WHILE NO ONE WOULD CALL ME "SHY,"
AND I TAKE AN ACTIVE, VISIBLE ROLE
IN MUCH OF WHAT GOES ON,
I AM A BIG BELIEVER IN WORKING
TO CREATE CONSENSUS.

4

What do citizens want from their local government and has it changed?

I believe citizens want competent basic service delivery. Whether it is garbage and recycling collection, permit processing, policing, snow removal, road maintenance, parks upkeep, these are tangible things residents see every day that directly affect them. In addition, citizens want to get a response when they have questions, concerns or complaints. It is key to effective governing to always respond in a timely manner, even if we cannot provide them with the answer they want. Citizens also expect to see that decisions are being made and things are getting done in the community, and in a professional environment.

And of course citizens want more services and programs and lower taxes. We must strive to meet this ever-present

challenge by identifying ways of continuing to serve constituents in the most cost effective manner. Communication and working together, sharing ideas and services, using great resources such as the League of Municipalities, are key to always striving to better government and thereby quality of service and "bang for the buck" for our residents.

5 *What advice would you give to newly elected officials?*

I would advise newly elected officials to become informed, watch and learn. You should speak less at the beginning and get acclimated to information, process and personalities. Do not be afraid to ask questions, seek advice and ask for assistance. Learn all you can and always admit it when you do not know an answer. Just let people know that you will find out and follow up later.

Also, take advantage of resources such as the League to become better informed and keep up to date. Spend time visiting the League website. Attend League events where you can network and meet other municipal officials. Together, we can share ideas, discuss issues, and get advice and assistance with problems and emerging challenges.

6 *What are the biggest legislative challenges facing municipalities?*

The biggest legislative challenge facing municipalities is to remain vigilant and vocal. Often state officials in pursuit of what they perceive as noble goals and legislation (be it promoting renewable energy, creating affordable housing, generating jobs, seeking transparency) fail to adequately appreciate the full implications, costs and negative impacts that result from these specific

well-intentioned proposals. Since many of them have never served in municipal office, they do not always understand the intricacies and consequences of their proposed actions.

The other huge legislative challenge for towns is the state's inclination to address some of the many economically-created issues with top-down decisions. These decisions remove resources from municipalities, while imposing new burdens and increasing property taxes for our residents. State officials need to be held accountable for the results of their actions, instead of abdicating responsibility by throwing local officials "under the bus."

7 *What are your goals as League President?*

My goal as League President is to continue and enhance networking, educational and discussion opportunities for municipal officials. We must continue to work together effectively to further our common interests and express our positions and needs to the Administration and Legislature. As we have seen in several situations, our joint voices and efforts are much more likely to yield attention and results than any of us working solo. We also need to continue, maybe even expand, by identifying and forming alliances with non-profit organizations and business groups where our mutual interests and goals can be advanced.

My top priority remains pursuing restoration of Energy Tax Receipts property tax relief funding. These are municipal monies that were intended to provide local property tax relief. It is wrong for the state to divert large amounts to plug holes in the State Budget.

Another important priority will be to work for thoughtful, balanced environmentally-sensitive land use policies which do not further undermine municipal planning and jurisdiction, and "good government" policy goals. Likewise, programs to attract and stimulate business development and job generation through reasoned good public policy programs, incentives and actions should be developed jointly at all levels of government to enable effective partnerships. ▲



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DISASTER

Courage Amidst Devastation



Pictured, L to R, are CPT Robertson, SSG Recinos, SGT Barbato, SGT Zembrano, SPC Edwards, PFC Santiago of Alpha Company of the National Guard at work in Manasquan in the aftermath of Hurricane Sandy.

A SPECIAL REPORT ON
NEW JERSEY'S RECOVERY EFFORTS

Recovery Depends on Leadership at All Levels



By Chris Christie
Governor

Look back in awe to the morning of Tuesday, October 30, when we assessed damage after the harrowing overnight landfall of Hurricane Sandy. The massive coastal storm surge laid waste to large swaths of the Shore and barrier islands and knocked out power to most of our state.

Nothing could prepare me for what I saw later that day when we were able to survey from the air the full breadth of devastation, particularly to our coastline, the Raritan Bay communities and barrier island towns. Inland and to the north and south as well, thousands of dwellings—everything from mansions, to middle-class homes and blocks of humble summer bungalows—were destroyed by the storm. Thousands of small businesses, the backbone of our local and state economies, suffered the same fate. Our roads, mass transit systems, schools and all manner of urban and suburban infrastructure, were heavily damaged.

We and the state we love were dealt a cruel blow by Hurricane Sandy. And, like the unprecedented nature of the storm, our level of cooperation must be equally unprece-

dentented if we are to meet the challenges Sandy left behind. The task of rebuilding is daunting; I won't sugarcoat that for you. It will take months, and in some aspects, years. This is the time for all of us—from governor to freeholder, mayor and council member—to step up. We are, truly, all in this together; and our citizens will continue to look to us for leadership and will expect nothing less.

WE ARE ALL IN THIS TOGETHER FOR
THE LONG HAUL AND FOR THE BENEFIT
OF THE STATE WE LOVE, THE PEOPLE
WE SERVE AND FUTURE GENERATIONS.

The costs and impact on your municipal tax bases, budgets and infrastructure are considerable. What you can



Governor Chris Christie gets a thank you hug from home owner Sue Boulaga while touring flood damaged areas of Moonachie. (Governor's Office/Tim Larsen)

continue to expect from me and my administration are results-driven Cabinet departments that will deliver state services and help you through the planning and rebuilding process.

Equally important, my Administration has launched a full-throttled, unrelenting and unapologetic effort to bring to New Jersey all it deserves from the federal government in terms of rebuilding aid.

We accomplished much through bi-partisan cooperation and persistence in the initial weeks. We demanded progress and accountability from the utilities, and more than 17,000 out-of-state utilities workers came in to restore power as quickly as humanly possible. We worked daily with President Obama to get FEMA aid and housing assistance flowing quickly (more than \$264 million in disaster assistance was distributed to more than 49,000 New Jerseyans by the end of November and more will be coming). Together state, federal, and local officials met the challenge of fuel supply disruption by implementing an orderly restoration of sup-



Governor Chris Christie meets with Cape May County officials in Avalon on October 30, 2012. (Governor's Office/Tim Larsen)

ply across the state, while giving priority to fuel for generators at critical facilities, such as hospitals and wastewater treatment plants.

We have since acted decisively to move beyond the initial recovery and cleanup phase to rebuilding. To man-

age the complexities of planning and marshaling resources, I have appointed a Cabinet official, who will work directly with me, to serve as the single point of contact for rebuilding-related matters. We have also retained Witt Associates, a national firm with vast

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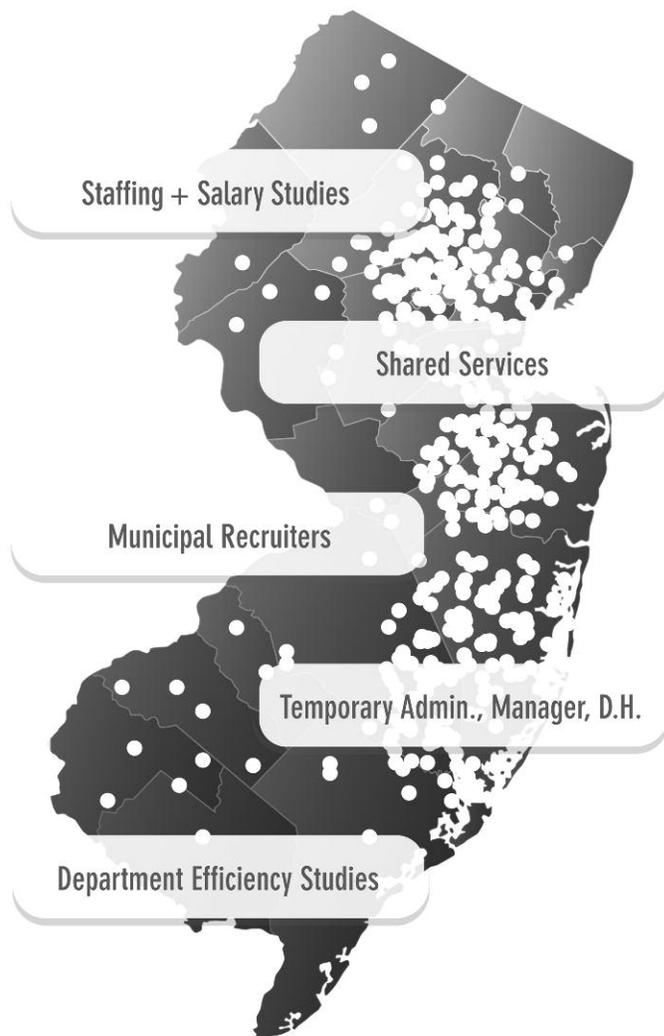
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experience in disaster recovery and large-scale mitigation management, to assist with long-term rebuilding efforts. Currently a special advisor to the state of Louisiana, James Witt assisted in the aftermaths of hurricanes Katrina and Rita and served as FEMA director under President Bill Clinton.

As I've said, this is "our Katrina." Thankfully, we fared much better in terms of lives lost (38 storm-related deaths), which I am certain we can attribute to our preparedness, leadership and the experience we gained during Tropical Storm Irene. We've estimated that Sandy either destroyed or seriously damaged 30,000 homes and businesses, and my administration has calculated the total damage left by Sandy—from housing stock, to roads, bridges, transit, utilities and other infrastructure—at \$36.9 billion.

My Administration has every expectation that New Jersey will be treated similarly on a comparative basis with federal aid delivered in other natural disasters. The federal government must take into account the level of destruction, the unique character and needs of our state, as well as its role as an economic engine for the region and country as a whole. I am working closely with all our members of Congress, including Senator Frank Lautenberg and Congressman Rodney Frelinghuysen, both members of their respective Appropriations Committees. I have also built on my excellent relationship with Governor Cuomo of New York to bring our combined bipartisan authority and experiences to bear in Washington.

Now, more than at any other time, how we perform in our roles as elected and appointed officials will define us and the future of our state and communities. I urge everyone to rise to the occasion until we get the job done. Many of you have done that and done so superbly. I don't need to tell you, however, that this challenge will demand much, much more of us. From this post-Sandy experience, I think you know by now that I have no interest or tolerance for politics or past political battles when it comes to dealing with our rebuilding. As I said, we are all in this together for the long haul and for the benefit of the state we love, the people we serve and future generations. ▲

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Courage Amidst Devastation

Hard Hit Towns Rally to Help Storm Victims



By Kyra Z. Duran
NJM Managing Editor

New Jersey Municipalities magazine thanks the towns that sent us information and photos to include in this special feature. We will be carrying additional articles on the topic in upcoming issues.

New Jersey's municipal government leaders were pressed into service as never before by the destruction and disruptions caused by Hurricane Sandy. The largest storm to hit our state in recorded history, Sandy caused 36.9 billion in damages. It killed 38 people, left thousands homeless and cut power to 2.7 million homes and businesses.

In the face of an unprecedented emergency, many of you worked around the clock to provide shelter, food, information and other assistance to your fellow citizens. City of Orange Township Mayor Dwayne D. Warren headed out his door with a chainsaw in his hand. Lake Como Councilmember Brian Wilton donned a wet suit to rescue those trapped by floodwaters. East Orange Councilwoman Sharon Fields spent her days distributing food. The same spirit took hold in communities across the Garden State.



Belmar Councilman Kevin Higgins makes a boat rescue.



This photo of flooding on the bay side of Seaside Heights was taken from the Governor's helicopter. (Governor's Office/Tim Larsen)

Challenges Officials in Ocean City estimate that their city sustained \$438 million dollars in damage. They expect the recovery effort to continue for many months to come.

In Sea Girt all but 762 feet of its 3,397-foot boardwalk was destroyed and 4,777 feet of new and existing sand dunes were flattened. Sea Girt's ocean-front Pavilion incurred significant damage, as did its adjacent Lifeguard Headquarters and snack bar.

Ocean Avenue in Sea Girt was clogged with two to three feet of sand and about 40-60 feet of beach was lost to the waves.

For the first time in about 50 years, Sea Girt was separated from its northern neighbor, the Borough of Spring Lake, as the storm surge opened the old Wreck Pond Inlet between the two municipalities.

In Woodbridge Township, more than 1,700 residents filed for emergency relief with FEMA. Woodbridge Township filed a Preliminary Damage Assessment report seeking more than \$15 million in FEMA reimbursement.

The City of East Orange was fortunate to suffer minimal amounts of flood damage; however, the damage due to high winds was disastrous. Hurricane Sandy downed 300 city-owned trees, and over 60 of those landed on homes and other property, such as automobiles.

To meet the challenge, East Orange had to enter into a contract with outside tree removal companies. At the same time, city employees worked extended hours and 2 dozen part-time workers were hired to expedite the clean-up

effort. The trees had to be removed quickly to make way for leaf removal to avoid gutter and sewer backups and to allow PSEG access to some of the affected areas.

IN THE FACE OF
AN UNPRECEDENTED
EMERGENCY, MANY
OF YOU WORKED
AROUND THE CLOCK TO
PROVIDE SHELTER, FOOD,
INFORMATION AND
OTHER ASSISTANCE
TO YOUR RESIDENTS.



People line up in Alpine for fuel for their generators. A local resident and his company provided their generator to electrify Alpine's sole gas station. As you traveled around town, you could hear the hum of gas generators that would have been idle if not for the gas station being able to pump gasoline.

Rescues The Alpine Fire Department was kept busy with more than 30 calls during the storm, including rescuing a resident pinned under a fallen tree, evacuating those overcome by carbon monoxide poisoning from generators and furnaces, and putting out car fires.

Flooding led to the need for a number of water rescues in Belmar. Officials there said the activation of the Belmar

Water Rescue team, an all volunteer organization formed in 1995 to respond to the large number of drownings that occur after lifeguards leave for the day, proved invaluable following the hurricane. Water rescue team members were asked by the first aid squad to join them in responding to emergencies beginning on the morning of October 26 in anticipation of the flooding that might occur.

As a result, when the storm surge hit, there were eight water rescue team members already activated and prepared to begin rescues. Due to the number of water emergencies, a total of 20 members were called in immediately after the surge hit at about 8:00 pm Monday night.

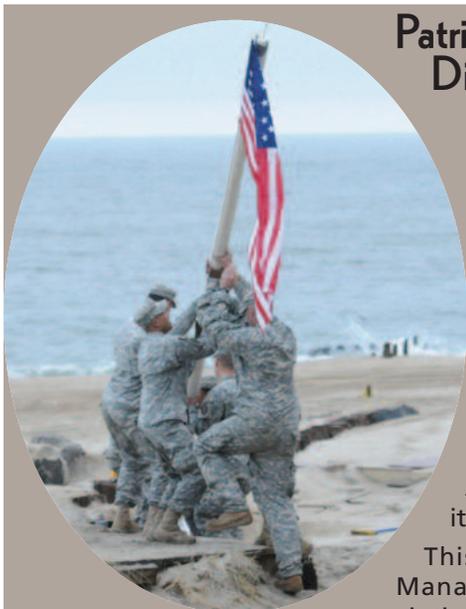
Most worked the first 24 to 36 hours without a rest. Boats, kayaks, rescue boards and swimmers worked to evacuate trapped residents and ultimately saved over 150 people, ranging in age from 18 months to 80 years.

Belmar Water Rescue Team member John Feniello was praised as a hero along with Lake Como Councilwoman-Elect Virginia Kropac, by Belmar Councilman Brian McGovern after they rescued his wife during the height of the storm.

The storm surge in Elsinboro Township, estimated at 10 feet, damaged local roads and made its way more than 100 yards inland.

The Elsinboro Township emergency response team immediately went out to rescue those in need. Water was several feet deep and beginning to fill people's homes.

Mayor Sean M. Elwell, who is also a volunteer firefighter, was able to work with both local and county emergency management officials to assure that all residents were safe and their homes were secure.



Patriotism and Determination on Display in Manasquan

Members of the National Guard's Alpha Company noticed a flagpole downed by Hurricane Sandy adjacent to a residential home during their roving patrols of the beach in Manasquan. Upon inspection, the flag pole was significantly damaged, but knowing how important the American spirit is to recovery efforts, these National Guard members took it upon themselves to repair the pole.

A passerby took this photo and shared it with the National Guard members.

This photo, taken on the beaches of Manasquan, New Jersey symbolizes the patriotism and determination of all Americans who recover from tragedy and disaster.



The roller-coaster from Casino Pier in Seaside Park was left in the surf by Hurricane Sandy. (Governor's Office/Tim Larsen)

Public Works On October 28, the sign at the Borough Hall Building in Union Beach proudly displayed the announcement that John K. Haines, Director of Public Works, was chosen by the American Public Works Association as the 2012 Public Works Leader of the Year. The next day, much of the borough lay in ruins, decimated by Hurricane Sandy.

Mr. Haines, along with his staff at the Department of Public Works, assisted the first responders in the rescue of

many residents and then immediately rose to the challenge of clearing debris.

Donations Almost immediately, the Senior Resource Center at the Union Beach Borough Hall building became a food and supply pantry. Borough leaders, employees and volunteers spent their days receiving and handing out what appeared to be an endless stream of necessities to the residents.

The center became a gathering place where residents, volunteers and

employees hugged, laughed and cried together. Donations arrived by truck from out-of-state, in boxes carried by residents and businesses from other New Jersey towns, and in shopping bags carried by "Beachers" looking to help their fellow residents.

In the weeks following the storm in Union Beach, hundreds of volunteers helped out by answering phones, delivering food and supplies, helping clear debris, working on homes, and basically doing anything that was asked of them. The borough's employees



Over 50 organizations and businesses gathered to donate water, canned goods, hygiene products and other necessities to storm affected families in Perth Amboy. After one day's notice, donations filled the Perth Amboy community room. Perth Amboy Mayor Wilda Diaz is pictured in the front center.



City of Orange Township Mayor Dwayne D. Warren, chainsaw in hand, took a direct role in recovery efforts.



Lake Como Councilman Brian Wilton, Councilwoman-elect Virginia Kropac and water rescue team member Michael Dahrouge performing a rescue on Tuesday morning.

worked non-stop to provide additional services to residents.

It was a similar scene in Ocean City where a volunteer team of construction workers, electricians and other utilities specialists donated their time

to help get downtown businesses, restaurants and homes in living condition. They are working closely with Ocean City code and engineering officials as well as the local FEMA and SBA representatives.



Chatham Township Mayor Nicole Hagner, Harding Township Administrator Gail McKane, Harding Township Committeeman Nicholas Platt, Madison Mayor Robert H. Conley and Madison Councilman Robert Landrigan pose with a rented bus that was used by residents following Hurricane Sandy. Madison chartered buses to New York as an alternative to NJ Transit after Superstorm Sandy disrupted train service. The borough notified the Chathams, Harding and Florham Park about the buses so residents of those towns also could be notified of the service.



Governor Chris Christie greets President Barack Obama before an arial tour of the damage to New Jersey at Atlantic City Airport on October 31, 2012. (Governor's Office/Tim Larsen)

Faced with the task of finding long-term solutions for displaced residents, Ocean City's housing committee requested that second homeowners not affected by the hurricane consider donating or reducing the rental costs on their units to help those with housing issues.

Businesses in Ridgewood went "above and beyond" to accommodate residents with power, food and beverages.

Shelters The Alpine Town Hall and the Fire House sheltered people and its generator provided warmth and a charging station for phones and other electronics. Firefighters slept on cots in the station during the storm. The Department of Public Works worked throughout the storm, and for days after, clearing the roads of fallen trees and debris so that families were not trapped in their homes.

In Ocean City, Disaster Relief Centers were established to serve hot meals and to issue non-perishable food, clothing and cleaning supplies. A volunteer training center was set up to train and equip those who went door to door, up and down the island, to help with basic home repairs, cleaning/mold removal and moving.

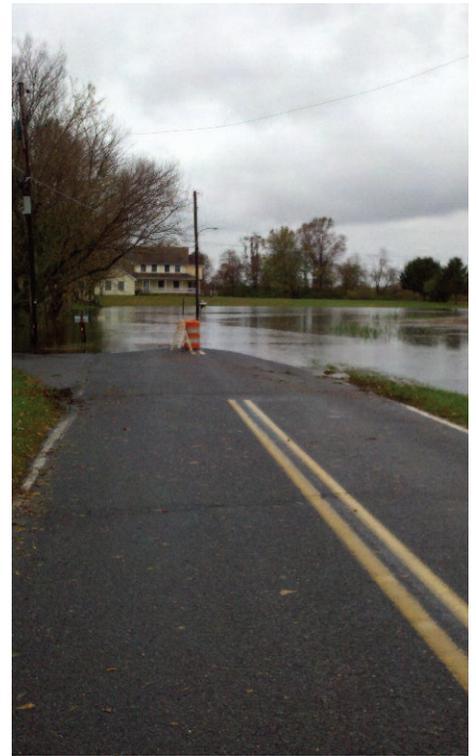
In East Orange, comfort stations for residents were opened in the East

Orange Public Library, the East Orange YMCA, the East Orange Civic Center and the Bowser Family Senior Service Building. The stations gave people a warm location to power phones and laptops during the day. For those who could not stay in their homes, transportation to 24-hour county shelters was provided.

In Elsinboro Township the entire township committee assisted with staffing at the emergency operations center and temporary shelter.

The City of Orange Township had assistance from churches and schools that opened their doors to become feeding and comfort stations. The plan freed many key first responders to stay prepared, flexible and responsive.

The Borough of Sea Girt's Recycling Center was kept open additional hours on a seven-day a week basis until regular sanitation and recycling services resumed. Halloween, while postponed, was eventually held in the Sea Girt Elementary School parking lot and was



Water completely covers Salem Fort Elfsborg Road in Elsinboro Township, making the road impassable.

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dubbed "Trunk n Treat," as the children went from car to car to collect candy.

In Woodbridge the Community Center served as the State Office of Emergency Management Regional Emergency Evacuation shelter for seven days, housing hundreds of township residents and evacuees from Middlesex, Union and Monmouth counties. Community Emergency Response Team (CERT) members worked tirelessly to serve those who came to the Community Center for assistance. At the peak, there were 172 evacuees residing in the building.

As the storm surge rolled through, the Woodbridge Township Animal Shelter & Pet Adoption Center took on several feet of water. Shelter employees and volunteers safely evacuated all of the animals without any loss of life, and have worked to restore the shelter and services.

Communications In the City of East Orange, the reverse 911 calling system made it possible to provide residents with information such as the locations of comfort stations, emergency contact information and updates on restoration efforts.

In Ocean City, the municipal website, reverse 911, government access channel 2 and email blasts as well as social



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PHOTOS: STRUXURE® Recycled Structural Composite Boardwalk installed in DuPage Forest Preserve near West Chicago, Illinois.

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North Plainfield Borough Clerk Rich Phoenix shot this photo of North Plainfield's historic Holy Cross Church with his cell phone on his walk to work. According to members of the congregation, the damage was purely exterior. The tree missed their sanctuary and smacked into the steeple, breaking the stained glass window. Thanks to a generator, the church was able to serve as one of the borough's four polling places on election day.

media (including twitter and Facebook) were used to update residents, second homeowners, businesses and

vacationers. In addition, live operators were on call for extended hours to answer the countless calls coming in.

Ocean City also established a CARE Hotline number (1-855-622-2730) to assess callers' needs and identify the priority of the assistance requested. A website (www.ocnjCARE.org) and facebook page (ocnjCARE) were used to update followers on the most urgent needs for volunteers and donations, and to track the number of people helped to date. Information on storm assistance was translated for the Spanish speaking population.

League President and Mayor of East Windsor Township, Janice S. Mironov, considered communication a key element of her town's response, "We provided regular emailed E-News Alerts, which we also posted on the website and provided to media." East Windsor uses the County Reverse 9-1-1 System which has a data base of home phone numbers for emergency communications. As a result of suggestions post-Irene, the system now enables registration of cell phone numbers.

Looking Ahead As President of the League of Municipalities, East Windsor Township Mayor Mironov plans to follow up with other officials to discuss possible improvements to enhance communications and preparedness. She would like to see local leaders provided with reasonable timelines and action plans that include priority sites for mayors. "Working together we can all learn and maybe also reduce the stress and uncertainty of officials and residents," said Mironov.



Volunteer work crews coordinated by OCNJ CARE help cleanup the bayfront district on the north end of Ocean City. (Photo by OCTabernacle)

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City of Orange Township Mayor Dwayne D. Warren believes severe weather in our area may become the new "normal." His township plans to conduct a complete assessment to improve on strengths and eliminate any weaknesses in its emergency management response systems.

Sea Girt officials believe the construction of a 30-foot high, 30-foot thick sand berm that spanned a mile of the borough's ocean front, prevented further flooding and damage to homes.

Woodbridge Mayor John E. McCormac noted that "The entire township came together to aid neighbors and family in a time of true need during the most severe storm to hit the East Coast of the United States in more than 100 years."

His words of thanks were echoed by many New Jersey municipal leaders.

On Sunday, November 25, Ocean City's C.A.R.E. Project hosted a Community Prayer Service to give thanks and reflect on all that occurred in Ocean City as a result of the storm. The service included uplifting music and remarks from the leaders of numerous religious denominations from Ocean City, city leaders, and heroes from the storm recovery.



Vice President Joe Biden, Lt. Governor Kim Guadagno, Seaside Park Mayor Robert Matthies and other officials survey how the natural dunes protected homes in Seaside Park. (Governor's Office/Tim Larsen)

According to those in attendance, hope, a restored faith in humanity, and a renewed sense of unity emerged throughout the entire Community of Ocean City. Many attested to a similar spirit of cooperation, caring and self-

lessness in their communities. We will need to nurture the positive energy that was created in the aftermath of the hurricane to move our state toward recovery and on to greater prosperity in the years ahead. ▲

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NJLM Programs Focus on Hurricane Recovery

On November 28, 2012 at the Conference Center at Mercer, the New Jersey League of Municipalities held the first of two special programs designed to help municipal officials respond to the needs of their residents in the aftermath of Hurricane Sandy.

Then League President Mayor Arthur Ondish expressed his gratitude to the officials present and promised future assistance. "It is critical that we, as the level of government closest to those affected, have the information to help our residents cope with the aftermath of Hurricane Sandy," noted then President Ondish. "The League will continue to address hurricane recovery and reconstruction in the future."

The first of two scheduled day-long programs featured presentations by personnel from the Division of Taxation, the Federal Emergency Management Agency (FEMA), the US Small Business Association, the New Jersey Office of Emergency Management and the Department of Community Affairs divisions of Codes and Standards, and Local Government Services.

Also on hand were members of the New Jersey Association for Flood Plain Management, several insurance adjusters and the head of the Municipal Excess Liability Joint Insurance Fund.

Upcoming Program If you missed the November program or need more information, a second program on Hurricane Sandy response will be held on January 23, 2013 at the Conference Center at Mercer. Registration and agendas will be posted shortly on the seminar page: www.njslom.org/seminars.html.

IF YOU MISSED THE NOVEMBER PROGRAM OR NEED MORE INFORMATION, ANOTHER PROGRAM ON HURRICANE RESPONSE WILL BE HELD ON JANUARY 23, 2013 AT THE CONFERENCE CENTER AT MERCER.

Links and Presentations: To view the information presented by the various agencies at the November 28 meeting, use the links listed below.

Division of Taxation:
www.state.nj.us/treasury/taxation/sandy-relief.shtml

Municipal Excess Liability Joint Insurance Fund (Perma-JIF):
www.connerstrong.com/insurance-risk-management

FEMA: www.disasterassistance.gov or call 1-800-621-3362

US Small Business Administration:
www.sba.gov or call 1-800-659-2955



Panelists for the Hurricane Sandy Seminar (left to right) included Captain Thomas Scardino, Executive Officer, Emergency Management Section, Homeland Security Branch; Joseph Harvey, Insurance Adjuster; Charles Casagrande, Danskin Insurance Agency, Spring Lake; John Miller, Legislative Committee Chair, New Jersey Association for Flood Plain Management; Jesse Munoz, Director, Recovery Division, FEMA; Dave Grubb, Executive Director, Municipal Excess Liability Joint Insurance Fund and then NJLM President Arthur Ondish, Mayor Mount Arlington.



Over 100 municipal officials and others attend the Hurricane Sandy Aftermath program on November 28, 2012 at the Conference Center at Mercer.

Division of Codes and Standards:

www.state.nj.us/dca/divisions/codes/

- **Temporary Employment of Code Officials:**
www.state.nj.us/dca/divisions/codes/
- **Storm Recovery Information:**
www.state.nj.us/dca/divisions/codes/alerts/pdfs/storm_recovery_information.pdf
- **Permit Fees:** www.state.nj.us/dca/divisions/codes/alerts/pdfs/hurricane_sandy_fee_ltr.pdf
- **Electrical Systems Guidance:**
www.state.nj.us/dca/divisions/codes/alerts/pdfs/hurricane_sandy_guidance_11_2012.pdf

• **Boilers, Pressure Valves, Refrigeration Systems, and other Appliance Guidance:** www.state.nj.us/dca/divisions/codes/alerts/Recovery_from_Flood_Safety_Alert.pdf

• **Landlords and Tenants Safety Guides:**
www.state.nj.us/dca/divisions/codes/alerts/pdfs/LT-sec_deposit_hurricane_info.pdf

Division of Local Government Services: www.njslom.org/presentations/112812-HurricaneSandyAftermath-1.pdf

New Jersey Office of Emergency Management:
www.state.nj.us/njoem/programs/sandy_recovery.html

New Jersey Association for Flood Plain Management:
www.njafm.org ▲

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Preparing Municipalities for Climate Change and Flooding



By Randall Solomon
Co-Director, Sustainable Jersey

On October 29, Hurricane Sandy dealt New Jersey a severe blow. As we continue to rebuild our lives and communities, it is a harsh reminder that sustainability is not just an abstraction. Sustainability is about rising to the challenge of making the right decisions today, so that we can have a prosperous and secure life in the future.

For the past two years Sustainable Jersey has been working on a new set of resources and Sustainable Jersey "actions" to help municipalities deal with the increased flooding that is predicted to occur. The program will be unveiling beta-versions of these resources at workshops scheduled in January of 2013.

New Jersey has already begun to experience the effects of climate change, including higher temperatures, more frequent and intense storms, variations in precipitation and a rising sea. While one year of extreme weather or one storm like Hurricane Sandy does not indicate, in and of itself, a trend; these recent extreme weather events demonstrate the importance long-term planning. Instead

of planning primarily for short-term emergency responses, we need to begin the long process of making our communities resilient and strong for generations to come. Municipalities are often the first line of defense in dealing with the impacts and we need them to be prepared.

Sustainable Jersey Climate Adaptation Task Force In 2011, Sustainable Jersey formed a Climate Adaptation Task Force to identify actions municipalities can take to assess their town's situation and to prepare for floods and other climate related events. The Task Force includes participation by the New Jersey Department of Environmental Protection (DEP), Rutgers, the Office of the New Jersey State Climatologist, the Jacques Cousteau National Estuarine Research Reserve (JCNERR), and the Center for Remote Sensing and Spatial Analysis (CRSSA) and the Barnegat Bay Partnership.

Adapting to a changing climate encompasses a broad range of issues including public health, downtown revitalization projects and flood insurance rates. The Climate Adaptation Task Force brainstormed on many of these topics and determined that some initial education of communities about climate adaptation was necessary. It is important for communities to understand the expected changes to New Jersey's climate system and the challenges those changes present to our communities.

Two documents were developed to provide the critical information: 1) New Jersey Climate Trends Projects and Projections Summary and 2) Climate Change and Adaptation Glossary of Terms. These documents can be downloaded from the Sustainable Jersey website (www.SustainableJersey.com).

The first slate of Sustainable Jersey Climate Adaptation actions are scheduled for release in early 2013. The first actions deal with coastal and inland flooding preparedness. In the future, the Task Force anticipates adding other impacts such as heat, public health and drought.

Identifying and Preparing for Flooding Threats In order to get points toward the Sustainable Jersey certification, municipalities will be asked to identify their vulnerability to flooding impacts (both coastal and inland) and develop ways to improve their community's overall resiliency.



For the past two years Sustainable Jersey has been working on a new set of resources and Sustainable Jersey "actions" to help municipalities deal with the increased flooding that is predicted to occur.

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Free, Online Tools Coming Soon

Two new on-line tools will provide local decisionmakers with a wealth of information about the current and future resiliency of their communities. Currently in final design, these tools should be available to towns in spring of 2013.

- New Jersey Flood Mapper Tool** Currently in development, this resource is an interactive Geographic Information Systems (GIS) tool that will provide visual representations of different flooding scenarios. A picture is worth a thousand words, and the user will get an accurate picture of the most vulnerable areas now, and predictive views of what could happen over time with sea level rise at different increments.
- Community Planning Evaluation Tool** This resource will highlight steps the municipality has already taken (success stories) on its path to resilience, as well as define specific strategies the community can implement to limit its exposure to flood related hazards.

Two new online tools, New Jersey Flood Mapper Tool and the Getting to Resilience: Community Planning Evaluation Tool, will provide local decision-makers with a wealth of information about the current and future resiliency of their communities. (See box for more information).

The tools will help towns move forward with their planning efforts. The resource helps to identify the importance of localized hazard assessments and their necessary link to planning, outreach, adaptation, response and recovery.

To give you an idea of what might be proposed, below are some examples of strategies that could be implemented:

- Requiring the community floodplain administrator to attain Certified Floodplain Manager credentials (Association of State Floodplain Managers CFM credential)
- Conducting outreach to floodplain residents at least once a year
- Community participation in the National Flood Insurance Program (NFIP) Community Rating System (CRS) which provides incentives to reduce flood vulnerability
- Creating an emergency warning system
- Designating a storm shelter that is located outside of flood hazard and possible storm surge inundation areas

- Developing an evacuation plan that includes assisting those with special needs, i.e. the elderly, disabled
- Providing property owners with guidelines for retrofitting existing development for flood or wind risks
- Engaging in dune and/or wetland restoration or other natural resource adaptive measures

By using these tools, local leaders can improve their resilience through existing planning, outreach, adaptation, and response mechanisms.

Upcoming Forums on Climate Change and Flooding Sustainable Jersey is hosting two forums on what to expect and how to prepare for climate change and flooding. Participants will learn how New Jersey's climate is changing and speakers will present the new Sustainable Jersey actions.

At the end of the forum, the group will participate in a facilitated discussion on the next steps. Speakers include David Robinson, New Jersey's State Climatologist; Christine Schell and Veda Truesdale, Sustainable Jersey's Climate Adaptation Task Force Chairs; Lisa Auermuller, Watershed Coordinator for the Jacques Cousteau National Estuarine Research Reserve; and Randall Solomon, Co-Director of Sustainable Jersey.

Sustainable Jersey Climate Adaptation Forums:

Wednesday, January 16, 2013
8:30 AM—12:00 PM
Edward J. Bloustein School
of Planning and Public Policy

Wednesday, January 18, 2013
8:30 AM—12:00 PM
Atlantic County Utilities Authority
(ACUA)

To register, visit the Events and Trainings page of the Sustainable Jersey website (www.SustainableJersey.com)

Regardless of the causes of climate change, or any policy debates about the solutions, we should all be able to agree that we must prepare for the expected changes. But, because there are limits to the ability to adapt, the actions to mitigate climate change must also continue. Moving forward, Sustainable Jersey will continue to couple adaptation with actions to lower greenhouse gas emissions. ▲

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We Can Improve Our Citizens' Attitudes Toward Local Government

"Knowledge about our government is not handed down through the gene pool. Every generation has to learn it, and so we have some work to do." ~Justice Sandra Day O'Connor

"The duty of a true patriot is to protect his country from its government." ~Thomas Paine

Medford has had its share of fiscal and political turmoil over the past few years. The result was that many of our citizens came to distrust the idea that their local government was working in the best interests of the community.

The recent turmoil also demoralized the town's local government workforce. At times, township employees were blamed by members of the public for being partly responsible for Medford's fall from among the leading communities in South Jersey.

More recently, several factors have begun to change the public's perception of our local government. Medford's comeback began in mid-2011, with the hiring of a new township manager, who brought a professional, no-nonsense and straightforward approach to municipal business.

Next an entirely new governing body was elected and appointed. Not a single member had previously served as an elected official.

This was followed by a very aggressive, but open and candid, budgetary process. Medford's leaders decided, based on the various alternatives outlined, to offer the community the opportunity to vote on the budget. The vote resulted in the township's referendum passing by a 3-2 margin. A similar referendum had failed (by a margin of five to one) just the previous year.

The most recent factor in Medford's turnaround was its designation as the "Number One Town in South Jersey" by South Jersey Magazine. While the credit for many of these changes should rightfully go the community, rather than to the local government, one has to wonder if the winds of change starting in mid-2011 helped to create a positive attitude.

In an effort to continue to improve residents' attitudes toward their local government, Medford Township established a Local Government Institute, or citizen's academy. The purpose of the Institute is to promote citizen engagement and to provide an overview of the operations of Medford's local government.

The Institute is a forum for interested residents to learn about their local government. It is designed to provide a learning experience beginning with an overview of the three power centers of local government (the Governing Body, Board of Education and Planning Board.) The course is based on *The Citizens' Manual, Paths to Power for Regular Citizens* by Harry S. Pozzycki, which espouses the concept of empowerment civics through the various roles and services provided



By Chris Buoni & Christopher J. Schultz,
Council Member Township Manager
Medford Township



by a citizen's local government organization. The Institute is an opportunity for our town government to engage its community members in a less formal, classroom environment.

There are four objectives of the institute.

- 1) To advance citizen advocacy and participation in local government.
- 2) To educate the community on local government functions.
- 3) To provide citizens with the opportunity to see the operations of their local government.
- 4) To demonstrate the services and benefits provided by the local property tax and utility rates.

The Institute runs for eight, 2 ½ hour sessions. Institute participants are also asked to attend at least one Township Council meeting or other power center meeting. Participation is limited to 25 students. Our first class was full and a second class for 2013 is already half-filled. There is no cost to the resident, and staff flexed their time while professionals volunteered their time to teach in the program.

The last session is a graduation ceremony held during the final Township Council meeting of the year. The ceremony recognizes those who took the time to gain a better understanding of their local government.

The course, which also includes presentations, interactive sessions and tours led by staff and professionals, is a positive way to educate residents, build relationships and increase citizen participation and communication. It may even help to educate and inspire future local government leaders.

The close interaction between residents, township officials and employees that can take place in a classroom can increase the level of empathy and begin to foster a healthier relationship between the government and the community it serves. This stands in contrast to the normal day-to-day interactions between residents and township employees. Often these interactions involve a frustrated resident with a problem or concern, that, when combined with distrust, can lead to even further strained relations.

Our hope is that by freely providing residents with knowledge and instruction; we will also be breaking down the cynicism and apathy that leads people to distrust their local government organization.

Ultimately for a democracy to succeed, the citizens must understand and be active participants in the civic and political processes. The Local Government Institute strives to provide that and more. ▲



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Annual Report of the Executive Director

2012



By William G. Dressel, Jr.
Executive Director, New Jersey
League of Municipalities

A This year, for the last time, 566 New Jersey municipalities put their faith in each other by joining their neighbors in League membership. On behalf of the Executive Board and staff of your League of Municipalities, we express our thanks, our pride and our humility. As of January 1, 2013, the Princetons—Borough and Township—will be united. We wish them well. We hope that, next year, all 565 New Jersey municipalities will unite in your League.

Your League staff remains committed to doing what we can to help you make New Jersey local government the best that it can be. Here at the League, we've been trying to help local officials make the best of their hometowns since 1915. That was the motivation of the founders, way back then. It has been the motivation, in good times and in bad, in all the years since. And, we know, it remains the motivation of you, who serve your fellow citizens in New Jersey's cities, towns, townships, boroughs and villages today.

At a time when outside forces seem to conspire to make it ever more difficult to promote the general welfare you deserve credit, not criticism. In an era when problem solving needs to, again, take precedence over the finger pointing you should be praised, not preached at. In an atmosphere where the heat of discord earns more attention than the light of reason in public discourse and policy discussions you should be congratulated by your constituents, not condemned by others.

You are an inspiration to your League staff, and on behalf of the citizens of our State, many of whom are but dimly aware of the time, the talent and the energy that you expend serving their needs and interests, we thank you.

It has been a busy year. I am happy to report on our activities.

LEGAL ADVOCACY

The League Staff Attorney Matthew Weng and the League General Counsel Bill Kearns monitor court decisions that may affect municipalities and bring important decisions to the attention of municipal officials. The Staff Attorney monitors proposed state regulations and court rules and prepares comments on those with municipal impact. Matt also responds to questions from municipal officials through the Legal Consultation Service.

The League General Counsel and the Amicus Curiae Committee considers requests from municipalities or municipal attorneys for intervention in court cases on behalf of specific local governments in appropriate cases of broad municipal importance in cases pending in the Supreme Court or Appellate Division.

In the past year, the Staff Attorney advocated for municipal interest in front of the Appellate and Supreme Courts in a variety of issues.

Paterson Police PBA Local 1 et al v. Paterson, filed before the New Jersey Superior Court, Appellate Division. This case involves the recent pension and benefit reforms. Specifically, it involves what constitutes "base salary" for the purposes of calculating the required health benefits employee contribution.

Linden Roselle Sewerage Authority, et als., v. NJ DEP filed before the New Jersey Superior Court, Appellate Division. This case challenges the validity of the definitions of "sewage" and "sewage sludge" promulgated by DEP. A motion to participate will be filed soon.

Renna v Union County, petition for certification pending before the NJ Supreme Court. This case involves an OPRA request for the list of Senior Citizens who signed up for a Union County newsletter. The County takes the position that it is an invasion of the Senior Citizens' reasonable expectation of privacy to release the targeted list. If certification is granted, the League and the Insti-

tute of Local Government Attorneys will apply to participate as Amicus. The brief will be done by Kristina Hadinger and Trishka Waterbury Cecil.

The League is also involved with amicus intervention before the Council on Local Mandates. Recent legislation allows the League to bring complaints before the Council on behalf of two or more municipalities. We encourage municipalities to bring to our attention any unfunded mandates you face.

LEGISLATIVE ACTIVITIES

Since his Inauguration in 2010, Governor Christie has enacted four bills favorable to local government, for every one bill we opposed. But numbers can never tell the whole story. So, as this was the first year of the biennial Legislative session, success is better measured by progress made, rather than goals attained. And on policy proposals that would prove a hindrance to better local government, success is best measured by Legislative inaction.

Energy Tax Receipts/CMPTRA Funding Restoration efforts, led by League First Vice President and East Windsor Township Mayor Janice S. Mironov, gained Statewide attention. For the first time since '99, we made progress on this issue with state policy makers. We made that progress because we were careful with the facts and the facts are on our side. And we made progress, most importantly because Mayors all around the State were passionate and articulate advocates for their property taxpaying fellow citizens. They took their concerns to their State Legislators, to their constituents and the press. Administration officials felt compelled to address the skims. And Legislators lined up in support of restoration.

A proposed State raid on municipal affordable housing funds highlighted a series of battles on housing, land use and economic redevelopment issues. Bills to promote solar farming, at the expense of local land use controls and farmland and open space preservation, were debated. Bills to further extend the term of previously issued building permits advanced. And attacks on the DEP waiver rule regulations progressed. Again on these, the articulate and timely action of well-informed local officials allowed the League to win allies, including community action and environmental activists not always in our camp.

Impractical and expensive new OPRA and OPMA mandates received legislative attention. Legislation to cap user fees moved forward. And shared services legislation advanced. Again, Mayors and other local officials willing to come to Trenton to testify on these matters made a world of difference for their colleagues all around our Garden State.

FEDERAL RELATIONS

Throughout the year, we again benefited from the expertise provided by the professional staff at the National League of Cities. The National League of

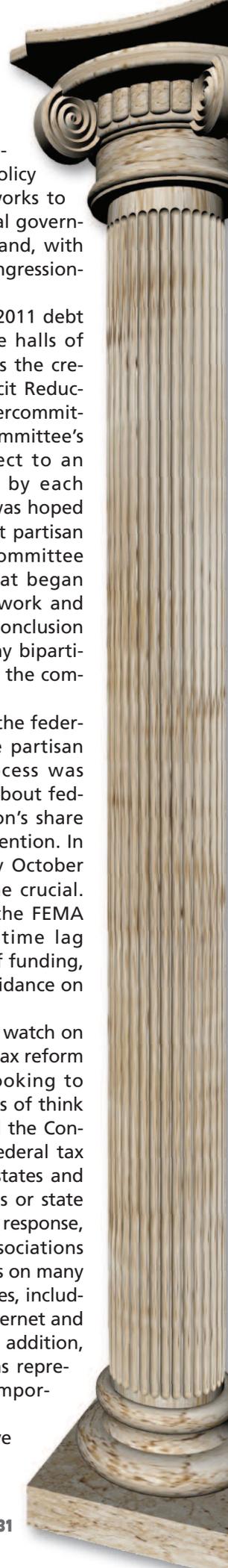
Cities (NLC) watches developments in Washington, just as the New Jersey League monitors, reports on and attempts to influence policy in Trenton. And just like the League, NLC works to protect and advance the causes of better local government. We pass their information on to you and, with you, contact the members of New Jersey's Congressional delegation on key issues.

Working within the context of the August 2011 debt ceiling deal, spending debates raged in the halls of Congress. A key component of that deal was the creation of the Joint Select Committee on Deficit Reduction, better known in the media as the Supercommittee, which met throughout the Fall. The committee's recommendation was to have been subject to an unprecedented, simple up-or-down vote by each House of Congress, without amendment. It was hoped that this extraordinary process would prevent partisan gridlock. On November 21, however, the committee concluded its work, issuing a statement that began with the following: "After months of hard work and intense deliberations, we have come to the conclusion today that it will not be possible to make any bipartisan agreement available to the public before the committee's deadline."

With that, virtually every important step in the federal legislative process lodged up against the partisan gridlock, which the Supercommittee process was designed to avoid. The ongoing discussions about federal transportation funding occupied the lion's share of our federal relations staff's efforts and attention. In the wake of Hurricane Irene and the freaky October snow storm, FEMA recovery funding became crucial. Ongoing efforts to reform and streamline the FEMA grants program, in order to reduce the time lag between the commitment and the delivery of funding, increased in importance. We tried to offer guidance on the federal road sign standards mandates.

Throughout the year, we have kept a careful watch on the potentially far-reaching effects of federal tax reform on state and local tax and fiscal policy. Looking to strengthen the federal budget, representatives of think tanks, academia, the accounting industry, and the Congressional Budget Office, have testified on federal tax provisions that provide financial benefits to states and local governments—such as tax-exempt bonds or state and local income and sales tax deductions. In response, NLC and a coalition of local government associations have submitted written testimony that touches on many long-standing issues of interest to municipalities, including sales taxes for purchases made over the internet and the tax exempt status of municipal bonds. In addition, NLC signed on to a letter of 24 organizations representing debt issuers that underscored the importance of tax-exempt financing.

In order to keep you better informed, we have edited and expanded the "Federal Updates



and National Links," on our website. Links there will direct you to the latest information concerning both Houses of Congress, the Federal Judiciary, the White House and all Executive Branch Departments and Cabinet level agencies. There are links to the Library of Congress' Thomas site, for up-to-the-minute information on Congressional actions, and a link to the Federal Register, for the latest regulatory proposals and adoptions.

BUREAU OF MUNICIPAL INFORMATION

The League offers a consultation service as part of its Bureau of Municipal Information. All members can access this service for free by telephone or email. Our staff attorney, Matthew Weng, Esq., who heads the Bureau, provides municipal officials and employees with knowledge and analysis. Matthew can also provide officials with sample ordinances. If you have an issue and you want an informal consultation with an attorney knowledgeable in municipal law, contact Matthew Weng at the League, extension 137, or at mweng@njslom.com *This services provides a consultation and not legal advice. For legal advice your first call should be to your municipal attorney.

On the League's website, the Bureau's web page provides links to relevant sites for those interested in timely information on local laws and issues. You can find the Bureau at www.njslom.org/bureau_mun_info.html. You can also find various resources and informational centers, as well as links to informational websites such as descriptions of New Jer-

sey's forms of government. The resources that we offer are continually being expanded and improved.

The Bureau has expanded its offerings of publications available to our members throughout the last several years. These publications are updated regularly. The Staff Attorney recently updated the guide to the Open Public Records Act and wrote a brand new publication on the Local Government Ethics Law. The full list of publications is available on the League's web site (www.njslom.org/Publications.html).

The League's Grant Resource Center continues to be an excellent online resource for State and Federal grant research, featuring articles on topics pertinent to grants in the State's current environment, links to grants with upcoming application deadlines and a Grants News & Informational page. Members may contact the League via telephone or email with grant questions, or consult with our Grants Advisory Service, free of charge.

The Interlocal Advisory Center is an online ready-reference center for interlocal service agreements and joint consolidation, and includes links to sample shared service agreements, New Jersey's interlocal statutes, and various other references you may want to review during preparation and implementation of agreements in your municipality. In addition, the Center offers articles outlining successful collaborations in other municipalities and a general consultation service with a contract professional who has first-hand experience in consolidation agreements.



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<http://spaa.newark.rutgers.edu/cpm>

The League, in conjunction with the New Jersey Municipal Management Association, continues its successful Recruitment Advisory Service. This service does not make specific candidate recommendations or recruitments, but it provides information and reference materials, as well as a consultation with a retired manager to discuss the overall recruitment process and answer questions.

The above resource centers are coordinated by League Staff Member Taran Samhammer, Bureau Services and Research Coordinator for the Bureau of Municipal Information. Taran updates these research tools on a regular basis, and is available to assist communities in arranging for the utilization of our consultation services.

To visit the Bureau of Municipal Information's website, visit www.njslom.org/bureau_mun_info.html.

NEW JERSEY MUNICIPALITIES

New Jersey Municipalities, the League's award winning magazine, is the state's primary resource and forum for elected and appointed municipal leaders. With over 9,000 readers and a vast pass-along readership, the magazine has seen several improvements this year.

With a large selection of articles, New Jersey Municipalities' monthly issues provide the news and information you need to govern in your local community. Members of the state and national legislatures also read the magazine to keep abreast of municipal issues.

In writing for the magazine, League members share their views and ideas with a wide range of managers and policy-makers. I'm happy to report that for the fourth year in a row a record number of New Jersey mayors submitted articles this year.

In addition to your articles, New Jersey Municipalities includes a mix of articles by state commissioners and other experts, as well as informative columns, opinion pieces and advertising by some of the state's leading providers of products and services.

- Nine issues of New Jersey Municipalities were published in 2012.
- The number and quality of articles submitted continues to increase. This year the average page count was 92 pages. The magazine includes articles that feature large, small, rural and urban communities in all parts of the state. Our diverse offerings and increased use of shorter articles has made the magazine even more useful to busy leaders.
- We've expanded our use of color photographs and improved both cover and interior design. The changes make the publication more accessible and enjoyable.
- This year Darryl Isherwood editor of PolitickerNJ and its sister site State Street Wire replaced long time author Jim McQueeny of the popular "Under The Gold Dome" column.
- The New Jersey State League of Municipalities is dedicated to environmentally and socially responsible operations. We print on Sappi McCoy Gloss 100lb Text (cover) and

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As always, we welcome your calls, ideas, and articles for our premier publication. Contact the magazine's Managing Editor Kyra Duran at (609) 695-3481 ext. 123 or NJM@njslom.com to contribute an article or to learn more about our premier publication.

TRAINING AND IN-SERVICE PROGRAMS

New Jersey municipal leaders face tough challenges in providing good government and service to constituents and citizens. League Professional Development Seminars provide elected officials as well as municipal and county personnel with a great resource. Every year the League holds a series of half and full day seminars by knowledgeable speakers on timely and key topics, providing up-to-date information to help solve problems and clarify legislation for better governance. The venues provide an environment conducive to providing a true learning experience.

The objective of the New Jersey State League of Municipalities is to present seminars to broaden, deepen, and increase knowledge or skills of municipal personnel in various professions while collaborating with Affiliate Groups. Approved continuing education seminars provide many municipal professionals the opportunity to renew their respective state license. The League has expanded its sponsorship agreements and works cohesively with numerous accreditation bodies representing 10 government licensees including New Jersey Continuing Legal Education (NJCLE) and Pennsylvania Continuing Legal Education (PACLE).

In 2011/2012, the League offered 25 professional development seminars, educating more than 2,000 attendees. Some of those seminars were:

- "Collection of Municipal Court Fees"
- "Ethics and Conflicts of Interest"
- "Grant Funding"
- "Executive Leadership for Mayors and Council Presidents"
- "Orientation for Newly Elected, Re-Elected, and Experienced Officials"
- "Conflict Resolution during the Shared Service Process"
- "20th Annual Mayors' Legislative Day"
- "Governing in the Cloud"
- "Budget Audits and Updates"
- "Family Medical Leave Act and ADA Compliance"
- "Doing Business with Government—the Procurement Process and Pay to Play Rules are Different"
- "Partnering with Municipalities for Economic Development"
- "Review of the Open Public Records Act (OPRA)"
- "Governing with Less, Yet Doing More"
- "Mini One Day Conference"

Visit the League's website at www.njslom.org and bookmark the Calendar of Events for a listing of upcoming Professional Development Seminars in FY: 2012/2013. For additional information contact Danielle Holland-Htut, our Program Meetings Specialist, at (609) 695-3481 ext. 118 or by email at dholland@njslom.com.

LABOR RELATIONS ADVISORY SERVICE

The League's Labor Relations Advisory Service is conducted by the League's Labor Relations Counsel, Brian Kronick, and his colleague Joseph Hannon of Genova, Burns & Giantomasi.

Brian Kronick and Joseph Hannon are available to respond to a broad range of public employer labor and employment law questions as a telephone or email service of the League. Inquiries to the League Labor Advisory Service over the years have included new issues like the new interest arbitration reforms and the 2% cap on awards under the 45 day rocket docket, furloughs and temporary layoffs, health benefit and pension reforms, and perennial problems municipalities face in police and fire and civilian collective negotiations, Public Employment Relations Commission unfair practices and representation matters, Shared Service issues, Civil Service issues, FMLA and NJFLA issues, FLSA and wage and hour issues, Americans with Disabilities Act issues, and Equal Employment Opportunity and New Jersey Law Against Discrimination issues. You may contact Brian at bkronick@genovaburns.com or Joe at jhannon@genovaburns.com.

ANNUAL CONFERENCE CANCELLED LEAGUE HOLDS ANNUAL BUSINESS MEETING

For nearly a century, New Jersey's local officials have gathered annually in the pursuit of good government, public service and advancing a proactive agenda for local governments. However, this year the League's Annual Conference took a backseat to the extraordinary and unprecedented challenges being faced by local leaders. Due to the cumulative impacts of Hurricane Sandy, a nor'easter which hit New Jersey the week before and public safety and health concerns across the State, the League Executive Board made the difficult decision to cancel the 97th Annual Conference.

As a result, the League's Annual Business Meeting was held on December 5 at the Marriot of Princeton in Plainsboro, NJ. Earlier that same day, the Resolutions Committee met and recommending seventeen resolutions for final approval at the Business Meeting. The Nominating Committee also met to recommend a new slate of Executive Board Member and League Officers.

The League will return to Atlantic City for the 98th Annual Conference the week of November 18, 2013.

NJLM EDUCATIONAL FOUNDATION

In 2012 the League of Municipalities Educational Foundation once again held education programs, supported literacy efforts, secured grants and continued to publish its "Friends of Local Government" white paper series.

We published white papers on “The Lessons of Hurricane Irene: All Emergencies Start and End Locally” by Charles McKenna, Director and Joseph Picciano, P.E., Deputy Director Office of Homeland Security and Preparedness; “Redistricting Reform in New Jersey” by Mark Magyar; “Communicating with Constituents when State Policy and Local Jurisdictions Collide” by Patrick Murray, Director of the Monmouth University Polling Institute.

The NJLM Educational Foundation hosted a special educational event on emergency management and utilities on September 28, 2011 in Egg Harbor Twp. This event educated New Jersey communities most affected by weather emergencies on the resources available to them from the utilities that service them including electric, phone, gas, cable, and water. Officials shared their emergency planning, communication procedures, and provide contact information for cohesive coordination during weather emergencies. The Atlantic County OEM reviewed lessons learned from recent storm events and plans for developing new procedures.

For the third consecutive year the Mayor’s Book Club was conducted with great success as a pilot program involving eight municipalities and their school districts in southern New Jersey involving 300 students. The program was a collaborative effort initiated by the Mayor’s Book Club and Rowan University. The NJLM Educational Foundation provided the start up monies from generous grants from Verizon, South Jersey Industries and PSE&G for the purchase of the books for the Mayors and the first graders. In May, the mayors presented certificates to participating schools along with a check for \$1,000 to those who accomplished the reading goals of the program. It is the goal of the Mayor’s Book Club to offer as many programs as possible across the State.

The Educational Foundation continues to secure and administer grants in support of sustainability efforts. Almost \$125,000 in grants is being administered from such funders as Wal-Mart Corp, BPU and the others.

SUSTAINABLE JERSEY

In November 2011, Sustainable Jersey was strengthened with the addition of a Board of Trustees. Led by Chair, Pam Mount (Lawrence Township-Mercer), the Board includes New Jersey’s most accomplished leaders in municipal governance and sustainability, including mayors, sustainability experts, accomplished scholars, corporate leaders and innovators. Each Trustee brings extensive experience and valuable insights to enhance and grow Sustainable Jersey. The New Jersey League of Municipalities’ (NJLM) Mayors Committee for a Green Future (MCGF) was the predecessor for the new Sustainable Jersey Board of Trustees. The MCGF, as a subcommittee of the NJLM, is one of the three founding partners of the Sustainable Jersey municipal certification program.

The new Sustainable Jersey Board of Trustees will have a minimum of fifteen members. Five members, or one third of the board, are appointed by NJLM. There will be at least ten additional members on the board who bring strong credentials, or a combination of skills in the world of business, non-governmental organizations, academia and sustainability.

Sustainable Jersey began with a group of committed people who took a risk on a big idea for the long term livability of New Jersey. Three years later, 359 towns are registered and working towards Sustainable Jersey certification and 108 are certified. That is 63 percent of towns from the 566 municipalities in New Jersey. In partnership with communities across the state, Sustainable Jersey has developed, and continues to expand, a menu of action items that are worth points. Participating towns establish a Green Team that leads its town through the process of completing actions to accumulate enough points for Sustainable Jersey certification.

Sustainable Jersey also offers a small grants program to help registered towns complete sustainability projects, and it helps the State of New Jersey direct federal and state dollars to participating towns which can reliably and effectively use them. To date, \$595,000 has been awarded through the 2009-2011 Sustainable Jersey Small Grants program; eighty grants have been given to New Jersey municipalities. The 2012 Small Grants program was announced in April 2012.

At a sold-out luncheon at the 2011 NJLM Annual Conference, over 400 people helped Sustainable Jersey celebrate its success, recognize its funders and parcel out awards and kudos to the towns that had registered, been certified and accomplished the most. Woodbridge Township, the City of Summit and Cape May City accepted the 2011 Sustainability Champion awards for the towns that achieved the most Sustainable Jersey certification points in their respective population category.

In addition to the award presentations at the luncheon, key note speakers included James Florio, the former New Jersey Governor and Trustee of the Sustainable Jersey Board of Trustees and project partners Joseph Fiordaliso, Commissioner of the New Jersey Board of Public Utilities and Michele Siekerka, Assistant Commissioner, Economic



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Expectations are high that many more towns will achieve certification in 2013. With new program features, improved actions, a refined point structure and an active schedule of how-to workshops and trainings, the goal is to fully support and provide resources for municipalities to make progress.

LEAGUE COMMITTEES

The League's Trenton staff carries out a full agenda of activities in translating League policy objectives on many fronts, but policy itself is made by over 250 mayors, other elected officials and appointed officials who serve on numerous standing and ad hoc committees.

The committees and committee chairs were:

- **Executive Board:** ARTHUR R. ONDISH, Mayor, Mount Arlington; NJLM President; Chair
- **Legislative Committee:** WILLIAM J. KEARNS, JR., NJLM General Counsel; Co-chair
KRISTINA HADINGER, NJLM Associate Counsel; Co-chair
- **Conference Resolutions Committee:** JANICE S. MIRONOV, Mayor, East Windsor Township; NJLM First Vice President; Chair
- **Nominating Committee:** CHUCK CHIARELLO, Committeeman, Buena Vista; NJLM Immediate Past President; Chair
- **Pension Study Committee:** L. MASON NEELY, Finance Director, East Brunswick; Chair
- **NJLM Educational Foundation:** ARTHUR R. ONDISH, Mayor, Mount Arlington; NJLM President; Chair
- **Heavy Truck Task Force:** DAVID M. DELVECCHIO, Mayor, Lambertville; NJLM Past President; Chair
- **Emergency Management Task Force:** TIMOTHY C. MCDONOUGH, Mayor, Hope; NJLM Past President; Chair
- **Land Use Law Drafting Committee:** STUART R. KOENIG, Esq. (1947-2012), NJLM Senior Assistant Counsel; Chair
- **NJLM Economic Development Task Force:** M. JAMES MALEY, JR., Mayor, Collingswood; Chair
- **NJLM Legal Committee on Affordable Housing:** EDWARD BUZAK, Esq.; Chair
- **NJLM School Tax Reform Committee:** GERALD J. TARANTOLO, Mayor Eatontown; NJLM Third Vice President; Chair
GARY PASSANANTE, Mayor, Somerdale; Member, NJLM Executive Board; Vice Chair

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- **Council on Affordable Housing Study Committee:** JANICE S. MIRONOV, Mayor, East Windsor Township; NJLM First Vice President; Chair
- **Impact Fee Study Committee:** EDWIN W. SCHMIERER, Esq., Attorney, Princeton Township; Chair
- **Telecommunications Study Committee:** BRIAN C. WAHLER, Mayor, Piscataway; Member, NJLM Executive Board; Chair
- **NJLM Management Reform Committee:** WILDA DIAZ, Mayor, Perth Amboy; Chair
- **NJLM Statutory Funding Compliance Committee:** JANICE S. MIRONOV, Mayor, East Windsor Township; NJLM First Vice President; Chair
- **NJLM Liaison to NJ Organ and Tissue Sharing Network:** SHARON ROBINSON-BRIGGS, Mayor, Plainfield; Member, NJLM Executive Board; Chair
- **Community Development Block Grant Task Force:** J. CHRISTIAN BOLLWAGE, Mayor, Elizabeth; NJLM Past President; Co-chair
ARTHUR R. ONDISH, Mayor, Mount Arlington; NJLM President; Co-chair
- **Civil Service Reform Study Committee:** TIMOTHY GORDON, Business Administrator, Milburn Township; Chair

***The following individuals represented the League on statewide committees:**

- J. CHRISTIAN BOLLWAGE, Mayor, Elizabeth; NJLM Past President—Sustainable Jersey Board of Trustees, Member
- DAVID M. DELVECCHIO, Mayor, Lambertville; NJLM Past President—Delaware River Basin Watershed Advisory Council
- WILLIAM G. DRESSEL, JR., NJLM Executive Director — New Jersey Health Care Quality Institute, Board Member; D.A.R.E. New Jersey, Board Member; New Jersey Sharing Network, Board of Trustees Member; Downtown New Jersey, Inc., Board Member; Friends of the State House, Trustee; Member, Family Readiness Council, New Jersey National Guard; Member, Employer Support of the National Guard; Sustainable Jersey Board of Trustees, Ex-officio Member
- CAROLINE EHRLICH, Chief of Staff, Woodbridge — Sustainable Jersey Board of Trustees, Member
- CHERYL FULLER, Former Manager, Englewood — Public Employee Relations Committee, Member
- WILLIAM J. KEARNS, JR., NJLM General Counsel — State Supreme Court’s Committee on Court Security—



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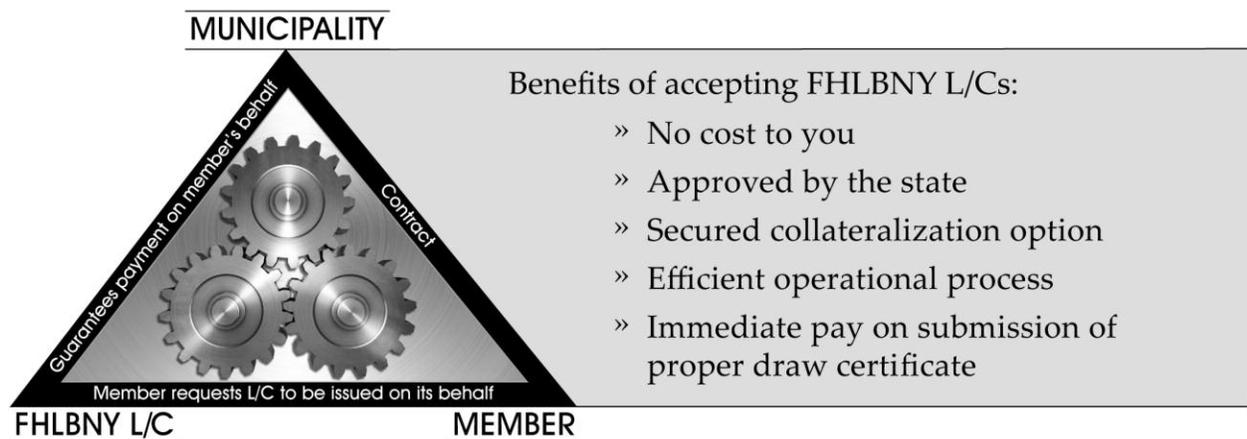
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Visit www.fhlbny.com/lc to learn all about L/Cs — view a sample L/C, the laws governing L/Cs, the issuance process, and related articles. Here you can also submit a request for a list of participating FHLB NY members in your area.



Member, Attorney General's Municipal Prosecutors Oversight Committee—Member, Local Government Ethics Task Force

- ROBERT V. KISER, Engineer, Princeton Township — Technical Advisory Committee for NJ Statewide Bicycle and Pedestrian Transportation Master Plan
- JANICE KOVACH, Mayor, Clinton Town—Public Works Advisory Board, Department of Community Affairs
- PAUL J. MATAcera, NJLM Past President—New Jersey Solid Waste Advisory Council; Trustee, NJLM Educational Foundation
- M. BOYD MILLER, Councilman, Brielle — New Jersey Water Supply Advisory Council, Department of Environmental Protection
- JOSEPH P. MONZO, Chief Finance Officer, South Brunswick—New Jersey Tax and Fiscal Policy Study Commission
- PAMELA H. MOUNT, Former Committeewoman, Lawrence Township (Mercer); Member — Clean Air Council; Chair — Sustainable Jersey Board of Trustees
- L. MASON NEELY, Finance Director, East Brunswick— Department of Environmental Protection Clean Water Council
- ARTHUR R. ONDISH, Mayor, Mount Arlington; NJLM President—Public Works Advisory Board, Department of Community Affairs
- SYLVIA PETILLO, Mayor, Hopatcong — Sustainable Jersey Board of Trustees, Member
- ELLEN POMPPER, Mayor, Lower Alloways Creek; Member, NJLM Executive Board—Sustainable Jersey Board of Trustees, Member
- DANA L. REDD, Mayor, Camden; Member, Interagency Council on Homelessness
- JOEL SHAIN, ESQ., Attorney, Monroe Township (Middlesex)— NJLM Representative, Board of Public Utilities Committee on Development of Rules for Municipal Electric Aggregation
- MATTHEW U. WATKINS, Manager, Clifton— Public Employee Relations Commission, Member

MEMBERSHIP AND FINANCE

The League is completing its 97th year of service to the municipalities of New Jersey. Our membership currently includes all 566 municipalities in the State of New Jersey.

The League's fiscal year runs from July 1 to June 30. The Budget under which the League is currently operating is set forth to the right of this page. ▲

NEW JERSEY STATE LEAGUE OF MUNICIPALITIES 2012/2013 ADOPTED BUDGET

INCOME

Appropriation of Prior Cash Balance	261,578
Membership Dues	598,982
Magazine	280,049
Annual Conference*	1,778,752
Interest	27,096
Publications	55,000
Seminars	115,000
Labor Data	9,000
Miscellaneous Receipts	5,000
Internet Advertising	45,000
Base Rent	162,816
Renters Expense	86,482
Parking Space Rental	29,178
Corporate Supporters	95,000
Total	3,548,933

EXPENSE

Salaries	1,251,696
Social Security & Medicare	95,755
Pension "Employer Portion"	141,437
Disability	881
Medical Benefits	327,988
Workers Compensation Insurance	5,000
UCC	6,125
Automobile	5,500
Magazine	250,000
Office Expense	25,000
Legislative	28,000
Conference*	469,000
Meetings	17,000
Postage	49,000
Equipment Payments	22,000
Maintenance on Equipment	5,000
Printing	22,000
Books, Subscriptions	3,000
Seminars	60,000
Telephone	30,000
Audit	4,400
Legal	56,500
Insurance Bond Premium	16,500
National League. of Cities	23,039
Temporary Help	1,500
Miscellaneous Expense	4,500
Computer Expense	39,000
Internet Web Maintenance	22,112
Photocopying	5,000
Scholarships	3,000
Interlocal Service	9,000
Sponsorships	0
Tuition Reimbursement Program	0
Grant Advisory Board	3,500
222 Base Rent	369,219
222 Expense Rent	172,748
Commission Leasing Expense	4,533
Total	3,548,933

*Income line item "Annual Conference" and Expense line item "Conference" may change due to the cancellation of the 97th Annual Conference



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Modern Parking Meters

Technology Helps Solve An Old Problem



By Jay A. Gillian
Mayor, Ocean City



Thanks to a city employee who experienced a new technology while traveling, the city considered switching to solar-powered parking meters that accept both coins and credit cards.

As a city with over half of a million visitors every summer, Ocean City understands the trials and tribulations that come along with a substantial seasonal population influx. Every family flocks to the beach with their sunscreen, umbrellas, beach coolers, and more significantly to the city—their car. With both the downtown and beach areas bustling, the city is working to make parking, and paying for parking, easier. Specifically, we are offering multiple payment options in a familiar and convenient format.

Ocean City's vibrant downtown is fundamental to the community's identity and success. Parking along or near the main business district of Asbury Avenue requires easy access for payment, time limits that allow for shopping (but also encourage turnover), and rates (\$0.25/hour) that do not discourage shoppers from spending at local businesses.

THE NEW METERS ARE RELIABLE,
WE'VE RECEIVED MANY POSITIVE
COMMENTS FROM USERS,
AND PARKING REVENUES
HAVE INCREASED.

Our beach parking plan follows much of the same philosophy, but with higher rates (\$1.00/hour), which make payment with coins not only more challenging for the motorist, but for local merchants who are continually canvassed for change to feed the meters. In addition, higher rates at the beach meant more coins for city employees to collect, adding to their already lengthy day.

A solution was needed. Thanks to a city employee who experienced a new technology while travelling, the city considered switching to solar-powered parking meters that accept both coins and credit cards.

Frank Donato, Director of Financial Management for Ocean City was aware of the efforts of other shore commu-



Ocean City was offered a risk-free trial during the summer season of the solar-powered, single space parking meters, which accept both coin and credit/debit card payment.

nities to tackle their parking issues and had tried multi-space meters to offer additional payment options to the parking public. Although the multi-space kiosks had given motorists multiple payment options, the meters often experienced communication failures when credit cards were presented for payment. The city has now found newer, more efficient technology with IPS Group, a San Diego based telecommunications and parking company.

Ocean City was offered a risk-free trial during the summer season of the solar-powered, single space parking meters, which accept both coin and credit/debit card payment. The city is now trialing 57 meters on Ocean Avenue and 12 on one block of Asbury Avenue as part of the evaluation process.

The trial along Ocean Avenue has been readily accepted by the beach parkers and local merchants alike. Motorists without change can now easily pay for parking with their credit cards. This has eliminated the fear of parking first, then running up onto the boardwalk, standing in line at a concession to wait for change and then dashing back to the car with the hope that parking enforcement had not yet arrived. Merchants along Ocean Avenue gave a collective sigh of relief and hotel operators where happy to be able to focus on property management, without frequent requests for change.

After seeing the results of the trial, the city converted 15 spaces in front of the Post Office on Ocean Avenue from free all day to free until 5:00 pm (when the post office closes). After 5:00 pm the spaces now require payment (the same as those on the rest of the street). The meters installed here are under a rental agreement for \$1.00/day through the end of the summer parking season, when the city will return the meters to the vendor.

The new meters are reliable, we've received many positive comments

from users, and parking revenues have increased. Ocean City traditionally removes the meter mechanisms from the housings, performs maintenance and stores the mechanisms over the winter months. With the success of the trial and rental programs, Ocean City is now looking towards next season and evaluating expansion of the rental program.

**WE ENCOURAGE
OTHER TOWNS TO
CONSIDER UPDATING
THEIR PARKING METERS.**

Other benefits of the new meters include automated meter collection audit reporting, information on usage, real-time maintenance alerts and the ability to program new rates or messages to the meters individually or in groups remotely.

Ocean City is poised to enjoy a hassle-free summer with the adoption of the new solar-powered, credit card meters. We encourage other towns to consider updating their parking meters. ▲

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Advocating Federal Support for Hurricane Recovery

By Robert Menendez
U.S. Senator (Democrat)

Happy New Year to all my friends in municipal government. I hope the holidays have been a pleasant, peaceful, and plentiful time for you and your family. For me, and I imagine for many of you, this holiday season has been particularly poignant as we remember those who suffered the most from Hurricane Sandy. Our thoughts and prayers are with the many New Jerseyans who have lost everything—their possessions, their homes and—in the most tragic cases—their own lives or that of a loved one.

When I toured the Jersey Shore and other areas after the storm, I was devastated. I felt as if the wind had been knocked out of me. The boardwalk of my youth was gone. The pristine sand that once covered New Jersey's famous beaches clogged roads, blocked homes and altered the landscape.

This storm affected everyone—from our southern shoreline to major urban areas such as Hoboken and Jersey City. Thousands of people were forced from their homes. Seeing my home state, the only place I have called home, and my fellow New Jerseyans devastated by the impact of this brutal storm was a surreal experience—one which I will never forget.

But as terrible as the destruction may have been and as excruciating as the pain is for all of us, speaking with the victims and with neighbors who volunteered despite their own losses has given me hope and optimism for the future. As a former mayor, I know how critical local leadership is in times like these, and I applaud the immediate response of mayors and municipal officials. Along with county, state and federal government agencies and officials, you have led the recovery and rebuilding efforts. From local law enforcement, firefighters and first responders, to State Police, FEMA rescue teams and Red Cross volunteers, government worked seamlessly to limit the damage and save lives, performing its most important and fundamental purpose—looking after the safety and welfare of its citizens.

After surveying Sandy's damage with President Obama and Governor Christie on October 31, Senator Lautenberg and I called for increased support from the Federal government. We successfully advocated for all counties in New Jersey to be made eligible for Individual and Public Assistance from FEMA and got the federal government to cover all the costs for emergency power restoration assistance and emergency public transportation assistance.

As a result, as of late November, more than \$223 million had been disbursed from FEMA's Individual Housing Program. This money can fund rental assistance, home repairs, essential personal property losses, or medical expenses. Additionally, more than \$30 million has been obligated through FEMA's Public Assistance program to reimburse the state and local governments for expenses related to emergency work assistance.

As many of you know, Sandy also devastated our transportation infrastructure. At its peak, 40 percent of service was disrupted as power was lost and dozens of NJ Transit locomotives and rail cars were flooded. In response, I worked to expedite \$25 million in transportation funding and helped secure additional ferry rides and bus service to ease congestion and improve commutes.

But despite all that was done in the immediate aftermath of the storm, there is still much work to do. We need a long-term commitment to rebuilding New Jersey—from the Shore to the Highlands. We need to fully-fund Army Corps of Engineers' projects to replenish our beaches and put in place smart, sensible flood control projects that protect property and lives from the next storm that is sure to come. We need to give small businesses tax relief, low-interest loans, and grants so they can reopen for business and continue to be New Jersey's economic engine.

We need to give homeowners who were displaced the assistance they need to get back in their homes and restore communities torn apart by the storm. We need a national commitment to rebuild and make New Jersey better than it was before.

I will continue to work with communities and stakeholders so that, together, we will develop and implement the best solutions for our future. As your United States Senator, I am proud to be your partner in this rebuilding process and truly believe New Jersey's best days are ahead of us. That's because I know that when things are at their worst, the people of New Jersey are at their best.

We might have been battered, but we were not broken. Today, in the aftermath of Sandy, we are stronger, more determined, and more united in our efforts to recover, rebuild, and make New Jersey a better place to live and raise a family. Together we will rebuild and the Garden State will bloom once again. ▲



Long-term thinking can yield immediate results.

The currently low interest rates on long-term bonds present a welcome opportunity for municipalities and counties to lock in their debt service. While one year notes were a good vehicle in the past, now is the window of opportunity to protect yourself by thinking long-term.

For advice about accessing long-term financing, contact a Phoenix Advisors professional at 609-291-0130, or phoenix@muniadvisors.com.



Rah Rah Rahway

Driving Tourism by Investing in the Arts



By Samson Steinman
President, Rahway City Council;
Executive Director, Union County
Performing Arts Center

Like many small New Jersey towns, Rahway's business district experienced the pain of suburban sprawl and the advent of malls that led to an evaporating business climate. The city was faced with the dilemma of how to attract businesses, shoppers and also stabilize the tax base—all at the same time. Former Mayor James Kennedy devised a plan of redevelopment that would update infrastructure and create amenities. The goal was to attract investment to Rahway.

Between 1991 and 2011, Rahway attracted over \$700 million dollars in projects that has transformed the look of our downtown. We added 700 new market rate units, the Hotel Indigo, five new restaurants, and expanded the YMCA. These improvements also added millions in new yearly revenue for the city. Infrastructure improvements, such as a redesigned NJTransit Train Station, updated recreation center, new streetscapes, sidewalks, traffic pattern and a public library, were made as the downtown grew.



Opened in 1928, the 1,350 seat venue was the first million dollar theatre built in America. The Union County Board of Chosen Freeholders invested millions of dollars into renovating the Union County Performing Arts Center to its original grandeur. Photo by Christina Wilson

The library—a public/private partnership—has two floors of commercial office space that has generated over \$250,000 dollars in tax revenue to date.

But the question still remained. How do you get visitors and Rahway's citizens to go to the downtown business district—especially now that the internet has totally altered the retail industry? Mayor Kennedy realized the answer while driving past the Union County Performing Arts Center.

THE OPENING OF
HAMILTON STAGE IN
SEPTEMBER OF 2012 WAS
THE CULMINATION OF
OVER 20 YEARS OF WORK
THAT HAS RESULTED IN A
"NEW RAHWAY."

A "Rahway Arts District" would encourage people to live, visit and invest in the downtown. Arts, culture and entertainment are a well documented economic catalyst. In a 2010 survey Americans for the Arts found that "attendance at arts events generates income for local businesses, restaurants, hotels, retail stores and parking garages. An average arts attendee spends \$24.60 per event, not including the cost of admission."

The cornerstone of the Rahway Arts District is the Union County Performing Arts Center (UCPAC). Opened in 1928, the 1,350 seat venue was the first million dollar theatre built in America. The Union County Board of Chosen Freeholders invested millions of dollars into renovating the UCPAC to its original grandeur. To satisfy the visual art component, The Arts Guild of N.J. was established to present yearly fine art exhibits and provide art classes for seniors, adults and children, along with workshops, cultural events, lectures and seminars.

National Endowment for the Arts Chairman Rocco Landesman—who honored Rahway this year with a prestigious NEA "Our Town" award—said, "When you bring artists into a town,



Arts, culture and entertainment are a well documented economic catalyst.

it changes the character, attracts economic development, makes it more attractive to live in and renews the economics of that town."

In Rahway, the Actors Fund Housing Development Corporation has proposed a 68 unit complex for actors and artists. In addition, RSI BANK, a local financial institution, has invested in pianos and programming for the Rahway Arts District.

The UCPAC's Hamilton Stage is Rahway's latest investment in the Arts. Hamilton Stage is a \$6 million, 199-seat theatre that will be home to over seven performing groups, with the American Theater Group (ATG) as principal tenant. Stephen Schwartz

(Wicked, Godspell, Pippin) the artistic director, will be joined on the board of the ATG by State Senators Raymond Lesniak and Tom Kean, Jr.

The opening of Hamilton Stage in September of 2012 was the culmination of over 20 years of work that has resulted in a "new Rahway." New investment has continued in Rahway during the economic downturn because of the government's commitment to improving our city, which is centered on an emerging Arts District. And best of all? This is not a partisan movement; it is a movement to create a better city, and to position Rahway for years to come. Rahway and the Arts, it is all happening here! ▲

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By John Palmieri
Executive Director of the Casino
Reinvestment Development Authority
& Liza Cartmel, President and CEO
of the Atlantic City Alliance

Atlantic City is a special place where great spectacles still happen. That conviction, shared by the Casino Reinvestment Development Authority (CRDA), the Atlantic City Alliance (ACA) and Fung Collaboratives is at the heart of ART-LANTIC: wonder—a high profile, five-year, multi-phased public art series that will help to re-imagine Atlantic City.

The Atlantic City renaissance, envisioned in our Master Plan, involves new and innovative partnerships between local civic leaders, local artists and New Jersey institutions such as Stockton College and the Noyes Museum. ART-LANTIC: wonder is by far the most ambitious project to date.

This initiative, which previewed last month, consists of two separate sites on formerly vacant lots that were awaiting development. Adjacent to the world famous Atlantic City Boardwalk, the first exhibition site is situated on seven acres, an entire city block.

These spaces feature works by acclaimed artists Robert Barry, Kiki Smith, John Roloff, and Ilya and Emilia Kabakov in collaboration with New York landscape design firm Balmori Associates. Both Mr. Barry (Teaneck) and Ms. Smith (South Orange) have roots in the Garden State. The design consists of two open spaces walled by 14-foot high undulating terraces covered in indigenous grasses and wildflowers.

The design is intended to evoke the roller coasters of the iconic Steel Pier.

ATLANTIC CITY IS BEING
REVITALIZED WITH THE HELP
OF GIFTED ARTISTS, WHOSE
CREATIVITY AND IMAGINATION
ARE THE HEART AND SOUL
OF OUR ECONOMY.

When a visitor enters the space, which is encircled by the two giant earthworks, they will find a serene natural environment, sheltered from the noise of the city. The brilliantly colored and brightly illuminated text of Robert Barry's piece, embedded in the landscape, will be lit at night. Also within the walls of the earthworks, a playful pirate ship rises from the ground, evoking the sunken ships that line the ocean floor off of New Jersey's coast. The ship is designed by Ilya and Emilia Kabakov, artists who have been credited as the founders of large-scale contemporary installation art.



A dancer with the Atlantic City Ballet performs at an art installation on the Atlantic City Boardwalk. Photo by Peter Tobias



The design of ARTLANTIC: wonder consists of two open spaces walled by 14-foot high undulating terraces covered in indigenous grasses and wildflowers. The design is intended to evoke the roller coasters of the iconic Steel Pier.

Opposite the ship will bloom a lush garden surrounding “Her,” the figure of a woman tenderly embracing a doe designed by Kiki Smith, a sculptor known for her various depictions of the female form. The garden, also designed by Smith, is entirely composed of red foliage.

Named “Étude Atlantis,” the installation echoes the landscape of ARTLANTIC: wonder and is designed by John Roloff, a pioneer of large-scale environmental installations that investigate geologic and natural phenomena. Roloff has used the idea of “finding Atlantis” to connect the Atlantic

THE VISIONARY LEADER BEHIND THE
ARTLANTIC PROJECT IS CURATOR LANCE FUNG,
 WHO HAS A REPUTATION FOR AMBITIOUS,
 INNOVATIVE APPROACHES TO PUBLIC ART.

The second exhibition site comprising ARTLANTIC: wonder covers 8,500 square feet and features an elaborate space that uses LED lights and bold linear stripes that converge into a spiral pattern. The pattern leads the visitor into the center of the space, where there is a cistern of trickling water.

City location with the opposite side of the world—the sea floor off the southwestern coast of Australia.

The visionary leader behind the ARTLANTIC project is curator Lance Fung, who has a reputation for ambitious, innovative approaches to public art. Fung is perhaps best known for



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The second exhibition comprising ARTLANTIC: wonder will cover 8,500 square feet and features an elaborate space that uses LED lights and bold linear stripes that converge into a spiral pattern. Named "Étude Atlantis," the installation was designed by John Roloff.

The Snow Show, a series of exhibitions that teamed world-renowned artists with cutting-edge architects to design ephemeral, large-scale installations made from ice and snow. In 2009, Fung organized Wonderland, a public

exhibition in San Francisco's Tenderloin that brought nationally and internationally known artists into a collaborative relationship with local artists, neighborhood organizations, and community members.

Atlantic City is being revitalized with the help of gifted artists, whose creativity and imagination are the heart

and soul of our economy. ARTLANTIC: wonder is made possible through support from the State of New Jersey, the City of Atlantic City and the owners of the open spaces, Ace Gaming L.L.C. and California Avenue Ventures L.L.C. ▲

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The ARTLANTIC project includes input from artists and planners, including (front row, L to R) Robert Barry; Kiki Smith; Curator Lance Fung; Emilia & Ilya Kabokov; (back row, L to R) John Palmeiri, Casino Reinvestment & Development Association; Liza Cartmell, Atlantic City Alliance; and John Roloff, Artist. Photo by Peter Tobias.

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Under the Gold Dome

Expect Political Fireworks in 2013



By Darryl Isherwood

The New Year is upon us and if you're a politics junkie like I am, there's a wild ride ahead in 2013.

For starters, Governor Chris Christie is up for reelection. In November, the governor announced his intent to run for a second term. At the time the announcement was made the governor was riding a wave of Hurricane Sandy-spawned good will that boosted his job approval numbers to the highest of any governor in the state's history.

Christie has Republicans walking in lockstep and his ground game has only gotten stronger since his 2009 defeat of former Democratic Governor Jon Corzine.

As of the writing of this column, the Democratic field had not yet shaken out, but as detailed in this space last fall, the early field will likely be made up of one or all of several prominent Democrats including Cory Booker, the Newark mayor with the nationwide appeal; Barbara Buono, the state senator who hopes to run a grassroots campaign without the help of Democratic bosses; Senate President Steve Sweeney, who may also be eying a U.S. Senate seat; Assemblyman and Assembly Majority Leader Lou Greenwald; and Elizabeth Mayor Chris Bollwage.

The race is one of only two gubernatorial elections in the country, and with Christie on the short list for a 2016 presidential bid, is one that will be watched closely by both parties.

The race will no doubt draw an unprecedented level of outside funding and could cement Christie as a front-runner to carry the GOP banner four years from now. On the other side of the coin, a win for the Democrats is a walk-off grand slam in what many pundits view as an unwinnable race. While the loss might not destroy Christie's ambitions, it would certainly mar his seemingly Teflon exterior.

If Booker is among the Democratic field, look for the race to take on the star power of a Hollywood premier as both Christie and the Newark mayor have nationwide appeal.

And while it carries the highest profile, the gubernatorial contest is far from the only excitement we'll see in 2013. As they were in 2011, all 120 seats in the state legislature (80 in the Assembly and 40 in the Senate) are up for election this year.

Though the legislative map implemented two years ago has made competitive races a rarity, the presence of

Christie at the top of the ballot could have a coattail effect on at least a handful of districts throughout the state.

The chances of much movement in either house are slim; however, that won't keep both parties from going 'all in' in some key districts including District 2 in South Jersey (where in 2011 Senator Jim Whelan came out on the winning end of one of the most expensive races in state history) and District 38 in Bergen County (where the GOP took a serious shot at knocking off Democratic Senator Bob Gordon).

Other districts could be in play depending on the Democratic gubernatorial nominee as some of the key players in the field—think Buono, Sweeney and Greenwald—are legislators who would likely give up their seats to run for the top job.

Picking off a couple of seats would be a victory for the GOP, while keeping their majorities in both houses would keep Democrats driving the legislative agenda.

For the true political nerds, there are even two high profile mayor's races in the year to come and both promise to get testy.

In Jersey City, the state's second largest city, Mayor Jerry Healy is challenged by Councilman Steve Fulop. First elected in 2004 when he won a special election to fill the term of recently deceased Mayor Glenn Cunningham, Healy is vying for his third full term. Fulop, who worked at Goldman Sachs before joining the Marine Corps after the September 11 attacks, has served on the council since 2005.

As is the case with even the most trivial races in Hudson County, the intrigue behind the race spreads far and wide with nearly every player in the densely packed county helping to stir the pot.

Hamilton Township also will feature a race to fill the unexpired term of former Mayor John Bencivengo. Republicans maintain control of the seat but Democrats see an opening and already are circling.

Yes, 2013 promises to be an exciting and eventful year in the world of New Jersey politics and government. Regardless of your party affiliation, your ideology or your issue, for politicians it doesn't get any better than the year to come. ▲

Darryl Isherwood is the editor of PolitickerNJ, and its sister site State Street Wire. He has over a decade of experience as a reporter and has covered politics and government for news outlets in four states.



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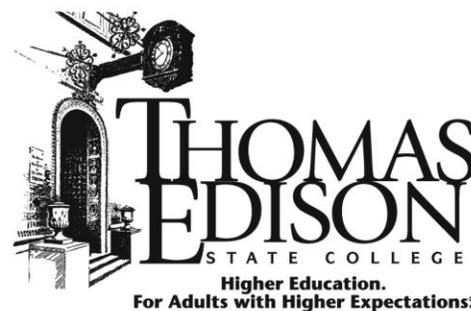
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Adjusting State Regulations to Make Shared Services Work



By Robert M. Czech
Chair/CEO, New Jersey
Civil Service Commission

Editor's Note: At press time, several of the civil service reform provisions mentioned in this article were amended in the Senate. The bill is awaiting consideration by the Assembly.

Shared services in New Jersey has become the equivalent of the weather—everybody talks about it, but nobody seems to do anything about it. For decades, we've heard how combining health departments, police and fire forces, and administrative

functions can provide both tax relief and better service. And though there are towns sharing services like courts, health departments, and animal control; more towns need to find ways to share major functions such as police, fire and public works.

It isn't as though we don't have experience—many towns already share public safety dispatch services. The merger of the two Princetons shows what is possible, even if the case is at the extremes of the argument.



A bipartisan measure, S2, sponsored by Senators Sweeney, Kyrillos, and O'Toole pending in the state Legislature offers solid first steps to fixing these flaws and alleviating the burdens associated with shared services.

THE ELEPHANT IN THE ROOM IS ALSO THE REASON TOWNS UNDERTAKE SHARED SERVICE AND JOINT MEETING NEGOTIATIONS: PERSONNEL COSTS ARE SIMPLY TOO HIGH TO CONTINUE THE STATUS QUO.

So why hasn't the exception become the rule? The culprit pointed to most often is New Jersey's tradition of home rule. Our towns are just too possessive of their own prerogatives, people say, and won't give up even a smidgen of power.

There is an element of truth to that. But I believe that there are legal and procedural hurdles inherent in the system that combine to make this a self-fulfilling prophecy—that is, municipal leaders who might otherwise give shared services a shot look into it, and see the potential roadblocks standing in the way. They conclude that the process is stacked

against them and would result in a net loss for their towns.

We have identified several areas in current law that must be addressed if shared service is to become not just an attractive option, but a logical one. A bipartisan measure, S2, sponsored by Senators Sweeney, Kyrillos, and O'Toole pending in the state Legislature offers solid first steps to fixing these flaws and alleviating the burdens associated with shared services.

S2 as it currently exists without any amendments would eliminate much of the uncertainty over who would have the final say in making hiring decisions for the merged entities. The current system particularly discourages larger municipalities that might agree to absorb and provide certain functions, such as law enforcement services, of a smaller neighbor by allowing the sending town (that is, the town receiving the service) too much say in the eventual makeup of the combined departments.

The most significant change would give the providing entity (that is, the municipality that will be providing the services after the merger) control over

which employees can transfer to the new department. The requirement that the providing town must hire from the sending town is very often a deal-killer—as demonstrated by the failed attempt to combine police departments in many towns.

MUNICIPAL LEADERS WHO MIGHT OTHERWISE GIVE SHARED SERVICES A SHOT, LOOK INTO IT, AND SEE THE POTENTIAL ROADBLOCKS STANDING IN THE WAY.

The complexities of combining two operating entities into one are exacerbated by statutory and regulatory requirements regarding layoff, transfer, seniority, testing, bumping rights, and tenure. Often such rules force the providing entity to take on employees it would otherwise not want or need.

What is the logic of telling the provid-

ing town who must be hired or promoted, especially if the latter come from another jurisdiction and may be unfamiliar with the organizational dynamics of the providing town? What is the logic of dictating that a providing town must forgo retaining or promoting a solid employee who is familiar with its processes and procedures in favor of an outside employee who is not familiar, but has an advantage based upon seniority in his previous position?

The current bill would provide the parties with the ability to request a suspension or relaxation of civil service rules that might otherwise affect the expeditious staffing of the new department. For example, the towns may request to relax the rules to allow non-civil service employees to become civil service employees for the purpose of creating a uniform employee pool from which the new shared service provider may select employees.

Further, the bill would afford the providing town the flexibility of choosing which employees to retain and what titles to place them in for a period of 12 full months after the

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merger. This gives the providing town enough time to evaluate and place personnel. In the context of law enforcement services, S2 eliminates the current prohibition against demoting the sending town's chief of police more than one rank. Guaranteeing that a chief in the sending town must be a deputy chief in the new department ignores two factors: whether another incumbent in the title is actually needed (a savings consideration), and whether the candi-

date is truly the best person for the new job (a local management call).

The bill expressly provides that once transferred to the providing town, the employee be subject to any applicable bargaining agreements and personnel policies of the providing town, without regard to previous employment rights and benefits. There is provision, however, for the participating towns to provide otherwise in their employment reconciliation plan, which the providing town files with the Civil Ser-

vice Commission. Under the bill, the towns no longer need to wait for the Commission to conduct a review and approval of the employment reconciliation plan prior to approval of their shared service agreement.

Under S2, employees with permanent Civil Service status who are laid off as a result of the new shared service will continue to be placed on a special reemployment list for any civil service employer within the county of the agreement. Those laid off employees will also maintain the right to appeal the good faith of the layoff.

What makes us, in Trenton, better suited to micro-manage personnel than the people on the scene? What knowledge do we possess that trumps the hands-on, day-to-day experience of the folks on the ground?

Moreover, forcing a providing town to take on the personnel, contracts and obligations of the receiving town (especially if the latter is entering the agreement because it could not afford to manage the department on its own) is tantamount to handing the providing town a poison pill. The fact that a merger or sharing is on the table indicates that serious systemic issues exist and must be addressed. Why should the receiving town be forced to take on all of the obligations—and, sometimes, errors—of its new partner?

The elephant in the room is also the reason towns undertake shared service and joint meeting negotiations: personnel costs are simply too high to continue the status quo. The hard fact is that a successful combination will impact employment.

There are times when this unpleasant reality is the only option for providing adequate services to taxpayers without increasing the financial burden on them. The question is not whether it should be done, but how it is to be managed.

Today it seems that state law does everything in its power to thwart these hard choices and throw the onus on the taxpayer. Governor Christie's reform package and S2 are not designed to force municipalities into new alliances that will be counterproductive. Rather, we want to make it easier for you to seek out and develop innovative ways to offer robust shared services at reasonable cost, without the heavy hand state regulation dictating the final shape of those efforts. ▲



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NJ GMIS is holding its fourth annual government Technology Education Conference. This one day event is a "must attend" for anyone responsible for the use of technology in the Public Sector. The conference covers topics of interest for Technology Professionals, Managers, Web Masters and K-12 Education people. The sessions concentrate on four tracks including: Bits and Bytes (in-depth technical), People and Process (management issues), IT Specialties (applications), Web & Social Media.

The TEC 2013 Keynote Address will be presented by the Port Authority of New York and New Jersey Department of Technology Services. The speaker will be addressing the challenges of managing sophisticated technical solutions to difficult operations problems throughout a diverse organization.

Last year there were 125 attendees, 13 educational forums and 35 vendors to network with. Four contact hours of IT CEUs have been applied for with the Division of Local Government Services!

NJ-GMIS is an association of New Jersey Government technology leaders. We provide organizational structure, networking and activities to enhance coordination amongst state, county, local government and public school agencies. NJ-GMIS also provides a forum for the exchange of ideas, information and techniques, as well as enhancing members' knowledge of hardware, software, communication, security, policy and other developments as they relate to government technology activities.



East Windsor Mayor Janice S. Mironov Elected League President



On Wednesday, December 5, 2012, at the League's Annual Business Meeting Janice S. Mironov, Mayor of East Windsor Township, was elected President of the New Jersey State League of Municipalities.

President Mironov has served as Mayor of East Windsor Township for the past consecutive 17 years. She has served on numerous local boards and committees, including as a member of the Township Planning Board for the past 17 years.

In addition to serving on the Executive Board of the State League of Municipalities, she is also a member of the League's Legislative Committee, Resolutions Committee, Chairperson of the League's Housing Policy Committee, Chairperson of the League's Statutory Funding Compliance Committee (working for Restoration of

Municipal Energy Tax Receipts), and Co-Chair of the League's Energy Policy Committee. Further, she represents the League on the Board of NJ Shares and the NJ Highway Traffic Safety Policy Advisory Committee.

Mayor Mironov has received many community awards and recognitions. She is a member of the Township Economic Development Committee, the Clean Communities Advisory Committee, the East Windsor Municipal Alliance for the Prevention of Drug Abuse, and Trustee of East Windsor Green Space, Inc.

Raised and educated in public schools in Bergen County, Mayor Mironov received her B.A. in political science from Wellesley College in Wellesley, Massachusetts and earned her law degree (J.D.) with honors from the National Law Center at George Washington University in Washington D.C. ▲



League Past President and Chair of the Nominating Committee Chuck Chiarello (left) swears in (l to r) new Executive Board Member Jesse Tweedle, Sr., President Janice S. Mironov, 3rd Vice President Joseph Tempesta, Jr., 1st Vice President Suzanne M. Walters, and 2nd Vice President Gerald J. Tarantolo at the League's Annual Business meeting on December 5 at the Princeton Marriott.

League Officers for 2012-2013 Elected

A new slate of officers and Executive Board members were elected by mayors at the League's Annual Business Meeting on Wednesday, December 5, 2012 at the Princeton Marriott in Plainsboro. Nominating Committee Chair Chuck Chiarello, Committeeman, Buena Vista and League Immediate Past President presented the following report, which was unanimously adopted:

Nominating Report "Your Nominating Committee, pursuant to its Constitutional responsibility, presents for your consideration its nominations for the offices of President, 1st, 2nd, 3rd Vice President and 21 positions on the Executive Board.

Because of the diversity of population, growth patterns and other general factors, the Nominating Committee feels a balance of municipalities—urban, suburban and rural—is essential.

Besides this balance, even though non-political, we must maintain a balance between the major political parties represented on the Executive Board.

The Nominating Committee also takes into consideration whether an individual nominated has demonstrated an interest in League affairs through active participation on League committees and by support of the League policies and programs.

As you see, the Nominating Committee concerns itself with many factors in making its selections. I'm pleased to say I feel the committee did consider all aspects in our endeavor to see the League continue with strong leadership."

The following are the officers and executive board members proposed and elected for 2012-2013:

League Officers

- JANICE S. MIRONOV** President
Mayor, East Windsor Township
- SUZANNE M. WALTERS** 1st Vice President
Mayor, Stone Harbor
- GERALD J. TARANTOLO** 2nd Vice President
Mayor, Eatontown
- JOSEPH TEMPESTA, JR.** 3rd Vice President
Mayor, West Caldwell

Executive Board

- CORY BOOKER** Mayor, Newark (Ex-officio)
- RANDY BROWN** Mayor, Evesham
- JAMES L. CASSELLA** Mayor, East Rutherford
- DANIEL N. CORANOTO** Deputy Mayor, Hampton
- JOHN DEAN DERIENZO** Mayor, Haworth
- FRANK J. DRUETZLER** Mayor, Morris Plains

- JONATHAN DUNLEAVY** Mayor, Bloomingdale
- ERICA EDWARDS** Mayor, Flemington
- MICHAEL FRESSOLA** Mayor, Manchester
- JERRAMIAH HEALY** Mayor, Jersey City
- ALBERT B. KELLY** Mayor, Bridgeton
- JO-ANN LIPTAK** Mayor, Raritan Borough
- RICHARD A. MACH** .. Deputy Mayor, Blairstown Township
- LEO MCCABE** Mayor, Glassboro
- ARTHUR R. ONDISH** Mayor, Mount Arlington
- GARY PASSANANTE** Mayor, Somerdale
- ELLEN POMPPER** Mayor, Lower Alloways Creek
- SHARON ROBINSON-BRIGGS** Mayor, Plainfield
- WAYNE SMITH** Mayor, Irvington
- JANET W. TUCCI** Mayor, West Long Branch
- JESSE TWEEDLE, SR.** Mayor, Pleasantville City
- BRIAN C. WAHLER** Mayor, Piscataway

Legislative Update



2013 LEGISLATIVE AGENDA

We Must Champion Legislative Issues

On Tuesday, January 8, 2013, the 215th Legislature of the State of New Jersey will begin its second, and final, Annual Session. On November 5, New Jersey voters will go to the polls to elect a Governor, 40 State Senators and 80 members of the General Assembly. Between those two dates, much of what happens in Trenton will affect your ability to promote the welfare of your municipality. I urge you to pledge a renewed commitment to champion issues important to municipal government.

As your eyes, your ears and your voice in the state capital, our six registered Governmental Affairs Agents will be vigilant to potential problems and possibilities. We know that we can count on them to always do their best to protect our interests and the interests of the property taxpayers who have put their faith in us.

But we also know that they will need our help. Unlike special interest groups active in Trenton, the League does not endorse candidates. The League does not contribute to campaign fundraising efforts. The League does not provide campaign volunteers.

Only through our active involvement will those in the Executive and Legislative Branches of state government recognize the importance of the League's perspective on the issues. Our involvement is essential to the credibility of League correspondence and testimony. To give our agents the support that they need, we have to follow the progress of legislation that will affect municipalities throughout our Garden State. And we have to follow-up and let our colleagues in state government know that we need their cooperation to better serve our mutual constituents.

So please, read the "Legislative Update" column, which appears in each issue of our magazine, *New Jersey Municipalities*. Review the "Legislative Bulletins," which we publish after every meeting of our Legislative Committee. Take action on the "Legislative Alert" letters, which are sent to you, as needed, to mark the progress of important legislation. And I ask you to carefully consider the League's legislative priorities, which follow this letter.

When our lobbyists write, they seek to help you to understand what is afoot in Trenton. But they also hope that you will respond with action. Your reaction will affect the chances of our success in the legislative arena. And our success will determine your ability to better serve the people who have given you their votes and their trust.

I urge you to get involved in the League's legislative efforts to the maximum extent that your other responsibilities allow. Working together, we can make a lasting contribution to a better New Jersey.

Very truly yours,

A handwritten signature in black ink that reads "Janice S. Mironov". The signature is written in a cursive, flowing style.

Janice S. Mironov
President, New Jersey League of Municipalities
Mayor, East Windsor Township

2013 Legislative Priorities



TAXATION, FINANCE & MANAGEMENT REFORMS

Burdensome property taxes remain the top concern of New Jersey citizens, businesses and municipal officials. The single most important and immediate action that the state could take to address this matter would be to comply with the laws that require the distribution of municipal property tax relief funding.

The New Jersey League of Municipalities will continue to actively push for the restoration of Energy Tax funding, along with CMPTRA, as well as PILOTs and other dedicated property tax relief programs. We will continue to support efforts to modernize state tax policy, so that New Jersey's chronic over-reliance on the property tax can be lessened. We will oppose all state policy proposals that would shift costs from the state to local governments; because such proposals, inevitably, contribute to the property tax crisis.

We will also champion reforms that will relax state mandates and allow local leaders to manage local governments effectively, efficiently and economically. We will advocate policies and legislative reforms that will permit local governments, at their discretion, to enter into shared services, regionalization or consolidation agreements that would lower costs and improve service quality.

ECONOMIC DEVELOPMENT, LAND USE & AFFORDABLE HOUSING

New Jersey's unemployment rate remains too high. Foreclosures continue to occur too often. Housing prices have not rebounded and state tax collections continue to lag. And we faced all of those issues before Hurricane Sandy changed the face of our state.

Now more than ever, officials at all levels of government need to cooperate with each other, and with business leaders, to deliver economic growth and development and to rebuild communities devastated by the storm. We are determined to strengthen and support state programs designed to provide municipalities with the tools they need to attract and retain businesses, jobs and economic activity. We will also campaign for programs designed to rebuild and modernize our transportation, energy and environmental infrastructure.

We will work to terminate unnecessary and duplicative bureaucratic requirements, which prevent the development of vibrant economic opportunities for the families of our fellow citizens. The New Jersey League of Municipalities will continue to defend common-sense local planning and zoning rights. We will continue to support reforms of state affordable housing policies, which will encourage affordable housing in a thoughtful, rational and sustainable way.

PUBLIC SAFETY, PUBLIC HEALTH & ENVIRONMENTAL PROTECTION

New Jersey faces unique challenges in the areas of public safety, public health and environmental protection.

We live in the most densely populated state in the nation. Notwithstanding, agriculture remains an important industry, our commercial fisheries are crucial to America's food supply and we lay claim to some of the most heavily used beaches in the world. The devastation caused by Sandy has disrupted all of that. In recognition of these valuable natural resources, State policy-makers must continue to work with local leaders in the areas of public safety, public health and environmental protection to enhance and promote these assets.

We support continuation of a vibrant open space and farmland preservation policy. We will continue to promote common sense solutions that will permit communities to achieve and sustain compliance with reasonable public safety, public health and environmental standards.

We will support policies that will permit communities to utilize flexible solutions to reconstruction and site remediation problems. We will champion efforts to maintain, for future generations, the beauty of our beaches, lakes, mountains and woods, which draw millions of visitors to our state, and to bequeath to our children a healthier and cleaner environment.

INTERGOVERNMENTAL RELATIONS

Public servants representing their fellow citizens at all levels of government must cooperate, in order to meet the challenges and respond to the opportunities that emerge. We will promote repeal of long-standing statutory impediments to greater intergovernmental cooperation.

We will encourage and support opportunities to share services, whenever that will reduce costs and improve efficiencies. We will fight unfunded mandates. We will defend the right of the people to govern themselves and determine the destiny of their own communities. ▲

Honoring Decades of Leadership

The League's Mayors Hall of Fame



Mayor of Harrington Park Borough Paul A. Hoelscher poses following his induction to the Gold Level of the Mayors' Hall of Fame in recognition of his 20 years of service.



New members of the Mayors Hall of Fame Silver Level pose following their induction at the League's Annual Business Meeting at the Princeton Marriott on December 5. Each has served as mayor for over 10 years. Pictured (l to r) are Glassboro Mayor and League Executive Board Member Leo McCabe, Mount Arlington Mayor Arthur Ondish, Totowa Borough Mayor John Coiro and Eatontown Borough Mayor and League 2nd Vice President Gerald J. Tarantolo.

At the League's Annual Business Meeting at the Princeton Marriott on December 5, then League President Arthur Ondish and officials from throughout New Jersey honored the most recent inductees to the Mayors Hall of Fame.

The League established the Hall of Fame to recognize mayors who have served for over ten or 20 years.

"Serving as mayor for ten or 20 years is a commitment of time and energy over the long haul. These mayors have made a profound commitment to community leadership. They've had a chance to see their communities grow and change over the years and to work to make a positive difference," said League Executive Director Bill Dressel. "They deserve to be recognized."

2012 Mayors Hall of Fame

GOLD Level 20+ Years

- Allentown Borough Honorable Stuart A. Fierstein
- Harrington Park Borough Honorable Paul A. Hoelscher
- Mount Ephraim Borough Honorable Joseph E. Wolk

SILVER Level 10+ Years

- Bloomfield Township Honorable Raymond J. McCarthy
- Buena Borough Honorable Joseph Baruffi
- Cresskill Borough Honorable Ben Romeo
- Eatontown Borough Honorable Gerald J. Tarantolo
- Glassboro Borough Honorable Leo McCabe
- Greenwich Township Honorable George W. Shivery, Jr.
- Irvington Township Honorable Wayne Smith
- Mount Arlington Borough Honorable Arthur Ondish
- Ocean Township (Monmouth) Honorable William F. Larkin
- Piscataway Township Honorable Brian Wahler
- Totowa Borough Honorable John Coiro
- Washington Township (Warren) Honorable Michael A. Kovacs
- Wrightstown Borough Honorable Thomas E. Harper ▲



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Measuring Investment Returns from the Municipal Perspective



By Leslie A. Anderson
Executive Director, New Jersey
Redevelopment Authority
& Arthur A. Linfante
Value Research Group, LLC

Recent economic events have brought municipalities to the conclusion that maximizing the ratable base and creating economic development are essential to their long term financial health. Municipalities are looking for ways to efficiently and responsibly improve the ratable base and redevelop depressed neighborhoods and underutilized properties.

Ever since the *Kelo* decision in 2005 redevelopment has been under pressure. New Jersey court decisions have repeatedly challenged redevelopment studies that, in the past, were considered valid. As a result, the bar has been raised and municipalities are under greater pressure to validate their redevelopment and development decisions.

The same is true for municipal budgets. Payment In Lieu of Taxes (PILOT) programs are meeting increased resistance and their very existence is being challenged. The Office of the Comptroller issued a report in 2010 that suggested that tax abatements result in foregone revenues and property tax inequities. The report suggested a number of recommendations including a thorough cost-benefit analysis of community impact.

While the findings and opinions contained in the study are debatable, the the study calls for a more responsible approach to the implementation and use of PILOT programs. Municipalities must find an objective method to support the use of PILOT programs to ensure they are imple-



Municipalities are the only "partner" with a permanent vested interest in every property in town. Therefore, it is incumbent upon municipalities to maximize the value of these assets within the parameters set by specified goals and objectives.

mented in a manner that achieves clear goals and objectives. This isn't a new concept. The idea of measuring returns is the fundamental principal that guides all financial decisions.

MUNICIPALITIES SHOULD REQUIRE THESE STUDIES TO ENSURE THEIR DECISIONS REGARDING PILOT PROGRAMS, REDEVELOPMENT PLANS, REDEVELOPMENT STUDIES AND MASTER PLANNING ARE GROUNDED BY A SOUND ANALYTICAL TOOL.

How to Measure Investment Returns

Developers seek returns on their investment to satisfy equity investors and debt service. Projected cash flow from developments must satisfy the goals and objectives of each investor. Investor goals and objectives are clear and precise; return on capital and return of capital. Without meeting the investor requirements projects will not be built. Incentive programs are devised to close "gaps" in projects to insure investment objectives for the developer can be met.

This same philosophy should hold true for municipalities, though returns are measured in a different way. The vast majority of municipal revenues are generated by property taxes. That means municipalities are the only "partner" with a permanent vested interest in every property in town. Therefore, it is incumbent upon municipalities to maximize the value of these assets within the parameters set by specified goals and objectives. Developers seeking financial assistance from municipalities create another form of partnership. Muni-

palities must measure their "investment" in a project to determine if a project meets the goals and objectives of the municipality.

Municipal goals and objectives include improved revenues, job creation, a better social environment, improved quality of life and changes in the character of a neighborhood. These benefits must be weighed against the associated costs of achiev-

ing these goals. This would include a variety of financial impacts to municipal budgets including school impact, sewer/water, Police/Fire/EMT services, road systems and basic maintenance.

Fiscal Impact Study A Fiscal Impact Study is the only real investment analysis tool that allows municipalities to effectively measure the "return on investment." Revenues can be estimated and the impact of a potential

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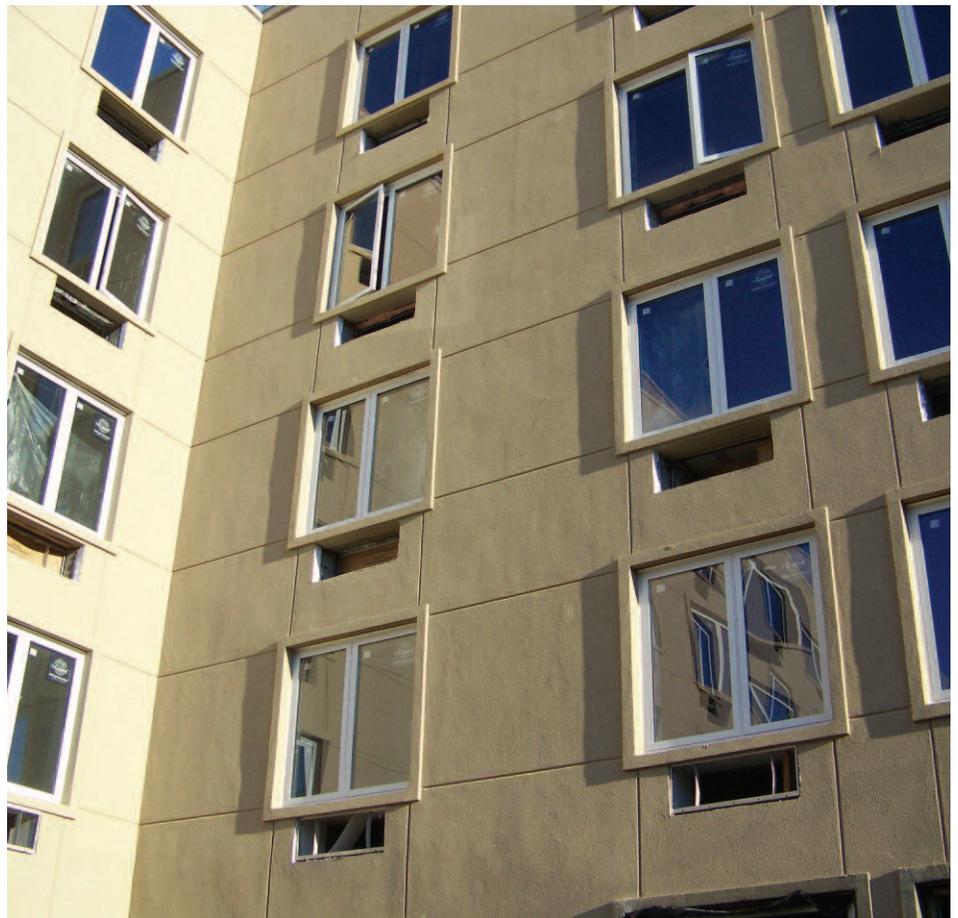
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project or projects can be quantified.

What is a Fiscal Impact Analysis? It is an analysis of the conditions "before and after" that assesses existing conditions in terms of revenue generation and associated expenses.

REVENUE ANALYSIS
INCLUDES A REVIEW
OF THE ALLOCATION
OF EXISTING REVENUES
(MUNICIPAL, SCHOOL
AND COUNTY) AND
THE DURABILITY OF
THOSE REVENUES.

Revenue analysis includes a review of the allocation of existing revenues (municipal, school and county) and the durability of those revenues. The durability of the revenue stream is a very critical component of the analysis since failing or detrimental proper-



The durability of the revenue stream is a very critical component of the analysis since failing or detrimental properties can not only be fodder for constant tax appeals, but also drag down the value of surrounding properties.

ties can not only be fodder for constant tax appeals, but also drag down

the value of surrounding properties. This can, in turn, jeopardize the revenues generated by an entire neighborhood. Both conditions result in a decline in revenue.

Failing or detrimental conditions may also place additional stress on municipal services. Police and fire departments may be subject to repeated calls, school systems may be overburdened and other services may be stressed just to maintain some semblance of order or maintenance to the area.

The study will also determine how the project will affect the municipality during construction and after stabilization. The major issue during construction may be the creation of new jobs. After the project is built and stabilized, temporary construction jobs can result in new permanent jobs, the neighborhood may experience a positive change in character, neighboring properties may have a corresponding increase in value and the quantity and durability of revenues may increase.

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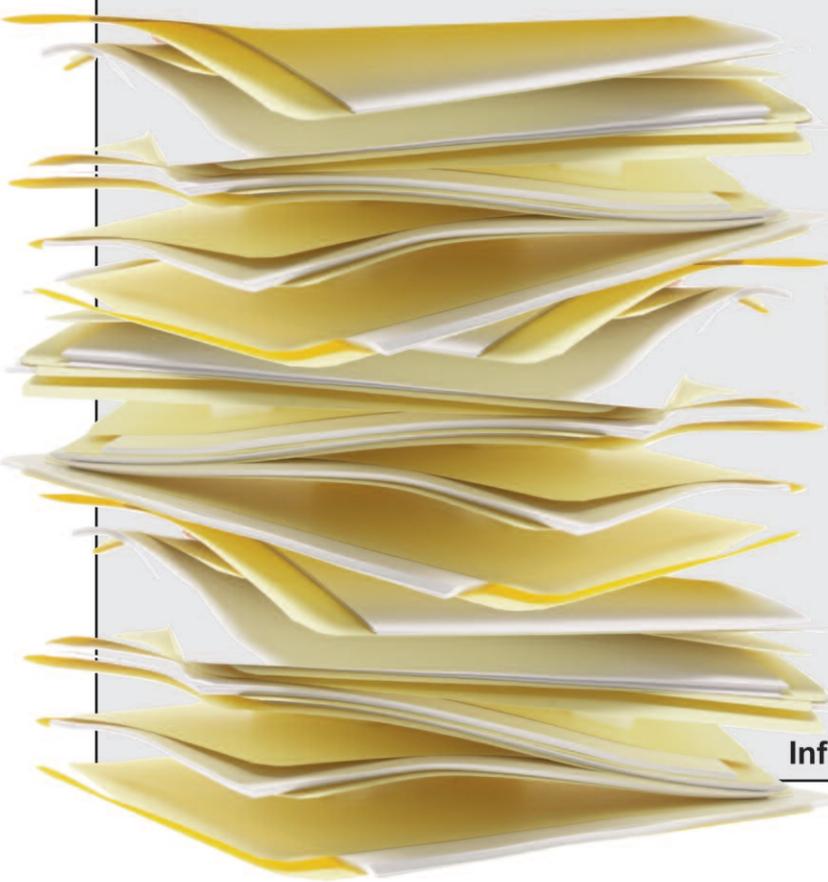
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A precise study will include any significant impact to the municipal budgets. How will the schools be impacted; will new projects bring greater efficiencies to the police and fire departments or will it create the need for new professionals and equipment? Who will pay for any needed infrastructure improvements and maintain new road systems? All of these issues can be effectively addressed in a credible analysis providing a municipality

with critical information needed to move forward with an informed decision about a specific project or larger scope redevelopment area.

Critical Approach for a Credible Analysis
Any study should have clear and concise goals and be approached in an objective manner. Beware of the "quick look." A quick look approach can often overlook very important, long-term effects of a proposed development. For example, some

studies use a "Pro-Rata Analysis." The "pro-rata" analysis essentially calculates the change in population and school-age children generation and applies the per capita municipal cost and cost per student to those figures. This grossly overstates the impact to the municipality. No development has ever created the need for more mayors, business administrators, town clerks or other similar administrative personnel. Also, the total cost of education may not be a real indication of the impact on the school system. The real effect of a project or redevelopment is wholly dependent on the conditions that exist at the time the project is anticipated to come online. The opposite may also be true. Projects may require significant capital expenditures that may not be justified or are required to be dealt with in a more reasonable approach.

Another common error is performing an isolated study on a project-by-project basis. In an area where multiple projects are anticipated, an isolated analysis will, more than likely, understate the impact of the initial project and overstate the impact of the last project. A more appropriate analysis will take into consideration the area as a whole and essentially "master plan" a financial analysis of the target area. Approaching a redevelopment in this manner will allow the municipality to plan a more appropriate density of development and the optimal mix of uses.

Importance of a Fiscal Impact Analysis
A fiscal impact study has many benefits to a municipality. It enables municipalities to objectively measure the returns of the municipal investment, provides a useful forecasting tool in formulating long range development plans, and establishes a basis for a more fair and reasonable development/redevelopment agreement.

Municipalities should require these studies to ensure their decisions regarding PILOT programs, redevelopment plans, redevelopment studies and master planning are grounded by a sound analytical tool. Doing so will reduce unnecessary scrutiny, ensure the public trust and provide a more stable foundation to create meaningful and successful redevelopment projects. ▲



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Long-term Care Communities Make Good Neighbors



By James W. McCracken
New Jersey Ombudsman
for the Institutionalized Elderly

As a former local elected official and healthcare administrator, I know first-hand the benefits and disadvantages that are generally associated with having a nursing home, assisted living facility, or retirement community located in your municipality.

Perhaps the greatest challenge associated with having a long-term care (LTC) community in your midst is the impact on the local emergency services personnel and—to a lesser degree—local law enforcement.

Given the frailty of the seniors they care for, long-term care facilities generate a significant number of ambulance and emergency medical assistance calls. In some communities, multi-level senior housing presents a particularly daunting challenge to fire and rescue and emergency management personnel. They are faced with overseeing the implementation of effective evacuation plans for a vulnerable and, in many instances, non-ambulatory population.

While the demands on local services can be sizeable, I would submit that the benefits of having a long-term facility in your community far outweigh the disadvantages.

Aging in Place First, local long-term care facilities make it possible for area residents to live out their final years in their hometowns. Too often, elderly residents who can no longer stay in their homes are forced to move a town or two away to receive residential long-term care services.

Optimally, these long-time residents should be able to stay close to their places of worship, their friends and their families.

Intergenerational Interaction Having a long-term care facility in your community also creates opportunities for intergenerational educational opportunities. Having elderly people engaged with the local school district—as guest speakers or as volunteers—enriches the experience of school children. This promotes a greater understanding of the aging process and engenders empathy for people with disabilities.



Local long-term care facilities make it possible for area residents to live out their final years in their home towns.

We live in a society where grandparents and grandchildren are more likely to be separated geographically than in past generations. Children who do not have regular contact with a grandparent or elderly friend or relative may be more likely to have negative feelings about aging and feel uncomfortable around seniors. Fostering greater interaction with elderly residents of a long-term care facility benefits these children and, some studies show, may have the added benefit of reducing the incidence of depression among residents of the nursing home.

Volunteer Opportunities A local nursing home or assisted living facility presents local school children and service organizations with meaningful volunteer opportunities and service projects. I can tell you from first-hand experience that residents of long-term care communities enthusiastically welcome interaction with the larger community. And they are particularly receptive to interaction with young people.

The volunteer opportunities to which I am referring include volunteer opportunities with my office.

Since being appointed as Ombudsman by Governor Chris Christie in December 2010, my staff and I have worked to increase the number of OOIE (Office of the Ombudsman

for the Institutionalized Elderly) volunteers assigned to New Jersey nursing homes. Our volunteers—called volunteer advocates—are the OOIE's "eyes and ears" in long-term care facilities. They receive 32 hours of training and are required to spend at least four hours a week in their assigned facility.

We currently have roughly 200 active volunteers, a 30 percent increase since we began to jump-start our recruitment efforts in the spring of 2011. Perhaps most importantly, our volunteers are placed in facilities that are in their own communities or close to their homes. The beauty of this is that our volunteers are familiar with area resources that can be brought to bear to assist LTC residents, and can play an active role in fostering greater community engagement with people living in a long-term care facility.

Further, long-term care communities often provide a public forum for all segments of the community. Most long-term care facilities have meeting rooms and community space that are available for use by local groups and organizations. In addition, many LTC facilities host public education forums, health screenings and wellness events that target not just their own residents, but also members of the larger community.

Positive Economic Impact Another major benefit of having a long-term care facility is the positive economic impact it creates. These communities provide customers for local businesses and generate jobs for local residents. And, generally speaking, the jobs are stable and include benefits.

According to the US Department of Labor, Bureau of Labor Statistics' 2010 to 2020 projections, "The healthcare and social assistance industry is projected to create about 28 percent of all new jobs created in the U.S. economy. This industry—which includes public and private hospitals, nursing and residential care facilities, and individual and family services—is expected to grow by 33 percent, or 5.7 million new jobs. Employment growth will be driven by an aging population and longer life expectancies, as well as new treatments and technologies."

According to a 2011 report by the Alliance for Quality Nursing Home Care, the nursing home industry

employs more than 1.6 million people and generates more than \$200 billion in economic activity.

I WOULD ENCOURAGE YOU TO FOSTER A RELATIONSHIP WITH THE RESIDENTS, EMPLOYEES AND ADMINISTRATORS WHO LIVE AND WORK IN LOCAL LONG-TERM CARE COMMUNITIES.

Because New Jersey has stringent staffing regulations governing long-term care facilities, the staffing ratios for these facilities is generally very intense. This translates into safer conditions for residents and more jobs for local citizens.

Property Management While there are undoubtedly some exceptions, most long-term care communities keep their properties neat and clean

and pay attention to facility upkeep. This is due to both their effort to be a good neighbor and economic necessity. LTCs need to have "curb appeal" to attract customers.

Your Voters, Your Constituents Finally, it is no secret that seniors are some of the most civically engaged and politically involved citizens among today's electorate. Whatever your political persuasion, we all know that elections are decided by those who cast their votes—and seniors are the most likely to vote. According to a March 2012 U.S. News and World Report article, "some 61 percent of citizens age 65 and older voted in the November 2010 election, the best turnout of any age group."

Having a relationship with your constituents in long-term care communities affords you an opportunity to hear their concerns and turn that feedback into constructive actions on their behalf. Similarly, it affords you an opportunity to explain and gain support for the policies and programs that you think are important.

In closing, I would encourage you to foster a relationship with the residents, employees and administrators who live and work in local long-term care communities. Opening the lines of communication and interaction will enrich the lives of everyone involved and benefit to your community. ▲

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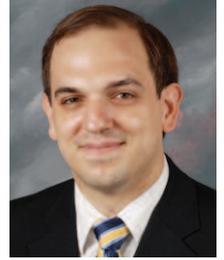
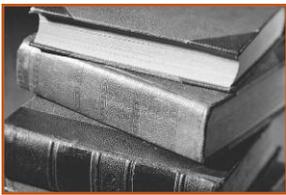


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Preemption Law and the Difference Between an Initiative and a Referendum

By Matthew Weng, Esq.
NJLM Staff Attorney

Q As local officials, we often run into situations where we attempt what we believe to be a novel approach to a unique local situation, only to later discover that our ordinance was preempted by state action. Can you give me a general overview of preemption law and a rundown of when state statutes preempt local ordinances?

A The general guidelines for when an issue is preempted were set out in a 1976 Supreme Court case, *Overlook Terrace Management Corp. v. Rent Control Board of Town of West New York*, 71 N.J. 451.

The pertinent questions to ask, according to the Supreme Court, are:

1. Does the ordinance conflict with state law, either because of conflicting policies or operational effect (that is, does the ordinance forbid what the Legislature has permitted or does the ordinance permit what the Legislature has forbidden?)
2. Was the state law intended, expressly or impliedly, to be exclusive in the field?
3. Does the subject matter reflect a need for uniformity?
4. Is the state scheme so pervasive or comprehensive that it precludes coexistence of municipal regulation?
5. Does the ordinance stand 'as an obstacle to the accomplishment and execution of the full purposes and objectives' of the Legislature?

To put it another way, "legislative intent to preempt a field will be found either where the state scheme is so pervasive or comprehensive that it effectively precludes the coexistence of municipal regulation or where the local regulation conflicts with the state statutes or stands as an obstacle to a state policy expressed in enactments of the Legislature."

However, "it is not enough that the Legislature has legislated upon the subject, for the question is whether the Legislature intended its action to preclude the exercise of the delegated police power." Instead, the "ultimate question is whether, upon a survey of all the interests involved in the subject, it can be said with confidence that the

Legislature intended to immobilize the municipalities from dealing with local aspects otherwise within their power to act." *Summer v. Teaneck Twp.* 53 N.J. 548, 554-555, (1969).

Q As a newly elected official I often confused by the difference between an initiative and a referendum, and when each should be used. Can you clear that up for me?

A In his guide to Municipal Law, Michael Pane concisely defines the difference between the two:

"Initiative is the power to place local legislative proposals on the ballot for adoption by the voters. When adopted by the voters these proposals have the same effect in law as municipal ordinances enacted by the municipal governing body.

Referendum is the power to place enacted ordinances on the ballot for ratification by the voters."

It is important to remember that only citizens in those municipalities that have adopted forms of government under either the Faulkner Act or the Walsh Act have the ability to use binding initiatives or referenda. In all other municipalities, most referenda are non-binding; they are essentially a way to take the pulse of the electorate on an issue. (Under certain circumstances all municipalities, Faulkner/Walsh and charter, have the ability to use referendum procedures for limited purposes, such as pay raises for elected officials.)

In Faulkner/Walsh Act towns, there are two ways an ordinance will come before the voters to be approved or disapproved (referendum). The council can do this themselves, after duly passing an ordinance, or a petition can be filed by a member of the public to challenge an ordinance. Almost any ordinance can be initiated.

There are exceptions, however. Statutes and case law have made some types of ordinances inapplicable to either process. For example, neither the budget nor land use procedures may be subject to initiative. ▲

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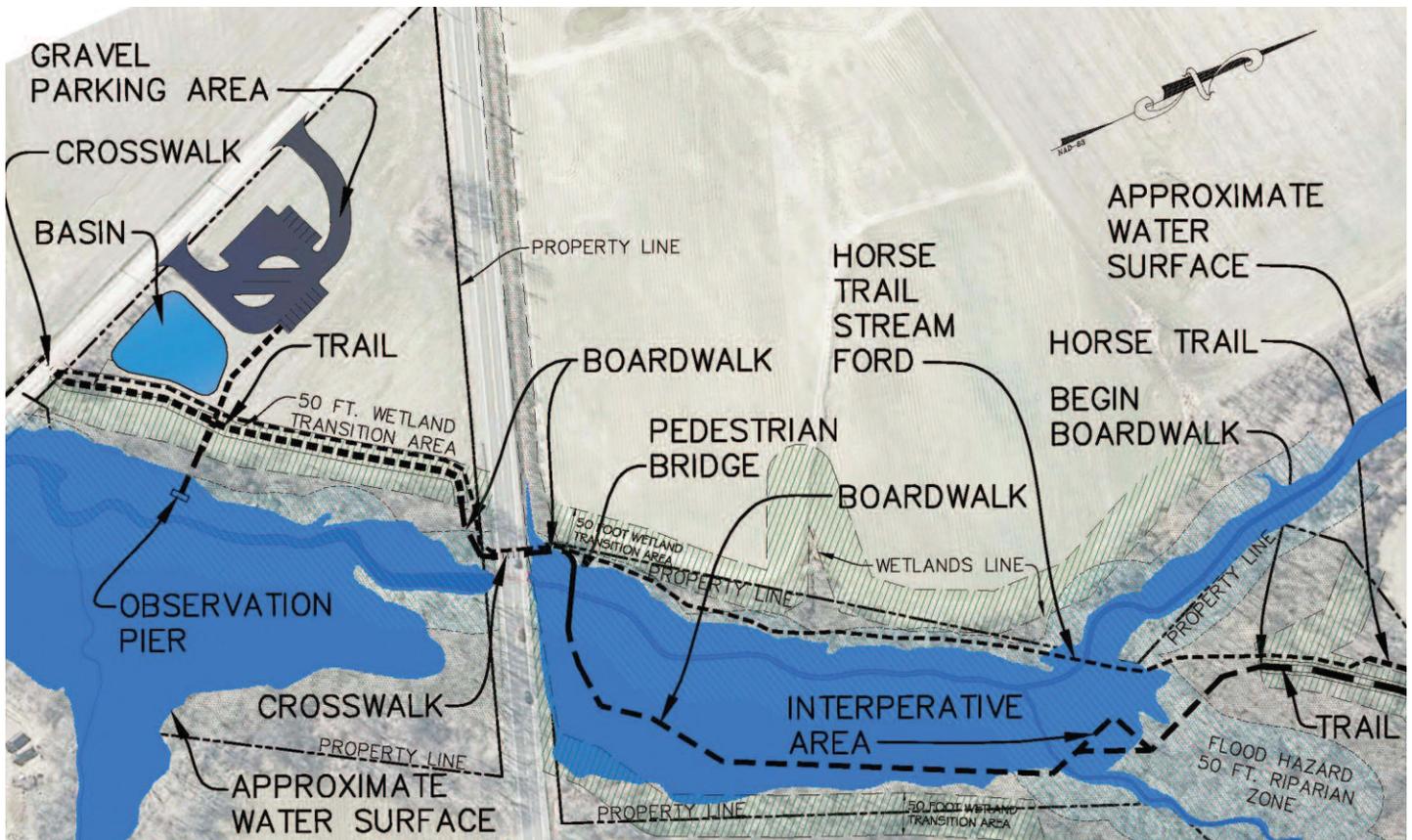
A Look Inside the NJDEP's Waiver Rule

Is Your Project Saved?

By Mary Pat Robbie
Director, Resource Conservation
Burlington County
& Eric Rosina, Director, Environmental
Services, ACT Engineers, Inc.

On August 1, 2012 the NJDEP began accepting waiver requests in accordance with Governor Christie's Executive Order 2. The purpose of the waiver rule is to allow the NJDEP the authority to waive strict compliance with certain Department Rules where the applicant can demonstrate that full compliance would cause one of the following situations: 1) conflict with another DEP, state or federal agency rule; 2) an unduly burdensome task; 3) the net environmental benefit would be adversely affected; or 4) a declared public emergency exists. Understanding when these site specific situations exist can be a daunting task given the complexity and depth of over 40 years of rule implementation and revision by multiple administrations.

APPLICANTS SHOULD BE PREPARED
TO SUBMIT A COMPLETE PERMIT
APPLICATION WITH THE WAIVER REQUEST
TO HAVE THE HIGHEST AND FASTEST
LIKELIHOOD FOR SUCCESS.



Burlington County's goal, at the site whose siteplan is shown above, is to construct a linear connection multi-use trail which includes educational areas in the various eco-systems along the trail route. Although this is a noble goal with minimal environmental impacts, several layers of regulation can make the environmental regulations unduly burdensome.

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As an example, consider the case of remediation of soils within a floodway, or a linear public-use path along a stream. Although these are noble projects with minimal environmental impacts, several layers of regulation can make the environmental regulations unduly burdensome while negating the net environmental benefits of the project. In their defense, while NJDEP regulations attempt to provide general permits for typical projects, not all situations can be anticipated within the Rule-Making process.

While several waiver requests have been submitted to the DEP, the number of requests has been substantially less than was originally anticipated. Furthermore, of the submitted requests, many have been rejected due to a failure to provide adequate information. This could be due to a misunderstanding of what the Waiver Rule is or the failure to submit the required documentation as set forth by the NJDEP. Successful applicants should be able to recognize that the Waiver Rule is another tool in the DEP's toolbox and approach a request much like any other DEP application.

The Waiver Rule It is important to note what the Waiver Rule is and more importantly, what it is not. The Department can only waive NJDEP regula-

tions. The department cannot grant a waiver for requirements imposed by another state department (such as the NJDOT, NJEDA, etc.) or for state statutes or federal/departmental rules which are directly tied to federal requirements for delegated or assumed programs (for example: Wetlands, Threatened and Endangered Species, etc.) Likewise, the department cannot grant a waiver to a State Implementation Plan (SIP) for any federally enforceable program. Applicants should not ask for waivers for air emissions trading programs, numeric standards protective of human health or designation of threatened and endangered species or habitat. The DEP's waiver rule does not waive remediation funding source requirements as these are administered under NJEDA, or licensure, certification or registration requirements. Finally, the department will not entertain waiver requests to eliminate public notification requirements, fees, or any portion of the Waiver Rule.

In the example of a linear trail referenced, Burlington County's goal is to construct a linear connection multi-use trail which includes educational areas in the various eco-systems along the trail route. This multiple mile trail system transects agricultural lands, rural communities, forested hillside

overlooks, stream corridors and wetland areas and provides multiple environmental stewardship education opportunities for the community.

As the engineer developed the conceptual plans for the project and studied the environmental constraints, a 1,500 linear foot section of the project was identified as the controlling area for the overall project's success. In this

IN SOME CASES
THE WAIVER RULE
PRESENTS AN
ALTERNATIVE IN ORDER
TO ACHIEVE
A PROJECT'S GOALS ON
TIME AND ON BUDGET.

section, the local roadways are elevated above surrounding grades and were found to restrict waterflow under flood conditions. Under the Flood Hazard Regulations, Riparian Disturbance (i.e. tree removal) is limited to 1,000 square feet within the 50' riparian zone. In addition, while wetland disturbance is unlimited for trails and boardwalks, the no-net fill rule of Flood Hazard would necessitate excavation and regrading of the steam bank within the Flood Hazard Area to account for the displaced volume of the boardwalk in this area creating further disturbance of the eco-system.

The NJDEP indicates that more than 95 percent of permits which are submitted through the Bureau of Land Use Regulation are ultimately approved as compliant projects. The compliant solution in our example would be to construct the boardwalk that is either: outside the property boundaries and outside the stream corridor or; approximately 10' above the normal water/ground surface

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elevation. However, since both of these options are in direct conflict with the Burlington County's goals for a linear connection and educational areas within the ecosystem, the approvable project does not meet the established project goals. The county is left to drop the project or rebuild the surrounding roadways adding years and substantial cost to the project. The Waiver Rule presents an alternative in order to achieve the project goals on time and on budget.

Once the basis of the Waiver has been established (i.e. Unduly Burdensome—Zero Net Fill/Riparian Disturbance Threshold (>1,000 SF) in our example, the applicant must provide the appropriate documentation to allow the NJDEP to evaluate the waiver request. Specifically, this information includes:

- Public Notice documentation
- Sufficient Support Information (narrative description)
- Circumstances that support the need for a waiver (complete data and description of the decision process)
- Net Environmental Benefit description
- Verification that the request is not for a Self-Inflicted Burden (aka self-imposed hardship)
- Documentation of Consistency with DEP Core Missions

- Protect human health and minimize environmental impacts

While the DEP does not provide submission guidance within the waiver rule for each of these evaluation criteria, the applicant and their consultants need only look to the underlying rule(s) from which the waiver is being sought to develop appropriate materials suitable for review.

advised to submit all of the administrative and technical information for the permit they are seeking with the waiver request.

In our example, this includes the application materials, environmental report, engineering reports, and design drawings for the ultimate Wetlands and Flood Hazard Area permits. However, the net-fill calculations

WITH NO PROVISION WITHIN THE
WAIVER RULE FOR ANY GIVE AND TAKE WITH
THE DEPARTMENT, APPLICANTS ARE WELL ADVISED
TO SUBMIT ALL OF THE ADMINISTRATIVE AND
TECHNICAL INFORMATION FOR THE PERMIT
THEY ARE SEEKING WITH THE WAIVER REQUEST.

With no provision within the Waiver Rule for any give and take with the department, applicants are well

would indicate the combined volume of the boardwalk and railings proposing no offset compensation via stream bank disturbance. Likewise, the proposed riparian zone vegetation mitigation within the watershed would be calculated but any resultant mitigation may be more wide-spread along the project route instead of adjacent to the disturbance areas. Such an approach demonstrates a net environmental benefit which has a geographic nexus to the impacted resource (i.e. within the watershed).

In short, applicants should be prepared to submit a complete permit application with the waiver request to have the highest and fastest likelihood for success.

By using an on-line system, the NJDEP is attempting to make the waiver process as open and transparent as possible. Submission requirements, permit applications and their status, and additional guidance are all listed on their website at www.nj.gov/dep/waiverrule/. ▲

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The Bayonne Bridge Project

Creating Jobs Now and Securing Our Future



By David Samson
Chairman, The Port Authority
of New York & New Jersey

At a time when elected officials and administrators at every level of government across the country are looking for ways to make investments in our infrastructure and create jobs to reenergize our stalled economy, the Port Authority of New York and New Jersey's project to "Raise the Roadway" of the Bayonne Bridge will achieve both objectives.

The Raise-the-Roadway project became a Port Authority priority when the Government of Panama approved the expansion of the Panama Canal to enable it to accommodate larger cargo ships. That expansion holds the potential for substantial economic benefits for our region by significantly increasing the efficiency of moving freight, lowering costs for both shippers and consumers, and shrinking the

environmental footprint of our Port commerce. The larger post-Panamax ships will carry up to 15,000 TEU containers, compared with the current maximum of 5,000 TEUs. The resultant economies of scale will produce fewer ships using our waterways to deliver similar amounts of cargo.

We expect construction on the Raise-the-Roadway project to begin in the spring of 2013, and the Port Authority expects this \$1 billion project to create more than 6,300 good-paying jobs in the construction trades. We estimate those jobs will generate \$380 million in wages, \$1.6 billion in economic activity during construction, and significant economic benefits to local businesses and service providers.

These benefits will be realized if we take the steps now to accommodate the larger ships that will dominate the



Construction on the Raise-the-Roadway project at the Bayonne Bridge is expected to begin in the spring of 2013. The Port Authority expects this \$1 billion project to create more than 6,300 good-paying jobs in the construction trades.

shipping industry after the opening of the widened Canal. These steps are necessary because the existing 151-foot air draft under the Bayonne Bridge, designed nearly 80 years ago, is unable to accommodate the larger ships. As a result, without the planned improvements, post-Panamax ships would be unable to reach Port Newark and Elizabeth Seaport and Howland Hook on Staten Island. Without an elevated roadway, cargo shippers would be forced to use older, smaller ships, which are less efficient, more expensive to operate, and not equipped with the latest green technologies that can be used by the new, larger ships that will be built to take advantage of the widened Panama Canal.

**VALUABLE ECONOMIC
BENEFITS WILL BE REALIZED
IF WE TAKE THE STEPS
NOW TO ACCOMMODATE
THE LARGER SHIPS THAT
WILL DOMINATE THE
SHIPPING INDUSTRY
AFTER THE OPENING OF
THE WIDENED CANAL.**

We faced a clear choice: raise the Bayonne Bridge roadway or allow our region to risk becoming less competitive with other East Coast areas served by modernized ports, such as Norfolk, Savannah, and Halifax.

The Port Authority's solution is an innovative construction project that will raise the Bayonne Bridge roadway 64 feet, to a height of 215 feet above the Kill Van Kull, one of the busiest shipping lanes in the nation. The construction plan allows for construction of a new, elevated roadway while keeping the bridge open to traffic. Vehicles will continue to cross the Bayonne Bridge with minimal disruption and road closures, and ships will continue to pass underneath it. Once the new roadway is in place above the

existing road, workers will remove the original deck below. That construction sequence will make the Bayonne Bridge the first bridge to complete a full deck replacement above an existing deck while remaining open to vehicular and maritime traffic.

Earlier this year, the Panama Canal Authority announced that construction delays have slowed the expansion project. Work will not be completed until the first quarter of 2015; and then an additional 6-8 months of trials and tests will follow before the Canal is commercially operational and open to shipping. At the same time as this announcement, the Port Authority has been fast-tracking the Raise-the-Roadway project. In fact, just last month we announced the deck-removal portion of the project will be completed in late 2015—six months ahead of schedule and in time for our ports to receive the larger ships that will pass through the completed Canal.

We completed preliminary engineering in 2011, pre-qualified five world-class construction teams seeking to bid on the project, and are now in the

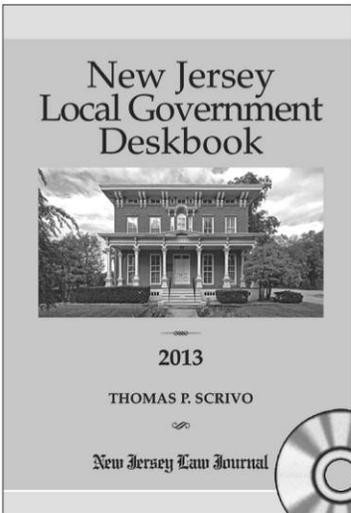
process of making the selection. The Raise-the-Roadway project also got a boost from the Obama Administration, which last month announced federal review will be expedited since the Bayonne Bridge is a regionally significant infrastructure project.

It is imperative that we complete this project in advance of commercial operations at the widened Panama Canal. By providing the necessary navigational clearance that enables larger post-Panamax ships to access our marine terminals, we will ensure that the Port of New York and New Jersey remains a powerful driver of our region's economy for years to come.

Make no mistake, ports up and down the East Coast are racing to prepare for the Panama Canal expansion for all the same reasons. There is intense competition for the new large ships sailing from Asia. That is why this project is so important. This bridge project will help ensure that we maintain our competitive advantage and continue to support the economic vitality of the New York-New Jersey region. ▲

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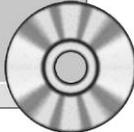
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Annual Business Meeting League Elects Officers, Approves Resolutions and Presents Awards

The League of Municipalities held its Annual Business Meeting on December 5 at the Princeton Marriott in Plainsboro. The new League Officers were elected (see separate articles in this issue). Among other business, the newest members of the Mayors Hall of Fame were announced and the Resolutions for the coming year were approved (see separate articles in this issue).

Then League President Arthur Ondish presented a Distinguished Public Service Award to Lt. Col. Jerome Hatfield, who is the Deputy Superintendent of Homeland Security for the New Jersey State Police. Then President Ondish also recognized the New Jersey Hall of Fame with the Distinguished Public Service Award. Bart Oates, Chairman, New Jersey Hall of Fame Board of Commissioners and Steve Edwards, President, New Jersey Hall of Fame Foundation Board accepted the award on behalf of their organization.



Bart Oates, Chairman, New Jersey Hall of Fame Board of Commissioners, makes his remarks on behalf of the New Jersey Hall of Fame, which the League recognized with a Distinguished Public Service Award during its Annual Business Meeting. Also pictured (l to r) are Steve Edwards, President, New Jersey Hall of Fame Foundation Board, Arthur Ondish, NJLM Immediate Past President and Janice S. Mironov, NJLM President.



Outgoing League President Arthur Ondish, Mayor of Mount Arlington, accepts a plaque from newly elected League President Janice S. Mironov, Mayor of East Windsor Township, in recognition of his outstanding service.

The League Executive Board also approved the following appointments that were proposed by League President Janice S. Mironov:

M. James Maley, Jr., Mayor, Collingswood—
Chair, NJLM Economic Development Task Force

Timothy C. McDonough, Mayor, Hope; NJLM Past President—
Chair, Municipal Emergency Management and Preparedness Task Force

Chuck Chiarello, Committeeman, Buena Vista;
NJLM Past President—Chair, EMS Committee

Wilda Diaz, Mayor Perth Amboy—
Chair, Municipal Management Reform Committee

Janice S. Mironov, NJLM President; Mayor, East Windsor Township—Chair, Statutory Funding Compliance Committee

Gerald J. Tarantolo, NJLM 2nd Vice President;
Mayor, Eatontown—Chair, School Funding Committee

Sharon Robinson-Briggs, Mayor, Plainfield; Member,
NJLM Executive Board—NJLM Liaison to NJ Organ and Tissue Sharing Network

Brian Wahler, Mayor, Piscataway; Member, NJLM Executive Board—Chair, Telecommunications Reform Committee

Letitia "Tish" Colombi, Mayor, Haddonfield—
Co-Chair, Women in Municipal Government Committee (WIMG)

Mildred Crump, Councilwoman, Newark—
Co-Chair, Women in Municipal Government Committee (WIMG)

Janice S. Mironov, NJLM President; Mayor, East Windsor Township—Chair, Housing Policy Committee

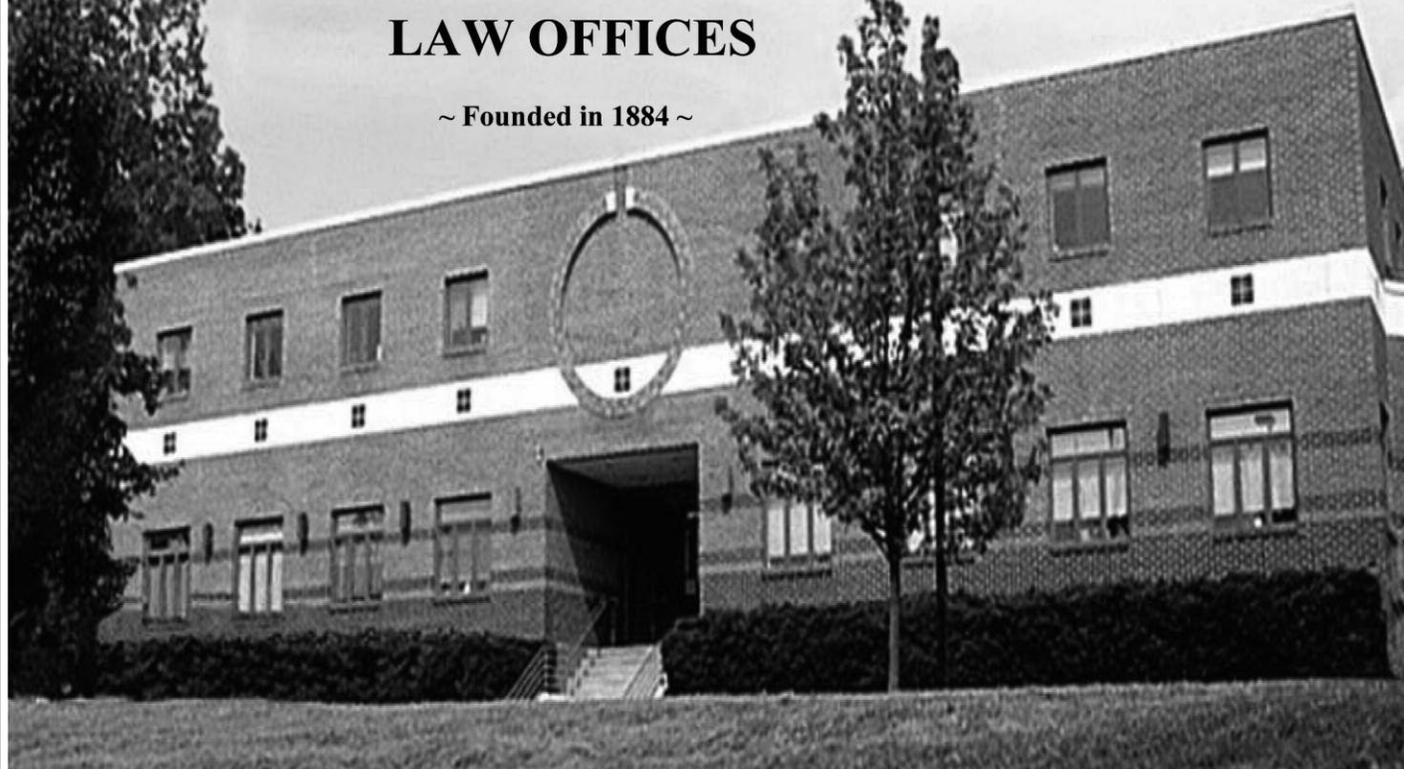
Colleen Mahr, Mayor, Fanwood—
Vice Chair, Housing Policy Committee

Janice S. Mironov, NJLM President; Mayor, East Windsor Township—Chair, Energy Policy Committee ▲

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League Approves 17 Resolutions

On December 5, the League Resolutions Committee met to consider 20 resolutions that were submitted for consideration. The Committee typically meets the first day of the League’s Annual Conference. However, due to Hurricane Sandy and the resulting cancellation of the Conference, the Committee met on December 5 at the Princeton Marriott in Plainsboro.

In total, 20 resolutions were considered, and 17 were ultimately approved. Three resolutions (numbers 7, 10 and 13) were tabled. Below is a summary of the resolutions. The full text of each is available on the League’s website, www.njslom.org/resolutions/League-Approves-17-Resolutions.pdf. ▲



Members of the Resolutions Committee meet on December 5 at the Princeton Marriott in Plainsboro.

Resolution No. 2012-01	Resolution on Hurricane Sandy
Resolution No. 2012-02	Resolution on Plea Bargaining in Municipal Courts
Resolution No. 2012-03	Resolution Urging the Creation of Legislation to Permit a “Do Not Solicit” List for Accident Victims
Resolution No. 2012-04	Supporting Sustainable State Funding for Preservation and Stewardship of Open Space, Parks, Farmland and Historic Sites
Resolution No. 2012-05	Resolution Calling on the Department of Environmental Protection to Amend its Waiver Rule to Require that Applicants Provide Notice to Affected Municipalities
Resolution No. 2012-06	Resolution Expressing Support for the Continued Tax Exemption for Municipal Bonds
Resolution No. 2012-08	Resolution Urging the State Legislature to Extend the 2 percent cap on Police and Fire Arbitration Contract Awards
Resolution No. 2012-09	A Resolution on State Mandates
Resolution No. 2012-11	Resolution for an Amendment to the Open Public Records Act (“OPRA”) to Protect the Personal Information and Privacy of Citizens
Resolution No. 2012-12	Resolution Requesting a Statewide Veterans’ Treatment Court Program
Resolution No. 2012-14	Resolution In Support of Workforce Investment Act Funding
Resolution No. 2012-15	Resolution Calling for a Bipartisan, Balanced Plan to Reduce the Federal Deficit and Avoid the Fiscal Cliff
Resolution No. 2012-16	Resolution Calling for a Comprehensive Federal Transportation Policy
Resolution No. 2012-17	Resolution Seeking Equitable Tax Treatment for Main Street Merchants
Resolution No. 2012-18	Resolution Supporting the Tax Exemption for Totally Disable Veterans and Calling for the State and Federal Governments to Assist in the Funding of this Exemption
Resolution No. 2012-19	Resolution Calling for the Expansion of the Use of the Snow Removal Trust Funds to Respond to Natural Disasters
Resolution No. 2012-20	Resolution in Appreciation of League President Arthur Ondish, Mayor of Mount Arlington Borough

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If your community has a unique program or story, write to Taran Samhammer c/o The League of Municipalities, 222 West State Street, Trenton, NJ 08608 or via email at tsamhammer@NJSLOM.com.



By Taran B. Samhammer
Bureau Services & Research Coordinator,
Bureau of Municipal Information

In an attempt to help businesses affected by Hurricane Sandy, **Monmouth County** held an hour long “Business Rebuilding” conference call in November. The call was meant to provide business people with information on storm recovery programs and support services. The call also included information on federal and state disaster relief programs and tax assessment basics for commercial properties.



In other **Monmouth County** news, the county warned residents to be aware of fraud when hiring businesses to repair storm damage to their homes. Residents need to do the necessary research when hiring a company. Many people may be tempted to hire the first company that they talk to because they are feeling pressured to complete repairs and get on with their lives. In a release on its website, the county discussed the five most common fraud situations and offered residents suggestions on how to protect themselves. For the full release visit www.visitmonmouth.com/PressDetail.aspx?ID=1285.



A recent amendment in **Hackettstown** will limit the number of “cash for gold” shops in the town. The existing ordinance already placed limits on other business types: such as escort services, massage parlors, pawn shops, tattoo parlors, drug paraphernalia shops, dance halls, nail salons and financial service centers. Although there are procedures in place to prevent it, the town believes that “cash for gold” shops may attract those seeking to sell stolen merchandise. The amendment does not ban these businesses; rather it limits the number of such establishments.



Firefighters visited an elementary school in **Quinton** during fire prevention week to teach students about fire safety. The students were shown fire uniforms and permitted to try on the gear. The Fire Chief also discussed the importance of smoke detectors. Similarly, to raise awareness of fire safety students in **Elsinboro** participated in a poster contest. The students were asked to create a poster to educate people about the importance of a home fire escape plan; fire escape plans should provide at least two ways out of a building.



Lambertville is considering re-appropriating funds intended to repair the roof of their former jail (which is currently used by the city for storage) to instead buy

generators for use at the city library and Justice Building during power outages. If approved, the library and Justice Center would act as warming centers for residents displaced due to power outages. Such centers give these residents a warm place to go where they can also charge electronic devices, use restrooms and eat donated food. With warming centers in place, Lambertville’s City Hall could operate solely as an emergency management center during future power outages.



With the assistance of a \$160,000 grant, **Gloucester County** will purchase two alternative fuel vans for its senior transportation program. The vans use compressed natural gas, which (compared to gasoline and diesel fuel) produces less CO2 and other emissions, wastes less fuel and decreases engine corrosion. The county hopes to save \$4,000 annually per vehicle in fuel costs. The grant may also be used to build a fueling station that would house the larger tanks needed to store natural gas.

Date Lines

January 12	Orientation for Officials Who Are Newly-Elected, Re-Elected, and Experienced; Sheraton, Eatontown
January 23	Hurricane Sandy Aftermath—Part 2; The Conference Center at Mercer, West Windsor
January 26	Orientation for Officials Who Are Newly-Elected, Re-Elected, and Experienced; Renaissance Meadowlands Hotel, Rutherford
February 6	21st Annual Mayors’ Legislative Day; State House, Trenton
February 12	Ethics, Conflicts, and Preventing Sexual Harrassment; PNC Bank Arts Center, Holmdel
February 23	Executive Leadership Training for Mayors and Council Presidents; The Conference Center at Mercer, West Windsor

Please visit the website www.njslom.org and click on Seminars and Events, then CALENDAR OF EVENTS for changes and updates. For more information on seminars, contact Danielle Holland at dholland@njslom.com or (609) 695-3481, Ext. 118.

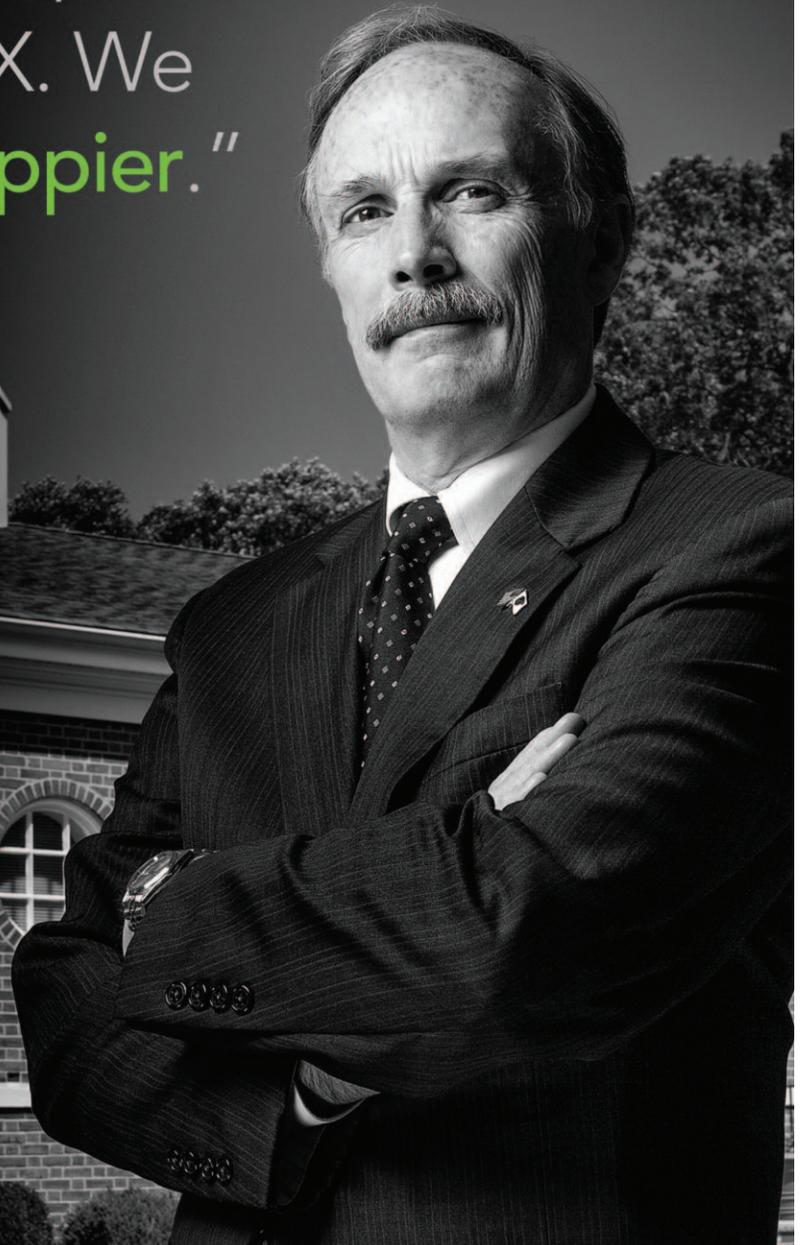


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