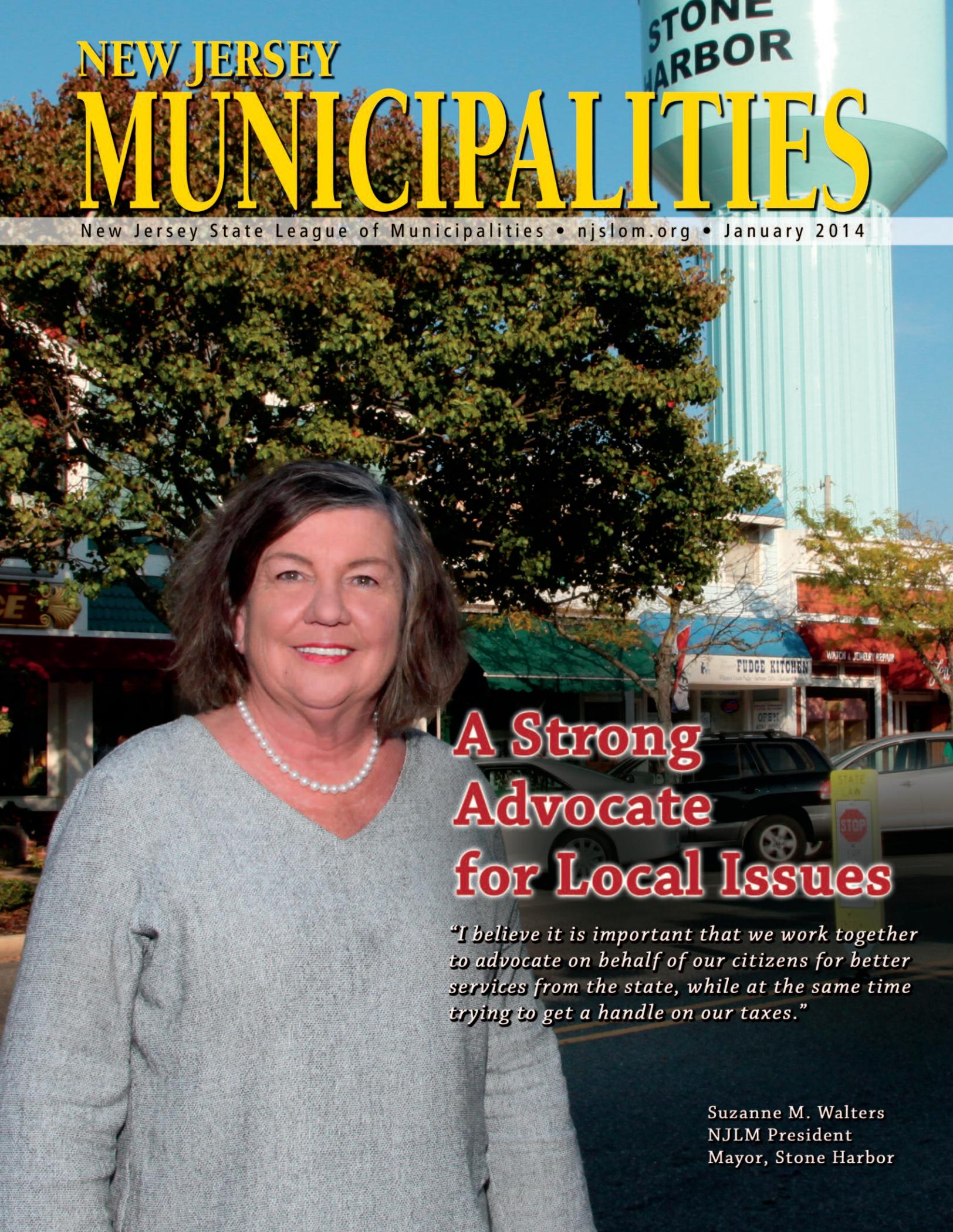


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A Strong Advocate for Local Issues

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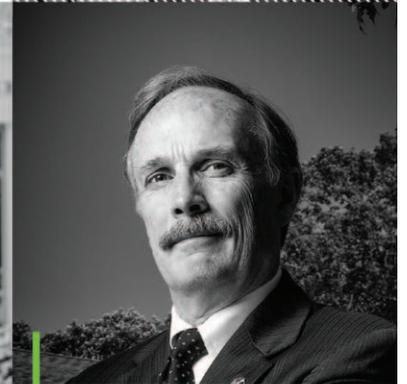
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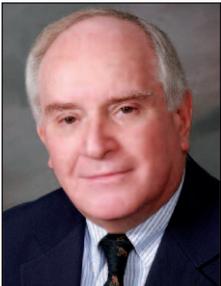
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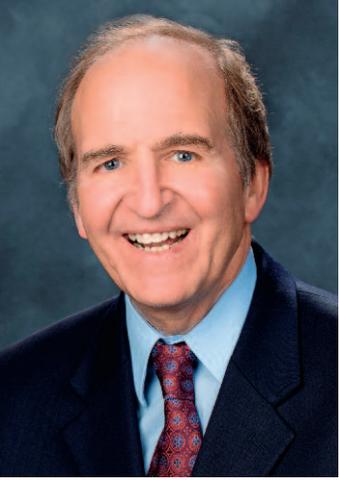
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FROM 222 WEST STATE STREET
BILL DRESSEL, LEAGUE EXECUTIVE DIRECTOR

KNOWLEDGE IS OUR MOST VALUABLE RESOURCE

What a great three days we had last November at the 98th Annual League Conference. The photos in this issue tell the story. But the opportunities for learning and sharing how to become a better public servant did not end in Atlantic City following the Conference. The League of Municipalities provides an on-going roster of services designed to help you and your municipality succeed.

[OUR MISSION IS TO HELP YOU TO TACKLE THE PROBLEMS YOU FACE IN YOUR HOMETOWNS. KNOWLEDGE IS OUR MOST VALUABLE RESOURCE]

For example, the NJLM Bureau of Municipal Information offers a wide variety of affordable publications that help municipal officials and others become better informed. Many publications are updated every year. The League's Interlocal Advisory Center service can help your municipality forge stronger and more cost effective interlocal agreements. Our Grant Resource Center is the most

comprehensive information source for obtaining grants in almost every area of municipal government. Our Web Advisory Service is designed to assist you with a variety of website and internet issues, regardless of your town's level of expertise or involvement. And, since the League was founded, our one-of-a-kind Ordinance Library has been an treasure trove of ordinances adopted by other municipalities. By spending a few minutes reviewing ordinances, you can avoid 'reinventing the wheel' when drafting your own.

In addition to these services, the League Professional Development Seminars are a way for elected officials and municipal and county personnel to continue to develop their knowledge and skills. Every year the League holds a series of half and full day seminars that feature 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 this service is to present seminars that broaden, deepen and increase knowledge and skills of municipal personnel in various professions, while collaborating with our Affiliate Groups. Approved continuing education seminars provide many municipal professionals the opportunity to renew their respective state licenses. We encourage you to consider our upcoming offerings.

This month, at both a North and a South Jersey location, we will hold our popular Orientations for new, returning and experienced municipal officials. And on February 5, we hope to see you all at our 22nd Annual Mayors Legislative Day in Trenton, when we will hear state policy makers discuss their hopes and plans for the coming legislation session and the State Budget.

Our mission is to help you to tackle the problems you face in your hometowns. For that, no resource is more valuable than knowledge. ▲

NEW JERSEY MUNICIPALITIES



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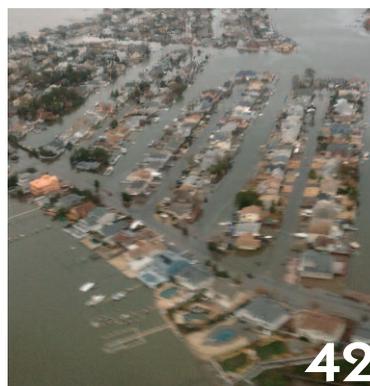
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League President Suzanne M. Walters

A Strong Advocate for Local Issues

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

When my children started elementary school, I became active in the parent-teacher group, and then ran for a seat on the School Board. I served for 11 years on the Board, the last four as the President. I was able to accomplish a number of projects, including building a new addition onto the school. The Borough was in need of a beach replenishment project, back bay dredging, and upgrading of our downtown. A group of citizens approached me to run for Mayor, believing I would be able to move these projects forward.

I am now serving in my 17th year as Mayor of Stone Harbor. I have been very active in the League of Municipalities and the Conference of Mayors which has opened many doors for me in the various Administrations and Legislatures. We have completed several beach replenishment projects, most recently this summer post-Sandy. We did one back bay dredging project and are now working with regulators to do another in the near future. Our downtown business community looks great and in June we had a ribbon cutting for a 37 unit boutique hotel which is the anchor for the downtown area.

2 *What are the most significant challenges facing local governments?*

I believe the most significant challenges to local governments revolve around budgeting. We are constantly being asked to do more with less. As the Mayor of a barrier island community, I have approximately 3500 homes, but only about 500 are occupied year-round. You walk a fine line trying to provide the best municipal services and keeping taxes stable. The summer population requires top notch recreation programs, superior lifeguards, clean beaches and a public works department that is second to none. Balancing these needs with the needs of the year-round population is very challenging.

3 *How would you describe your style of leadership?*

I would say I have a very collaborative style of leadership. I firmly believe in giving my constituents as much information as possible so that they feel comfortable in asking questions and giving ideas. We recently had a few controversial building projects in the Borough that I am happy to say were resolved with public hearings and a great deal of public input.

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

I believe citizens want their government to be upfront and honest with them. They obviously also want basic services delivered whether it's trash pick-up, street cleaning or road repairs. They want to feel proud of the community where they live. Of course, they also want more services and lower taxes. This is a constant challenge, but I believe that by keeping the lines of communication open between the government and the citizens, it can be done. With the advances in technology in the last several years, I believe the delivery of this information has changed considerably. The citizens expect websites to be updated almost daily to keep them informed.

IT IS IMPORTANT THAT WE CONTINUE TO WORK TOGETHER TO FURTHER OUR POSITIONS AND TO ADVOCATE ON BEHALF OF OUR CITIZENS FOR BETTER SERVICES FROM THE STATE.

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

I would advise newly elected officials to seek out as much knowledge on their towns and the various issues that affect them as they can possibly find. There are subjects that will come up that you honestly know nothing about, but someone does. Don't be afraid to ask. There is no need to reinvent the wheel. Some municipality has dealt with that situation previously. That is why the League of Municipalities is so important. The resources they can provide are priceless. In Cape May County, the Mayors meet monthly for lunch and it has been an extremely valuable tool for sharing ideas and getting information.

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

I believe the biggest legislative challenge for municipalities is staying on top of the many hundreds of pieces of legislation that are proposed each year. The League has a legislative committee which meets regularly to review all proposed legislation. While many bills may have been introduced with the best of intentions, many times the ramifications to municipalities have not been addressed. Very often they are state mandated issues, but with no funding attached to

them. There are also a number of bills introduced that are special legislation helping one or two municipalities, without realizing the damages to one or two others.

7

What are your goals as League President?

My goals as League President are most importantly to work to advocate for all of the municipalities in the state. We are such a diverse state with many challenges. We must continue to work with the Administration and Legislature to see that our municipal needs are met. I believe it is important that we continue to work together to further our positions and to advocate on behalf of our

citizens for better services from the state while at the same time trying to get a handle on our taxes. It is important that New Jersey attract new businesses to the state to create jobs and at maintaining the jobs here now. We have to have a faith that New Jersey will recover from the downturn in the economy and that it is the best place for our citizens to live, work and vacation. ▲



Acceptance Remarks of Mayor Suzanne Walters, President, New Jersey State League of Municipalities

Thursday, November 21, 2013

Thank you all very much for giving me the opportunity to preside over your League of Municipalities. It is an honor for me and for Stone Harbor Borough.

Next April will mark the 100th Anniversary

and those who play vital roles in all the civic, charitable and faith-based organizations that do so much for so many. And deserving of special mention are those who selflessly serve with our Stone Harbor Volunteer Fire Company No. 1.

I want to thank all who have held the League Presidency before me—from the League's first President in 1915, Mayor Frederick W. Donnelly of Trenton, through my immediate predecessor, Mayor Janice S. Mironov of East Windsor Township. And I am grateful for their energy, intelligence, integrity and skill in guiding the affairs of this association, over the last ninety-seven years.

Mayor Mironov, I want to single you out for special thanks. You have set for me a high standard of service. I will strive to meet it.

Cooperation and consideration of others are the hallmarks of those who have served on the League's Executive board, from 1915 to the present. And I thank, especially, those with whom I have served. I sincerely appreciate your enthusiasm, your insights and your camaraderie. I will count on your counsel and on your support in the coming year.

It is my honor to preside over an association that has weathered the storms of ninety-seven years. It is an honor to preside over a League that has continued to find new and better ways to help municipal officials serve their fellow citizens. But I am humbly aware of the fact that you expect me to preserve that record of steady progress.

I am grateful that I will be able to count on the assistance of Bill Dressel, Mike Darcy and the rest of the League staff. Local officials all around New Jersey are fortunate that they can rely on their commitment to good government and on their dedicated efforts on our behalf.

I am proud to have the opportunity to preside over an organization that has never become a rigid bureaucracy. Despite the odds against local self-government, the League has maintained its vitality by continually relying on its members for ideas and for action. Throughout the years, our League has always known, and always shown, that when all who truly value local government work together, almost nothing is impossible. Through your efforts, the people of our 565 municipalities can continue to count on the vital life-sustaining and life-enhancing services that only local governments can deliver—effectively, efficiently and economically.

You have given me an important mission. But it is not only mine. Please remain active in our efforts to create a better tomorrow for all the people of our Garden State.

Thank you.

of the borough's incorporation.

Stone Harbor shares the Seven Mile Island with Avalon, our neighbor to the north. Bordered on the east by the Atlantic Ocean and on the west by the Inter-Coastal Waterway, we offer exceptional opportunities for family vacation fun. Besides our beautiful beaches and our bay, we are home to our nationally recognized Bird Sanctuary and the Wetlands Institute. In concert with our business community, Stone Harbor features small town charm, with a picturesque shopping district and outstanding restaurant options. People who visit tell their friends about Stone Harbor, and they keep coming back. As a result, during the summer months, our population of 866 swells to over 20,000 people.

If you have never visited us before, we hope to see you soon. If you have previously been to Stone Harbor, we hope to have you back.

I want to thank my family for all their love and support during my campaigns and during my time in office. The family of a public servant makes sacrifices that are rarely recognized. And today, I want to recognize those made by my family and by the families of local officials all around New Jersey.

I want to thank the people of Stone Harbor for the faith they have had in me. Like people all around our state, they work hard to make life better for their families. And like me, local officials all around New Jersey are thankful to have the opportunity to work hard for them.

I want to thank my Council for the long hours and hard work that they dedicate to the borough and for their wise counsel and their great cooperation while I have served as Mayor. We might not always agree on everything, but we have always put the best interests of our citizens first.

I want to thank our municipal employees for all you do for Stone Harbor and for me. You make our borough a better place and you make my life a lot easier.

I want to thank all of our volunteers—those who serve the municipality directly by participating in our government,

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An Ice Rink Transforms Glassboro's Downtown



By Leo J. McCabe
Mayor, Borough of Glassboro;
Member, League Executive Board

Thanks to the generosity of a local businessman, downtown Glassboro is now home to South Jersey's first outdoor recreational ice rink. The rink, the centerpiece of a new winter park, is expected to transform the borough's economic landscape.

The private endeavor, according to business owner Al Bartolomeo, will help the borough to become a regional destination and vibrant college town.

Glassboro is also in the midst of the \$300 million Rowan Boulevard mixed-use development, New Jersey's largest municipal revitalization project. Rowan Boulevard is being developed through a public/private partnership that includes the Borough of Glassboro, Rowan University and private developers. By linking the university with the downtown retail district, the project will help Glassboro take full advantage of the university's potential to spur economic development, create jobs and generate ratables.

The Rowan Boulevard project is also designed to promote smart growth, by including mixed-use buildings, such as residential, retail, office, student housing, restaurants and a hotel, within walking distance of each other. The devel-

opment project will create a completely new 26-acre, 1/3-mile long corridor from the campus to a 1.75 acre town square. It is expected to attract 60 new retail stores and a dozen restaurants. Rowan Boulevard is projected to generate up to \$2 million a year in new property taxes within the next five years.

More than \$165 million in private investment has already brought a Marriott Courtyard Hotel, two mixed-use academic and retail buildings, two undergraduate housing facilities and a Barnes & Noble collegiate superstore to Glassboro. In May, 2014 we expect to begin construction of a new building with a total of 300,000 square feet, with 25,000 square feet of space for healthcare providers. The building will also include restaurants and multi-family rental housing.

At the same time, the non-profit Glassboro Partners is working to redevelop a 1 3/4-acre site into a Town Square. Located where the new development meets Glassboro's existing downtown retail corridor, the Town Square will be the gathering place for community events and celebrations, outdoor concerts and shows throughout the year.



The Town Square will be the gathering place for community events and celebrations, outdoor concerts and shows throughout the year.

These events will help to support the local businesses and encourage visitors.

Glassboro already hosts eight major community events annually in an area adjacent to the town square site. The warm-weather events include an annual wine festival, a craft beer festival, a 300-car Cruise Nite and an Italian festival. Thousands of visitors descend on the borough for each of these events, made possible by regional corporate sponsorships and participation from local merchants and restaurants.

**GLASSBORO COUNCIL
WAS LOOKING
TO CREATE A
PRIVATELY-RUN,
SEASONAL PARK THAT
WOULD ATTRACT
VISITORS FROM LATE
AUTUMN THROUGH THE
WINTER MONTHS.**

Glassboro Council was looking to create a privately-run, seasonal park that would attract visitors from late autumn through the winter months. The plan was to help ease winter lulls in foot traffic and to generate commerce downtown.

Thanks to Al and Kim Bartolomeo, this dream is coming true. They are the owners and operators of downtown Glassboro's Academy of the Performing Arts, which features the Let's Dance Studio. The couple had visions of holiday shoppers and skaters enjoying music and holiday lights on Rowan Boulevard.

At a recent meeting Al Bartolomeo described his vision to "create a Winterland Park to transform our small town into a cool town." He plans to manage a temporary park, open seven days a week from November through January. The Borough Council awarded Bartolomeo and his business, Bogey's Club & Café, a contract to turn this vision into reality in July.

With private investment from the Bartolomeos, Miami-based Ice Magic USA, has constructed the 60 by 80 foot skating rink. The rink's dimensions match those of the Rockefeller Center ice skating rink in Manhattan. Bartolomeo said the park's concept is somewhat akin to The Christmas Village in Philadelphia's Love Park.

"It's not just an ice rink," explained Bartolomeo. "The park includes a fire pit with seating for 25 people sipping

hot cocoa. We also have vendor chalets for seasonal items from candles and scarves to refreshments." Live music, holiday activities, weekly fundraisers and Teen Nights round out the winter village concept.

"The Winterland Park is a place for families to create memories to last a lifetime," said Bartolomeo.

Bartolomeo has reached out to local businesses for advertising and has garnered support from the Glassboro



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Economic Development department to get the job done. One of Rowan Boulevard's developers, Kinsley Construction, stepped up to transport a Christmas tree to the site from central Pennsylvania. Separately, the Glassboro Fire Department donated another tree complete with lights and the manpower to set it all up. In addition, local business Brida Stone donated supplies and staff to construct the fire pit on site.

“THE WINTERLAND PARK IS A PLACE FOR FAMILIES TO CREATE MEMORIES TO LAST A LIFETIME,” SAID BARTOLOMEO.



Local business Brida Stone donated supplies and staff to construct the fire pit on site.

The rink will eventually move across the street to the permanent Town Square at the intersection of High Street and Main Street. We expect the preliminary work, including the square's infrastructure and lawn, to be completed in the coming year.

Glassboro received a \$50,000 grant from the Delaware Valley Regional Planning Commission nearly two years ago to plan and program the Town Square. The process was led

by nationally recognized landscape architects La Quatra Bonci of Pittsburgh, Pennsylvania.

La Quatra Bonci met with a committee of Borough and University representatives, local merchants and residents to ensure that the park would meet the needs of the community and support local economic growth. The Town Square will be built on the site were three underutilized buildings once stood. The buildings were a closed gas station, the original Glassboro Fire Department and EMS station that had fallen into disrepair, and the offices of a local accounting firm that has moved to a new building on High Street.

“I participated in the stakeholder meetings with La Quatra Bonci,” said Bartolomeo. “The concept of an ice rink originated in those meetings and a light bulb went off in my head. I am excited to bring the concept to life. I really feel this is something memorable and unusual that will become a vital component of Glassboro's transformation.”

To learn more about the Winterland Ice Rink, visit winterlandiceskatingrink.com. ▲

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The Dunes of Avalon

A Conservation Partnership Success Story



By Martin Pagliughi
Mayor, Avalon
& Glenn Ward, Site Inspector/
Education Coordinator,
Cape Atlantic Conservation



Our dune areas provide a place for plants, trees, and seabirds.

Hurricane Sandy's legacy still haunts many who live along New Jersey's coast. As the most destructive hurricane since 1962, this is quite understandable. The destruction took its toll on the environment and private property alike. The coastal dune system along parts of the Jersey Shore was particularly harmed, but the dune system did what it was designed to do: lessen storm surges.

AVALON'S COMMITMENT TO ENVIRONMENTAL STEWARDSHIP EXTENDS BEYOND THE DUNE VEGETATION MANAGEMENT PLAN AND ITS DUNES.

The Spanish philosopher George Santayana said that "those who cannot remember the past are condemned to repeat it." Avalon Borough took this philosophy to heart after storms severely damaged dunes throughout the borough in the 1960s and 1970s. Some areas of the dune were completely washed away, allowing ocean waters to spill into the streets. We decided that providing coastal protection was our paramount concern and rebuilt the dunes to withstand the effects of a storm surge from a Category 2 hurricane.

The success of the dunes is evident. Avalon features one of the most extensive and expansive dune systems along the eastern seaboard. Avalon has been decades ahead of other East Coast seashore communities thanks to various partnerships with federal, state, county, and local agencies, including the Cape Atlantic Conservation District and the Cape May Plant Materials Center (PMC). Both agencies played

a role in re-establishing the dune system, supplying technical resources of the PMC and outreach/liaison support from the District.

Avalon's five-mile beachfront consists of both engineered dunes and a high dune area that includes a unique Maritime forest. The combination serves as a tremendous environmental resource for the community. Our dune areas provide a place for plants, trees, and seabirds. This creates a more "natural" dune system, as opposed to the barren dunes that are found in some other communities.

Avalon was the first community in the state to develop a Dune Vegetation Management Plan (DVMP). The plan considers all plantings in the Avalon dune system, and provides for systematic plantings of species that are indigenous to our region.

The DVMP came about, in part, due to the invasive nature of the Japanese Black Pine tree. These trees were initially planted on the dunes due to their salt-tolerant properties. However, they are inclined to choke out native vegetation and drop highly combustible needles. Avalon has been cutting down dead Japanese Black Pines from the dunes, but leaving their roots to provide for a stronger, more resilient dune. In addition, native replacement species will be planted to encourage an overall healthier ecosystem, instead of a monoculture.

In cooperation with the Cape Conservation District, Avalon's dune and natural habitat has served as an inspiration for the community, environmentalists, and academics. Former District Supervisor and PMC Manager, Donald Hamer developed Cape Atlantic Dune Grass that was grown at the Plant Materials Center. The grass was eventually replicated by local growers and used extensively in the Avalon dune system. The Avalon Environmental Commission (AEC) assisted the District in developing this grass that is widely used today, in addition to Avalon Salt Meadow Cord Grass and Atlantic Coastal Panic Grass.

As a result of the partnership, Avalon has done a great deal of research and development. The goal is to create and maintain a vibrant eco-system that is friendly to the environment and reinforces the health, structure, and well-being of our protective dunes.

Each year, Avalon residents and volunteers plant dune grass in different areas. The borough also recognizes that eco-tourism is a growing component of the state's tourism economy. Avalon has made a successful application to the Cape May County Open Space Board to create an educational nature trail on two beach paths adjacent to the dunes. The trails will educate residents and visitors on our efforts to nurture a diverse environment in the dune system.

In October members of the New Jersey Association of Conservation Districts and other guests visited the trails as part of the Association's annual meeting. Leaders from the United States Department of Agriculture Natural Resources Conservation Service, State Soil Conservation Committee, New Jersey Department of Agriculture and New Jersey's 15 conservation districts gathered to share 75 years of conservation accomplishments, strengthen the bonds of partnership, and plan for the future.

Avalon's commitment to environmental stewardship extends beyond the

Dune Vegetation Management Plan and its dunes. The borough has installed the first charging station along the New Jersey shore for electric cars, the only municipal electric vehicle charging station in the state. The borough studied the cost and effectiveness of different irrigation technologies on three separate traffic islands. The results lead to a new ordinance, engaging "smart" technology irrigation controllers, among other changes, when installing any new irrigation systems or retrofits in Avalon.

In recognition of the conservation leadership and progressive thinking of Avalon, the Cape Atlantic Conservation District nominated the Avalon Environmental Commission for its Conservation Achievement of the Year Award in 2012.

Avalon is making an investment in its future through innovative thinking and projects. The attention and care paid to its dunes is just one example. When one town invests in environmentally sound practices for the betterment of the entire community, that town becomes an example for others to follow. ▲



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Earned Sick Leave Is Right for Jersey City



By Steven M. Fulop
Mayor, Jersey City;
Member, NJLM Executive Board

It's often said there's never a wrong time to do the right thing. That's why Jersey City became the first city in New Jersey and indeed the region to have a fully enacted earned sick leave law with mayoral support. We've joined only five other cities in the nation and the State of Connecticut in having earned sick leave in place. The time was right for Jersey City.

Under the new law, which takes effect January 24, companies with ten or more employees must now provide up to five paid sick days a year based on the number of hours an employee works. This means a worker can stay home with their sick child, rather than sending him or her to school and potentially spreading the illness. It also means food handlers are more likely to stay home when ill, preventing the exposure of thousands of restaurant patrons.

One estimate shows that about one-third of all Jersey City workers prior to this law were without earned sick days, including nearly half of the city's Hispanic residents. We knew it was time to correct this wrong.

Although opponents argue the economy is still too weak for this kind of policy, I disagree. Earned sick leave will help working families in Jersey City so they won't have to choose between critical income or keeping a job and caring for their own health or that of a family member. What's more, I believe this is a matter of basic human dignity and an important public health initiative that will benefit all Jersey City residents and those who work here.

Some claim earned sick leave will stifle economic growth, but the evidence strongly suggests they are wrong. For example, in San Francisco the number of businesses and jobs increased after paid sick leave was enacted compared to the surrounding counties. The same is true in Connecticut and Seattle, where employment has also seen an uptick since the measure was enacted.

It should also be noted that in San Francisco there has been limited employee turnover and more loyalty for employers by the employees. This reduces replacement costs for business owners. One analysis revealed that 86

percent of employers polled said the law didn't negatively impact their profits, while only a third reported any problems implementing earned sick leave.

Other studies have found that it costs employers \$160 billion annually when employees show up to work sick because of lower productivity. Interestingly, after fighting the passage of earned sick leave, the head of San Francisco's restaurant association did an about face, saying several years after paid sick leave was implemented that "(It's) the best public policy for the least cost."

When our ordinance was presented to the Jersey City Municipal Council, even small businesses owners spoke in support of the legislation, saying this is the right thing to do for their employees. While some may have already allowed workers to stay home when sick, they knew the law was something that must be put on the books for all workers.

Steven Kalcanides, the owner of Helen's Pizza in Jersey City, in remarks to the City Council and in interviews with the press, said he doesn't feel the ordinance will harm small businesses.

The new law is just an affirmation of how things should already be done, Kalcanides told NJ BIZ at the bill signing for the ordinance. "I don't see it as

being the straw that breaks the camel's back on a business," Kalcanides said.

Prior to introducing the ordinance, we met with key stakeholders and also put much thought into the size of our city and the types and sizes of businesses we have here. We felt that businesses with ten employees or more was a good threshold for the earned sick leave law to have a meaningful public health impact without causing harm to a business owners' bottom line.

But, just to ensure that Jersey City's policy is working as well as it has in other locations, we intend to have Rutgers University study the results a year after implementation. The goal is to have businesses help their employees and customers. If results elsewhere are any indication, Jersey City should actually have a competitive advantage over other large cities in the region.

**SOME CLAIM EARNED
SICK LEAVE WILL STIFLE
ECONOMIC GROWTH,
BUT THE EVIDENCE
STRONGLY SUGGESTS
THEY ARE WRONG.**



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Emergency Generation

Improving the Reliability and Cost of Electricity

By William Akers, Mayor
& John A. Camera, Administrator,
Seaside Heights Borough

The average electric utility customer has two primary concerns; reliable service and how much it costs. Which of the two is the number one concern depends upon the customer. Local government, however, is not the average customer. Reliability and how much we have to pay for electricity are of equal concern.

All municipalities provide essential services all day, every day, so electric service is critical. We have a duty to control all costs and limit the local purpose tax burden where possible. The good news is that local government can act to enhance reliability and reduce electricity costs by installing

one or more generators to power municipal facilities.

The Borough of Seaside Heights is one of nine municipalities in New Jersey that owns and operates its own electric utility as a department of local government. We have a long-term obligation to provide reliable electric service at the lowest cost for everyone behind every electric meter in the borough. Our uses of generation will differ from yours since we function at the wholesale level of the industry, but as retail electric utility customers you also have the option to install generators and distribute generation to power your own facilities.



The Borough of Seaside Heights installed six megawatts of diesel-fired generation in the summer of 2012 to enhance reliability and control costs. The project has been a success on both counts. All three of Seaside Heights' two megawatt diesel engines sit side-by-side in sound attenuating enclosures.

**IF YOU CAN TAKE
ADVANTAGE OF THE
VARIETY OF STRATEGIES
AND PROGRAMS,
YOU COULD SEE A
PAYBACK ON YOUR
INVESTMENT IN AS
LITTLE AS FOUR YEARS.**

The Borough of Seaside Heights installed six megawatts of diesel-fired generation in the summer of 2012 to enhance reliability and control costs. The project has been a success on both counts.

Right after Superstorm Sandy we used our generation to restore electric service to our municipal complex, which includes emergency services as well as municipal offices. The diesel units themselves were elevated and undamaged. Our electric utility did have to extend a dedicated line from the generation to the municipal com-

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plex to avoid the dangers associated with energizing any part of our storm ravaged distribution system. But our generation allowed us to establish a base of operations from which to begin recovery efforts and house personnel. We were also able to immediately begin cleaning and drying out flooded municipal facilities.

After debating which type of generators to install, we chose diesel over natural gas because, among other factors, diesel was cheaper to install and reduced the payback period. While there are restrictions on the number of hours that diesel generation may run, the restrictions do not apply during emergencies such as Sandy. As it turned out, natural gas service was not restored for about two months, so gas units would not have been available to us. This was a benefit of going with diesel that we had not anticipated.

Our generation is enough to power nearly the entire borough during the off-peak season. The demand for electricity drops by about one-half when the tourist season ends. It cost about \$4.5 million, but that included a substantial amount of money dedicated to pilings and reinforced concrete pedestals that protected the units during Sandy. With \$300,000 in savings through October 2013, we expect payback in six to seven years. Keep in mind that because we have an electric utility our savings and benefits differ

from what your municipality may receive from a similar set up.

However, there are several demand response (DR) programs available to retail customers that install generation—including municipalities—through PJM Interconnection, L.L.C. (PJM). Simply put, if you install at least 100 kilowatts of distributed generation in one or more units and you can disconnect from the grid in connection with the DR program rules, you can save money. If you can take advantage of the variety of strategies and programs, you could see a payback on your investment in as little as four years.

For reliability purposes you would likely want to install enough distributed generation to maintain electric service to critical facilities. Large municipalities will find it easier to meet the 100 kW minimum by powering their critical facilities alone. Whether large or small, you may want to extend the project to include all municipal facilities to keep them up and running during any outage. This would also provide flexibility. If buildings that house critical services are otherwise damaged you may be able to move critical functions to those that were not damaged. And, on the cost-savings side of the ledger, the

THE BOROUGH OF SEASIDE HEIGHTS INSTALLED SIX MEGAWATTS OF DIESEL-FIRED GENERATION IN THE SUMMER OF 2012 TO ENHANCE RELIABILITY AND CONTROL COSTS.

The League of Municipalities recently published *"An Electric Policy Primer for New Jersey Municipalities."* It provides valuable guidance in the use of distributed generation—including combined heat and power (CHP), fuels cells, and solar, in addition to more traditional diesel or natural gas-fired generation.

greater the amount of kW that you install, the greater the load you can disconnect from PJM. This will translate into more savings.

It is also noteworthy that you do not have to install generation to save on your municipal electric bills. There are energy-efficiency and conservation programs in connection with PJM and the New Jersey Board of Public Utilities. You may even qualify for financing through the New Jersey Economic Development Authority. The League's Primer, mentioned above, has more information on these approaches to cost savings.

Finally, do not be discouraged, even if your municipality has little or no experience in connection with generation or the other programs. There is help available.

We used an outside consultant with a high level of expertise and experience on the technical side, as well as the PJM programs available to us. And, since Seaside Heights has its own electric utility, our borough engineer had experience in this area. Perhaps yours does, but you never needed to ask.

So, before the next storm hits, take some time to think about what your municipality can do to keep the lights on and the costs of electricity down. ▲

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Seeking Bi-partisan Solutions that Work



By Stephen M. Sweeney
Senate President

While most of the analysts and pundits have been speculating about what the results of our elections mean for Governor Chris Christie's national political ambitions, the more important question is what the results mean for the people of New Jersey. The Governor won decisively but Democratic legislative candidates gained triumphant victories as well, despite the historic margins at the top of the ticket for Republicans.

We reversed the tidal wave by winning every contested Senate race, reelecting all our incumbents, capturing the one open seat and holding the same 24-seat majority we had before Election Day. This is meaningful, not just for the Legislature, but for the entire state. And the significance extends into the lame duck session of the Legislature for the next few weeks and for the next legislative session starting in mid-January.

We believe we won on a record of accomplishment that addressed the real needs of middle class families and working people. We won because Democrats share the priorities of the vast majority of New Jersey voters. They also recognized that we have been willing to set politics aside and work across the aisle on issues that put New Jerseyans back to work.

That doesn't mean that we compromise our values and principles. But it does mean that we continue to find ways to work together.

We believe that New Jersey appreciates our willingness to work with the Governor in a bipartisan way to get things done when he is right, but challenge him when he is wrong.

Some of those areas of key bi-partisan solutions include:

- The Economic Opportunity Act—which allows New Jersey to compete for good paying jobs

- Teacher Tenure Reform—which makes tenure harder to get and easier to lose, but that was supported by the NJEA and the AFT
- Integrity Monitors—these monitors help ensure that the billions of dollars in Sandy Relief is spent without waste or abuse
- Internet Gaming—New Jerseyans are finally able to experience the joy of casino gaming online, from home

- Higher Education—\$750 million in voter approved bonds to invest in Higher Education Facilities and The "New Jersey Medical and Health Science Higher Education Restructuring Act," one of the proudest accomplishments of my career

Willingness to compromise, however, does not mean compromising our values and principles. The Governor refused Democrats' plan to increase the minimum wage from \$7.25 per hour to \$8.25 tying future increases to the rate of inflation. So we found another way to get it done by going to the voters with a constitutional amendment that was approved overwhelmingly. We also succeeded on the civil rights issue of marriage equality. We overcame the Governor's opposition and we prevailed.

When the Governor proposed an income tax cut for the wealthy, we rejected his idea and developed

a plan to provide property tax savings for the middle class. Once the state can afford it, we will do it in a responsible way.

Looking ahead, New Jersey must make choices to deal with persistent unemployment, a stagnant economy and unprecedented budgetary pressures. These issues cloud our future and undermine the promise of this

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BUT CHALLENGE HIM
WHEN HE IS WRONG.**

great state. We cannot solve these problems with sound bites, anecdotes or slogans. I believe they must be confronted. And they must be confronted head on.

We must choose to expand opportunities which will strengthen and grow our middle class. We are in this together as leaders, as residents, and we must choose to move forward and create an economic future built to last. We will be tackling many of these priorities in 2014. We must continue to push for legislation that will promote shared services among municipal governments. We achieved some success on this, but we can do more by promoting shared services more aggressively.

Democrats will push for restoration of the Earned Income Tax Credit, a program that benefits the working poor and for which even Ronald Reagan was a supporter. We will call on the state's millionaires to pay their fair share so that that money can be invested back into our local communi-

ties. We will work on ensuring that towns receive back their portion of the Energy Tax Receipts that the state has been grabbing from them for years. And we will fight to keep our state from falling victim to the same financial gimmicks and political sound bites that doomed us in the 90s, which we are still paying for.

We also plan to do more for college affordability and educational excellence. We already moved higher education forward by restructuring the state's colleges and universities. We also enacted a higher education bond act to provide the resources to build and expand education facilities. We are working on ideas to make college more affordable by creating a "College Affordability Study Commission" and to combine degree programs between county colleges and state universities. The "Affordable Degree" pilot program would provide a low cost higher education to students who spend two years at a county college and complete their education at a

four-year institution. Last year we announced a partnership between Gloucester County College and Rowan University that accomplishes these goals and we will seek to do this throughout the state.

We also plan to approve and send to the Governor the DREAM Act, which will allow undocumented immigrants in New Jersey to qualify for in-state tuition rates and for college loans. This is the fair thing to do and the right thing to do.

And we will continue to monitor Sandy recovery efforts to determine what should be done to get federal aid to the storm's victims who need it and to help in any other way to facilitate rebuilding and recovery.

Senate Democrats were forceful in pursuing our agenda during the remaining months of the current legislative session and will be just as aggressive for the next session. As the election demonstrated, we are acting with the support of the people of New Jersey. ▲



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Washington Watch



Let's Work Together

By Cory Booker
U.S. Senator (Democrat)
former Mayor, Newark and
former NJLM Executive Board Member

As local elected officials, you don't find a solution and try to decide whether it fits in a Republican box or a Democratic box. You only care that it's a solution.

I know. As Newark's Mayor and a former League Official, I applied that same pragmatism to my job every day; and now in Washington, I hope to do the same as your newest U.S. Senator.

But I need your help. I want to be your partner in taking on the priorities that can't wait.

There are too many illegal guns on New Jersey streets. There are too few jobs. And there are too many communities still fighting to recover from the worst recession in more than a generation. There are common sense steps we can take today to help change that, and while I'm going to work in the Senate to create progress on these issues, we needn't wait for Congress to pass a new law.

Today, in Jersey City, I'm helping Mayor Steve Fulop work on prison reentry initiatives. In Camden, I'm partnering with Mayor Dana Redd to identify resources to improve public safety. When I visited Cumberland County, I pledged to Administrator Ken Mecouch to work with him to set up a tip line, similar to a successful project in Newark, to cut down on gun violence. These early partnerships and others suggest just how much we can accomplish together.

Over the next year, you are going to see me all over the state, and I'll be listening to what you have to say. My pledge to you is that you come to me with a great idea that can move the needle on an important priority, I'll do everything I can to help make it a reality—whether that means working to find federal or philanthropic funding

for it or rounding up the political backing you need.

Let me give you an example. In Newark, we realized that too many hard-working, low-income families approached tax season with little understanding of laws that could help them take home more of what they earn. So we started free tax centers and a financial empowerment center focused on making sure Newark families took advantage of the Earned Income Tax Credit—a powerful tool for lifting low-income Americans out of poverty.

It worked. Since the program started in 2008, it has brought home more than \$25 million in federal and state refunds for those using its services and likely saved people millions in tax preparation fees. It has made a big difference in the lives of individual families, of course, but it has also made a difference in neighborhoods across the city. Families who receive their Earned Income Tax Credit spend those refunds on pressing needs that translate into new spending in Newark restaurants and stores.

Imagine replicating that initiative across New Jersey. More families will get a better bang for their tax buck, resulting in more dollars being spent

in local businesses.

That's not a Democratic or Republican idea. That's just smart.

As local officials, before any party label, I know you are practical, problem solvers. That's what New Jersey—and the nation—needs right now, so let's come together to share ideas and support one another in the fight to take on our toughest challenges.

I'm ready to be more than your representative in Washington. I want to be your partner. Let's join forces today to expand what's already working and forge creative solutions to the problems facing our communities. ▲

**I'M READY TO BE
MORE THAN YOUR
REPRESENTATIVE
IN WASHINGTON.
I WANT TO BE
YOUR PARTNER.**



NJ GMIS will hold its fifth annual government Technology Education Conference on March 27, 2014. This one-day event is a "must attend" for anyone responsible for the use of technology in the public sector. If you are a CIO, help desk technician, web master or K-12 tech supervisor you won't want to miss this event. The conference covers topics of interest for all technology professionals in the public sector, including: In-depth technical sessions, management issues, IT specialties & applications, web, social media and communications, K-12 education and more.



"Beak's Rules of Leadership" learned and developed over his many years as a Marine and a civilian director. Many of these rules were tested when Lieutenant General Howell took command of The Johnson Space Center with a work force of 15,000 individuals, including hundreds of astronauts and scientists and thousands of

engineers. Lt. General Howell was the Director of the Space Center when tragedy fell; the space shuttle Columbia exploded. In this session, Beak will explore his "Rules of Leadership" that made him an unparalleled commander and manager.

Last year's event saw 150+ attendees, 13 educational forums and 39 vendors, providing lots of networking opportunities. We are applying for four contact-hours of IT CEUs issued by the Division of Local Government Services!

NJ-GMIS is an association of New Jersey public sector technology leaders. We provide organizational structure, networking and activities to enhance coordination among state, county and local governments along with public school agencies. NJ-GMIS also provides a forum for the exchange of ideas, information and techniques. Our goal is to enhance members' knowledge of hardware, software, communication, security, policy and other developing issues as they relate to government technology activities.

The TEC 2014 Keynote Address will be presented by Lieutenant General Jefferson "Beak" Howell, Jr. J.D. 'Beak' Howell is presently an adjunct professor with the Lyndon B. Johnson School for Public Affairs at the University of Texas in Austin. Beak's impressive resume includes 37 years as an officer in the Marines in which he commanded at all levels: leading infantry platoons of 50+/- Marines, a 250-Marine fighter/attack squadron, a 5,000-person aircraft group, a 15,000-person aircraft wing, and ultimately a Marine force of 80,000+ Marines and sailors.

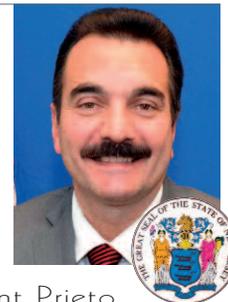
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Working Together to Tackle Entrenched Problems



By Vincent Prieto
Assembly Speaker-elect

Let me start by saying that as the incoming Assembly Speaker, I look forward to many things, and working with New Jersey's hard-working mayors and local officials is near the top of that list.

I know local government is what makes New Jersey tick. It's the first point of government contact for many of residents, who rightly expect their roads to be plowed, their garbage collected and public safety protected, among many things, at a reasonable cost.

Yet, amid such rightful expectations, so much of what happens on the local level is impacted by state policy.

This is not something I'll need to learn.

I know it already.

I learned it navigating the municipal waters as a construction code official and local planning board member. I have been immersed in local government, and I know how it works.

I know New Jersey relies too much on the property tax. I know municipal aid allocations have been neither consistent nor fair. I know municipal officials deal with the blowback when school aid, for instance, is inadequate. I know local officials can become frustrated when they cannot get straight answers from state government.

That's why I hope to use my new position to tackle some of New Jersey's most entrenched problems and concerns. I hope municipal officials will show their support as we advance real policies in the months ahead— not just catchphrases and sound bites designed to score political points.

As lawmakers, no matter the party, we stand tall for a strong middle-class, protecting our most vulnerable, creating jobs, providing a quality education for all and property tax relief. We have made great strides, but more work always remains and new challenges always arise.

As Speaker, I will do everything I can to ensure we continue striving to achieve these goals we share with the people of New Jersey.

I plan to use my new position as leader of the People's House to be a strong advocate for our working families, and that means property tax relief and reform.

It's no secret that New Jersey relies too much on the property tax to fund local government services, but it's also no secret that solving that problem is not easy. Local government officials know this better than anyone.

I plan to listen to the advice of others on this and to bring together experts, who can tell us what every other state is doing in terms of paying for local government ser-

vices. Some of these models might not work for local government in New Jersey, and some of them might. We don't yet know.

All we know now is that New Jersey's system has given us the highest property taxes in America and a net 20 percent property tax hike over the last four years.

**I PLAN TO USE MY NEW POSITION
AS LEADER OF THE PEOPLE'S HOUSE
TO BE A STRONG ADVOCATE
FOR OUR WORKING FAMILIES,
AND THAT MEANS PROPERTY TAX
RELIEF AND REFORM.**

That's a failed system that is crushing our middle-class and poor and suffocating local government services.

We can tinker around the edges, throw about criticisms and avoid the tough conversation, but that's not my style. It's time to find ways to reduce the painful property tax burden, while making it easier for local officials to get the job done as cost-efficiently and effectively as possible.

In fact, we already know one way.

As Assembly Budget Committee chairman the last two years, I worked to change the unfair system that has kept municipalities from collecting their fair share of energy tax receipts funding. This is an important factor in the property tax equation. In addition to the cuts in rebates, recent cuts in school aid and municipal aid have pushed up property taxes. In 2011, for instance, school aid was cut by \$1.1 billion and municipal aid by \$446 million. Those cuts have not been fully restored, nor have the cuts in property tax relief credits.

More than 80 percent of school districts are receiving less aid now than 2010.

And that impacts municipal officials, who besides having to deal with lost services and reduced staff also, of course,

W I M G

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Details to follow.



For more information on the Women in Municipal Government Committee, please contact
 Lori Buckelew at 609-695-3481 Ext 112 or email lbuckelew@njslom.org.

collect the taxes and bear the brunt—often unfairly—of overall taxpayer frustration.

One way to resolve it would have been a bill approved by the Legislature that would have required the distribution of additional state aid to municipalities. This bill would have restored, over a five-year period, about \$331 million in municipal aid.

Unfortunately, the governor vetoed this legislation, but this is a discussion I hope to continue having.

We'll also have to have discussions on the challenging, but critical topics of arbitration reform and shared services.

We know we have more work to do—together—to make New Jersey more affordable for hard-working families struggling under a crushing property tax burden, cuts in local government services and many other worries.

The Assembly will be tireless when it comes to representing our taxpayers, and I look forward to collaborating with New Jersey's municipal officials as we work hand-in-hand to get things done. ▲

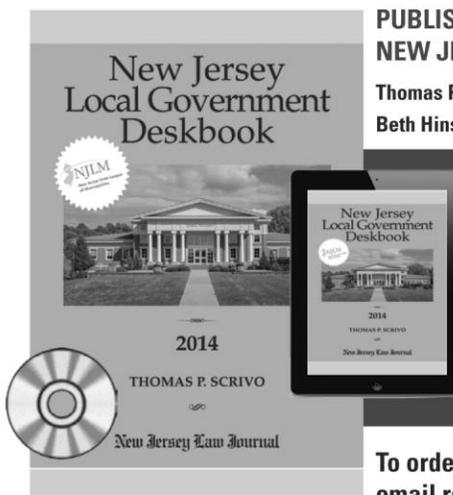
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Let's Finish the Job



By Jon Bramnick
Assembly Republican Leader

Four years ago, we turned a new page to help contain soaring property taxes and government spending. Under Governor Christie's leadership, the Legislature passed a property tax cap, arbitration reform, and pension and healthcare benefits reform.

Those were important improvements to the way government functions, but our work is not done. Although no one has all the answers to every issue facing our municipalities and taxpayers, it is incumbent upon us to continue to work together towards practical, common-sense solutions.

In order to help local governments fight the battle of escalating costs, they must be given the necessary means to contain spiraling expenses. Mayors need more help in controlling costs. Taxpayers deserve it.

The statewide liability for taxpayers for accumulated unused sick and vacation time for public employees is estimated at \$900 million. In the last legislative session, a bill sponsored by 23 Republicans that would eliminate this perk was ignored. This legislation represents significant reform that will help taxpayers and towns.

An identical bill will be introduced in the new legislative session. Each time we read about expensive payouts to retiring public employees, we should remember these costs are borne by taxpayers. We have the tool to fix the problem, but we must use it.

The consolidation of services has the support of many in Trenton. It also needs to receive serious consideration by counties and municipalities. Sharing municipal services or consolidating school districts can be effective strategies for saving property tax dollars and improving the quality of services. When voters are presented with facts that show efficiencies can be achieved through consolidation

without impacting their quality of life, they will make the right choice.

Last year, voters in Lambertville, Stockton and West Amwell overwhelmingly approved the consolidation of their school districts. By eliminating redundant services and pooling resources, the newly configured district will benefit taxpayers and enhance children's educational opportunities.

**IN ORDER TO HELP
LOCAL GOVERNMENTS
FIGHT THE BATTLE OF
ESCALATING COSTS,
THEY MUST BE GIVEN
THE NECESSARY MEANS
TO CONTAIN
SPIRALING EXPENSES.**

Another important tool that can help municipalities (as well as counties and school districts) is the ability to opt out of civil service. This reasonable and fair approach encourages the shared services concept Republicans have supported for four years. Our caucus introduced legislation that would give local officials this common sense tool in the last two legislative sessions. We remain committed to enacting this proposal that gives needed flexibility to local governments.

Perhaps the most important issue that will help finish the job is providing a tax cut to New Jersey's residents. The governor agrees with the 10 percent tax credit for homeowners proposed by Senate President Sweeney in 2013. The most over-taxed people in the country deserve tax relief. Our caucus is ready to work with our colleagues across the aisle in making this happen.

Over the last four years, taxpayers and municipalities have benefitted as the Legislature worked with Governor Christie in a bipartisan manner on the issues that are most important. People want a more affordable state to live in. We have proven we can reverse course when past policies have failed. Assembly Republicans recognize that taxpayers and businesses are depending on us to fix problems by working together. Our job is not complete until these common-sense initiatives are implemented. ▲

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Legislative Update



2014 LEGISLATIVE AGENDA

A Capital Commitment to Help Our Communities

As President of your League of Municipalities, I promise to do my best to protect our institutions of local self-government and to promote the interests of local residents. I know how important that is to all of you. And I salute all who have, in recent years, done so much with so little.

We have limited the increases in the property tax levy to 2.4 percent in 2011 and 1.4 percent in 2012. We could not have gotten down to 2.4 percent and 1.4 percent without real reforms enacted by the Governor and the Legislature.

For things like the 2 percent cap on arbitration awards and pensions and benefits reforms, the Governor and Legislative leaders deserve our thanks and recognition.

But the efforts of Mayors working with local governing bodies should not be ignored. It is a matter of simple fairness to acknowledge that local officials are doing all that they can to limit increases and we deserve credit for making the tough decisions in tough times. We have pruned budgets, pursued savings, engaged in tough negotiations, reduced the workforce, shared services, cut spending, applied best practices, emptied reserve accounts and deferred investments. We did this as property values declined, tax appeals increased, development and economic activity stalled, employment slumped and property tax relief funding was diverted to the State budget.

There are always some who look to blame local officials for New Jersey's continued over-reliance on regressive property taxes. They need to be reminded that decisions made by State-level policy makers set the limits of what can be accomplished at the local level.

Our League Legislative team works hard to keep us informed of developments in the State Capital. They co-write a regular "Legislative Update" column, which appears in each issue of our magazine, *New Jersey Municipalities*. They also collaborate in the publication of the "Legislative Bulletins." And the Legislative team sends us letters to mark the progress, or lack thereof, of bills of special importance.

On any issue that is important to you, your municipality and your fellow citizens, you need to follow up with your two representatives in the General Assembly, your State Senator and, when and if a bill should reach his desk, with our Governor.

Please take the time to review the following article. It provides a brief summary of the League's major State Legislative Priorities for 2014. We hope you find this helpful, as you, yourself, evaluate State policy proposals being tackled by New Jersey's Two Hundred and Sixteenth Legislature, over the next two years.

To be effective in our State Capital, we need your help. If you want to get more involved in our Legislative efforts, consider the following. You can become a member of our League Legislative Committee, which meets about once a month to develop positions on important bills effecting local government. If you're interested in this opportunity, contact Mike Cerra, League Director of Governmental Affairs, at 609-695-3481, ext. 120, or mcerra@njslom.com.

Thank you for all that you do for the people of your community and for local government in our State.

Very truly yours,

Suzanne M. Walters

Suzanne M. Walters
President, New Jersey League of Municipalities
Mayor, Stone Harbor

2014 Legislative Priorities



According to U.S. Census Bureau statistics, in 2012 New Jersey local governments spent \$2.8 billion for police services to protect our residents, our businesses, our visitors and their property. The State of New Jersey spent a little less than \$500 million. In the same year, New Jersey local governments spent \$1.5 billion on sanitary sewerage services. The State of New Jersey spent a little under \$3 million. For solid waste management, the state expended \$39 million; while local governments spent about triple that amount. For housing and community development, the local expenditure was almost \$1.1 billion. The state spent \$465 million. For Parks and Recreation, the state spent about half as much as the \$566 million expended by New Jersey local governments. In 2011, municipalities had jurisdiction over 29,182 miles of roadway in New Jersey. Counties were responsible for 6,648 miles, and the state and state authorities had jurisdiction over 2,734 road miles.

Municipalities in New Jersey adopt and enforce ordinances that regulate traffic safety, building construction, housing standards, property maintenance, the character of neighborhoods, parking, littering, noise and the treatment and control of animals. We think it is safe to say that no other level of government does more, day in and day out, to protect the health and safety of the residents of, businesses in and visitors to New Jersey. No other level of government does more to protect their property and preserve its value. And no other level of government is more sensitive to the hopes and concerns of the individuals and families of our Garden State.

School districts educate and protect our children and secure the future of New Jersey. We depend on the state and federal government services now more than ever. Counties have a role to play. But the priorities of New Jersey municipalities merit careful attention and serious consideration by all. We sincerely hope state policy-makers will respect these few in 2014.

- Strengthen our communities by safeguarding the institutions, through which people can, cooperatively, shape the future of their own communities.
- Continue the review of potentially unnecessary and duplicative bureaucratic requirements which inhibit the construction and renovation of sufficient safe and affordable housing for the families of our less-affluent fellow citizens.
- Promote policies that will permit communities to achieve and sustain compliance with appropriately high public health and environmental standards.

- Advocate a spirit of cooperation among state and local governments, which emphasizes the solution of problems, rather than the assessment of blame.
- Support policies that will permit communities to implement flexible solutions to site remediation problems.
- Champion efforts to maintain, for future generations, the natural diversity which draws millions of visitors to our state, and to bequeath to our children a healthier and cleaner environment.
- Support serious efforts to address New Jersey's regressive and anachronistic over-reliance on property taxes to fund essential public services and programs by promoting a special citizens' property tax reform convention.
- Oppose any diminishment in property tax relief funding, which would inevitably exacerbate the burden borne by New Jersey's families and small businesses.
- Support fair and reasonable public pension and benefit reforms that appropriately reward current and retired public servants for their service without inappropriately burdening their fellow citizens.
- Tackle existing mandates by supporting legislative review and repeal or relaxation of unnecessary, unfunded requirements imposed on municipalities in the past, and remaining in effect, today.
- Review, with the intent to repeal, statutory impediments to greater intergovernmental cooperation.
- Promote the continuing dialogue between and among neighboring municipalities in order to find creative and cooperative solutions to existing and emerging problems. ▲



Over 200 people attended the Sustainable Jersey Luncheon.



President of the Board of Trustees of Sustainable Jersey Pam Mount speaks during the Fifth Annual Sustainable Jersey Awards Luncheon.



A woman reviews program information on sustainable initiatives prior to the Sustainable Jersey Luncheon.



(left to right) Panelists Linda DuBois, Mayor, Pittsgrove; William Kelleher, Homeland Security Branch, New Jersey State Police; and Major Patrick Callahan, Commanding Officer, Emergency Management, State Police, discuss emergency management leadership.



Conference goers check out a large truck lift system.



Martin L. Pagliughi, Mayor, Avalon, (second from right) and other officials pose with the town's Innovation in Government award, which was presented by Tom Neff, Director, Division of Local Government Services, DCA (right).

98TH ANNUAL CONFERENCE & EXHIBITION



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State, local and county leaders and their guests attended sessions on over 100 different topics during the League's 98th Annual Conference.



Attendees learn about how Shared Services agreements can increase the efficiency of police services.



Chris Bollwage, NJLM Past President and Mayor of Elizabeth, greets NJLM President and Mayor of East Windsor Janice S. Mironov at the Mayor's Box Luncheon.



Assembly Speaker Sheila Oliver makes a point during the Legislative Session on Wednesday.



Mayors and other elected officials hear the plans of key cabinet officials during the Mayors Box Luncheon.



Senate President Steve Sweeney; Assembly Speaker Sheila Oliver; NJTV Chief Political Correspondent Michael Aron; NJLM 1st Vice President Suzanne M. Walters; Senate Republican Leader Jon Bramnick; and Senator Tom Kean, Jr. served on the panel for the Legislative Leaders Perspective Session.



NJLM 1st Vice President, Mayor of Stone Harbor and Co-chair of the Women in Government Committee Suzanne M. Walters and Newark Council President and WIGC Co-chair Mildred Crump pose with the 2013 Women in Municipal Government Award Winners Janice Kovach, Mayor, Clinton Town and former Director, Division of Women and Carol Beske, President of ACT Engineers and former Mayor, West Windsor Township.



Richard LaLena, NJLM's Official Towne Crier, announces the start of the League Luncheon.



Steve Sweeney addresses League Luncheon guests as League Executive Director Bill Dressel looks on.



The Atlantic City Police Department Color Guard presents the flags at the start of the League Luncheon.



Bernie Flynn, CEO, New Jersey Manufacturers Group accepts the League's Outstanding Corporate Citizen Award from NJLM President Janice S. Mironov.



Officials are welcomed to the Women in Government breakfast by NJLM President Janice S. Mironov.



Joseph Valentini, retired Chief of the Bureau of Local Management Services, DCA, addresses the Public Contracts Law and Regulations Update as fellow speakers Gordon Ball, Procurement Specialist, DCA; and David W. Hollberg, CFO and Manager, Pequannock; and Joseph Accardi, Mayor, Roselle Park look on.



Lt. Governor Kim Guadagno addresses the League Luncheon.



Civil Service Commissioner Robert Czech (right), who received the League's Distinguished Public Sector Career Award, reacts to his daughter's speech during the League Luncheon.



Outgoing League President Janice S. Mironov receives a plaque commemorating her outstanding service from League President Suzanne M. Walters.



NJLM 1st Vice President Suzanne Walters welcomes Mayors and other elected and appointed local officials to the Legislative Session.



Senator Linda Greenstein speaks during the Sustainable Jersey and Legislative Policy Update.



Outgoing League President Janice S. Mironov swears in the new League officers: (Left to Right) Gerald J. Tarantolo, 1st Vice President; Suzanne M. Walters, President; Joseph Tempesta, 2nd Vice President and Brian C. Wahler, 3rd Vice President.

The Economy Is Uncertain but the Recovery Continues



By James W. Hughes, Dean & Joseph J. Seneca, University Professor; Edward J. Bloustein School of Planning and Public Policy, Rutgers University

New Jersey's economic outlook for 2014 will be heavily influenced by the performance of the United States economy. And here the outlook is positive. The expected sharp negative impact of the federal government shutdown on job growth failed to materialize, as U.S. private employers continued to add jobs at a healthy pace. As a result, based upon the first ten months of the year, the nation's private-sector employment growth for all of 2013 should again approach 2.3 million jobs, approximately matching the average employment gains achieved in 2011 and 2012.

Total private-sector growth for the three years combined will approach 7 million jobs and \$280 billion in additional personal income. Thus, the national economic recovery has

achieved substantial momentum, with 2014 employment growth expected to again be in the vicinity of 2.3 million jobs. This will provide a substantial tailwind for New Jersey's economy in 2014. This assumes, of course, that the dysfunction in Washington does not have any significant negative impact on economic activity.

However, there is a substantial caveat to this very positive overall national employment picture: the quality of jobs being created. The key high-paying, knowledge-based, white-collar sectors of the economy are information (which includes such activities as publishing, telecommunications and the internet), financial activities, and professional, scientific, and technical services (which includes such activities as legal services, accounting services, and engineering services,



THE SHORE ECONOMY DID NOT HAVE A STRONG SUMMER REBOUND DESPITE HEROIC EFFORTS AT REBUILDING.

among others). These three sectors in total accounted for less than 15 percent of the nation's total private-sector job growth in 2013. To put this in perspective, below-average paying sectors such as accommodation and food services (think wait staff) alone accounted for over 17 percent of all private-sector jobs, while retail-trade jobs accounted for nearly 16 percent, and educational and health services nearly 15 percent. This does not mean that white collar jobs are being hollowed out, but they are certainly the "low-grow" segments of the U.S. economy.

In this context, the New Jersey economic recovery, which started in 2010, had been gaining substantial momentum through the first half of 2013. In 2010, the state gained 9,200 private-sector jobs. This

The economic outlook for 2014 in New Jersey is uncertain, but the economic recovery is continuing. Even if all the current economic uncertainties fall into full positive alignment, the state's fiscal situation will still be subject to serious constraints.

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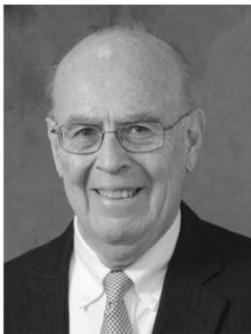
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total job gain tripled in 2011 to 28,400 jobs, which in turn, in 2012, doubled to 59,100 additional jobs. Then, based upon the first six months of year (measured December 2012 through June 2013), the state was on track to add nearly 70,000 jobs in 2013. However, the economic pause button was seemingly hit, as job growth faltered significantly over the summer and early fall. This may have been partially due to the aftershocks of Super Storm Sandy being more severe than had originally been anticipated. The shore economy did not have a strong summer rebound despite heroic efforts at rebuilding. Vacation dollars that would normally have bulwarked the shore economy instead were diverted to other shore destinations in Delaware and Maryland, or just not spent. In essence, vacation dollars were siphoned out of New Jersey, or were not spent at the state's traditional resorts. At the same time, the release of federal storm-aid dollars and the expenditure of these resources have been much slower than that projected in the storm's

immediate aftermath.

In addition, the impacts of mergers and acquisitions in the pharmaceutical industry, Wall-Street-linked downsizing in the financial-activities sector (particularly along the Hudson River waterfront), and the continued resizing in telecommunications were all contributors to the "pause." Whatever the exact causes, employment data for November and December, and potential revisions to late summer and early fall job reports, will reveal if the strong private-sector job growth of early 2013 has resumed. In addition, New Jersey faces the same quandary as the United States in terms of the quality of jobs being created. Middle-skilled, white-collar jobs in particular have been growing slowly, with the largest shares of job growth recorded in the retailing, health, and food-services sectors. Hiring decisions made by corporate America in 2014 will be instrumental in altering the pattern of types of jobs added to the economy.

As we look to 2014, the month of June will be significant. That will mark the fifth anniversary of the start of the

national economic recovery (June 2009). July will then be the beginning of the sixth year of recovery! The Garden State has certainly traversed a very long road back.

The key question facing New Jersey is the strength of the rebound in 2014 from the 2013 summer-fall slowdown. Continued U.S. employment growth of 2.3 million private-sector jobs per year will be a strong economic tail wind. As a result, it may be possible that in 2014 the state can match the employment growth totals achieved in 2012—approximately 60,000 private-sector jobs.

This will depend on a stronger summer-season for the Jersey shore, including further private and public sector rebuilding and restoration spending supported by federal funds. It will also require stabilization in both the pharmaceutical and financial services industries. But, even if all of these economic uncertainties fall into full positive alignment, the state's fiscal situation will still be subject to serious constraints. In turn, this will lead to little new relief to municipal fiscal positions. ▲

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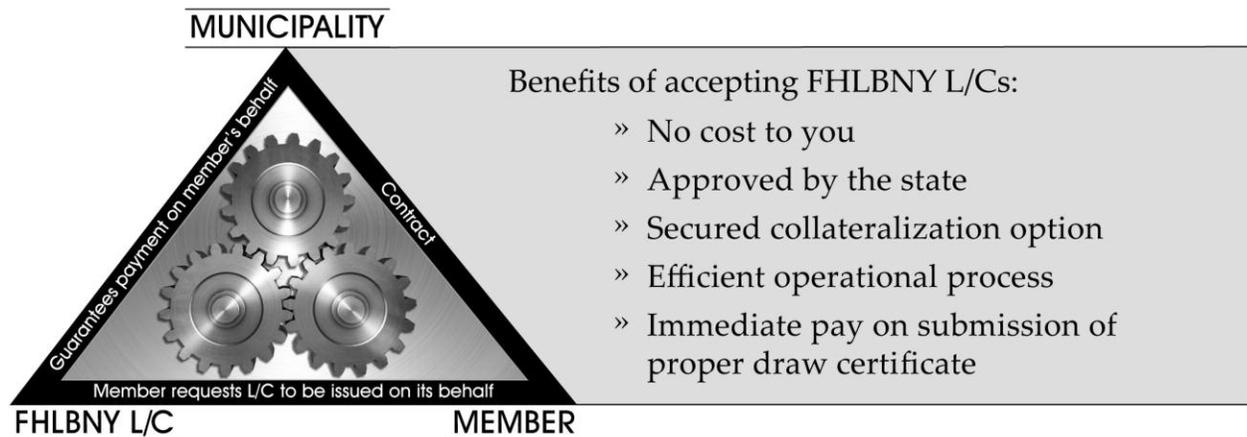
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Local Power Generation

Helping Towns to Keep the Lights On



By Joel L. Shain
League Utility Counsel;
Shain, Schaffer & Rafanello, P.C.
& Edward Purcell
NJLM Associate Counsel

As the old saying goes, a good leader will solve a problem when it comes along, while an extraordinary leader will see the problem coming and prevent it. Put another way, extraordinary problems are opportunities for extraordinary leadership.

The problem, and the opportunity, many municipalities are currently facing is how to deal with the next super-storm. Sandy left New Jersey with deep economic, physical and even emotional scars. People need to feel secure. One solution being considered by municipalities is the development of electrical microgrids to protect critical infrastructure against power outages, to create places of refuge, and to help maintain a "baseline" quality of life for residents.

Wikipedia defines a microgrid as a localized grouping of electricity generation, energy storage and loads (demand) that normally operates connected to a traditional centralized grid (macrogrid), which has the ability to act as a single controllable entity that can connect or disconnect from the grid to operate as a whole or independently.

Microgrids include several types of generation resources such as: (1) fuel cells, which use natural gas to create electricity through a chemical reaction with very limited carbon emissions; (2) combined heat and power (CHP) systems, which use natural gas to create electricity and heat; and (3) solar panels, which convert the sun's rays into electricity. Because of their ability to disconnect from the macrogrid and not be dependent upon gasoline or diesel fuel (which can become scarce in an emergency) microgrids are a more reliable source of backup electric power than gas or diesel-powered generators.

Microgrids can also be an efficient source of year-round generation, provided they are properly sited for effective distribution. Microgrids can better control the balance of generating capacity and demand by managing energy consumption in real time. Further, by locating generation close to the demand source microgrids have two further advantages. First, they can lower energy costs by helping to support the grid during times of peak energy use. And second, they prevent the loss of power that occurs when energy is "shipped" over long distances from large-scale power stations.

Microgrids can also offer significant financial reward to their owner. The microgrid's excess power can be sold to the local utility through "net metering" policies, which, in

many jurisdictions, requires the utility to purchase such power at retail rates. Microgrid owners can also receive federal and state tax credits that are available to the operators of certain forms of distributed generation.

However, pitfalls do exist. While net metering may benefit the microgrid owner, the cost the utility bears for repurchasing excess power at retail rates, as opposed to market rates, are typically passed on to the utility's other local customers. In addition, the cost of tax subsidies for distributed generation must be borne by other federal, state and local taxpayers. Further, the cost of microgrid generation is very expensive, typically three to four times the cost of grid connected, commercial rate class generation.

**BECAUSE THEY CAN BE
DISCONNECTED FROM THE POWER GRID
AND DO NOT DEPEND ON GASOLINE
OR DIESEL FUEL, MICROGRIDS ARE
MORE RELIABLE THAN GAS OR
DIESEL-POWERED GENERATORS.**

Funding Municipalities contemplating the use of microgrids may be able to fund such projects through the state's Energy Savings Improvement Program (ESIP) which has successfully funded energy efficient measures throughout New Jersey. The program allows for municipalities to fund energy efficient measures through refundable bonds or leases which will be paid back through the increased efficiencies of the improvements. An excellent ESIP how-to guide can be found on the Sustainable Jersey website, www.sustainablejersey.com.

The State of New Jersey also has programs to assist municipalities in promoting microgrids. Just this past October \$25 million was allocated to 146 municipalities. Connecticut started a similar program last year after Hurricane Irene, but before Super-storm Sandy. Because this ini-

tiative is about 14-months ahead of New Jersey's, it can provide some useful tips. Connecticut's program distributed \$18 million dollars to nine recipients. These projects are using CHP, fuel cells and solar technologies to make critical municipal facilities both independent from the large power grid and also highly efficient. The state of Connecticut paid for the interconnection and engineering costs. The first project is projected to begin operating this month.

New Jersey, like Connecticut, is promoting creative financing mechanisms for these projects. The state's grant money can pay for the initial study. The project itself may be financed through ESIP, which guarantees that the savings will pay for the capital costs. The other alternatives would be for a third party to finance, build and operate the project after the municipality agrees to enter into a power purchase agreement (PPA). The PPA would obligate the municipality to purchase its energy from the third party and in turn the municipality would get a reliable source of energy. In certain situations this may also be done through an ESIP.

Again, there is much we can learn from Connecticut's program. According to state officials there, the leadership of local Mayors was essential to the program's success. According to Alex Kraygie, Deputy Chief of Staff for the Connecticut Department of Energy and Environmental Protection, "it takes a motivated mayor to push a project forward; it's not something that's just going to happen on its own." Kraygie cited the leadership example of Bridgeport Mayor Bill Finch.

Mayor Finch has been a vociferous proponent of microgrids as mayor and previously as a state senator. When it comes to microgrids, Finch says, "they are clearly in a mayor's wheelhouse because they can create jobs that can't be exported, can be good for the environment and can save money."

During previous power outages the City of Bridgeport had to rely on diesel generators to power its City Hall and police headquarters. And, like in New Jersey following Sandy, access to fuel was not assured. Bridgeport's current project would install fuel cells in both major town build-

ings. The project has been financed using PPA and state grant money. While Mayor Finch admits that the project wouldn't have been possible without state funding, sees the role of an informed mayor as key to these projects' success.

As always, the New Jersey League of Municipalities strives to be a strong and impartial resource for elected officials. Microgrids and resiliency are new issues for many of our state's

elected officials. Over the coming months, we expect the state to unroll a series of programs to promote these types of projects to New Jersey's municipalities. Rest assured that the League will communicate information regarding these programs to its membership. ▲

The authors would like to thank Lori Reynolds Esq., of Shain, Schaffer, Rafanello P.C. for her knowledge and help in crafting this article.

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Under the Gold Dome

The Challenge of Governing New Jersey



By Darryl Isherwood
Senior Political Reporter, NJ.com

Governor Chris Christie may find that the biggest obstacle to a run for president may not be found on the national stage. It might be right here at home.

The governor's road to the Republican nomination runs through several conservative states—Iowa and South Carolina being the most obvious and early in the primary contest—and to win there the governor is going to have to prove his conservative bona fides.

But he's governor of a blue state, where Democrats control both houses of the Legislature. That fact was hammered home in the recent election when voters reelected every Democratic senator and all but one sitting Democratic Assemblyman. (Though, because the Democrats picked up a seat to offset the one they lost, the margin in the Assembly remains the same.)

To govern effectively here, Christie must compromise—and take paths that voters in those conservative states may not appreciate or understand.

Take tuition equity. During his reelection bid, the governor voiced his support for the DREAM Act, which allows the children of illegal immigrants to receive in-state tuition rates. Throwing his support behind the measure helped him achieve an unprecedented feat for a New Jersey Republican: 51 percent of the Hispanic vote.

But granting any taxpayer-funded rights to those in the country illegally is decidedly unpopular among the GOP's conservative base and will no doubt hurt the governor if he runs in the 2016 Republican primary.

The tightrope Christie must walk is on stark display as he walks back his support for the measure, saying he won't sign the bill as proposed because it contains several loopholes and allows the undocumented children to receive state aid—a no-no in Republican circles.

The governor has walked that same high wire on the issues of gun control and same sex marriage.

Last year, a taskforce appointed by the governor recommended the banning of the .50 caliber rifle, as part of its report on curbing gun violence in the state. But when the

Legislature passed the ban, Christie vetoed it, saying the ban would not curb violence but would only interfere with "recreational pastimes."

The veto was a major shift and some accused Christie of pandering to a New Hampshire gun group, which had warned the governor there would be consequences for signing the gun bills come 2016.

Likewise the gay marriage debate. After the Supreme Court declined to halt gay marriage after a lower court ruling allowing it, Christie dropped his legal challenge, preferring not to push a long hand.

Some social conservatives lambasted Christie over the move, accusing him of folding too soon.

All three issues present ready-made campaign fodder for use against the governor and all will no doubt find their way into talking points, mailers and commercials should Christie venture into the world of presidential politics.

Now let's be clear. I'm not suggesting that Christie's road to the GOP nomination lies to the right. The campaign promises to have no shortage of conservative candidates given the noises coming from the likes of Senators Rand Paul, Marco Rubio and Ted Cruz and from U.S. Congressman Paul Ryan, all of whom are far to the right of our governor.

His path to glory lies in sticking to the left of that cadre of contenders

and hoping they split the vote sufficiently—and beat each other up enough in the process. That way he can slip by as the consensus of the more moderate primary voters.

But even if he's not the darling of the Tea Party voters, he'll need to keep from alienating them into an "anybody but Christie" mindset, which could prove to be a tough row to hoe given that he must still govern in New Jersey.

But despite the challenges he'll face over the next year or two, advisors to the governor say don't look for a major shift.

"The governor is who he is and don't expect that to change anytime soon," one advisor told me during a recent television appearance. "If he runs, he'll win or lose based on who he is."

Still, coming from New Jersey won't make it any easier. ▲

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New Jersey's Office of Emergency Management

Your Connection to Disaster Recovery Assistance



By Joseph Geleta
Acting Captain, Recovery
Bureau Chief, New Jersey
Office of Emergency Management

It has been over a year since Hurricane Sandy wreaked havoc on communities across the State of New Jersey. To this day, towns continue to rebuild. Following a Presidential declared disaster, federal funds become available to communities through FEMA. The New Jersey State Office of Emergency Management's (NJOEM) Recovery Bureau stands ready to offer guidance, technical assistance and other support to communities across the state in navigating the disaster recovery process and accessing FEMA grants resources.

The Recovery Bureau of NJOEM consists of the Public Assistance Unit, the Hazard Mitigation Unit and the Finance Unit. The units work together in the administration of FEMA and other federal disaster recovery grant funds. These funds allow communities to rebuild and/or mitigate risk in areas vulnerable to future hazards.

A common misconception in the aftermath of a disaster is that FEMA will be giving out money to communities across the state with no strings attached. In actual practice, municipal officials should understand that there are

a strict set of guidelines, policies and procedures as set forth in the Robert T. Stafford Act and Chapter 44 of the Code of Federal Regulations (44 CFR) and in other authority that must be adhered to in order to receive federal disaster assistance. NJOEM works in partnership with our county and local Offices of Emergency Management to provide the latest disaster recovery information on an ongoing basis.

NJOEM is using a new tool, known as NJEM Grants, to administer these FEMA disaster grant funds. NJEM Grants is a web-based Public Assistance and Hazard Mitigation tool designed to afford all applicants for federal disaster assistance funds the opportunity to view all of their submitted projects, payments and all other reports in real time. Municipalities are encouraged to sign on to this new system by agreeing to the terms of a standard memorandum of understanding, which will facilitate eligible federal assistance and subsequent reimbursement. For more information on this new system please visit www.njemgrants.org or call 609-882-2000 ext. 2189.



As this photo from Ocean county shows, Superstorm Sandy wreaked havoc. The New Jersey State Office of Emergency Management's (NJOEM) Recovery Bureau stands ready to offer guidance, technical assistance and other support to communities across the state in navigating the disaster recovery process and accessing FEMA grants resources.

The Public Assistance Unit administers the Public Assistance Grant Program where funds are made available to communities to allow them to repair, restore, reconstruct or replace a public facility or portion of their infrastructure that was damaged or destroyed by a disaster. Public officials should educate themselves about the Public Assistance Grant Program and the policies and procedures associated with it. Township officials should be proactive and take pictures of critical infrastructure (roads, bridges, dams, culverts, etc) that may be subject to damage in a disaster. They should also have a viable debris management plan in place. Also, local officials should understand relevant insurance policies, including what is covered and the various deductibles associated with each policy.



The Public Assistance Unit administers the Public Assistance Grant Program where funds are made available to communities to allow them to repair, restore, reconstruct or replace a public facility or portion of their infrastructure that was damaged or destroyed by a disaster.

A COMMON MISCONCEPTION IN THE AFTERMATH OF A DISASTER IS THAT FEMA WILL BE GIVING OUT MONEY TO COMMUNITIES ACROSS THE STATE WITH NO STRINGS ATTACHED.

FEMA's Public Assistance projects are divided up into Categories A and B for emergency work, which consists of debris removal and emergency protective measures; and Categories C through G, for permanent work on roads and bridges, water control facilities, buildings and equipment, utilities, and parks or recreational facilities respectively.

Pursuant to the Disaster Relief Appropriations Act of 2013 (P.L. 113-2), also known as the Sandy Supplemental Act, funds obligated under a Project Worksheet must be fully expended within two years of the date of obligation. Thus, grants issued

under the Sandy Supplemental Act must be paid, committed or obligated to a contractor or service-provider

within 730 days of the date that FEMA obligates funds for the Project Worksheet. Any funds not expended within

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this time-frame must be returned to FEMA. Please note that the term "expended" does not include the disbursement of grant funds by the grantee to the sub-grantee.

Information on the Public Assistance Program can be found on our website or by visiting the FEMA website at www.fema.gov/public-assistance-local-state-tribal-and-non-profit. The Public Assistance Unit also has a direct email link for any questions or concerns you may have at lpppau@gw.njsp.org.

The Hazard Mitigation Unit works with three major sources of Federal Funding:

- 1) Hazard Mitigations Grant Program HMGP (disaster driven, 15 percent of projected federal aid)
- 2) Pre-Disaster Mitigation PDM (annual nationwide competitive grant)
- 3) Flood Mitigation Assistance (an annual nationwide competitive grant)

The Hazard Mitigation Unit is currently helping to administer more than \$200 million in ongoing statewide projects ranging from acquisitions of repetitive flooding

properties, to the building of drainage projects. Some of the most common types of hazard mitigation projects include: storm water management, elevation of vulnerable municipal facilities, acquisition of generators and other energy resiliency measures, retrofitting critical facilities, residential buyouts and elevations and mitigation planning.

Mitigation planning is the key to building back better and smarter. The collaborative effort of bringing local and county stakeholders together to identify hazards and risks, come up with solutions, and work together are critical aspects of the process. Planning grants are available under the PDM grant or HMGP grant. Counties or municipalities can apply for planning grants utilizing the Letter of Intent for HMGP, and e-grants for PDM and FMA grants.

The method to apply for any project type is similar to the above for any local, county or non-profit applicant. For more information pertaining to Hazard Mitigation please send an email to njmitigation@gw.njsp.org or

call 609-963-6900 x6208 for assistance by the Hazard Mitigation Unit. You can also visit our website or the FEMA website at www.fema.gov/hazard-mitigation-assistance.

Working with the League of Municipalities and other key stakeholders, NJOEM will continue to keep local officials informed and educated on the disaster recovery process. As part of these efforts, NJOEM's Recovery Bureau will be hosting additional regional disaster recovery workshops in the state in order to afford our community partners a chance to learn more about FEMA's federal grant funds. Public officials are also encouraged to attend the New Jersey Emergency Preparedness Association Conference held in the first week in May 2014 (www.njepa.org). For more information on any of the aforementioned topics please visit our website at www.ready.nj.gov or FEMA's website at www.fema.gov. For additional information or questions please feel free to contact the Recovery Bureau at 609-882-2000 extensions 2700, 2196 or 2197. ▲



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State to Certify Disaster Response Crisis Chaplains



By Adrienne Fessler-Belli
 Director, Disaster and Terrorism Branch,
 Mental Health & Addiction Services,
 New Jersey Department of Human Services;
 Howard Butt, New Jersey Office
 of Emergency Management
 & David Leonardis (not pictured),
 New Jersey Office

In the aftermath of 9/11, with all the thousands of volunteers that came forward, one lesson learned is that there needed to be a process to standardize the training and vetting of people who would be coming into contact with the survivors at the Family Assistance Centers, shelter facilities and other venues.

The New Jersey Department of Human Services' Division of Mental Health & Addiction Services—Disaster and Terrorism Branch, in partnership and collaboration with the New Jersey Office of Emergency Management (NJOEM), the Office of Homeland Security and Preparedness (OHSP) and the Interfaith Advisory Council (IAC) have developed a Disaster Chaplaincy program. The Disaster Chaplaincy program will be a distinct certification level within the Disaster Response Crisis Counselor (DRCC) program.

NEW JERSEY IS ONE OF THE FIRST STATES TO CREDENTIAL AND CERTIFY ITS CRISIS COUNSELORS IN PREPARATION FOR RESPONSE TO DISASTERS AND TRAUMATIC EVENTS.

The goal of this project is to increase the available network of services during times of crises. The project recognizes the fact that many people affected by disaster will seek comfort from their faith and spiritual healers.

New Jersey is one of the first states to credential and certify its crisis counselors in preparation for response to disasters and traumatic events. The purpose of credentialing and certifying disaster response crisis counselors is three-fold and will provide:

- uniformity in standards of training and experience;
- a coordinated and integrated response to disasters and traumatic events in the community; and,
- a sustained and competent workforce to be deployed during the response and recovery phases of a disaster.



The goal of the Disaster Chaplaincy program is to increase the available network of services during times of crises. The project recognizes the fact that many people affected by disaster will seek comfort from their faith and spiritual healers.

Applications Interested volunteers can fill out the DRCC certification application online at www.njdrcc.org. Chaplain candidates are asked to indicate the following within the appropriate fields of the application:

- their desire to be provided with the designation of Chaplain;
- pertinent pastoral care/disaster training; and
- a reference from their faith community attesting the applicant's appropriateness for the certification.

The DRCC Operations Committee, a subgroup of the NJDRCC Advisory Board, works in cooperation with County Mental Health Administrators to conduct applicant reviews and interviews as part of the certification process. These reviews and interviews will help to assure the quality, effectiveness and stability of the program. A well-devel-



Members of the Interfaith Advisory Council discuss the Disaster Chaplaincy program at a recent training session. The New Jersey Department of Human Services' Division of Mental Health & Addiction Services—Disaster and Terrorism Branch, in partnership and collaboration with the New Jersey Office of Emergency Management (NJOEM), the Office of Homeland Security and Preparedness (OHSP) and the Interfaith Advisory Council (IAC) developed the Disaster Chaplaincy program.

oped review and interview protocol is used for all DRCC applicants.

Ethics All DRCCs are required to agree

to uphold the ethical standards of this certification as outlined in the DRCC ethical statement.

In addition, New Jersey DRCC applicants are required to complete a criminal background check, which includes electronic fingerprints taken by a DMHS-DAS designated agency. Applicants are not charged for the background check.

Certification The Mental Health Association in New Jersey has contracted with The Certification Board Inc. to provide the final certification once a candidate has undergone the application and interview process. Photo identification badges are provided once certifications are finalized.

Recertification will also be required. Chaplains will need to take 12 hours of re-training, composed of six hours of training and six hours disaster response training every two years in order to be recertified. Recertification courses will cover how to meet the needs of impacted populations: including children, older adults, first responders, veterans and ethnic minorities.

Training There are several levels of competence integrated in the process to accommodate applicants with a range of skills. DRCCs are required to

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complete a 28-hour course curriculum for certification, which include:

- Introduction to Disaster Mental Health and Crisis Counseling (6 credit hours)
- Ethical Issues in Crisis Response (6 credit hours)
- National Incident Management System—NIMS 700 (2 credit hours)
- Incident Command System—ICS 100 (2 credit hours)
- Cultural Diversity in the Provision of Disaster Mental Health (6 credit hours)
- Psychological First Aid (6 credit hours)

Also, individuals are permitted to complete the ICS 100 and NIMS 700 online. The Incident Command System (ICS100) online exam can be complete at emilms.fema.gov/IS100B/index.htm and the National Incident Management System (NIMS700), online exam can be completed at emilms.fema.gov/IS700a/index.htm.

Deployment In the event of a disaster in New Jersey, the Division of Mental Health and Addiction Services—Disaster and Terrorism Branch is designated to coordinate the behavioral health

response to those individuals that are affected by the disaster working in collaboration with the New Jersey Office of Emergency Management. The division’s Disaster and Terrorism Branch oversees the Disaster Response Crisis Counselor (DRCC) program throughout the state.

Each of the 21 counties in Jersey has established the position of Mental Health Administrator in accordance with state laws and as approved by each County Board of Chosen Freeholders (NJAC 10:37-3.7). The County Mental Health Administrator is the local coordinator of the behavioral health response in his or her county. During times of disaster, the county’s behavioral health plan can also be activated by the County Mental Health Administrator in coordination with the County Office of Emergency Management and in collaboration with the state partners.

DRCCs will not self-deploy. They will only engage in a response when asked by the appropriate authorities. Protocols have been developed between the state OEM, the NJDHS Disaster and Terrorism Branch, the County

Mental Health Administrators, the County OEMs and local response partners (such as the Red Cross). The protocols—which will be strictly adhered to—will give DRCCs a specific mission, direction and a clear course of action to follow.

The DRCC program seeks to develop a cadre of paraprofessionals and professionals who can provide quick and effective support to those affected by a disaster. The credentialing process consists of a series of steps including the application, the submission of references and possible interviews. Participants are also required to receive training and to undergo fingerprinting and background checks.

For more information about the credentialing program, see DHS website: www.state.nj.us/humanservices/dmhs/disaster/credentialing/.

Should you have additional questions about the DRCC certification, please contact Debbie Loffredo, Mental Health Emergency Response Coordinator for NJDMHAS Disaster and Terrorism Branch at debbie.loffredo@dhs.state.nj.us. Visit njdrcc.org for updates to the training calendar. ▲

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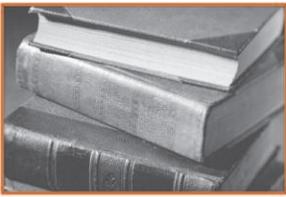
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Challenges to Specifications & Retired Police Officers as Administrators

By Edward Purcell, Esq.
NJLM Staff Attorney/Associate Counsel

Q I have a question regarding the Local Public Contracts Law (LPCL). Earlier this summer my municipality released both an RFP and specifications for public works vehicles. The bids were due by September 30. On that Monday, September 26, the municipality received a written challenge to the bid specification from a prospective bidder. The bidder brought up some issues with the specifications that the purchasing agent and municipal attorney had not thought of. The municipality's purchasing agent considered revising the specifications but chose not to because the revision could not comply with the notice requirement of seven days, as it is laid out in the LPCL. Was this the right result?

A Congratulations! You have come across one of the more frustrating snafus of New Jersey's LPCL. Here's the rub. The LPCL gives prospective bidders the ability to challenge specifications up until three days before the bid period closes. N.J.S.A. 40A:11-13(e). However, it also imposes a seven day notice requirement for any revision/addenda change. N.J.S.A. 40A:11-20. Therefore if a bidder waits until the last minute to suggest a legitimate revision through a written challenge, the municipality doesn't have enough time to change the specifications.

As an initial matter, it is important that purchasing agents and attorneys spend time crafting quality specifications. New Jersey courts have held that "bid specifications for public contracts shall be sufficiently full and explicit to notify prospective bidders of the kind and nature of the subject of the contract and set up a common standard of competition, in short, supply such information as will afford all bidders a fair and reasonable opportunity for competition and enable them to bid intelligently." *Sevell's Autobody Co. Inc. v. New Jersey Highway Authority*, 306 N.J. Super. 357, 364 (NJ. App. Div. 1997). In summary, bid specifications are the document which drives the bidding process and it is important to get them right.

In an effort to get specifications right the legislature amended the LPCL in 1999 to provide for prospective bidder challenges at N.J.S.A. 40A:11-13(e). As stated above a prospective bidder has up until three days before the end of the bidding period to submit written challenges to the municipality. If a vendor does not challenge a municipality's specifications, it will lack standing to challenge them in court. *Entech Corp. v. City of Newark*, 351 N.J. Super. 440,

459 (Law Div. 2002). Therefore, prospective bidders have a strong impetus to submit challenges whether they are legitimate or not.

There are a few options for the purchasing agent receiving a challenge. First, the agent could revise the specifications pursuant to the LPCL if the challenge brings up a legitimate issue with the specifications. Second, if the bid opening is within seven days and the challenge is legitimate, they could postpone the bid opening to revise the specifications. Any postponement must be pursuant to N.J.A.C. 5:34-9.3. Or third, they could proceed with the opening with the knowledge that the bid award may be subject to legal challenge in the superior court.

So, to answer your question, assuming that your municipality's specifications were not deficient, refusing to revise the specifications should have no negative legal consequence.

Q My municipality is looking to hire a new administrator. Ideally, we would like to hire one of our retiring police officers because she knows the municipality well and has excellent leadership skills. Is there a conflict of interest related to the municipality hiring her?

A New Jersey's Local Government Ethics Law endeavors to prevent the sort of conflicts of interest that undermine the public's trust in government. These conflicts focus on situations where an elected official, or individuals in their immediate family, would benefit from that official's action. The situation you outline, involving a retired police officer, would not present a conflict of interest.

However, there may be an issue regarding the Department of Treasury's regulations regarding retiree employment. If the retiree's retirement is not "bona fide" the Treasury can revoke it. "Bona fide" retirement is a very specific term of art which is defined at N.J.A.C. 17:1-17.14. Basically it states that an individual cannot retire from a public sector job if they intend on returning to work in the public sector. I would recommend discussing this issue with your municipal attorney before proceeding. ▲

This column is for informational purposes only, and is not intended as legal advice.



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Building Government Fiber Networks Makes Sense



By Joanne Hovis
President, CTC Technology
& Energy, Consultant to the
Jersey Access Group

Constructing next-generation fiber networks can lower services costs and potentially provide revenue for municipalities. Even without major federal funding, New Jersey municipalities have viable options for building the networks we will need to meet the needs of local government, non-profits and businesses.

The savings and revenue for municipalities can add up to significant dollars—potentially enough to justify financing the construction of fiber networks. This article can serve as a jumping off point for discussions among your governing body about the case for creating a network.

Capitalizing on Cost Savings Governments buy a lot of connectivity services. Typically, localities lease circuits from a telecommunications company—and often at rates that provide an extraordinary profit for the provider. Worse, the circuits are usually relatively low-bandwidth, because the retail costs of very high bandwidth services make those connections unaffordable.

A government fiber optic network can eliminate the ongoing cost of leasing circuits. These savings are easily quantified and can help to build the case for building a network. You can also deliver internet connections at much lower per-unit cost, because you can aggregate the needs of all your departments to more cost-effectively purchase commodity bandwidth.

There is also a case to be made for future savings. The savings generated by a government network will grow over time. The lowest estimates would value that growth in lockstep with the expected inflation rate of retail service prices. But in reality, the government network will deliver even more value because it can inexpensively scale to meet the jurisdiction's future needs for capacity (which are likely to grow exponentially) and connectivity (to additional sites)—which might be financially impossible using leased circuits.

Revenue Like a toll road waiting for traffic, a government-owned fiber network represents a potential source of revenue for the community. Projected cash flow generated by a government-owned network is not as certain as the avoided costs, but prudent business modeling can include scenarios ranging from best-case to worst.

Up-to-date fiber networks can lower a municipality's networking costs, now and in the future. In addition, a fiber network can potentially provide revenue to the community.

There are, in fact, three potential revenue streams in a fiber network; two are fairly traditional, and one is both new and potentially very lucrative.

The first revenue stream is a well-established aspect of network operations. The network can sell either dark fiber or lit services to non-governmental institutions, such as community colleges, schools, libraries, municipal utility facilities and other public places such as community media centers, non-profits, hospitals, clinics, community centers, senior centers and public housing. These institutions, referred to as community anchors, are likely to benefit from and support a government fiber network.

Community anchors are big buyers of connectivity services, and some of them, such as libraries, colleges and media centers, help to bridge the digital divide by providing internet access to residents who lack home broadband service. So, in addition to helping the network's balance sheet, the government's reasonably priced fiber network supports the needs of those institutions and the citizens they serve.

The second potential revenue stream derives from providing "middle-mile" capacity for private sector operators. This is a more speculative income source, but a growing body of evidence indicates that it is feasible given the proper market conditions. A formal Request for Information process would establish a sense of just how feasible those market conditions are in a given community.

Making middle-mile capacity available where it does not otherwise exist, and at a reasonable cost, reduces the barriers to investment for entrepreneurs and non-profits that want to build last-mile capacity. Those companies' lease arrangements would not only lead to meaningful revenues, but would also stimulate the extension of broadband service to members of the community that otherwise would not have it, or would not experience the benefits of competition.

Another significant potential revenue stream enabled by a government-owned fiber network hinges on a 2010 Federal Communications Commission (FCC) order that made non-regulated non-profit and public networks eligible for the E-rate subsidy under the Universal Service Fund.

The requirements for becoming an E-rate provider, including competing in a procurement process, are necessarily strict. But there is an enormous potential payoff for governments that become providers. By serving schools and libraries, local governments can reap the benefits of E-rate subsidies as high as 90 percent.

THE SAVINGS AND REVENUE FOR MUNICIPALITIES CAN ADD UP TO SIGNIFICANT DOLLARS—POTENTIALLY ENOUGH TO JUSTIFY FINANCING THE CONSTRUCTION OF FIBER NETWORKS.

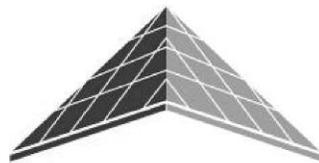
The new Healthcare Connect Fund offers similar subsidies (up to 65 percent) for networks that serve qualified health care providers such as community health centers, hospitals and local health departments. The program focuses on rural health care providers,

but encompasses urban or suburban providers that belong to a consortium with rural providers.

If your qualified schools, libraries or health care providers were to award your network a contract—meaning that your network provided the best service at the best price—you would have guaranteed revenues that are independent of your local government. This funding could cover your operating costs, and possibly even some of the debt service costs that you incurred to build the network.

The Multiplier Effect Both in terms of avoiding costs and increasing revenues, government-owned networks deliver an additional benefit. Whereas circuits leased from a large national provider go to a corporate entity, monthly fees paid to a government-owned network stay in the community. This money can then be spent on other services, and is multiplied when local network employees spend money at other local businesses.

The Jersey Access Group works with a number of consultants and advisors to provide information on communication issues that affect municipalities. Topics like this will be components for discussion at our annual conference, Eastern Region Communication and Technology Conference, May 7-9, 2014, Hyatt New Brunswick. For details visit www.powerofpartners.org. ▲



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Expiring Affordability Controls

Maintaining Affordable Housing in Our Municipalities



By David N. Kinsey, Principal, Kinsey & Hand Planning, Princeton & Edwin W. Schmierer, Esq., NJLM Associate Counsel; Director, Mason, Griffin & Pierson, PC.



The following white paper, the 19th paper in the series "Friends of Local Government" sponsored by the NJLM Educational Foundation, was published September 2013 as Volume 5, Number 3.

On June 18, 2013, the Affordable Housing Professionals of New Jersey (AHPNJ) held a day-long symposium, cosponsored by the New Jersey Chapter of the American Planning Association, on the issue of how municipalities can deal with expiring affordability controls. The AHPNJ is non-profit association formed to promote and enhance professionalism and knowledge in the field by supporting affordable housing through dialogue, ethical standards, education, advocacy and policy guidance. The AHPNJ represent a wide variety of administrative agents, property managers, state and municipal employees, nonprofit and for-profit corporations, financial institutions, planners and attorneys, all of whom are working to ensure that our affordable housing programs are working effectively.

The two articles in this paper are drawn from two presentations at the June 18 symposium. Many municipalities must deal with a number of affordable housing units with expiring deed restrictions in the upcoming years. The June 18 program provided housing professionals guidance on

potential planning strategies to assist municipalities. Any opinions expressed in any of the Friends of Local Government series are those of the authors and we believe that these papers provide some background and resources for municipalities going forward. Previous papers are on the Foundation's website at www.njlme.org.

Article One:

By David N. Kinsey

It is hard to believe that some affordable housing rental and ownership units are approaching the end of their 30 year deed restrictions. The first significant number of affordable housing units constructed by a municipality occurred in 1984 in the Township of Bedminster. The 260 affordable housing units constructed as a part of The Hills will have their 30 year deed restrictions begin to expire in 2014.

With the challenge to each municipality to continue to meet their Mount Laurel constitutional obligation, losing affordable housing units to expiring controls can be disastrous. Under the COAH substantive rules, within the various COAH regions, the cost to subsidize the production of an affordable housing unit depending upon region ranges from \$145,903.00 to \$182,859.00 (see N.J.A.C. 5:97-6.4(c)).

Municipal officials, therefore, should be vigilant and creative in efforts to maintain affordability controls on units which may have those controls expiring. If controls on an expiring unit are indeed extended beyond the original 30 year term, then that unit is considered a new unit for purposes of COAH credit. The COAH substantive regulations at N.J.A.C. 5:97-6.14 clearly states that a municipality may address a portion of their affordable housing obligation through the extension of controls if those controls are scheduled to expire before 2018.

To determine the technique which might be used in a given municipality, for affordable ownership units the governing documents for the community within which the units are located should be reviewed. Those legal documents would include the Declaration of Covenants, Conditions and Restrictions. The required deed restrictions under the given Municipal Affordable Housing Program also need to be reviewed as do the Recapture Mortgages and Recapture Mortgage Notes. In the community governing documents, care should be taken to locate the Affordable Housing Plan for the community. Ownership of the units in the community which are affordable should be subject not only to the municipal affordable housing regulations but also the specific regulations in the community governing documents.

After determining when and how many unit controls are likely to expire, then thought should be given to extending them. If extending the controls involves the expenditure of municipal funds, then funds available in the Municipal Affordable Housing Trust Account can be utilized. To do so, the municipality would have to include in its Spending Plan under the affordability category the authorization to expend funds to extend controls. Some municipalities have, for example, contacted the owners of affordable units with controls set to expire in the next several years and offered various affordability assistance if the controls were extended. That affordability assistance might take the form of a grant or loan to update various systems in the unit (new heater or hot water heater, installation of energy efficient windows, etc.). Some owners, who are in arrears on their condominium dues

have also been approached with an offer of a loan or grant to bring the dues current, provided they agree to a new deed restriction extending controls.

Care should also be taken to check the local municipal affordable housing Ordinance. A number of these Ordinances do provide a mechanism for the local governing body to extend controls. If that mechanism does exist, it should be used.

In terms of action items, each municipi-

pality should task its Municipal Housing Liaison with the responsibility for inventorying every deed-restricted affordable housing unit within the community. The legal documents associated with that unit, either ownership or rental should be carefully reviewed with the municipal attorney so that a determination can be made when the affordability controls expire so that the leadership of the community can affirmatively take steps to extend those controls.

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Article Two:

By Edwin W. Schmirerer, Esq.

Since Mount Laurel II in 1983 and creation of COAH, 65,000 new affordable housing units have been created and 15,000 substandard units rehabilitated, throughout New Jersey, restricted to low and moderate income households. Long-term affordability controls, in the form of deed restrictions and mortgage liens, insure that this housing, often developed at significant controversy and cost, remains affordable over time. But these controls eventually expire, typically after six to 30 years, depending on the type of housing, its sponsor, its financing, and public policy. As the end of the controls approaches, the units become at risk of converting to market-rate, unless the controls are extended. Meanwhile, the need for affordable housing persists.

These controls have begun to expire on post-Mount Laurel II affordable housing. This article aims to demystify the opportunities for extending expiring affordability controls, as well as steps to take to unwind controls that cannot be extended.

Expiring affordability controls, sometimes called "expiring use restrictions," is an important issue nationwide.¹ For example, rental affordable housing financed by federal Low Income Housing Tax Credits (LIHTC) initially required only a 15-year term of controls, later extended by Congress to 30 years, and now encouraged to be in effect for 45 years in New Jersey, but required to be 50 years and more in some states. To extend controls and preserve affordable housing, many states, including New Jersey, reserve some of their LIHTCs for preservation

projects that finance needed rehabilitation and extend controls.

The length in years and the conditions in affordability controls have evolved in New Jersey since the 1980s.² Before COAH existed, Mount Laurel trial courts and municipalities experimented in fashioning affordability controls. Then followed several waves of standardizing rules adopted by COAH, DCA, and NJHMFA. During COAH's First Round (1987-1993), the term was at least 20 years for both ownership and rental affordable housing. During COAH's Second Round (1993-1999), the term changed to a maximum of 30 years for both ownership and rental affordable housing.³ In 2004, NJHMFA, in cooperation with COAH and DCA, adopted uniform Housing Affordability Controls rules (UHAC) applicable to all three agencies, which prescribed controls for at least 30 years for both post-2004 ownership and rental housing.⁴

Options for extending controls also evolved.⁵ COAH's First Round rules required the first seller after the controls expired on ownership units to offer the unit at a restricted sales price to the municipality, DCA, or a non-profit, before either: (a) selling the unit to another income-qualified household at a restricted price, beginning a new 20 year controls period; or (b) exercising a repayment option when the unit was sold, with 95 percent of the difference between the restricted and market prices paid to the municipality to be used for affordable housing and 5 percent retained by the seller. Or, a municipality could simply extend the term of controls by resolution, even without notice to the homeowner. Controls on rental units lapsed upon expiration of controls. The 2004 UHAC rules changed

the recapture provision to the amount of subsidy that the buyer received at the time of the initial purchase of the unit. UHAC rules also, significantly, authorized municipalities to extend unilaterally the term of controls on both ownership and rental affordable housing, beyond the initial 30 years, by ordinance, essentially in perpetuity.

COAH's Third Round rules incentivized municipalities to take stock of their at-risk affordable units. COAH offered credits against post-1999 fair share housing obligations for existing post-1980 affordable units with controls scheduled to expire during 1999-2018 whose controls were extended by at least 30 years.⁶ This prompted municipalities to pursue both voluntary and involuntary approaches to extending controls in housing elements and fair share plans prepared in the 2000s. Approximately 35 municipalities that have petitioned COAH in its Third Round have proposed extending controls on an estimated 3,000 affordable units.

Under the voluntary approach, a municipality identifies eligible affordable ownership units with controls scheduled to expire, pays a willing homeowner (typically \$10,000 per unit), and records a new deed restriction that extends the controls for at least 30 years.

Under the involuntary approach, the municipality exercises its right, under standard COAH First or Second Round deed restrictions, to extend unilaterally controls on ownership units by merely adopting a resolution and recording the new deed restriction.

Both approaches have different financial, political, and practical considerations that should be weighed by a municipality before pursuing



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either option.

Extending controls on privately owned, pre-2004 multifamily rental affordable housing is more challenging, because the involuntary approach is not an option. Instead, municipalities must negotiate with private and nonprofit developer-owners and typically pay for extended terms.

When controls on rental units expire, municipalities, through their "administrative agent(s)," must carefully unwind the controls, paying close attention to the interests of both tenants and the rental property owners. For example, rents could double when controls are lifted, but income-qualified tenants could also remain as tenants, with their homes continuing to be affordable. Municipal tax assessors should also be involved, because as rental units become market-rate their value and proper assessment increase. Expiring affordability controls are a significant opportunity for municipalities to preserve needed affordable housing, but extending controls requires diligence, initiative, attention to detail, and sensitivity to the diverse interests

of homeowners, tenants, and rental property owners. Funds may also be required, which could be drawn from municipal affordable housing trust funds, provided extending controls is included in a municipal "spending plan" approved by COAH.

Unfortunately, without a statewide database of affordable units specifying their controls, if any, and their anticipated expiration dates, it is impossible to address this issue systematically.

COAH's offer of a second credit for extending controls on existing units prompted only some municipalities to extend controls. By contrast, California requires all municipalities to identify and analyze assisted housing units at risk of conversion to market rate over the next ten years and provide a plan for addressing those at risk over the next five years.⁷ Amending New Jersey's Municipal Land Use Law⁸ and the Fair Housing Act⁹ to require similar analyses and planning would focus more and systematic attention on the risks and opportunities of expiring controls.

This issue is a challenge, but a nice problem to have, a testament to the

production of 65,000 new affordable housing units in New Jersey under the Mount Laurel doctrine.

End Notes:

- 1 For an excellent discussion of this issue and experience, see Alan Mallach, "Preserving Affordable Housing" (Chapter 10), *A Decent Home: Planning, building, and Preserving Affordable Housing*. Chicago: Planners Press, 2009.
- 2 N.J.A.C. 5:92-12.1 et seq.
- 3 N.J.A.C. 5:93-9.1 et seq.
- 4 N.J.A.C. 5:80-26.1 et seq. The COAH Third Round rules (1999-2018) merely required compliance with and referenced UHAC; see N.J.A.C. 5:97-9.1.
- 5 This note merely highlights selected aspects of New Jersey affordability controls. The actual rules, recorded deed restrictions, and any applicable municipal ordinances must be consulted before analyzing the controls on any specific property with affordable housing.
- 6 N.J.A.C. 5:97-6.14. Initially adopted in 2004 at N.J.A.C. 5:94-4.16.
- 7 For the details of the required analysis and planning, part of the mandated housing element, see California Department of Housing and Community Development Housing Element, Identification and Analysis of Developments At-Risk of Conversion. www.hcd.ca.gov/hpd/housing_element2/EHN_atrisk.php—Requisite_Analysis
- 8 N.J.S.A. 40:55D-28.b.(3).
- 9 N.J.S.A. 52:27D-310. ▲

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Appellate Division Rules in Favor of Municipalities on "Base Salary"



By Joseph M. Hannon, Esq.
NJLM Labor Counsel;
Partner, Genova Burns Giantomasi & Webster

In this column, we previously updated the status of matters pending in the courts concerning the interpretation of what is meant by "base salary" under the recent health benefits reform legislation, specifically, P.L. 2010, c.2 (Chapter 2). A recent decision in *Paterson Police PBA Local 1, et. al. v. City of Paterson*, Docket no. A-1263-11T1, provided a ruling on this definition which defines what is included in "base salary" in a way which is very favorable to municipalities.

To review, Chapter 2, as part of health benefits reform in the State of New Jersey, provided that "...employees of an employer shall pay 1.5 percent of base salary, through the withholding of the contribution from the pay, salary or other compensation, for health benefits coverage..." Shortly thereafter, in June 2011, the Legislature enacted Chapter 78 which provided that all employees contribute to their health benefits based on percentage of cost of coverage, but such contribution could not be less than the 1.5 percent of base salary under Chapter 2. Therefore, the meaning of 1.5 percent of base salary affects both pieces of health reform legislation.

In *Paterson*, the matter proceeded to interest arbitration in which the arbitrator awarded that the police officers "shall make contributions toward health insurance coverage in the amount of 1.5 percent of base salary." The basis of this award was to be consistent with the legislative mandate in Chapter 2. A dispute ensued between the parties regarding what is included in "base salary." The PBA argued that base salary simply meant the base contractual salary, i.e. the salary provided pursuant to the salary guide in the parties' collective negotiations agreement. The city argued for a more expansive definition under the law. The city reasoned that base salary meant the employee's base pensionable salary. This included the base salary wages pursuant to the salary guide as well as longevity, educational incentives, and night and detective differentials. These are all pensionable items.

The city withheld 1.5 percent of each PBA members' pensionable salary under its interpretation. This withholding

was challenged by the PBA. The matter was litigated in the Law Division and ultimately came before the Appellate Division. A three judge panel issued its decision on November 27, 2013 upholding the city's interpretation. In so doing, the Appellate Division went through the following analysis.

First, the Appellate Division noted that "base salary" is not defined in Chapter 2. Moreover, "base salary" is not defined in any administrative regulation interpreting the statute. As is part of any statutory interpretation case, if the statute does not expressly speak on the issue, the court has to examine extrinsic evidence. The Appellate Division undertook this analysis. The court recognized that the legislation "was part of a comprehensive legislative effort to control costs."

Although not accorded the same weight as an administrative regulation, the Division of Local Government Services (DLGS) issued an FAQ which advised that base salary on which the 1.5 percent contribution is calculated is the "salary on which pension contribution...is based." Subsequent to the DLGS' issuance of the FAQ defining base salary, the New Jersey Legislature passed the Interest Arbitration Reform Act. The Legislature defined "base salary" in similar terms as to how it was defined by the DLGS. The fact that the Legislature enacted the Interest Arbitration Reform Act after the

guidelines issued by the DLGS without changing the definition of base salary was evidence that the DLGS' interpretation was the appropriate interpretation.

The Appellate Division's decision is an important victory for municipalities. By including longevity and other pensionable items into the definition of "base salary" it provides municipalities the necessary and intended relief of the health benefits reform legislation in assisting with ever-increasing health benefit costs. It also prevents potential headaches that may have occurred in recalculating contributions if the *Paterson* decision went the other way. As important, a clear definition of "base salary" will help guide all parties on this very significant issue.

Please continue to track this issue and consult your legal counsel for any further developments in this area. ▲

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Mitigation Efforts Paid Off for Restaurateurs



By Eileen Moon
Assistant External Affairs Officer,
Lincroft Joint Field Office,
Federal Emergency Management

One month after Superstorm Sandy, Dan Shields and his business partner, Robert Higgins, were thanking their lucky stars.

Their waterfront restaurant, Windansea in Highlands, withstood the raging tides and winds of Sandy with only relatively minor damage.

The rest of the buildings in Highlands were not so fortunate. Dozens of homes and businesses in the low-lying sections of the borough were flooded. Debris littered the streets, and a mobile home park on the north side of the borough was in shambles.

As the water receded in the business district, store owners had to reckon with the physical destruction of their businesses and the loss of their livelihoods.

Many of Shields' and Higgins' fellow restaurateurs were essentially put out of business by the storm.

What saved Windansea?

The borough's new building code that required properties in flood zones to comply with tough new Federal Emergency Management standards. "We had to stick to 'V' zone construction," said Shields, referring to the strictest

standards for properties located in high-risk flood zones. "I felt like we were the poster child for FEMA."

When the business partners bought the restaurant in 2000 for \$690,000, they planned to invest approximately \$300,000 in renovating the restaurant (formerly known as Branin's Wharf). But as work on the building progressed, hidden problems surfaced.

WINDANSEA WAS ABLE TO RE-OPEN LESS THAN THREE WEEKS AFTER THE STORM.

"It was just a terrible, terrible building," Shields noted. Ultimately, more than half of the building had to be demolished. One day, as they worked on the restaurant, officials from FEMA and the borough drove up and told them to stop work. "You've got to do it our way," they told the partners.



The Windansea restaurant in Atlantic Highlands withstood the flood tides and winds of Hurricane Sandy with minimal damage. Its owners credit strict renovation requirements imposed by FEMA prior to the storm with making it possible for them to quickly reopen the restaurant. Rosanna Arias/FEMA



The Windansea Restaurant was able to reopen quickly after the storm thanks to mitigation measures taken prior to Sandy, which helped the restaurant avoid extensive storm damage. Rosanna Arias/FEMA

The structure would have to be rebuilt in compliance with FEMA standards for "V" zone construction, the strictest standard that applies to properties at high risk of flooding.

To put it mildly, the men were not happy. Their shoestring budget wouldn't cover the extensive construction that the town demanded. "It was a completely different animal from buying a little restaurant and (fixing it up)," Shields said.

Making the bayfront building flood-resistant required driving 80 pilings that measured 12 inches in diameter into the ground to a depth of 30 to 40 feet, reinforcing the roof and walls with steel rods and connecting the elements of the entire structure with steel plates and structural steel to hold the floor to the walls.

The project took a year longer than anticipated and cost over \$1 million more than originally budgeted.

"I felt like I was victimized," Shields told the *Asbury Park Press* a few weeks after the storm, "like FEMA was trying to prove a point, trying to flex their muscles and trying to take it out on a little guy like me."

He doesn't feel that way anymore.

Though the building sustained some damage to its first floor lobbies and outdoor Tiki bar, Windansea was able to reopen less than three weeks after the storm. "There was not a crack in the

sheetrock, not a thing out of place."

This article is part of FEMA's One Year Later series, which examines the ways in which New Jersey's private sector got down to business to aid in the recovery process.

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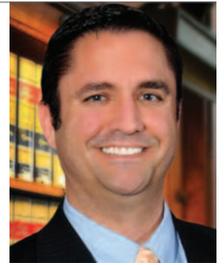
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The Written and Unwritten Rules of Post Retirement Employment



By Francis J. Ballak, Esq.
Goldenberg, Mackler,
Sayegh, Mintz, Pfeffer,
Bonchi & Gill, P.C.

This article is based on an earlier one that appeared in the Fall Issue of The Criterion, a publication of the Tax Collectors and Treasurers Association.

If you are considering working in a public position after you retire—or hiring a retiree to work in your municipality—you need to understand the requirements and limitations on post retirement employment under PERS. Otherwise, the employee may face penalties.

For example, the retiree could receive a determination letter from the Division of Pensions and Benefits, which administers the Public Employees Retirement System (PERS), sometimes several years later, demanding the

return of all pension monies earned since retirement and the employee may be required to reenroll into the system.

Most full-time employees will one day face the decision of whether to retire from the workforce completely or simply reduce the number of hours they are working. Many career public servants are presented with the option of working part-time for a municipality. Often this offer comes during the transition period, when the veteran employee trains their replacement.

Regardless of the reason for working after retirement, if you are considering working in a PERS covered position after retirement, you should make sure you have reviewed the most recent publications by the Division of Pensions



Many career public servants are presented with the option of working part-time for a municipality. Often this offer comes during the transition period, when the veteran employee trains their replacement. However, both the municipality and employee must take care to abide by PERS rules concerning post retirement employment.

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and Benefits, including the "Member Handbook" and the "Fact Sheets." The Member Handbook is available online but, the Fact Sheets which relate to employment after retirement are currently unavailable online, as they are being revised.

After reviewing the division's publications, the employee and prospective employer should check to see how the employment will impact the retirement pension. If there is any doubt, then the employer should check with the Division of Pensions and Benefits prior to the start of employment. It is also advisable to obtain confirmation in writing before returning to employment.

Previously, covered employees were told and believed that as long as they took a 30-day break from employment and then made less than \$15,000, they were fine for returning to work. However, the rules have since changed. For at least the past two years the Division of Pensions and Benefits has been increasingly looking at the retirement event to review if there was a bona fide retirement or not. The Division of Pensions and Benefits will look to see if the retiree has made a good faith action to retire and if the retiree completely severed the employer-employee relationship.

The Division of Pensions and Benefits is now indicating that if there is an arrangement to return to work after retirement, then the employer-employee relationship has not been completely severed and therefore was not a bona fide retirement. Additionally, returning to the same or a similar position as a regular employee, contract employee, leased employee, or as an independent contractor can result in a determination that the employer-employee relationship was not completely severed and therefore the retirement was invalid. It is no longer enough to simply retire, wait the required amount of time before returning and then earn less than the \$15,000 cap. While a retiree must still have a break in service (now 180 days) and cannot earn more than \$15,000, the Division of Pensions and Benefits is shifting its focus of review to target the intent of the employee at the time of retirement.

As of this moment, the Courts have not heard and decided a case in which a retiree stopped working, met the

required break in service and then returned to work earning less than the cap, and yet has received a determination letter from the Division of Pensions and Benefits on the basis that the employee had pre-arranged the return to work.

**UNFORTUNATELY,
MANY RETIREES WHO
SIMPLY WANTED TO
SLOW DOWN, AND WERE
NOT TRYING TO GAME
THE SYSTEM, HAVE
RECEIVED DETERMINATION
LETTERS FROM THE
DIVISION OF PENSIONS
AND BENEFITS.**

In 2012 changes in the New Jersey Administrative Code went into effect, which define "bona fide severance from employment" as a complete termination of the employee's employment relationship with the employer for at least 180 days. Situations which do not constitute a complete severance of the employment relationship are provided, including the reemployment in a part-time position; reemployment in a position not covered by the defined benefit plan; a change in title; reemployment as a contract employee, leased employee, or an independent contractor; or termination of employment with pre-arranged agreement for reemployment. It is expected that when the revised fact sheets for employment after retirement are issued by the Division of Pensions and Benefits, they will reference the above definition of bona fide severance from employment and indicate the requirement of a break in service of at least 180 days.

Unfortunately, many retirees who simply wanted to slow down and were

not trying to game the system have received determination letters from the Division of Pensions and Benefits for various stated reasons. Sometimes the retiree failed to wait for 30 days after approval of their retirement by the Division of Pensions and Benefits (relying on the assumption the 30 days requirement began to run following their last day of service). The Division of Pensions and Benefits, however, considers the 30 days to run from either the last day of service or when the retirement is approved by the Board, whichever is later.

For those retirees who receive a determination letter from the Division of Pensions and Benefits and can show that their actions were not done in an effort to game the system or double dip, the division has been partly receptive to reducing the amount of money they require the employee to refund. However, based on existing cases, the Division of Pensions and Benefits believes that even in those situations, the appropriate remedy is for the retiree to forfeit all income which was received post-retirement in the public position. While this amount is usually much less than the initial amount sought, the amounts can still be very significant to the retiree on a fixed income. Sometimes the notice of determination from the Division of Pensions and Benefits comes many years after the retirement. When this remedy is taken together with the fact that the retiree must leave the position and perhaps find replacement employment in order to pay the refund, the impact on the retiree can be dire.

Unfortunately, with the changes taking place, the Division of Pensions and Benefits has not provided for exceptions permitting the retirement of a full time employee with a plan or agreement to return as a part time employee. Under the current rules, the employee would have to remain enrolled in the system as an active employee.

In order to be completely safe and avoid any risk of receiving a determination letter from the Division of Pensions and Benefits, a retiree should not work in a PERS-covered position post retirement. For those who may consider returning to employment part-time in a PERS covered position, make sure you follow the rules and do your homework. ▲

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State Supreme Court to Review Negotiability of Layoff Issues



By Jonathan F. Cohen, Esq.,
Associate
& James L. Plosia Jr., Esq.,
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In a landmark ruling, the Appellate Division issued a decision in favor of three municipalities—Belmar, Keyport and Mount Laurel. In so doing, the Court overturned the Public Employment Relations Commission (PERC) decisions which found those municipalities committed unfair practices by implementing cost saving personnel measures short of permanent layoffs, without first negotiating those decisions with affected employees' union representatives. On November 18, 2013, the New Jersey Supreme Court granted the unions' Petition for Certification, and will now review the Appellate Division's decision.

During the 1990s and the first decade of the 21st Century, the case law was clear that local entities could implement Civil Service layoffs through departmental closures, but not through staggered layoffs (i.e. leaving a department open, while temporarily laying off individual employees). Under this case law, only the impact of the decision to shut down a department for one or more day would need to be negotiated with affected unions. By late 2009, many municipalities and other Civil Service employers had submitted layoff plans to the Civil Service Commission, without first negotiating the decision with affected unions, consistent with then-controlling case law.



The Supreme Court has decided to hear a case that will decide whether municipalities have right to furlough and/or demote employees without first obtaining agreement from unions.

The conventional wisdom at the time for Civil Service employers was to avoid staggered furlough plans, as well as those exempting certain employees for public safety/welfare, and to implement plans approved as departmental shutdowns and/or demotional layoffs (reducing employee hours) based upon the precedent from the early to mid-1990s. Although

implementing the layoff plan, the borough engaged in substantive discussions with the affected union and discussed the proposed plan with the union. On May 22, 2009, the Civil Service Commission approved the Borough's layoff plan, and the demotion/reduction in hours of the three affected clerical employees was implemented on September 14, 2009. On an

the decision.

In the Belmar case, the borough submitted and received approval for a layoff plan from the Civil Service Commission in which its entire Department of Public Works (DPW), including supervisory and non-union employees, would be shut down on ten separate Fridays between October and December 31, 2009. Rather than appeal the decision as one of bad faith to the Civil Service Commission, the union representing the majority of affected employees, the CWA, filed nearly contemporaneously a contractual grievance and an unfair labor practice charge with PERC. The CWA and borough cross-moved for Summary Judgment on the issue of negotiability of the decision to implement the temporary layoff plan, and also, as instructed by PERC, included in its cross-motions a request for deferral to arbitration. Summary judgment was granted by PERC in favor of the CWA, as the Commission held that "temporary layoffs" was another name for reduction in hours, and insinuated strongly that only permanent layoffs are per se non-negotiable managerial prerogatives.

Contemporaneous with its decision in Belmar, PERC held that Mount Laurel was also required under the Act to negotiate with its affected unions prior to implementing a departmental shutdown plan that provided for

ALTHOUGH MANY CIVIL SERVICE JURISDICTIONS IMPLEMENTED NON-NEGOTIATED FURLOUGH AND DEMOTIONAL/REDUCTION IN HOURS LAYOFF PLANS WITHOUT INCIDENT, THREE NOT-SO-LUCKY MUNICIPALITIES FOUND THEMSELVES IN PERC'S CROSSHAIRS FOR SO DOING.

many Civil Service jurisdictions implemented non-negotiated furlough and demotional/reduction in hours layoff plans without incident, three not-so-lucky municipalities found themselves in PERC's crosshairs for so doing.

In September and October of 2010, the Public Employment Relations Commission selected three cases to announce an agency position that temporary layoffs (sometimes designated as furloughs) and reduction-in-hour demotions in order to meet budgetary shortfalls could not be done unilaterally. According to PERC in Keyport, Belmar and Mount Laurel, negotiation must take place and affected unions must agree before such action can legally be implemented. PERC recognized, however, an employer's right to unilaterally layoff employees as permanent reductions in force to correct budget deficits. Belmar and Mount Laurel challenged that ruling as it related to temporary layoffs/furloughs, and Keyport challenged the exercise of its managerial prerogatives to reduce hours through demotions.

In Keyport, the Borough was faced with a preliminary budget that significantly exceeded the 4 percent tax levy cap imposed by controlling state law at the time. Consequently, the borough decided to convert certain full-time positions within its construction office into part-time positions. Prior to

interim relief application, the hearing officer ruled in favor of the borough's decision to unilaterally demote the employees and reduce their hours. The Commission disagreed with a hearing officer's ruling on interim relief. Thus, PERC held, Keyport's decision to demote certain employees by reducing them from full—to part-time was a mandatory subject of negotiation, and Keyport committed an unfair practice by failing to negotiate



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shutdowns one day per month for eight consecutive months. PERC held that:

[the] Township has not produced any evidence that it is without alternatives to achieve the same savings without furloughing its employees nor has it shown that any operations or programs would be hindered if it had to layoff employees to achieve the same budgetary savings instead of implementing the temporary layoffs.

On or about March 17, 2011, the Appellate Division granted the Borough of Belmar's Motion to consolidate the appeals of Keyport, Belmar and Mt. Laurel. Oral argument was held, with appearances and amicus briefs filed by the League of Municipalities, among other interested parties. In its precedential decision, the Appellate Division held that none of the three municipalities had any obligation to negotiate the decisions to implement their temporary and/or demotional layoffs. The Appellate Division rested its findings on two grounds: (1) the Civil Service layoff

statute and regulations preempt negotiations; and (2) government policy goals outweigh the interest of the employees in the terms and conditions of employment.

The Supreme Court's ultimate decision as to whether the Appellate Division was correct in its rulings will have significant ramifications for municipalities and other public sector employers. If the Appellate Division's finding that the Civil Service layoff statute and regulations preempt negotiations is affirmed, any jurisdiction that obtains the approval of the Civil Service Commission for a layoff plan will not be required to negotiate the decision to conduct the layoff. The jurisdiction would still, however, be required to negotiate impact issues such as payroll, dates of implementation, effect on health insurance, etc. Non-civil service public employers will also be affected. The Appellate Division's determination that governmental policy goals outweighed employee interests in temporary layoffs and demotions would seem to apply equally to both Civil Service and non-

Civil Service jurisdictions. Both must face the same fiscal realities, and make determinations based thereon. Because all three of the jurisdictions involved in this case are Civil Service, however, the Supreme Court may limit its ruling as to the negotiability of temporary layoffs and demotions to Civil Service jurisdictions.

In these difficult financial times, municipalities may have found solace in the Appellate Division's decision that governmental entities should be afforded latitude to take cost-saving measures without permanent elimination of jobs. This outcome was good for municipalities, as well as the municipal workers who may have to sacrifice in the short run, but will ultimately keep their jobs. Municipalities should keep a close eye on the New Jersey Supreme Court, and what action it will take in either affirming or overruling the Appellate Division in this case. ▲

Jonathan F. Cohen, Esq. and James L. Plosia Jr., Esq. were the attorneys for Belmar in the case described in this article.

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Megan's Law

Local Official Confidentiality Requirements



By Amanda E. Nini, Esq.
Mason, Griffin & Pierson, P.C.



Chapter 7 of the New Jersey Criminal Code, commonly known as “Megan’s Law,” recognizes the danger of recidivism posed by sex offenders living in our communities. Therefore, an important provision of Megan’s Law is the creation and implementation of a system that permits law enforcement officials to identify and alert the public of the presence of certain sex offenders who are required to register under Megan’s Law. Certain notification procedures promulgated under Megan’s Law, however, may create difficulties for elected municipal officials due to the confidential nature of the notification procedures. This article examines these confidential notification procedures and the potential difficulties they create for municipal officials.

The registration system created under Megan’s Law is based on an evaluative process whereby each registrant is classified as either Tier I, Tier II, or Tier III based on the risk that the registrant will reoffend. At one end of the registration spectrum, Tier I registrants are considered low risk while, on the other end of the spectrum, Tier III registrants are considered high risk with a high potential to reoffend. The evaluative process to determine the registrant’s risk for reoffending and subsequent tier classification is conducted by the County Prosecutor’s Office before a judge of the Superior Court of New Jersey. The registrant’s tier classification, as determined by the prosecutor, judge, and counsel for the registrant, then determines the scope of public notification.

All of the notification procedures, whether Tier I, Tier II, or Tier III, are governed by the *Attorney General Guidelines for Law Enforcement Registration and Community Notification Laws*. Among other forms of notification, Tier III notification is comprised of police officers going door-to-door to notify individuals of the presence of Tier III registrants in the surrounding community. This type of notification is limited

If an elected official receives an inquiry about the occurrence of a Tier III notification he can only advise the individual that he is not entitled to receive such information and that the individual should contact the Megan’s Law Unit of the local County Prosecutor’s Office to obtain more information.

geographically to individuals who are likely to encounter the registrant. This includes, but is not limited to, individuals living within a certain geographic area of the registrant's residence, and schools and institutions within a certain distance of the registrant's residence and work. Specifically, individuals who are notified receive a notification flyer, which includes specific information about the registrant, the *Megan's Law Rules of Conduct*, and the *Megan's Law Receipt Form*.

Together, the notification flyer, *Megan's Law Rules of Conduct*, and *Megan's Law Receipt Form* inform the recipient that the information contained within the notification flyer is

being implemented in their municipality. Individuals outside of the geographic area may hear that there is a notification occurring and, as a result, contact their elected officials to find out. Local elected officials would be unaware that a notification is occurring, unless they happen to live within the geographic area that is subject to the notification. Even if an elected official does live within the notification area, however, he would be bound by the *Megan's Law Rules of Conduct* and unable to confirm that a Tier III notification was occurring. Moreover, the elected official would not be able to confirm that a notification was occurring by contacting the police department,

information regarding Megan's Law, including the sex offender internet registry. In this way, the elected official can provide the individual with additional information about the notification process and direct them to the proper law enforcement officials without compromising the confidentiality of the notification procedure. ▲

EVEN IF AN ELECTED OFFICIAL LIVES WITHIN THE NOTIFICATION AREA, HE OR SHE WOULD BE BOUND BY THE MEGAN'S LAW RULES OF CONDUCT AND UNABLE TO CONFIRM THAT A TIER III NOTIFICATION WAS OCCURRING.

confidential and cannot be disseminated to any individual outside of the immediate household. Additionally, the police officers performing the door-to-door notification are subject to the *Law Enforcement Guidelines for Community Notification* and are instructed that, if asked about the notification activities, they may not confirm or deny that there is a notification in progress or that one has been conducted in any location. Rather, police officers are instructed to direct any inquiries to the Megan's Law Unit of the local County Prosecutor's Office. As a result, this notification procedure is highly confidential and narrowly tailored to only notify individuals within the certain geographic area.

In some instances, this level of confidentiality has created problems for elected officials who are unaware that there is a Tier III notification

because law enforcement officials are bound by the *Law Enforcement Guidelines for Community Notification* and are prohibited from confirming or denying that a notification is occurring. This leaves the elected official with the inability to answer the individual's concerns and questions because, under Megan's Law, elected officials are not entitled to be specifically advised if a Tier III notification is occurring.

Therefore, if an elected official receives an inquiry about the occurrence of a Tier III notification he can only advise the individual that he is not entitled to receive such information and that the individual should contact the Megan's Law Unit of the local County Prosecutor's Office to obtain more information. Individuals may also be directed to the New Jersey State Police website, www.NJSP.org, which contains a large amount of

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The League's Mayors Hall of Fame



Philip J. Guenther and J. Christian Bollwage were inducted to the Gold Level of the Mayors' Hall of Fame. Each has served as mayor for over 20 years.



New members of Mayors' Hall of Fame Silver Level pose with League President Janice S. Mironov, who is also recognized at the Silver Level, following their induction at the League Conference.

At the 98th Annual New Jersey State League of Municipalities Conference in Atlantic City, then League President Janice S. Mironov 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 obviously made a long-term 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 difference," said League Executive Director Bill Dressel. "They deserve to be recognized."

The members of the League's 19th Annual Hall of Fame were honored during a special ceremony during the Mayor's Box Luncheon on Wednesday, November 20 in Atlantic City. ▲

2013 Mayors Hall of Fame

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Elizabeth City **Honorable J. Christian Bollwage**

SILVER Level 10+ Years

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Fanwood Borough **Honorable Colleen Mahr**

Lopatcong Township **Honorable Douglas J. Steinhardt**

Mansfield Township (Burlington) **Honorable Arthur R. Puglia**

Ridgefield Borough **Honorable Anthony R. Suarez**

NJLM Approves 17 Resolutions

On November 21, 17 resolutions articulating new legislative and policy priorities for the League of Municipalities were adopted at the League’s Annual Business meeting held during the 98th Annual Conference. In addition, League Resolution 2009-03, which calls for the ability of municipalities to opt-out of Civil Service, was reaffirmed.

On Tuesday, November 19, the League Resolutions Committee screened the resolutions and made its recommendations. The Committee, chaired by League 1st Vice President Suzanne Walters, Mayor of Stone Harbor, screened eighteen resolutions, recommending seventeen and holding one at the request of the sponsors.

Below is a summary of the resolutions. To see the full text of each, visit njslom.org.

League staff will be working with the sponsors of the resolutions to line up legislative sponsors and taking other steps to promote the implementation of these resolutions. ▲



League 1st Vice President Suzanne M. Walters, Mayor of Stone Harbor, chairs the meeting of the NJLM Resolutions Committee.

Resolution No. 2013-01	Support for Community Development Block Grants
Resolution No. 2013-02	Welcoming the 2014 Special Olympics National Games and All Special Olympics Athletes and Volunteers to New Jersey
Resolution No. 2013-03	Regarding the Employment Status of Municipal Prosecutors
Resolution No. 2013-04	Deterring scrap metal theft
Resolution No. 2013-05	Calling for a New Jersey Department of Environmental Protection “Special Legislative Review Committee”
Resolution No. 2013-06	Defending the Tax Exemption on Municipal Bonds
Resolution No. 2013-07	Supporting Reinstatement of Full Open Space Pilot
Resolution No. 2013-08	In Support of a National Women’s History Museum
Resolution No. 2013-09	Calling for Adequate Funding for Special Needs Children Transferring from One School District to Another
Resolution No. 2013-11	Resolution Recommending Amendments to the Biggert-Waters Flood Insurance Reform Act of 2012
Resolution No. 2013-12	Resolution Calling for the Release of a Portion of the Hardest Hit Funds for use in The ReStart Neighborhood Stabilization Program for New Jersey Municipalities
Resolution No. 2013-13	Concerning Protest Rights
Resolution No. 2013-14	Regarding the Municipal Disposition of Vehicles
Resolution No. 2013-15	Calling for the immediate and ongoing need for Substantial Investments in our Infrastructure
Resolution No. 2013-16	Requesting Relief for Municipalities from Onerous New Jersey Department of Environmental Protection Permit Fees
Resolution No. 2013-17	Resolution Calling for Reforms to End Workers’ Compensation Abuse
Resolution No. 2013-18	In Appreciation of League President Janice S. Mironov, Mayor of East Windsor Township

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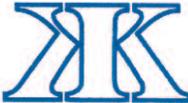
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By Taran B. Samhammer
Bureau Services & Research Coordinator,
Bureau of Municipal Information

In order to centralize processes and provide quicker and more efficient results, **Jersey City** has restructured and renamed its Mayor's Action Bureau as the Resident Response Center. Open from 8 am to 8 pm Monday through Friday, the center serves as the city's central constituent services office. Residents can resolve everything from potholes to parking problems by contacting this office. Staff will be trained to handle a higher volume of calls and taught how to prioritize matters. Each staff member will be assigned to a specific ward and each complaint will be tracked to completion. The city also created a 311 call center and plans to add a mobile app, so that residents may report complaints via their smartphones.



In other **Jersey City** news, the city passed an ordinance mandating paid sick time that will take effect on January 24, 2014. The measure is designed to bolster the economy and to prevent workers from reporting for work when sick because they fear losing their jobs or income. The ordinance requires businesses that employ ten or more workers to provide one hour of sick time for every 30 hours worked, up to 40 hours or five days annually.



Flemington approved a resolution authorizing \$35,050 to purchase and install a generator at its police headquarters. In case of a power outage, their Office of Emergency Management will set up headquarters in the police building. In the aftermath of Superstorm Sandy, the borough was forced to operate out of a neighboring municipality's facility; the new generator will avoid such a scenario in the future.



In 2013 **Montclair** and **Princeton** joined **Hoboken**, **Ocean City** and **West Windsor** on the League of American Bicyclists' list of Bicycle Friendly Communities. This program encourages municipalities to provide a safe environment for cycling and inspires residents to use bikes for both transportation and recreation. Increasing the use of bikes increases public health, reduces traffic and improves air quality. Communities are recognized for providing cyclists with bike trails and lanes and for holding events that promote bicycling. Designated communities receive a certificate, digital award seal and two Bicycle Friendly Community road signs.

Carteret launched its new mobile app, "MyCarteret" this

past October. Residents can use the app to report issues directly to the borough and to track the results of their request. When a photo is sent with a GPS-enabled phone, the Borough will know the exact coordinates of where the photo was taken. This will make it easier for staff to locate the problem. After downloading the app, residents may report a variety of problems, including traffic light issues, potholes or a missed street sweeping.



Camden County has strengthened its police presence by approving a contract with a private firm to supplement its police force. The firm will provide "public safety ambassadors" to patrol streets. The ambassadors, who will handle routine tasks such as verifying alarms, will wear fluorescent vests to make them easily identifiable. This will allow police officers to focus on neighborhoods and other duties. The county plans to hire up to 100 ambassadors, who will be in constant contact with police officers. This program is similar to one implemented in Philadelphia.



Events

January 11 . . . Orientation for Newly Elected, Re-Elected, or Experienced Municipal Officials; Renaissance Meadowlands Hotel; Rutherford

January 25 . . . Orientation for Newly Elected, Re-Elected, or Experienced Municipal Officials; Sheraton; Eatontown

Feb 5 22nd Annual Mayors Legislative Day; Statehouse Annex, Trenton

Feb 28 Quick Review of Budget Updates Webinar; Online Program

Visit njslom.org/seminars for changes and updates.
For more information on seminars, contact Danielle Holland-Htut at dholland@njslom.org or (609) 695-3481, Ext. 118.



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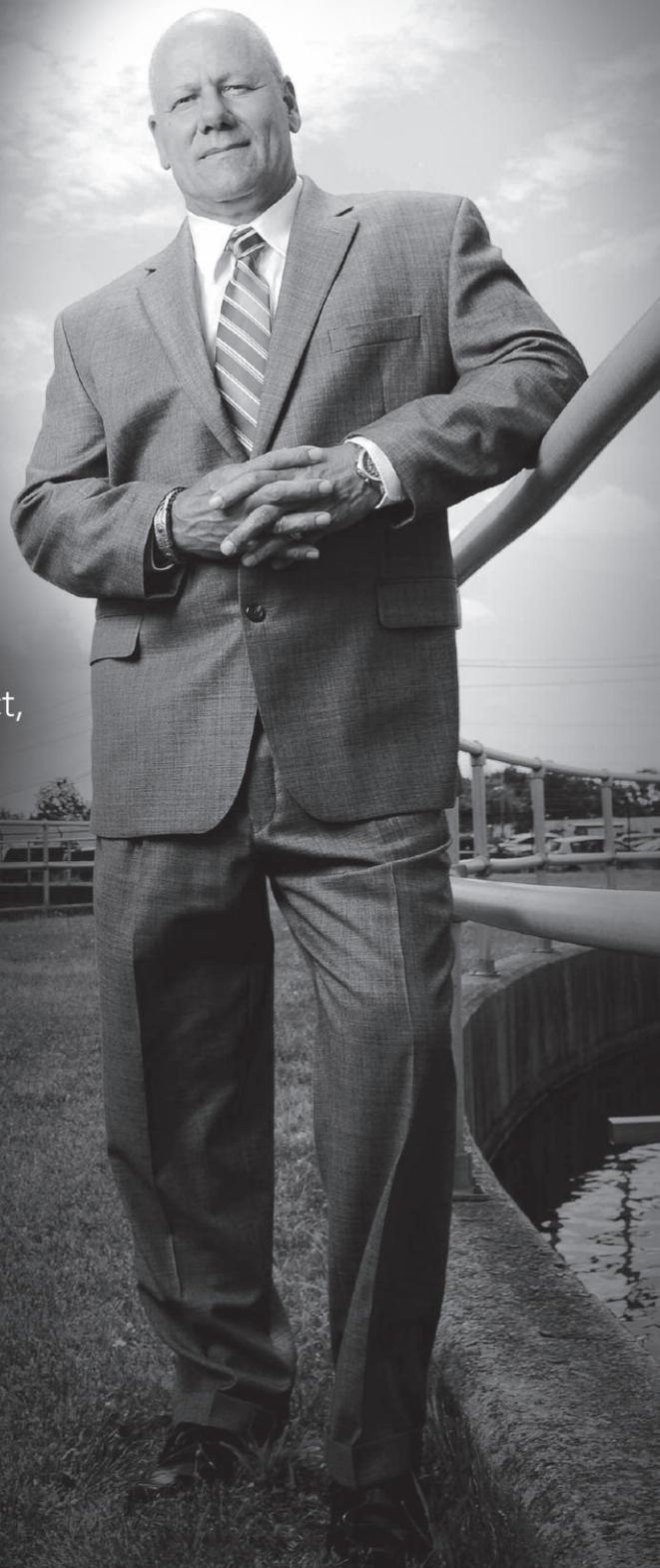
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