

nj municipalities

Official Publication of the New Jersey State League of Municipalities

May 2018

Growing Green

Clifton Celebrates Tree Achievements

Brigantine Beach Preservation

NJDEP Launches Recycling Coach



Recycling & Waste Management

Focus:



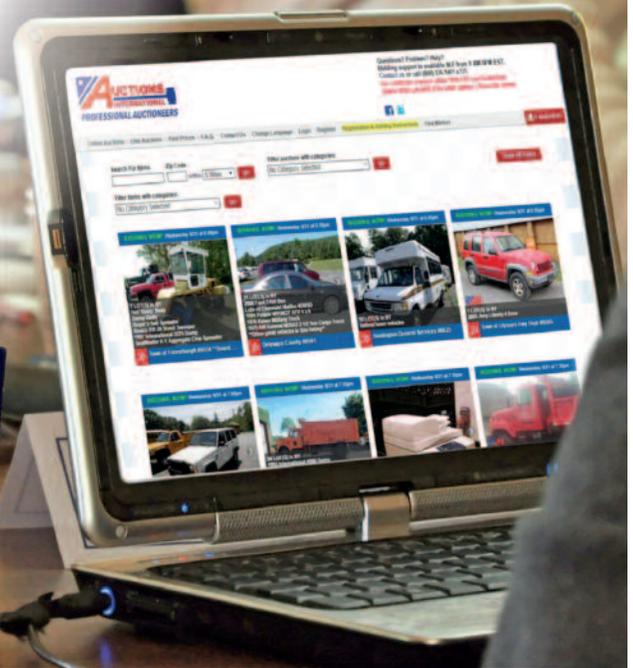
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New Jersey Municipalities Magazine

Volume 95 | Issue 5

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“As you’re continuing to do your local Spring Cleanup, take a moment to see how the League has cleaned up its website, www.njslom.org. The newly reformatted, redesigned website has changes that were made with you in mind.”

The League continues to be busy on your behalf, working to enunciate the municipal perspective during the state budget process. League President Mayor James Cassella, East Rutherford, testified on the State budget committee hearings held during April in Glassboro and Trenton.

You can find his testimony at the League’s website, and in this issue of the magazine.

This followed a meeting between League leadership and the Governor’s office to explain in detail municipal concerns with energy tax receipt funding issues, PFRS pension system proposals, the expiration of the cap on arbitration awards, and how the League can be a resource for the proposed shared services czar.

In *NJ Municipalities* this month, you will find articles that that will help with your community’s spring cleanup. Read about the latest in areas such as recycling, waste collection, and litter abatement. You can even learn about how drones are being used to conduct

litter surveys, as well as how to become a recycling coach.

As you’re continuing to do your local Spring Cleanup, take a moment to see how the League has cleaned up its website, www.njslom.org. The newly reformatted, redesigned website has changes that were made with you in mind.

- Research with the simple search function
- Enjoy better coordination among pages
- Utilize easy-to-locate navigation buttons.

You can also sign up for customized alerts on topics that are especially important to you.

I urge you to take a look at the newly designed website and send us your feedback.

And last, but not least, be ready June 1. That’s the traditional day when housing reservations open for the Annual League Conference. There is already a preliminary Conference schedule posted on the website. 📌

Michael Darcy

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New Jersey DEP Purchases Recycle Coach

Adds platform for statewide recycling education and promotion

By Scott Brubaker, Deputy Director, New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste

The New Jersey Department of Environmental Protection has purchased the Recycle Coach online platform package to make information on recycling simple, clear, and accessible across the full range of smart devices to improve recycling rates throughout the state. Recycle Coach is now available to every New Jersey county, municipality, and resident at no charge.

Recycle Coach is currently contacting New Jersey municipalities to assist in uploading the system on websites and loading local information, such as materials recycled, recycling and waste pick-up days, pick-up schedule changes, electronic waste and household hazardous waste events, and where to recycle those hard-to-recycle items. Please encourage your recycling coordinator and other appropriate local officials to attend implementation webinars sponsored by Recycle Coach, designed to ensure efficient installation of the app and to derive the most benefit from the service.

Several counties and many municipalities already using this app report advantages of using this new platform, including fewer phone calls from residents, the availability of current recycling information and collection events, and the hassle-free process of installing Recycle Coach.





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Recycle Coach Benefits

Additional benefits of Recycle Coach for municipalities include:

Easy set-up

Initial set-up requires minimal local resources and occurs with local branding. Recycle Coach provides promotional assistance and tools to help local governments launch successfully. There is minimal ongoing maintenance.

Popular resident friendly features

Residents can access popular features on the Recycle Coach platform, such as a flexible calendar set-up that uses zone information provided by the municipality, printable collection and event calendars and the ability to export schedules to iPhone, Outlook and other calendars. Also, the 'What Goes Where' recycling search database contains more than 100,000 search terms. These features are customizable to ensure they appear as the user prefers.

Integration with existing information

Recycle Coach can aggregate recycling program information from various levels of government and make it seamlessly accessible to residents through a variety of platforms and devices.

Education

Modern technology with proven principles of learning that help engage, educate and encourage residents to become better recyclers.

Customized information

Residents can access customized local information in English and Spanish.

Access to insightful analytics

Customized, in-depth data on how many residents are using and interacting with the platform. Municipalities will have access to advanced analytics and dashboards to help turn usage data into helpful information. This will allow insight into who is using system, what information is being retrieved and how the municipality can improve the system.

@ Recycle Coach representative Joshua Alzona can be reached at 1-855-343-3363, ext.120, or jalzona@recyclecoach.com.

DEP representative Erin Jensen is also available to assist municipalities and can be reached at Erin.Jensen@dep.nj.gov.

Once Recycle Coach is installed, your residents will have current information on when to put out recyclables and solid waste for pickup, ask questions about what is recyclable, receive specific real-time communication from their town or county, read articles about becoming better recyclers, stay informed of missed pickups or holiday collection schedules, educational podcasts, interactive quizzes, and more. This information can be accessed through the app, Facebook chatbot, and digital assistants including Google and Alexa, to name a few.

Notification options

Specifically, current Recycle Coach users can subscribe to residential reminders of collection days and receive email, text, phone call, or push notification. Additionally, the Report-A-Problem feature lets residents send notifications to their municipality instantaneously. Report-A-Problem can be customized by the issue, such as the

need for a cart or bucket.

In addition, local administrators can send announcements, such as sorting and collection tips and reminders, to subscribers at any time of the day. These announcements can be the same message or customized for specific residents. For example, sending paperless reminders on the proper policies and procedures to recycle items, such as branches after a storm, would be especially helpful for residents.

Traditional mailings can be very costly with a poor rate of return; many flyers are tossed into the recycling bin before they are even read. Millennials typically reach for their phones for answers. Recycle Coach speaks their language and can give them immediate responses to their questions, and it's free.

Easy integration with new technologies

Municipalities will be able to integrate the Recycle Coach platform easily with

existing and new technologies. This ensures that the communication platform will remain relevant as technology upgrades occur in the future.

Recycle Coach can be a particularly effective tool as New Jersey counties and municipalities face new and ongoing challenges in managing solid waste and recycling programs, including how to increase waste diverted from landfills, reduce contamination of the recycling stream, promote real-time communication with residents, contain costs and conserve natural resources to protect the environment.

With the purchase of this system, the DEP is providing all local governments with a proven recycling technology that emphasizes customer service. ♻️

Scott Brubaker is Deputy Director of the New Jersey Department of Environmental Protection's Division of Solid and Hazardous Waste and oversees the division's recycling efforts.

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Mayor Fred Tagliarini
Township of Aberdeen

★★★★★
JPM provided an outstanding Temporary DPW Director, and completed an outstanding Efficiency Study of our DPW.

Mayor Beth Holtzman
City of Ventnor

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NOW & THEN



Amy Spiezio
Managing Editor

Keeping the Garden State Clean and Green

With all of the natural treasures it possesses, there's no wonder that New Jersey has been ever-vigilant in protecting its status as the Garden State. And while there may have been changing ideas about what the best way to keep the state clean and green over the decades, communities have always remained committed to the concept.

Recycling has become a critical part of towns' waste management, and the struggle to make that a boost and not a drag on community budgets is ongoing. And now they have some help thanks to the New Jersey Department of Environmental Protection's purchase of the Recycle Coach online platform package available to municipalities.

Many other towns around the state adopt creative efforts to recycle and clean up. Brigantine uses discarded (real) Christmas trees to shore up their shore and prevent sand loss while

Livingston organized its second annual Pick It Up Livingston event to keep the town tidy. Sustainable Jersey is promoting prevention of food waste in landfills while Clean Communities is using drones to complete an accurate liter survey, all for the sake of the future.

This issue also shares reports on Freehold's Participatory Budget process and Building Safety Month, each important parts of keeping towns strong.

On another note, it's not déjà vu...you're seeing our Show Off Your City Contest report running for the second month in a row. We regret to have cited Vernon as the winner, when in fact it was Verona. We sincerely apologize for the error, and we appreciate how many of you have brought the issue to light—and also inquired about showing off their own cities.

We will be running the contest again in 2019 and look forward to seeing all of the beauty of this state's municipalities! Can't wait until then? Please send in your photos and stories to aspiezio@njslom.org any time. 🍀

Time Capsule: Waste Management

Waste Not, Want Not

"The city's reputation as a community of fine homes was suffering as the thousands on thousands of motorists on the highways made haste to withdraw from the dumps area.

Something had to be done. And yet there were the familiar difficulties that beset every municipality faced with the necessity of eliminating a dumps nuisance. Incineration being the only final answer..."

From Englewood Meets A Problem Common To Many Municipalities, By August J. Wiesner, Jr., Editor, Bergen Press Corporation, Englewood run in the June 1940 issue.



Automatic for the Trashcans

[Regarding the introduction of automated garbage trucks in the Borough of Sayreville] "The public, in a very short amount of time, fully accepted the program change... The streets and neighborhood appearance was neater and cleaner. No complaints of garbage spillage, garbage cans thrown and no complaints relative to employee appearance and general disorderliness were reported."

From Building a Better Garbage Collection System by Joseph O. D'Arco, M.P.A., Business Administrator Borough of Sayreville, November 1999.

In the Bag

"Each and every community that has successfully experimented with bagged refuse has found the new system to be cleaner in both the hygienic and aesthetic senses."

From "Disposable Refuse Containers May Save You Tax Dollars" by Jack L. Scott, Office of Community Services, Department of Community Affairs, May 1970



There are also aesthetic and health advantages in the use of disposable bags (above). Disposable bags reduce exposed refuse and put an end to unsightly littered metal cans (below).

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RATES	UNTIL JUNE 5	AFTER JUNE 5
Member*:	\$110 (pre-registration)	\$125 (pay at door)
Non-Member:	\$125 (pre-registration)	\$155 (pay at door)

*Member rate applies to Municipalities, State, County, and Municipal Utilities & Authorities.

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For a complete listing, download the session sheet from njslom.org

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League's Mini One Day Conference to Run June 15

The New Jersey State League of Municipalities will host the Mini One Day Conference on June 15 at the Conference Center at Mercer in West Windsor.

Offering a full slate of educational opportunities on a wide variety of topics pertinent to municipal officials, this year's event has opportunities for licensure credits including up to 8 CEU credits for CMFO, CCFO, CTC, CPWM, RMC, QPA, RPPO/RPPS, CPA, NJCLE and CRP; up to 6 CEU Credits for PACLE (separate fees apply); and up to 5.25 Credits for Planning/Zoning Board Secretary, Zoning Official, Land Use Administrator.

In the morning, the event features sessions on Property Tax Deduction Programs; Ethics: The Criminal Code and One's Moral Compass; Municipal Water/Wastewater Privatization; The Employment Process: Hiring to Separation; OPRA and Police Records; and Procurement.

In the afternoon, session will include Cyber Hygiene for Government Staff; Microbreweries and Liquor Licensing; How Bankruptcy Affects Municipalities in the Collection of Taxes;

Wildfire Community Preparedness Day

Wildfires are causing more damage to homes and businesses each year, not only in California but in states as different as Tennessee, Montana, and Florida.

The National Fire Protection Association (NFPA) and State Farm are helping communities take steps toward safety with their fifth annual national Wildfire Community Preparedness Day event on May 5, 2018.

Wildfire Community Preparedness Day is a reminder that there are many steps communities can take to be prepared for wildfire and an opportunity for residents to participate in wildfire safety activities. There is still time to prepare to take action with regard to wildfire safety and NFPA and State Farm encourage people to get involved by planning a project and participating on May. Recent wildfire events make the need for Preparedness Day more important than ever before.



FAST and Your Auditor; Elections-Public Questions; Aligning the Practice of Environmentally Preferable Purchasing; Water Quality Accountability Act.

Registration fees are as follows:

Member Rate (applies to: Municipalities, State, County, and Municipal Utilities & Authorities)

\$110 (Pre-Registration until June 5, 2018)

\$125 (After June 5, 2018 you must pay at the door)

Non-Member:

\$125 (Pre-Registration until June 5, 2018)

\$155 (After June 5, 2018 and you must pay at the door) 📌

@ To Register visit njslom.org/miniconf.

Download registration form, complete, and fax it with your voucher to 609-695-0151.

If you have questions about registering, please contact Suzanne Delany SDelany@njslom.com or 609-695-3481, x111.



Last October, more than 40 people lost their lives in a rash of Northern California wildfires that burned more than 245,000 acres.

In December, wildfires near Los Angeles forced more than 230,000 people to evacuate their homes. Several other states that experienced large fires in 2017, including Idaho, Oregon, Montana, and Utah, have put the U.S. on pace to exceed the average acreage burned annually over the past 10 years. 📌

@ For more information, visit www.wildfireprepdlay.org

Newark Adds Visitor Guide

The Greater Newark Convention and Visitors Bureau (GNCVB) has partnered with DMC Publishing to create the 1st Edition of the Greater Newark Visitor Information Guide to promote the Newark region to local, domestic, and international visitors to the City of Newark and Essex County attractions.

“We are thrilled to be working with Publisher/CEO Victor Nichols and DMC Publishing,” said Karin Aaron, President and CEO of Greater Newark CVB. “DMC Publishing is an established organization with over 30 years of experience promoting travel and leisure in the State of New Jersey. Victor and his team have a clear understanding of what makes Greater Newark and its environs a unique destination, and the importance of tourism to our local economy.”

Publisher of *Newark Bound*, a destination magazine that aims to attract tourist and visitors to Newark, Nichols was awarded the publishing contract for the 2003-2004 Official New Jersey Travel Guide, the state’s largest annual publication. Nichols is a 1986 graduate of Rutgers-Newark College of Arts & Sciences.

The guide will be available in print and digital format and will feature key information on attractions, restaurants, hotels, and signature events in the city. With an initial run of 500,000 copies, the guide has an estimated delivery date of fall 2018.

“The opportunity to work with the GNCVB on its Visitor’s Guide is a natural fit for us,” said Nichols. “It gives us both the opportunity to showcase the City of Newark and all the exciting development and initiatives that are transforming the community into a cutting edge, 21st century metropolis.”

@ For more information or to be featured in the guide, please contact Byron Clark, Director, Advancement and External Relations at byron@newarkhappening.com.

Artifacts Discovered in Camden

According to a report by Kevin Riordan from the *Inquirer*, a cache of around 10,000 Native American artifacts have been discovered at two archaeological

excavation sites in Camden. Some of the hearthstones, animal bones, and remains of plants from as many as 4,000 years ago are expected to be donated to and displayed by the Camden County Historical Society museum in Camden.

RGA Inc., Cranbury, was hired by Camden County and property owner Holtec International to conduct the two excavations in 2015 and 2016. Based on study of vintage maps and test boring results archaeologists recovered and documented the artifacts, which currently reside at RGA.



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NJLM Professional Development Explores Hot Topics

The League's seminars attracted municipal officials seeking more information on subjects ranging from budgets to freedom of speech. For more information on the 26th Annual Mayors' Legislative Day, see page 16. 📄



Freedom of Speech and Social Media in the Workplace, held in Tinton Falls, featured attorney Jennifer Roselle, Esq. from Genova Burns and attracted a full house.

NOTICE AND ADVERTISEMENT TO BIDDERS

Notice is hereby given that the Borough of Mount Ephraim will receive bids for the "Sale of Wastewater Collection System" in the Borough of Mount Ephraim, County of Camden, NJ. Each bid shall remain sealed, to be opened and read at Mount Ephraim Borough Hall, 121 South Black Horse Pike, Mount Ephraim, NJ, on Wednesday, June 6, 2018, at 10:00 a.m. prevailing time. All bids shall be presented to the Borough Clerk before this time. A Bid Bond in the amount of \$20,000.00, per Section 5.3.3 of the Specifications shall accompany all Bids.

Specifications and Proposal Forms may be secured by prospective bidders during business hours (7:30 a.m. to 4:30 p.m. Monday thru Thursday; 7:30 a.m. to 11:00 a.m. Friday) at the office of the Borough Engineer, Federici & Akin, P.A., 307 Greentree Road, Sewell, New Jersey, upon payment of \$100.00; and can be obtained up to 48 hours prior to the time set for the opening of the bids. No refund shall be made for the return of these documents. The cutoff date for written inquiries is Thursday, May 24, 2018, at 4:00 p.m. No oral inquiries will be responded to.

Please be advised that an Optional Pre-Bid meeting will be held at the Mt. Ephraim Municipal Building, 121 South Black Horse Pike, Mount Ephraim, NJ, on Tuesday, May 15, 2018, at 10:00 am followed by visits to the Wastewater Collection System sites.

Bids must be prepared on the standard proposal forms provided, in the manner designated therein. Each bid must be enclosed in a sealed envelope, bearing the name and address of the bidder, and labeled "Sale of Wastewater Collection System," and shall be addressed to the Mount Ephraim Borough Clerk.

The Owner reserves the right to reject any and/or all bids, to waive any informality, or to accept the bid, which in its judgment, best serves the interest of the Owner. The Wastewater Collection System will not be sold unless and until authorized by the legal voters of the Borough of Mount Ephraim.



The roundtable format of Municipal Options in Opioid Litigation, also held in Tinton Falls, sparked lively discussion moderated by Presiding Mayor, Mayor Owen Henry of Old Bridge Township and Presenters Angelo Genova, Esq., Genova Burns, LLC, League Special Labor Counsel; Allan Kanner, Esq., Kanner and Whiteley, LLC; League General Counsel William J. Kearns, Jr., Esq., of Helmer, Conley, and Kasselmann, P.A., and Michael Fitzgerald, Esq., Monmouth County Counsel, New Jersey Association of Counties.



Kenilworth Introduces Combat Wounded Parking

At the behest of the Kenilworth Veteran Affairs Committee, the Borough of Kenilworth Mayor and Council have adopted an ordinance authorizing parking spaces

for Combat Wounded veterans.

Five newly designated purple “Combat Wounded” parking spots will be unveiled at various locations in the borough. Mayor Anthony DeLuca who serves on the Veteran Affairs Committee said, “Almost 2 million wounded service men and women are transitioning back to civilian life. This is a modest gesture to show we recognize their sacrifice and more importantly we love and respect them.”

The Commanders of the Kenilworth VFW and American

Legion will be identifying Kenilworth’s combat wounded and providing them with decals for their vehicles.

“Wounds may heal but memories remain. In Kenilworth, we acknowledge and honor our Veterans.” said Councilman Robert Schielke, who served with the U.S. Navy.

@ For more information regarding the ordinance, please call the Borough Clerk’s Office at 908-276-9090.

Franklin Township Adds Emergency Program

Operation Blue Angel is a program administered by the Franklin Township Police Department that is intended to provide Police, Fire, and Emergency Medical Services (EMS) access to a residence in the event of an emergency where the resident is unable to open the door.

Through the program, a police department-owned lock box, similar to a realtor’s lock box, is installed on a door of the home.

A key that is supplied by the resident is locked inside the box. In the event of an emergency, responding police officers can retrieve the key using a confidential code and enter the home quickly without causing damage. 🗝



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Mayors' Legislative Day Participants Share Goals, Efforts, and Concerns

On March 14, New Jersey's Mayors gathered in Trenton at the League's 26th Annual Mayors Legislative Day. The 2% Interest Arbitration Cap, along with the new Shared Services Czar, recreational marijuana, and COAH were pressing issues under discussion by speakers, panelists, and attendees.



Mayors Eric Jackson of Trenton, NJLM President James Cassella of East Rutherford, and Hemant Marathe of West Windsor catch up at the League event.

League President James Cassella, Mayor of East Rutherford, opened the event by introducing Trenton Mayor Eric Jackson, who welcomed his fellow mayors to the capital city.

Then Mayor Cassella outlined his priorities as League President, which include municipal property tax relief, the inclusion of the Energy Tax Receipts Property Tax Relief Fund revenues in the State's General Fund, pension contributions and health benefits, the proposed appointment of a Shared Services Czar, the 2% cap on interest arbitration, and "ensuring that municipalities receive the resources and funds necessary if, and when, recreational marijuana becomes legal."

He then introduced panel moderator, Dr. Henry Coleman from Rutgers, Bloustein School of Planning and Public Policy, who facilitated the Legislative Leaders panel made up of Senator Robert Singer from District 30, Assembly Republican Leader Jon Bramnick from District 21, and Assemblyman Andrew Zwicker from District 16. They were joined by League Officers 1st Vice President, Fanwood Mayor Colleen Mahr, and 3rd Vice President, Clinton Town Mayor Janice Kovach. Typically Senate President Sweeney participates in this panel, unfortunately his father passed away and the services were held that day.

Hot topics included the Shared Services Czar and the complications of COAH, about which Assemblyman Bramnick noted, "We don't believe judges have the ability to determine how many units go in any town."

Assemblyman Zwicker discussed the newly formed Science,



The Committee Room at the capital in Trenton hosted a full house of municipal officials.

Innovation, and Technology Committee, which he chairs. A physicist by profession, he noted that the group will ask "what are we going to do to create revenue and produce jobs?"

The League's officers brought up issues that impact municipalities, including Energy Tax Receipts, "Those taxes are collected on our behalf and those taxes don't make it back," Mayor Mahr said.

Another topic was ongoing concerns about keeping suburban towns viable with strong public transit options. "Transportation is key. We don't have that one-seat ride," Mayor Kovach said.



The panelists (l to r) Assemblyman Andrew Zwicker, Republican Assembly Leader Jon Bramnick, NJLM 3rd VP Mayor Janice Kovach of Clinton Town, moderator Dr. Henry Coleman, Rutgers, Bloustein School of Planning and Public Policy, Senator Robert Singer, Mayor Cassella, and NJLM 1st VP Mayor Colleen Mahr of Fanwood.

of Environmental Protection Deputy Commissioner Debbie Mans focused on the new administration's plans for the future, specifically concerning municipalities.

Lt. Gov. Oliver noted, "I've spent the bulk of my career working in local government," adding she planned

to "focus on getting the DCA working closer to local administrations. We are hoping to reorganize and do more in terms of our outreach in communities."

The NJ DEP's Mans noted that the state is looking at returning to the Regional Greenhouse Gas Initiative (RGGI) as well as focusing on water quality along with long term investments in water infrastructure and reducing flooding. 🌱



Lt. Gov. Sheila Oliver (l) spoke about her role as Acting DCA Director with attendees including NJLM Past President Mayor Janice Mironov of East Windsor, Madison Mayor Bob Conley, and Hightstown Mayor Lawrence Quattrone.

The panel also discussed the changing face of New Jersey's towns with the millennials' movement into more urban centers. "We really have to reverse the trend of thinking that suburbs are for everyone," Senator Singer noted.

The program then moved to the presentation of certificates to the new class of inductees into the League's Elected Officials' Hall of Fame. These dedicated men and women have completed at least two decades of service to their fellow citizens in elected local office (see full report on page 18).

Presentations from Department of Community Affairs Acting Commissioner, Lt. Governor Shelia Oliver, and Department



NJDEP Deputy Commissioner Debbie Mans discusses the departments upcoming priorities.

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NJLM Announces 2018 Hall of Fame Inductees

The Elected Officials Hall of Fame grew by 18 members this year. These new honorees were recognized and inducted at the 26th Annual Mayor's Legislative Day held on March 14 at the State House Annex in Trenton.

The Hall of Fame is exclusively open to governing body members, active and retired, who have served 20 years in elected municipal office.

The 2018 Elected Officials Hall of Fame Inductees are as follows:

- Commissioner Joseph Malone III, Bordentown City
- Commissioner Zigmont Targonski, Bordentown City
- Commissioner Joan Leonard, Collingswood Borough
- Mayor Joe Venezia, Estell Manor City
- Councilman John V. Lane, Hawthorne Borough
- Council President Anita F. Zalom, Lavallette Borough
- Commissioner Jim Cunniff, Monmouth Beach Borough
- Councilman Edwin W. Koehler, North Wildwood City
- Mayor Paul Kennedy, Ocean Gate Borough
- 3rd Ward Councilman William C. McKoy, Paterson City
- Committeeperson Edmund Yates, Plainsboro Township
- Council Member At-Large Jim Rilee, Roxbury Township
- Mayor Tony Vaz, Seaside Heights Borough
- Councilperson Agnes Polhemus, Seaside Heights Borough
- Councilwoman Diana Kuncken, Stanhope Borough
- Mayor Christopher Vergano, Wayne Township
- Mayor William Chegwidden, Wharton Borough
- Councilman Richard A. Dalina, Woodbridge Township

Congratulations to our most recent members!

@ For a full list of the current members of the Elected Officials Hall of Fame, visit njslom.org.



Plainsboro's Mayor Peter Cantu, NJLM Past President, and Committeeperson Edmund Yates, celebrate Yates' induction to the Hall of Fame.



The Class of 2018 is inducted into the Elected Officials Hall of Fame (l to r) Councilperson Agnes Polhemus of Seaside Heights Borough, Commissioner Jim Cunniff of Monmouth Beach Borough, Councilman John V. Lane of Hawthorne Borough, Commissioner Joseph Malone, III, of Bordentown City, NJLM President Mayor James Cassella of East Rutherford, Commissioner Zigmont Targonski of Bordentown City, Council President Anita F. Zalom of Lavallette Borough, Mayor Joe Venezia of Estell Manor City, Committeeperson Edmund Yates of Plainsboro Township, Mayor Tony Vaz of Seaside Heights Borough, and Councilwoman Diana Kuncken of Stanhope Borough.



Sandra Lazzaro, Borough volunteer liaison to the Upper Shores Branch of the Ocean County Library with Hall of Fame inductees Mayor Tony Vaz of Seaside Heights Borough, Council President Anita F. Zalom of Lavallette Borough, and Councilperson Agnes Polhemus of Seaside Heights Borough, also shown: Lavallette Mayor Walter LaCicero.

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Protecting New Jersey's Environment and Future Through Elimination of Food Waste

By Christopher "Kip" Bateman, Senator, District 16

Today, it is estimated that 40% of food goes uneaten, that a single supermarket can generate tens of tons of food waste, and that the United States produces a college football stadium full of food waste each day.

Discarded foods such as vegetables, fruits, and meats are some of the world's largest sources of methane gas when they decompose in our landfills.

According to the Environmental Protection Agency (EPA), solid waste landfills are the third-largest source of human-related methane emissions in the United States, accounting for 15.4% of emissions in 2015.

That's why it's so important that we advance bipartisan, common-sense legislation currently under consideration that's focused on reducing the harmful effects of methane gas, eliminating large amounts of food waste from our landfills, and supporting New Jerseyans who need help to put food on their tables.

Across New Jersey, large food waste generators, like commercial food wholesalers, supermarkets, resorts, and banquet halls, may each send more than 50 tons of food waste annually into our landfills. Some send substantially more.

Currently, food and trash from these sources are mixed together and sent to one of the 846 landfill sites in New Jersey. These community landfills produce high levels of methane, carbon dioxide, hazardous air pollutants, and greenhouse gasses.

To combat the harmful impact of this food waste on our environment, I have joined with Senate Environment Committee Chair Bob Smith to sponsor legislation, S-1206, which requires large food waste generators to separate food from other solid forms of trash. This will help to prevent this waste from entering New Jersey's landfills, protecting future generations from the cumulative effects of expanding landfills, groundwater pollution, and greenhouse gas production.

If signed into law, beginning on January 1, 2020, every large food waste generator, creating over 104 tons of food waste per year, located within 25 miles of an authorized food waste recycling facility would be required to separate food waste from other solid waste and send it to an authorized food waste recycling facility that has available capacity.

Additionally, starting on January 1, 2023, large food waste generators, defined as those who produce over 52 tons of food

waste per year, would have to comply with those requirements.

The bill would provide for a local economic benefit payment to any municipality that hosts a facility approved to accept food waste. Furthermore, the legislation would establish a Food Waste Recycling Market Development Council and would require State departments and agencies to use, where technically feasible, environmentally sound, and competitively priced, compost, mulch, or other soil amendments produced from municipal solid waste, food waste, sludge, yard waste, clean wood waste, or other similar materials.

The New Jersey Department of Environmental Protection would be required to adopt: regulations concerning reporting large food waste and recycling centers; guidelines for businesses to follow; a list of food products that must be separated and recycled; standards for food waste facilities; and a list of actions businesses may take to lessen their food waste.

In this effort to protect New Jerseyans and our environment, my colleagues and I have worked hard to find reasonable solutions to reduce the amount of food waste entering into our landfills.

Last year, we established voluntary guidelines to encourage school districts and institutions to donate excess food to local food assistance programs. These guidelines provide information about what kinds of food schools can donate, and offer suggestions on how to incorporate lessons about food assistance programs into classrooms. Additionally, we now provide information about how to reduce, recover, and recycle food waste in our schools.

Through our bipartisan efforts, we're ensuring that food items such as bread, peanut butter, and pasta can be donated instead of ending up as trash. Too many edible items end up in the garbage, both at our home and at our stores, due to "best used by" labels which often are overly aggressive. Many families can benefit from these foods. In January, the New Jersey Legislature expanded liability protections for food donation, allowing individuals to donate food past the dates on labels, as long as the food meets other food bank donation requirements.

Protecting our communities and environment must be a joint effort. Through bipartisan efforts like these, we can work together to create a cleaner, more affordable New Jersey by reducing the food waste in our landfills and increasing food donations for families in need. 🍌

Senator Christopher "Kip" Bateman represents the 16th District.

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Focus: Recycling & Waste Management

Truly Evergreen

Discarded Christmas trees are put to good use in Brigantine Beach

By John Doring, Superintendent of Public Works, Brigantine, and Gene Herman, Consultant

The Christmas trees discarded by residents after the holiday season are a valued commodity in Brigantine Beach. That's because the city has found an important role the evergreen trees can play in helping the city fathers protect and maintain the city's renowned, pristine, and spacious beaches.

"All of us in Brigantine, our officials and our residents, are immensely proud of our city's natural beauty and our excellent beaches," said Mayor Philip J. Guenther. "Over the years, we have crafted many programs and initiatives and forged partnerships with government agencies and organizations to help us maintain our clean environment and protect our ecosystem."

The Mayor noted, "this past winter we made the final payment and now totally own our city's 18-hole golf course, which we have permanently preserved as open space. Our beaches and the quality of our ocean water obviously are our top priorities."

"Not only are they environmentally sensitive," he added, "but also vitally important to the quality of life in our community, as well as essential to the city's

economic health which, like other seashore communities, depends to a large degree on tourism."

Trees on the beach

Our Christmas tree recycling program is key to our beach management program. Christmas trees were first used in

Brigantine for beach dune protection some 40 years ago by an unlikely source, the now defunct Beach Buggy Association.





By the Numbers Beach Preservation

This winter, John Doring, Superintendent of Public Works and the department's staff concentrated on an area on the far south end of Brigantine Island near Absecon Inlet.

400 feet of snow fencing was erected and Christmas trees were laid directly behind it.

About **500 trees** were used this winter.

Trees were placed behind some **600 feet** of fencing where the State Department of Transportation dredged sand from the entrance to St. Georges Thoroughfare.

Beach work was completed in **3 days**

A **crew of 4** loaded the trees on trucks and positioned the trees.

In the beginning association members used their own trees, and John Doring, Superintendent of Public Works, Brigantine, remembers helping the Beach Buggy Association members collect the trees when he was a 16-year-old.

The trees were used sporadically to fortify dunes over the years, but it was not a formal program until some 10 years ago. Now they are used every year in areas where there is a need to protect dunes or to build new ones.

The discarded trees are used in conjunction with a snow fence to create or bolster a dune and for beach fortification. The action of the blowing sand through the fence leads to the development and growth of the dune. However, the dune begins to form about 10 feet behind the fence, leaving a chasm or gully between the fence and the growing dune. By placing the evergreen tree directly behind the fence, the gully fills in much faster and better than it would with a snow fence alone.



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Truly Evergreen

The trees are placed on their sides and the blowing sand is trapped among the many needles on the evergreen trees branches. Because the sand adheres so well to the trees, the space between the gully and the dune is filled in very quickly.

“**Brigantine takes pride in the fact that the beaches of the City are award winners.**”

Moving forward

In the fall, beach grass will be planted in the areas where the new dunes were created. This is done in conjunction with the volunteer members of the city’s Green Team, which was organized through the Sustainable New Jersey program.

Last year, the trees helped fortify the dunes in the area from 3rd Street to 5th Street on the city’s south end.



John Doring, Superintendent of Public Works, Brigantine, with the beach-saving recycled Christmas trees at Brigantine’s beach.

Essentially, the trees are perfect repositories for sand granules. By placing the trees at strategic sites along the dunes, we are able to fortify our dune system and protect our beaches.

There is no need to pick up the trees because in a matter of weeks they are completely buried under the blowing sand and with no trace of the branches showing. After that, the firs, pines, and spruces decompose under the sand.

Cooperative collection

The Department of Public Works does not collect the trees from in front of residents’ homes. They are brought by residents to a central location, the headquarters of the Public Works Department. A sign at the site informs residents that tinsel, garlands, and lights must be removed. Trees not brought to the Public Works Department are collected from homes on the regular recycling schedule.

Brigantine takes pride in the fact that the beaches of the City are award winners. Brigantine was designated Atlantic County’s Best Beach by the New Jersey Favorite Beach program of the New Jersey Sea Grant Consortium.

In addition, Brigantine’s beach was designated the second best beach in the entire state by Favorite Beach program judges. ♻️

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The diagram features a central map of the United States with arrows pointing to various collection points. Surrounding the map are four recycling bins: a black bin with 'WE RECYCLE' on the lid, a grey bin with a recycling symbol, a white bin with 'RECYCLING WORKS' on the lid, and another grey bin with a recycling symbol. The text 'TRIPLE R CAN' is at the top, and 'T.M. FITZGERALD & ASSOCIATES' is at the bottom, both enclosed in double-headed arrows.

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Focus: Recycling & Waste Management

“Pick It Up, Livingston!”

Can-do community creates townwide clean-up day

By Shawn R. Klein, Committeeman, Township of Livingston

Every town has plastic bags blowing in the wind, garbage on the sides of the road, and junk in its streams. If you care about where you live, it bothers you. Sometimes, while walking around, you might pick up someone else’s litter; you might even feel like stopping your car mid-drive and removing refuse from the side of the road, though it is likely you rarely actually do. A good citizen may have those inclinations, but what difference can one person make against the tide? It can be disheartening.



Doing something about it

It was clear that the idea to do something about local pollution was worthwhile. But to make it happen, we needed some of Livingston’s great volunteers to come forward. Shira Rost, a realtor in town, formed a committee with other can-do residents. The committee worked hard to get local sponsors for the event and several companies stepped forward including Whole Foods, Saint Barnabas Medical Center, and Sotheby Realty.

We set a date, then we spread the word across Livingston asking for volunteers to give a helping hand and people wanted to come out. They came in droves.

With the support of the entire Town Council including our 2018 Mayor, Ed Meinhardt, and Councilmen Al Anthony, Rudy Fernandez, and Michael Silverman, as well as our Acting Town Manager Russ Jones, the Township of Livingston had a fantastic event we called “Pick It Up, Livingston!” Three hundred and fifty volunteers were distributed around the town to clean up our roads, woods, and waterways. The volunteers donned gloves and safety vests, tucked their pants into their

boots, and went about their work filling garbage bags and placing large objects along the side of the roads. Soon, stuffed bags dotted the streets every 100 yards.

Our volunteer group was made up of a wide array of people—from individuals and families all the way through to a local motorcycle club, Little League teams, grammar school classes, and many of the outstanding volunteer organizations we have in town.

In addition to private residents and local companies stepping forward to help, government made a contribution at every level. On the municipal level, our Livingston Police Department coordinated public safety, making sure that participants wore the proper gear, closing streets in a rolling fashion, and directing traffic. Our Department of Public Works coordinated the collection and disposing of all of the garbage. At the end of the morning, our DPW drove the streets and picked up all of the garbage bags. Essex County eagerly collaborated helping us close county roads. The State helped provide equipment and materials, such as gloves and vests for hundreds of people



Solving the Problem

Livingston has had a great experience with our “Pick It Up, Livingston!” event and we encourage other towns to follow suit with their own events. But how can we get to the root of the litter problem in the first place? One solution might be giving municipalities the ability to assess Pigovian fees similar to those used currently for plastic bags in hundreds of towns and counties around the country.

Even if fees for disposable items are not assessed by the State, our new Governor and the Legislature will have the opportunity to unshackle the towns and cities by giving municipal bodies the ability to assess such fees. Such fees could even be revenue neutral with a reduction in property taxes proportional to fees collected for plastic bags.

Not every town will take action. But if the federal government can look at the states as 50 laboratories of democracy, then perhaps Trenton might look at 565 municipalities as laboratories of governance. In this way, New Jersey will be better able to figure what does and does not work in controlling our pollution.

through NJ Clean Communities’ Clean Water Challenge.

After the event, participants all gathered at Livingston’s Oval for donated juice and bagels.

It was clear from resident feedback that it was a genuinely emotional event

for many who were excited to have an event that fulfilled an inner need some did not even know they had. We all had a real sense of accomplishment, and we knew we were making an important difference.

The second annual event was slated for April 22. This new Livingston tradition will live on and Livingston will be more

and more beautiful each and every year. Not only does having an event like this physically remove our pollution but we expect it will help to create a new mindset in many not to pollute in the first place. Before taking another plastic bag at the pharmacy or throwing a cigarette butt out the window, we hope that people will be more likely to think twice. ♻️

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To remain eligible in 2019, members must complete the following actions by October 1:

- **Update their personnel manual.** A model update is available at njmel.org.
- **Offer anti-harassment training to all employees and volunteers.** A model training program including a new video can be accessed at njmel.org.
- **Train all managers and supervisors.** All joint insurance funds affiliated with the MEL offer anti-harassment training at no cost to members.

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Focus: Recycling & Waste Management

Green Achievement

City of Clifton named Tree City USA and NJDEP Green Communities Award Winner

By Alfred J. Du Bois, Municipal Recycling Coordinator, Clifton



Celebrating 20 years as Tree City USA, Beautification members Fran Warren, George Held, Councilman Bill Gibson, Glory Smith, Vivian Semeraro, Councilman Ray Grabowski, Angela Montague, Mayor Jim Anzaldi and Lynn Zehr show young seedlings received from the NJ DEP Tree Recovery Campaign for replanting trees lost during Superstorm Sandy.

On Sept. 29, 2017, Mayor James Anzaldi received a letter from Carrie Sargeant, Urban & Community Forestry Program Coordinator, NJ Forest Service, NJ Department of Environmental Protection, stating that “the City of Clifton has been selected as the municipal recipient of the 2017 Green Communities Achievement Award by the New Jersey Forest Service, the New Jersey Community Forestry Council, and the New Jersey Tree Foundation.” The award was presented in October at the NJ Shade Tree Federation Conference.



“Clifton’s outstanding efforts and achievement in urban and community forestry have greatly contributed to improving the environment in New Jersey’s communities through wise management of the trees and forest resources, the development of a self-sustaining local forestry program, and raising awareness of the value of urban and community trees and forests in New Jersey through education and outreach certainly exemplifies the spirit of this award.”

– Carrie Sargeant, Urban & Community Forestry Program Coordinator, NJ Forest Service, NJ Department of Environmental Protection.

Tree City USA-Growth Award

In April 2017, Clifton received another milestone, this time from the National Arbor Day Foundation, for achieving 20 years as a Tree City USA community by meeting the four core standards: maintaining a tree board or department, having a community tree ordinance, spending at least \$2 per capita on urban forestry, and celebrating Arbor Day annually in April. Additionally, the City received from the Foundation recognition as a Growth Award/Sterling Community for 18 years of ongoing achievement to

“Urbanization has had a major impact on our trees and forest ecosystems.”

a higher level of tree care.

These programs have included: recycling of organics, street tree pruning and planting, education, seedling give-away, and public/private partnerships with compost facilities, nurseries, farms and landscapers. The Growth Award also provides communities an opportunity to share new ideas and successes across the country.

Clifton's CFMP

Clifton is currently in its fourth five-year Community Forestry Management Plan (CFMP). This on-going Plan recognizes that trees help improve the quality of life, and is developed in accordance with statewide efforts to preserve and promote a sustainable community forest resource along with the goals and objectives of the City's Master Plan.

Urbanization has had a major impact on our trees and forest ecosystems. The goal of the CFMP is for a reforestation of the urban, suburban and open spaces in Clifton with a diversity of trees for livability and sustainability.

Clifton is committed to restoring a

diverse plant community (trees, shrubs, flower gardens, etc.) in the open spaces, parks, schools, wetlands and city streets; thereby, rebuilding the city's ecosystem to create several habitats for wildlife to survive. Sustainability will be achieved when the biodiversity of the city's ecosystems are restored and native habitats and wildlife begin to flourish providing residents, visitors, and tourists opportunities to enjoy nature locally.

CSIP Resiliency Planning Grant

To meet the goals and objectives of the CFMP, the city submitted an application in 2017 and was awarded a \$10,000 Community Stewardship Incentive Program (CSIP) matching grant in Resiliency Planning from the NJDEP Forestry Service. This specific project will be a sample-based Tree Inventory and Assessment of Clifton's urban forest, as well as a partial inventory to identify high priority maintenance needs and vacant planting sites.

An NJ Licensed Tree Expert will gather data in conjunction with city staff to more effectively guide the city in its efforts to reach maximum practical tree stocking, increase species and age diversity, and make informed maintenance decisions. Paul Cowie, Arborist, will gather additional information using new i-Tree Streets modeling and analysis software which calculates the “leaf surface area” of a city and assigning the canopy and economic value.

The value comes from the environmental impact trees provide, such as: how much ozone, particulates, and nitrogen are removed from the air; how much carbon is stored; the effect on building heating and cooling costs; and trees' effect on hydrology, among other factors.

TD Green Streets Program

In 2018, the City received a grant in the amount of \$20,000 from TD Bank to plant trees in low-moderate income neighborhoods. Based on grant guidelines, the trees will be planted in three parks to increase the tree canopy and reforest those green spaces in that section of the City.

The grant will pay for 50 trees and will be planted by the New Jersey Tree

Foundation. An Arborist working with the Tree Foundation, DPW staff, and Beautification Committee members will select the species and exact locations of the planting.

The plantings took place during the Arbor/Earth day festivities in the last week of April.

Tree Seedlings and Sustainability

In April, the City again received 2,000 tree seedlings from the New Jersey Tree Recovery Campaign. These seedlings are provided to replace trees that were lost during superstorm Sandy. Seedlings are given to schools for students to take home and/or plant around school grounds. Remaining seedlings are handed out during the Arbor Day Celebration, and to City Green (a sustainable, ecological, organic learning farm) to be placed in planters and given out during various events on the farm.

Environmental Education

On its website, Clifton has dedicated a section for trees to promote and educate citizens on the environmental benefits of trees. Brochures and pamphlets, information about the CFMP along with various articles are available for review.

In 2018, the City will be working on two pamphlets which will be funded from the aforementioned grants. The first pamphlet, based on the Tree Inventory Resiliency grant, will be structured in a readable format to educate all citizens and students on the social, communal, environmental and economic benefits of trees.

The second pamphlet will specifically focus on the 50 trees planted within the neighborhood of the three parks, and the importance of increasing green space and canopy cover. According to Tree City USA Bulletin # 21, “trees not only sequester carbon to reduce CO2 and combat Climate Change, but by shading city streets, parking lots, parks, and homes they create less demand for electricity and can lower heating bills in the winter.”

Clifton will continue to partner with the National Arbor Day Foundation and the New Jersey Forestry Service to help the City achieve its goals in meeting the Community Forestry Management Plan. 🌳



Focus: Recycling & Waste Management

What's Left In the Garbage Can?

Municipalities tackle waste

By Randall Solomon, Executive Director, Sustainable Jersey



Over the past 30 years, more of our garbage in New Jersey has been recycled and kept out of landfills and incinerators. Recently, however, progress has slowed. New Jersey is coming up short on the State's statutory target to achieve a 50% municipal waste stream recycling rate, which currently stands at 43%.

Nearly 45% of our garbage is organic, so food waste is one of the largest sources of municipal waste. The Environmental Protection Agency estimates that more food reaches landfills and incinerators than any other single material in our everyday trash, comprising 21.6% of all discarded municipal solid waste. The Harvard Food Law and Policy Clinic estimates that 40% of food destined for consumption in the United States goes to waste. Organics recycling is a hot topic for Sustainable Jersey green teams and municipalities that want to reduce their

waste stream, especially because the food waste in landfills produces methane gas that is one of the most potent contributors to climate change.

Goals for garbage

The overall goals are to maximize food consumption (waste reduction) while preventing what is left from going to the landfill (food recycling). One way to expand food waste recycling is to start at the end point by banning food from disposal in



“Sustainable materials management is an important trend in the environmental field and food is a great example. There are good options to reduce food loss and waste at the local level.”

—Gary Sondermeyer, Vice President of Operations, Bayshore Recycling, and Chair, Sustainable Jersey Waste and Recycling Task Force.

landfills and incinerators. California, Connecticut, Massachusetts, Rhode Island, and Vermont already restrict the amount of food and other organic waste that can be put in landfills. Maryland and New York are considering similar laws. In 2017, the New Jersey Legislature passed S-3027, the “Food Waste Reduction Act.” This law adopts the National goal to reduce food waste by 50% by 2030. The New Jersey Department of Environmental Protection (NJ DEP) is working on a plan to achieve this goal. S-1206 is also moving in the New Jersey Legislature to ban the disposal of food from large food generators where composting facilities are available, such as supermarkets, restaurants, hospitals and prisons (see OpEd page 20).

The goal of the ban is to increase public and private sector investment in food waste recycling infrastructure that will provide cost-effective management options to towns, schools, commercial establishments, and residents. The potential impact of this legislation on green teams is that the cost for recycling food will come down as New Jersey-based processing facilities are created, thus making the implementation of local programs more feasible.

“Sustainable materials management is an important trend in the environmental

field and food is a great example. There are good options to reduce food loss and waste at the local level,” said Gary Sondermeyer, Vice President of Operations, Bayshore Recycling, and Chair, Sustainable Jersey Waste and Recycling Task Force. Sondermeyer, who has been at the forefront of recycling policy in New Jersey for over 30 years, added, “New Jersey can lead in food waste

recycling if we work together to pass laws that enforce behavior, build the necessary foundation to attract investment, and create jobs to set up the proper technology and infrastructure throughout the State.”

Sustainable Jersey’s Gold Star Standard for Waste

Food waste is one of 16 waste management actions in the Sustainable

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TOWNS AT WORK

Princeton's Curbside Organic Waste Pick-up Service The Municipality of Princeton offers New Jersey's first curbside organic waste pickup services for residents. The program tag line is: If it Grows, It Goes into the green bin. Princeton piloted the program in 2011, and now offers it as service to all of its 9,500 households. With Princeton's curbside organic program, residents pay \$65 a year for weekly collection of all food scraps, soiled paper, and yard trimmings. Princeton received a \$20,000 Sustainable Jersey grant funded by the PSEG Foundation to create a marketing and educational campaign to increase program participation.

Princeton Recycling Coordinator Janet Pellichero said, "Food waste recycling is the low hanging fruit for municipal recycling. Any method to divert food, no matter what its use, is beneficial because it keeps organics out of the landfill and helps us deal with rising municipal waste recycling expenses. It's a no brainer."

Mercer County has the highest solid waste disposal fees in New Jersey. Each ton of disposed solid waste is charged a \$118 "tipping fee" to dump it onto the transfer station floor before it is moved to a landfill, where it is charged an additional fee. The fee is charged to the garbage hauler, but is funded by the fees residents pay to have trash collected. By removing the organic material from the trash and recycling it, the tipping fee is no longer charged.

Pellichero added, "Organics recycling also helps your moral bottom line. I hope New Jersey becomes a front runner and that Princeton can be a model for other towns considering food waste recycling. It's very heartwarming to see programs expand. Food is now a commodity that is looked at in a totally different way."

City of Lambertville Third Can Program The City of Lambertville's Third Can Program started in 2014 with support from a \$20,000 Sustainable Jersey grant funded by the PSEG Foundation to help offset the cost to program participants. The Lambertville Environmental Commission launched the program after recognizing that food waste comprised 15% of the City's waste stream. In only its second year of operation, area restaurants and Lambertville Public Schools began to participate as well, resulting in a 454% increase in the amount of food waste recycled. Combined with the City's single-stream recycling program, recycling food waste through the Third Can Program is saving money and protecting the environment.

Maple Shade Township Food Waste Recycling in the School District

Using a \$10,000 Sustainable Jersey grant funded by the PSEG Foundation to implement and test the effectiveness of food waste recycling in its four schools, Maple Shade Township's cafeteria food was collected and processed for recycling. Since Maple Shade Township pays for solid waste disposal at the schools, this diversion to recycling had a direct impact on the cost of service to the taxpayers. For the one-year pilot program, the Township avoided \$1,204 in solid waste tipping fees and recycled over 15 tons of food waste.

Diverting Edible Food to Feed the Hungry Municipalities around the country are also establishing programs to move edible whole food out of the landfill by distributing it to the hungry. Approximately 72 billion pounds of good food ends up in landfills and incinerators each year in the United States. In New Jersey, nearly 1 million people face hunger every day and nearly 300,000 of them are children. New Jersey has existing food distribution networks that link food with food pantries, community kitchens, and shelters. These networks can be connected with the edible food before it goes in the trash. DEP's plan to achieve the 50% waste reduction goal noted earlier in S-3027 will identify strategies to maximize food reuse.



Jersey program for 445 participating municipalities to encourage them to voluntarily achieve the state's 50% municipal waste stream recycling rate and continue to work toward achieving zero waste through the program's Waste Management Action Area. Municipalities can make significant gains in recycling rates by implementing the slate of Sustainable Jersey waste management actions, including prescription drug disposal, construction waste recycling, materials reuse, pay-as-you-throw pro-

“Sustainable materials management is an important trend in the environmental field and food is a great example.”

grams, recycling depots, and more. Towns choose from a menu of over 150 actions to accumulate points toward bronze and silver level certification. It is important to note that towns can only receive points for actions that go above and beyond current regulatory requirements. The waste management action suite is one of the most popular with participating municipalities; over 650 actions have been approved since the program launched in 2009.

In 2017, Sustainable Jersey created the Gold Star Standard for Waste Management and Energy. The Gold Standard in Waste requires municipalities to achieve three overarching goals:

- 1 A 2%-or-more reduction in total solid waste generation.
- 2 An annual total solid waste recycling rate of at least 65%.
- 3 An annual municipal solid waste recycling rate of at least 55%.

A growing number of states have passed or considered state-level tax incentives that offer tax breaks to farmers and small businesses that

donate food rather than throw it away. State tax incentives provide those businesses with a more-tailored incentive and a benefit that is often easier to understand and use than the existing federal one. New Jersey Legislature bill S-3012 is currently being considered; it would encourage businesses, institutions, and schools to donate food before

it goes to waste.

Achieving state level goals related to solid waste, reuse and recycling is critical to becoming a sustainable state. Sustainable Jersey looks forward to supporting and encouraging municipalities as they pursue Sustainable Jersey's Gold Star Standard for Waste and lead on food waste recycling. ♻️

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Building Safety Month

Recognizing the value of Code Officials

By Stephen D. Jones, CBO, MS, NJCEM, former president of the Morris County Building Officials Association, the New Jersey Building Officials Association, and the International Code Council

Often times, if you mention to friends that you have to go get a construction permit at the local building department, the reaction you may receive may be roughly the same as that of going to the dentist and being told you need a root canal. The reality is quite different—getting a root canal is often less painful! While I say this with my tongue firmly planted in my cheek, the sad reality is that there are endless anecdotal stories of building permit horrors. Typically that is the furthest thing from the truth. Building departments and code officials here in New Jersey are some of the most well-trained, state-licensed municipal professionals in the Country.



According to NJBOA president, Pat Naticchione of Egg Harbor Township, “Being a code official is one of the most misunderstood and maligned aspects of municipal government. However, it is also one of the most rewarding professions ever. As a code professional, our job is to ensure the safety our residents through the proper application of construction codes and regulations adopted throughout the state.”

Fortunately, New Jersey is among a handful of states that have adopted a statewide code, along with a robust and nationally recognized inspection and enforcement process. Basically, the same code that is in effect in High Point is also

used in Cape May and every one of the 565 communities throughout the great Garden State.

New Jersey prides itself in having one of the best run code administrations, nationwide. With that, the Building Officials Association of New Jersey (BOANJ) and its successor organization, the New Jersey Building Officials’ Association (NJBOA), have been a proud affiliate of the League of Municipalities for many years. The Officers, Directors, and members of NJBOA work diligently with the League to help promote responsible development while working within the parameters of safe, secure, and resilient codes.

Working together

Effective code development and enforcement does not happen in a vacuum. Many members of our association participate in the open governmental consensus process of code development promulgated by the International Code Council (ICC). The International Code Council is a member-focused association, dedicated to developing model codes and standards used in the design, build and compliance process, to construct safe, sustainable, affordable and resilient structures. The International Codes®, or I-Codes®, published by ICC, provide minimum safeguards for people at home, at school, and in the workplace.

“ Participation on the national level helps to ensure New Jersey’s voices are heard and that our concerns are included in the governmental consensus process of code development.

The codes are a living document, and they are updated every three years to reflect changes in technology and in response to issues and concerns raised by members of the public, industry, and code officials, alike. NJBOA, along with industry professionals and members of the public, take an active and, often, leadership role in helping to develop codes that are adopted across the entire county and, in some cases, internationally.

New Jersey adopts a number of the regulations contained within the comprehensive and integrated family of codes developed by the ICC. As such, the codes work seamlessly across the broad spectrum of construction-related

issues. However, code development is only part of the process. Codes don’t work without effective enforcement and public awareness. While the process may seem daunting at times, it is only through robust enforcement that New Jersey continually maintains such a high national ranking from the Jersey City-based Insurance Services Organization.

Additionally, public awareness plays a huge role in successful enforcement. One of the ways of getting the public, as well as mayors, council members, and administrations, to understand and appreciate what municipal code officials are responsible for is through a successful public awareness process.

Building Safety Month

May is Building Safety Month! For the last 38 years, NJBOA, its affiliate organizations, along with the International Code Council, and its annual supporters, have celebrated it by helping families, businesses and members of the public at large understand what it takes to create

safe and sustainable structures. The campaign continues to grow every year, and it reinforces and underscores the need to adopt current, updated, and responsible construction codes.

As we have seen from the effects of several natural disasters over the last few years, those homes and businesses constructed from the most current versions of the codes typically sustained less damage and were able to recover quicker than those that were constructed under earlier (often less robust) versions of the codes.

In an article that recently appeared in CITYLAB, 2017 was cited as being the worst year for losses associated with natural disasters. In financial terms, losses across the country totaled an estimated \$306 billion. In 2005, the National Institute of Building Sciences (NIBS) presented a report that found “for every dollar spent in mitigation and preparation (it) saves approximately four dollars spent in recovery costs.”



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Building Safety Month

Recent reports indicated that this number may be significantly under-estimated, as ranges could be as high as six to eight dollars for every dollar spent. Think about that fact...a dollar spent now on resilient construction could save up to eight dollars in rebuilding costs later. Analyses like these help to bolster the argument to adopt the most recently produced versions of the codes.

According to ICC Senior Vice President of Government Relations, Sara Yerkes, "The Building Safety Month campaign is supported by the members of NJBOA, along with the over 64,000 members of the International Code Council and numerous other diverse partner members from all aspects of the construction, design, and safety communities."

While building safety takes a year-round effort, each week of May will focus on a different aspect, such as: partnering with local code officials to help build stronger, more resilient communities through better use of science and technology; protecting communities from disaster; safeguarding water supplies and improving education and training standards for a safer and more secure tomorrow.

Every year, during the first week in

What can you do to help?

There are a number of ways in which your community can get involved.

- Have your local council pass resolutions of support recognizing the National Building Safety Month activities.
- Encourage your local code professionals to participate in code-related activities.
 - Public outreach programs
 - Speaking with civic groups and schools
- Host an informational meeting to discuss various aspects of public safety related to construction activity.

By doing these and other activities, you will be joining the literally thousands of stakeholders across the country who recognize that "Building Safety is No Accident!"

@ Promotional material and sample proclamations can be found on the ICC website at iccsafe.org.

May, Building Safety Month kicks off in New Jersey with an educational and training conference held in Atlantic City. Code officials across the state will participate in various training seminars designed to help strengthen their skills and to expose them to new and emerging trends within the construction and design communities. As a code professional, this is the best learning experience

offered within the state. Code official across the state must remain proficient and knowledgeable in the codes, and periodic training is a requirement to maintain their licenses.

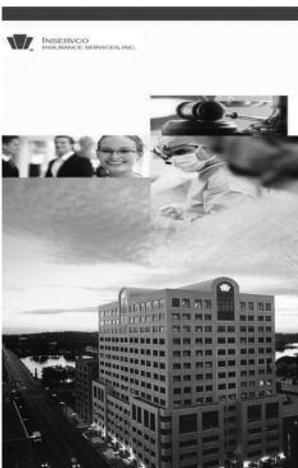
On the national level, your code officials should be participating in the code development process offered by the ICC. Participation on the national level helps to ensure New Jersey's voices are heard and that our concerns are included in the governmental consensus process of code development.

Remember, code enforcement in general does not make headlines. However, it is through the diligent services provided by your local, dedicated code official that there are very few losses in New Jersey relative to construction-related issues. Remember. Building Codes Save Lives! 🚧

@ Stephen D. Jones, CBO, MS, NJCEM, is the former president of the Morris County Building Officials Association, the New Jersey Building Officials Association, and the International Code Council. He recently retired after almost 26 years as a working code official. He still maintains an active role in code development and enforcement, and is a strong advocate for public safety. He can be reached at sdjones7050@gmail.com.

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The New Jersey Building Officials Association was established in 1929. We are a not-for-profit organization recognized as a chapter of the International Code Council, and are devoted to protecting the health, safety, and welfare of the public, by promoting professionalism, education, and ethics.

NJBOA's Active Membership is comprised of licensed Code Officials and Inspectors of all disciplines, as well as Technical Assistants. We have Associate, Subscribing, and Honorary memberships available to others engaged in the building industry, including housing, planning, zoning, and manufacturers' representatives. As always, we welcome people from many career backgrounds to consider joining our organization, or come to any meeting as our guest.

As we approach our 90th Anniversary, **NJBOA** is proud to be the **only** statewide association, inclusive of Code Officials and members of diverse backgrounds, that is recognized by the Department of Community Affairs. **NJBOA** will continue to actively support and participate in the Building Safety Conference of New Jersey, as we have done for 35 years. **NJBOA** is an organization that remains strong in membership, and have welcomed an increase of new applicants this year. **NJBOA** is a tried and true brotherhood whose success is written in our legacy. The **NJBOA** Executive Board would like thank our members, Past Presidents, and communities, for their unwavering support, which has helped pave the way to its success thus far. **NJBOA** will continue to forge ahead with strong leadership and the proven confidence of its members, through this decade and beyond.

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Participatory Budgeting Program

Freehold Borough initiates efforts to involve the public in town spending

By Ron Griffiths and Kevin Kane,
Councilmen, Borough of Freehold



This small central New Jersey borough is less than two square miles with a diverse population of 12,000. The borough faces the same serious challenges as many New Jersey municipalities: a burgeoning school population, an aging infrastructure, and the lack of appropriate funding from both the state and federal government.

We won't make significant progress unless our residents are knowledgeable about, and interested in, their community. A few years ago, Councilman Ron Griffiths shared the idea of a technique he read about, Participatory Budgeting (PB), to Mayor J. Nolan Higgins and Business Administrator Joe Bellina. PB is a democratic process allowing community members to decide how to spend a portion of the town's budget.

The rest of the council and borough professionals were briefed on the concept, and all favored reaching out to the community. The borough had previously established an ad hoc Innovation Committee (IC) consisting of volunteers. It was decided to again utilize these members for this program.

The IC was briefed on the concept and history of PB, and our goal to increase resident participation.

Active Inspirations

Participatory Budgeting



Empty Voting Booths

A 2016 Portland University study clearly showed a significant problem with voter apathy.

30 largest cities showed local election turnout was dismal.

57 median age of the voters

15% Percentage of registered voters who exercised their constitutional right to vote in cities like Dallas and Las Vegas.

Inspired by these numbers, Freehold Borough's Innovation Committee is determined to engage residents.

With Councilmen Kevin Kane and Griffiths acting as facilitators, the committee set guidelines, created definitions, and established timelines as well as the methodology for developing the program. Business administrator Bellina was in contact with a New York City District using PB, and we held conference calls with a fantastic group in the Cambridge, MA, finance office about their program. With their help we began to shape our version of PB.

Hearing the public

We don't have a discretionary budget large enough to underwrite PB. Instead, we used our capital budget to fund it. However, we didn't increase the capital budget, deciding we could and should delay some of our plans to accommodate projects proposed and voted on by our residents. The total amount was to be approximately \$200,000 plus some possible soft costs.

All projects were proposed by the

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Participatory Budgeting

public, defined as anyone age 14 and above who are residents of the borough, or involved stakeholders. Our population is approximately 40% Latino, many are citizens and many are not. We are dependent upon volunteer firefighters and EMS. As calls increase and volunteers are harder to enlist, we can't afford to ignore this large segment of our community. When asked why we were including non-citizens, the reply was simple. If your house is on fire, are you going to ask if a firefighter has a green card?

“When we began the project, we learned that we were the first to initiate a PB program in New Jersey.”

Likewise, questions were raised about 14-year-old participation. In reply we cited our goals of engaging and empowering the public. Giving them a voice in the decision-making process. Educating our younger population about the power of the vote is important.

Some people asked why we, the elected officials, were giving up our responsibilities to allocate tax dollars. We agreed that was part of our job. However, that didn't make us the smartest people in town, and just maybe others have even better ideas than we do. Fortunately, the naysayers were few and the public embraced the PB program.

Process in progress

The IC members went to various organizations to promote the PB program. All the normal media outlets were utilized. When the marketing phase was done, we announced the dates for making proposals. These could be submitted online at our

website, or by “hard-copy” for those without computer access.

For a fledgling program, we are happy with our results. There were 33 projects proposed. The committee had vetting rights to ensure the programs met our definitions as infrastructure projects, low maintenance, on public property and have at least a five-year life.

Then the proposals were forwarded to BA/Purchasing Agent Bellina and our engineers to determine feasibility and develop cost estimates. The total number of acceptable projects was 13.

These included: shared costs for a sidewalk repair program, water fountains in a park and downtown, concrete chess tables in the parks, new and more trash/recycling receptacles, improved street lighting, a floating fishing dock and a pedestrian bridge at Lake Topanemus, an off-leash dog park, borough welcoming signs, free WIFI in the business district, sidewalks on a street that lacked them, and digital speed warning signs near a school.

On the evening of September 11, a Townhall meeting was held to allow the persons proposing the final projects to present their ideas. It wasn't a standing room only crowd, but there were more people than at any normal council meeting.

Voting took place from Sept. 11 to 16, and resulting in 346 votes cast. That may seem like a light turnout; however, it compares favorably with other local elections not held on Election Day. It is more votes than larger neighboring towns get for fire district and school board elections.

The winning projects were announced on Sept. 26, 2017, in a video posted on our website. Top vote-getting projects were all public safety issues. Our residents, given the opportunity to choose, selected improvements they felt were needed, including the shared cost sidewalk repair program, additional street lighting, and the safety pedestrian bridge at the lake.

Since the vote occurred, the financing has been approved by the governing body. The procurement process has begun, and the IC has met to review “lessons learned.”

Requirements List

Participatory Budgeting Projects were required to be:

Capital improvements to our infrastructure

No, or low maintenance costs

Constructed on public property

Have a life-expectancy of at least five years

Getting started in your town

Participatory Budgeting is not an easy program to initiate. It starts with the support of the mayor, governing body, and the town professionals. You need strong advocates, and we had those in Mayor Higgins and BA Joe Bellina. You need devoted volunteers, especially if you don't have a paid staff to carry the workload.

Our IC committee met at least 25 times and dedicated hundreds of hours—and the work continues as we develop our baseline data. We have also sent out a survey to assist us in making improvements for future years.

When we began the project, we learned that we were the first to initiate a PB program in New Jersey. We are confident the program will expand in NJ, and we have been asked to meet with another town interested in PB. Without committee members Joseph Deroba, Ron DeMarco, Annette Jordan, Joan and Reimer Leuth, Joe McArdle, and Don Schaffner, this wouldn't have been possible. 🍷

Addendum: The Freehold Borough Participatory Budgeting was an honorable mention award winner in the 2017 New Jersey Department of Community Affairs and the New Jersey League of Municipalities Innovation in Governance Awards.

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Show Off Your City

Towns share their local highlights in first League photo contest



Throughout the Garden State, local governments work every day to make life better for their neighbors, their families, and the world around them. In a sentiment that so many public officials can embrace, Yoko Ono says “Keep going until your efforts start to make things better in your hometown.”

And, every now and then, it's important to take a moment to acknowledge how things are better—the success stories and the beautiful moments.

The Show Off Your City contest winner for 2018 is the **Township of Verona**, a municipality in Essex County led by Mayor Kevin Ryan. Verona is located in the valley between the First and Second Watchung Mountains, including, the Township's website notes, a lovely park.

“One of the most striking features of the town is Verona Park, part of the Essex County Park system. The 54-acre park was designed by the Olmstead Brothers, and features twin lakes and a picturesque bridge that is a favorite location of wedding photographers.”

Verona's All-American town center is featured on our relaunched website and will receive a free League publication of their choice.

The other entrants to the contest also put some amazing best feet forward, and their images are featured on the following pages.

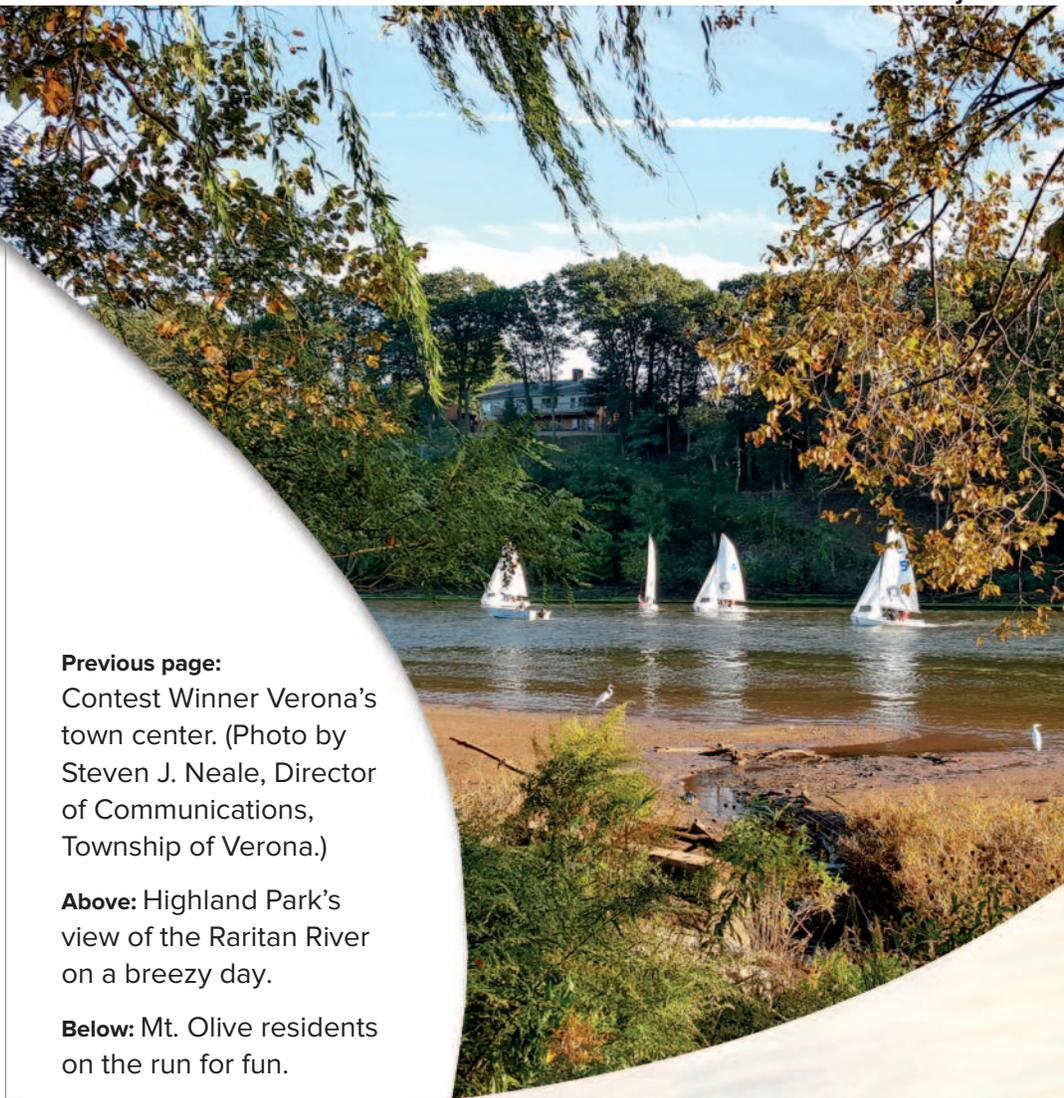
Our congratulations to Asbury Park, Brick, Mt. Olive, Chatham Borough, and Highland Park for sharing their communities' highlights.

Look for more images from these great New Jersey towns on the League's Facebook page, website, and future issues of *NJ Municipalities*. We hope you'll participate in future contests and Show Off Your City! 🏃

Previous page:
Contest Winner Verona's town center. (Photo by Steven J. Neale, Director of Communications, Township of Verona.)

Above: Highland Park's view of the Raritan River on a breezy day.

Below: Mt. Olive residents on the run for fun.



Show Off Your City



Top left:
Chatham Borough
Heirloom Tomato Tasting.

Top right: Asbury Park's
misty morning at the Arcade
from the jetty. Courtesy of Asbury Park
Boardwalk (apboardwalk.com)

Below: Brick Township
Mayor John Ducey enjoying
some Jersey Shore pizza.

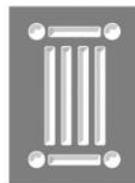
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Visual Litter Surveys

From land-based surveyors to eyes in the sky

By Morris A. Enyeart, Ed.D., Managing Director, Digital Drifting, LLC;
Founding Member, Marine Litter DRONET



The last statewide visual litter survey (VLS) in New Jersey was conducted by the New Jersey Clean Communities Council in 2004. Based on the results of that survey, NJ Clean Communities created effective litter abatement and educational programs. Fast forward to 2018 and NJ Clean Communities is in the process of coordinating another VLS to further assess the effectiveness of past programs and lay the groundwork for new litter abatement programs to come.

On January 30, more than 100 Clean Communities Coordinators and citizen environmentalists gathered at the Rutgers EcoComplex in Bordentown for a series of presentations and discussions to begin the process for the 2018 VLS, which will be conducted through June this year.

“Photos are uploaded to The Plastic Tide Zooniverse database where they are tagged by someone noting the type of litter in the photo.”

Technology’s new tools

The 2018 VLS will combine a traditional survey team approach with new technology added to assist in data collection and analysis of data. Cellphones and tablets will replace many of the clipboards and sheets of paper used in the past. The use of cellphones in a VLS such as the Bergen County’s pilot app linked to a GIS database shows great promise. Using cellphones to enlist the public in identifying/reporting litter is well-proven by apps such as Litterati and Marine Debris Tracker.

However, even with the new technology applied, a substantial number of surveyors are still needed to conduct a large geographic area VLS. Another new technology currently being used to advance and expand a VLS is the use of drones. Last August, NJ Clean Communities supported the Digital Drifting Special Use permit application to NJDEP Division of Parks and Forestry Service to conduct an eight-month Marine Beach Litter Survey pilot using a drone on Island Beach State Park

(IBSP). The application was approved, and NJ’s first Drone Marine Visual Litter Survey began.

Using a mapping protocol provided by The Plastic Tide, an organization on the forefront of UK marine beach drone litter surveys, the southern 5 miles of IBSP was divided into 100-yard segments. A drone with the camera pointed

straight down at the beach was flown 15 feet above ground level along the mapped area taking two high-resolution photos every second, yielding more than 900 photos.

Photos are uploaded to The Plastic Tide Zooniverse database where they are tagged by someone noting the type of litter in the photo. The purpose of

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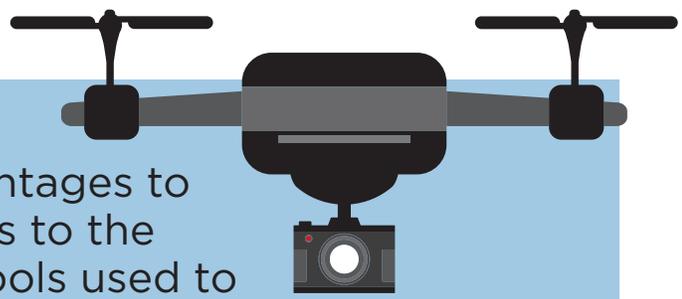
Conference Connections

tagging a photo is to train a machine learning program that is under development to automatically recognize the type of litter, e.g., plastic straw, plastic bottles and caps, fishing line, and other types of plastic litter that wind up on the beach. The ultimate goal of this methodology is to eliminate the need for a person to tag the litter and let the machine do the recognition.

“Change over-time documentation based on drone surveys provide the basis for support and action in existing anti-litter programs.”

Municipal considerations

There are three considerations for municipalities to implement this technology.



High 5!

Primary advantages to adding drones to the technology tools used to conduct a visual litter survey.

1. It takes less resources/people to cover a larger area.
2. Less time is required to do the survey.
3. Experience suggests the camera is capturing litter a person may miss. Pieces of litter partially covered by sand or as small as 1cm are captured in the photo.
4. Surveys can be conducted in hard-to-access and dangerous areas more safely, such as superfund sites, abandoned properties, and steep river banks.
5. Post-survey identification of litter types can be done by anyone from the time and place that is most convenient to them.

In Your Town: What do you need to conduct a visual litter survey with a drone?

1. The drone pilot should be an FAA Certified UAV pilot and/or operating under an FAA Public Entity Certificate of Authorization. Public Entities such as municipalities, states, and counties can obtain a FAA blanket Certificate of Waiver or Authorization to fly a drone that covers a variety of purposes instead of applying for individual COAs.
2. Drone with at 20 MP (or higher) camera on a 3-way gimble, a gyroscope type of camera mount that enables a camera to maintain its position if the drone tilts up, down, or sideways.
3. Drone weight should be at least 2.5 pounds for stability in winds above 5 to 10 mph.
4. Battery allowing for at least 20 minutes of actual flight time.

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• **First**, municipalities can immediately begin to use drone technology to survey properties that may be difficult, dangerous or hard to reach to ensure dumping is not occurring in violation of local ordinances.

• **Second**, they may conduct the drone surveys to document grant applications or enhance their Clean Communities programs.

• **Third**, change over-time documentation based on drone surveys provide the basis for support and action in existing anti-litter programs. As DRONET's visual survey methodology achieves its goals, even greater efficiencies will be realized by municipalities in both marine and non-marine applications.



What's next for VLS?

DRONET leads the way for drone surveys. Discussions with Peter Kohler (Founder and Director of The Plastic Tide in the UK) regarding work in New Zealand and Australia have led to the founding of an international network of marine drone organizations for the purpose of developing the first standard methodology used in conducting Drone Marine Visual Surveys.

The Marine Litter DRONET, a new international organization founded to develop open source protocols and tools for marine surveys conducted using drones (dd-drones.com), has set its sights on two primary, related goals:

First, to develop a standardized protocol for flying the drone (height, speed, area covered, litter categories, and photography settings).

Second, to develop a new, open-source machine learning algorithm to eliminate manual tagging and automatically recognize litter in the photos. DRONET's standardized protocol is nearing completion. The machine learning algorithm development is well under way and expected to reach 80 to 85% recognition within 18 months.

All of DRONET's methodologies and services are being developed as open source products and will be available for any organization or person to use without charge. 📌

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NJLM President Cassella Presents Testimony

Raises issues of concern for municipalities to Senate and Assembly Budget Committees

Responding to Governor Murphy's state budget proposal, State League of Municipalities' President James Cassella, Mayor of East Rutherford, spoke before the Senate Budget and Appropriations Committee and the Assembly Budget Committee. Mayor Cassella discussed the concerns of municipalities hoping for funding restorations, facing property tax worries, and planning for the future by asking for future support of the 2% interest arbitration cap.

Following is Mayor Cassella's testimony:



NJLM President James Cassella of East Rutherford testifies in Glassboro.



Cassella with Senator Paul Sarlo, Chairman of the Committee and Mayor of Wood-Ridge.

My thanks to the Chair and the Members of the Committee for giving me the opportunity to comment on Governor Murphy's proposed budget. I am Jim Cassella, Mayor of East Rutherford and President of the League of Municipalities. On behalf of myself, the League's Officers and Executive Board, and all the members of the League, I want you to know that we appreciate the hours, days, and weeks that you each will dedicate to this task. And we appreciate your consideration of the local perspective on the state budget.

Our citizens are best served when all their elected representatives, at all levels of government, work together to serve their interests and to address their needs. And if there is anything the League can do to help you, as a Committee or as individual Legislators, please let us know. In particular, Chairman Sarlo and Senator Oroho, we would be happy to help you and your colleagues as you consider the problem of property taxes.

We respect the service of all of you to the people of New Jersey, and appreciate your perspectives on the issues. In hopes that the feeling is mutual, here is our perspective the Governor's budget proposal.

First, Governor Murphy has called for level funding of combined Energy Tax and CMPTRA funding. That's better

than a cut. But we had hoped to see some indication that these dedicated municipal property tax relief funding sources will begin to be restored to their previous levels. Unless the Legislature adjusts the proposal, this will be the eighth straight year of level funding. And in the three preceding years, as the State struggled to balance its budget during the Great Recession, the level was lowered by about \$320 million.

In a recent *NJ Spotlight* story, Colleen O'Dea noted that, since 2007, the CPI has risen by 22%, while property tax relief funding from these sources has decreased by 17%. Municipal officials don't expect any credit for keeping property taxes as low as possible, while continuing to deliver quality services, despite the shortfall. But we sure could use some help.



Senator Declan O'Scanlon
with Mayor Cassella.

Second, we have another concern with the proposal. It appears that the Governor's plan may jeopardize the most significant and reliable source of municipal revenues, other than the property tax, in future state budgets. For over 100 years, municipalities have been able to count on certain taxes paid by energy producing utilities. These were originally assessed and collected locally, to compensate local citizens for the utilities' use of public rights of way and for local services provided to power suppliers. When the State decided to centralize tax collection, the statute promised to distribute the proceeds to New Jersey municipalities.

That promise wasn't always kept, but when utilities taxes were reformed in the 1990's, the new statute set up a dedicated fund—the Energy Tax Receipts Property Tax Relief Fund—and assured annual distribution amounts.

On page 25 of the Budget in Brief, it states that \$788 million of dedicated energy taxes are, for the first time, to be included in the State's General Fund. And the text mentions 'proposed legislation.' On page 59, listing 'dedicated revenues,' you'll see that the fund is proposed to be zeroed out.

Please remember that these funds were established to restore monies from sources that were originally assessed and collected by municipalities. These are, by and large, revenue replacement funds, meant to protect our property taxpayers from the impact of policy decisions made in Trenton, after the state made itself the collector of these revenues. Their purpose was not to make things better for property taxpayers. The purpose was to keep things from getting any worse.

While, for this year, the Governor intends to replace the dedicated funds with other revenues; we need assurances that we will be able to count on funding, in the future.

On behalf of our property taxpayers, we will strongly oppose any proposal that changes the Energy Tax Receipts Property Tax Relief Fund from a dedicated source of local revenues, which the state can only reduce at some risk to its own revenues, to another discretionary aid program, which the state can cut in future years to meet some other priority.

Third, we appreciate the Governor's proposed \$15 million increase in Transitional Aid. This program provides crucial support and state technical assistance, through the Division of Local Government Services, to the towns that need it most. And we urge you to accept the Governor's recommendation.

Fourth, we are concerned with the apparent elimination of Meadowlands Tax Sharing payments. Here again, a promise was made. And the citizens in the effected towns are the ones who will pay, either in terms of reduced services, fewer local employees and/or taxes higher than they would otherwise be.

Fifth, I want to address a possible over-confidence in the ability of shared services to lower property taxes. Shared services are a great tool. But they are nothing new to local officials. Where they work, we've been doing it for decades. Both formally, through State structured programs, and informally, when one town steps up to help a neighbor in one way, knowing that that neighbor will do the same in another. But shared services don't always work and they don't work everywhere.

Finally, I want to ask for some help. It's not related to the State's budget. But it would be a huge help to local budgets. We urge you to reinstate the Interest Arbitration cap on police and fire contracts. Over time, without the arbitration cap, expect to see fewer and fewer municipal employees, including in public safety. The 2% tax levy cap, without the 2% Interest Arbitration cap, will force layoffs and force reductions. With no limit on the awards that the public safety unions

can get from a non-elected arbitrator, local services and efforts to keep property taxes down are bound to suffer.

Again, thank you for your time and attention. If we can help you on any matters of mutual concern, please let us know. ♣

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Unregistered Clerks and Voting for Volunteers

By Frank Marshall, Esq., NJLM Staff Attorney

Q After taking some extended time off for health reasons, our municipal clerk has now informed the council that she will be resigning. In her absence, we have had the assistant clerk fill in and she has been doing a wonderful job. We would like the assistant clerk to continue to fill the clerk position vacancy, but are concerned because she is not a registered municipal clerk. Are there any limitations on how long an unregistered clerk can serve as acting clerk?

A While there are limits on how long someone without a registered municipal clerk certificate can serve as acting clerk you may find that these limits are reasonable and could work well for your municipality.

State law requires every municipality to have a certified municipal clerk who is appointed, initially, for a term of three years. Cognizant of the possibility for vacancies in the clerk's positions and the difficult prospect of properly vetting and retaining a certified municipal clerk on short notice, the law allows for non-certified individuals to serve as "acting clerk."

An acting clerk must be appointed by the governing body within 90 days of the registered clerk's vacancy and cannot be appointed for a term longer than one year. In addition, after approval of the Department of Community Affairs, an uncertified acting clerk can be appointed for two additional one-year terms, bringing the total possible length of service for an uncertified acting clerk to a maximum of three years (See, *N.J.S.A. 40A:9-133(c)*).

During this potential three-year period, your acting clerk can take steps to become a registered municipal clerk and if your council is still happy with the clerk's work they can then be appointed as your town's full-fledged municipal clerk. It is important to note, however, that any time spent as acting clerk

does not count towards the three-year period required for municipal clerk tenure (See, *N.J.S.A. 40A:9-133*). You should be mindful of this as you look to reappoint your acting clerk.

Q I have served on the municipal council and have been a volunteer firefighter in my town for over 15 years. I have always recused myself whenever our municipal council held a vote concerning the volunteer fire department. I was recently told that the law has changed and I am now able to vote on these matters. Can you shed any light on this?

A First, thank you for serving your community for so many years, both in your capacity as a councilman and as a volunteer firefighter.

Second, and to your point, you are correct; this area of the law was recently changed.

P.L. 2017 c. 181 was signed into law in August of last year, amending *N.J.S.A. 40A:9-4*, the law which requires municipal council members, who also serve on volunteer emergency services squads or fire companies, to recuse themselves whenever a vote comes before the council regarding their emergency squad or company.

However, the changes to the law do not completely remove the recusal requirement for such dual position holders. Instead, the recent change only relaxes the recusal requirement for dual position holders in municipalities with a population below 5,000. And, regardless of population, dual position holders must still recuse themselves from municipal council votes if they are an officer, director, or trustee of the emergency squad or company.

So, depending on your municipality's population and on your position within your fire company, you may now no longer need to recuse yourself from related municipal votes. 🦒

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The Right Time for Unapologetic Progressivism?

By Ben Dworkin, Ph.D., Director, Rowan University Institute for Public Policy & Citizenship

Governor Phil Murphy's budget address was an unapologetic paean to modern progressivism, and it may be more fitting of the times than most politicians realize.

The Murphy budget represents the emergence of a new era in politics. We haven't seen this kind of gubernatorial vision in years, and it reflects a shift in the Democratic Party, the state, and the nation as a whole.

In the previous "Reagan era"—basically 1981 to 2015—it was assumed that benefits for corporations would cure our economic ills. Murphy, in contrast, wants to reduce the use of tax credits to recruit and keep companies. (The pursuit of Amazon's second headquarters is the exception, but it's a rare exception.) Even Senate President Steve Sweeney, a newly minted opponent of the millionaire's tax in the aftermath of the recently passed federal tax law, is ready to hit the corporate sector with a 3% surcharge on businesses with more than \$1 million in net revenue. The exalted big businesses of yesteryear now face a very challenging time.

The minimum wage fight is another example. Trickle-down economic theory, with its assurances that tax cuts for wealthy individuals and corporations would spur new hiring and investment, no longer holds the appeal it once did. The Murphy administration's thinking is that the state's fiscal fortunes will grow with demand-side (not supply-side) stimulation. Pay workers a better wage, say the governor's supporters, and their increased purchasing power will drive the economy.

A decade ago, these kinds of ideas would have been unthinkable. But now they form the core of New Jersey's economic philosophy.

For those of us who came of age during the Reagan era, all of this is rather disorienting and perhaps even irrational. Raising taxes is the kind of thing that makes you lose re-elections. Conventional wisdom says that the public doesn't care about fairness if they have to pay for it. Many look at the 1991 voter backlash against Governor Jim Florio's agenda to prove their point.

But perhaps, just perhaps, the political landscape upon which this conventional wisdom was established has changed.

There is evidence to believe it has. Consider the following:

1. The Democratic Party's progressive wing is ascendant. Sure, there are moderate Democrats like Pennsylvania's newest congressman, Conor Lamb, who can win in their conservative districts, but the party as a whole is moving left, and decisively so. This shift is one of the reasons why California's Democratic Party, always a bellwether, recently made the shocking move to deny the party endorsement to incumbent US Senator Dianne Feinstein.

“We need this revenue to set things right,” is a stunning statement of both policy and purpose.”

2. New Jersey has become more Democratic. The number of registered Democrats doubled to more than 2 million between 2007 and 2017. And like the national party, New Jersey Democrats today have a much more active progressive wing. Consider the performances of John Wisniewski and Jim Johnson in the June 2017 gubernatorial primary. Each ran to the left of the front-runner Murphy, and despite not having any party line, each won more than 100,000 votes—about 22% each. Murphy only received 48% of the vote. So where did the anti-Murphy votes come from? Answer: the resurgent progressive wing, spurred on by the growing anti-business-as-usual, anti-Wall Street populous.

3. The nation has become more progressive. The issues of the progressive movement—higher minimum wage, LGBT rights, racial and social justice, among others—are now on

the front page. Just a few years ago, if they were covered at all, these issues would have been considered part of an extremist, fringe agenda. This is not to say that conservatives can't win in a progressive era. Rather, the ground on which the issues are being debated is increasingly dominated by the frames and agenda offered by the progressive forces.

Vision for New Jersey

It is into this context that Murphy has stepped forward with his vision for New Jersey. He clearly believes in these policies, and more importantly, he believes that the moment is right for this kind of a progressive agenda. Buttressed by a 14-point win in November, he can certainly claim that the people agree.

"We need this revenue to set things right," said Murphy in his budget speech.

It was a stunning statement of both policy and purpose. Taxes were justified not as a last resort, but as a matter of moral equity. There was no apology for

taking more money from the pockets of residents. Rather, this was the only way to help those who have been left behind when a different set of economic principles ruled the day.

The targeted nature of the taxes makes them even more interesting. Certainly the proposed sales tax increase is a broad-based and regressive tax increase, but moving from 6.625% back up to 7% is hardly something most families will notice. Beyond that, Murphy's revenue comes from a millionaire's tax, eliminating corporate loopholes for those shifting profits made in New Jersey to affiliated corporate entities located in lower-tax states, and some marijuana legislation. Since most New Jerseyans are not millionaires, owners of companies operating in multiple states, or pot smokers, the "pocketbook reality" is that there should be a negligible effect on their daily lives.

Now comes the "political reality"—the deliberative portion of the budget

process and the search for at least 41 votes in the Assembly and 21 in the state Senate.

Reflecting both institutional conservatism as well as cold political calculus—at least for the Assembly, which is at the top of the ticket in 2019 and worries about a midterm "Murphy backlash" in a low turnout year—legislative leaders such as Sweeney and Assembly Speaker Craig Coughlin have been hesitant to adopt Murphy's strong progressive economic vision. Negotiations are expected to be long and difficult.

One tool of Murphy's that no other governor has had in the past is a Super PAC armed with upwards of \$10 million. A multi-million dollar media campaign on New York and Philadelphia television in support of the Murphy budget and all that it promises to do may well be the added leverage that the Governor needs to find the votes and usher the state's cautious political class into the new progressive era he is embracing. ❧

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Procurement Utilizing New Jersey State Contracts

By Michelle DeFrancis, RPPO, QPA, Purchasing Officer, Joint Meeting of Essex and Union Counties; President, Governmental Purchasing Association of New Jersey (GPANJ)

The responsibilities of a purchasing official are forever changing. New laws come into effect, old laws are updated, and the demands are many. One way to ease the burden is the ability to utilize New Jersey State Contracts.

N.J.S.A. 40A:11-12 allows local units to purchase through State Agency. By utilizing State contracts, relieve the Purchasing Agent (PA) or Qualified Purchasing Agent (QPA) is relieved from having to go out to bid. Instead, The bidding process is done by the Department of Treasury Division of Purchase and Property.

When deciding to search to see if a commodity or service is covered under a State Contract PAs and QPAs have two options.

- First there is the conventional website www.state.nj.us/treasury/purchase/pricelists.shtml, where you can do a search by vendor contract number, keyword, or Term Contract number or T number (or Term Contract Number).
- Another way is to go to the newest search engine for State Contracts, NJ Start website www.njstart.gov/bso which is the newest search engine for State Contracts. Under the NJ Start there are several more ways you can search out a contract.

It is important to note that not every state contact is open to cooperative members local units and some are only for State use. It is up to your PA/QPA to make sure when searching out contracts that it is available for cooperative members to utilize.

State contracts are not always the least costly but, depending on the circumstance such as time constraints or delivery times, it may be the most advantageous way to go. It is up to the using department, the PA/ QPA, along with the Finance Officer, to determine what is best for the entity.

Due diligence

When deciding to use a State contract, PAs/QPAs still must do their due diligence. When looking to utilize a State Contract, the PA/QPA must first find if the NJ State Purchase Bureau has awarded the good or service under a cooperative contract. If the good or service is under a contract, you can look at pricing, and most times, there is more than one vender that was awarded a contract for the good or service. Contracts are awarded in various way, the PA/QPA must follow the "Method of Operation" found under that contract number to comply with the contract correctly.

All purchases utilized under State Cooperative Contract are still subject to NJ Pay to Play law (N.J.S.A. 19:44A-20.4 et seq.) threshold of \$17,500.00 and the Local Units Bid Threshold. Whether the local unit is purchasing a one time good/service or utilizing the State Contract throughout the year, the thresholds must be adhered to by the Governing Body passing a resolution. If the Local Unit estimates that utilizing a State Cooperative Contract throughout the year will exceed \$17,500 per vendor or the local units bid threshold, they must have the Governing Body pass a resolution for a not-to-exceed amount. If the amount passed by resolution is going to be exceeded during that calendar year, the original resolution must be amended by the Governing Body.

When searching for a State Contract, keep the expiration of the contract in mind. If the contract expires and is issued under a new contract number, a new resolution must be adopted. If the contract has expired and has not been renewed, that contract is no longer available, and the local unit must not use it.

Other options

The State has approved and recognized award various National and Federal Contracts. These contracts have been issued State Contract numbers for local units to use. If there is no State Contract number, local units cannot use such a contract. If the local unit wants to participate in a National Cooperative Contract that has been issued a State Contract number by the NJ Purchase Bureau, all the State Contract rules apply.

There are some approved contracts, such as reprographic contracts, that historically last 48 months. If a local unit determines they would like to participate in a reprographic contract, the contract must be signed prior to the expiration of the NJ State Purchase Bureau Contract term, and the signed contract will proceed through the 48th month. The local unit must take into consideration the total cost of the 48-month contract. If it exceeds the Pay to Play threshold or the Bid threshold, a Resolution must be passed.

Assigned to each NJ State Contract is a Procurement Specialist. If the PA/QPA has questions regarding a contract, the Procurement Specialist's name, phone number, and email address can be found listed. The Procurement Specialists are very knowledgeable about their contracts, if they are contacted, they will help with any problems. ❧

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LABOR RELATIONS

Chapter 78 Does Not Limit Municipalities Ability to Negotiate Higher Contributions

By Joseph M. Hannon, Esq., Genova Burns, LLC; NJLM Labor Counsel

In welcome, yet expected, news to public employers, the Appellate Division clarified that they may negotiate higher retiree contributions to employee health coverage than the Chapter 78 statutory scheme provides.

On March 2, 2018, the Appellate Division reviewed an appeal from the Public Employment Relations Commission's ("PERC") decision that the Pension and Health Care Benefits Act, L. 2011, c.78, N.J.S.A. 52:14-17.28c ("Chapter 78"), which tops out employee contribution rates at 35%, does not preempt the provision in the parties' collective negotiations agreement requiring eligible retirees to contribute 50% of the costs of their health care coverage.

The dispute arose out of contract negotiations between the City of New Brunswick and the New Brunswick Municipal Employees Association. The collective negotiations agreement required eligible retirees to contribute 50% of the premium costs of their health care coverage. During negotiations over a successor agreement, the City wished to maintain the provision. The Association, on the other hand, cited Chapter 78's tier structure requiring employee contributions and argued that the tiered structure, which is capped at 35% contribution, was the ceiling from which contributions could not exceed. As the statute established what an employee "shall pay," the Association argued that the parties had no discretion in setting contribution rates for eligible retirees.

At issue in *City of New Brunswick*, was N.J.S.A. 40A:10-21.1 which provides that "the authority to determine an amount of contribution...by means of a collective negotiations agreement... shall remain in effect with regard to contributions, whether as a share of the cost, or percentage of the premium or periodic charge, or otherwise, in addition to the contributions required." The Association felt that the provision gave the parties no discretion to go beyond the fourth tier of the Chapter 78 structure.

The Court disagreed with the union's position. In affirming PERC's decision, it noted that the legislature intended to limit the ability of local governments to assume as much of the cost of coverage as they previously had, rather than force municipal employers to pay a greater share than they had before. Consistent with this intent, the statutory scheme explicitly reserved to municipalities the ability to negotiate higher contribution rates

than those required in the statutory scheme. As such, the Court concluded that the statutory rate structure is a floor rather than a ceiling, and that it is "plainly subordinate" to public employers' authority to assume smaller percentages to the costs of coverage.

This ruling helped clarify aspects of retiree health insurance contributions for service and age retirements. Municipalities are not limited to the Chapter 78 tier structure in negotiating contributions. However, while the holding of this case is limited to retirees, it is a reasonable assumption that such a holding would be consistent with active employees as well.

Municipalities would be wise to review their status under Chapter 78 regarding active employees and retirees in determining the appropriate strategy in handling these issues in negotiations. This ruling enforces the principle that negotiating health benefits after the sun has set on Chapter 78 is not simply a path that will automatically lead to a reduction in employee contributions. Rather, it is an open issue that will have Tier 4 as the springboard from which the parties will choose to move from or stay at the Tier 4 rates. Please consult with your labor counsel regarding the effects of this decision and Chapter 78 issues. ↩

Chapter 78 in Review

Chapter 78 set up a four-tiered structure from which employee and retiree contributions were to be effective for premium contributions. The four-tiered structure permitted employees to ease into the required fourth-tier contributions, which max out at 35% contribution for the highest paid employees.

Chapter 78 permits employees and unions to negotiate the tiers under two conditions:

- First, employees must have fully completed the four years into the payment structure.
- Second, the collective negotiations agreement must have expired after the four years have been completed.

Once both of these conditions have occurred, the parties may negotiate from the fourth tier. However, the fourth tier remains the status quo and is part of the collective negotiations agreement until some other contribution is negotiated.

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LEGISLATIVE UPDATE

Michael F. Cerra, NJLM Assistant Executive Director;
Lori Buckelew & Jon R. Moran, NJLM Senior Legislative Analysts;
Frank Marshall, Esq., NJLM Staff Attorney

A-1082 **Gives Freeholders the power to force court consolidation**

Status: Introduced and Referred to the Assembly Judiciary Committee.

The League of Municipalities opposes A-1082, which would give Freeholder Boards the power to usurp a legitimate local prerogative.

Under the provisions of this bill, locally elected and locally responsive governing bodies would have no real choice, but to rubber stamp a county decision to create “county-municipal courts,” with unlimited, countywide jurisdiction.

After action by the Freeholders, each municipality within a county that establishes a county-municipal court would have to agree, within two years, to have violations heard in the new court. A municipality that bows to the county’s will would not be responsible for any administrative costs associated with the operation and maintenance of the new court. However, if a municipality failed to agree within the two-year period to have violations heard by the new court, the Assignment Judge of the vicinage for the county would order that any violations occurring in the non-compliant municipality be heard in the new court, and the municipality would be responsible for all administrative costs specified in the judge’s order until such time as it agreed to have violations heard by that court.

Municipal officials should not be compelled to defer to the whims of officials at a different level of government.

We oppose A-1082, which has been referred to the Assembly Judiciary Committee.—JM

A-752/S-1256 **Requires State aid reduction to municipalities and school districts by amount of accumulated absences paid to employees upon their retirement.**

Status: Introduced and referred to Assembly State and Local Government Committee. The Senate companion has been introduced and referred to Senate Community and Urban Affairs Committee.

A-752/S-1256 requires State aid reduction to municipalities and school districts by amount of accumulated absences paid to employees upon their retirement. While we

appreciate the intent of controlling accumulated sick leave we must oppose A-752/S-1256.

The bill would require each municipality to annually, as part of its budget, report the amount of the accumulated absences paid in the previous budget year to the Division of Local Government Services Director.

The Director, in turn, would be required to annually notify the State Treasurer the amount of accumulated absences a municipality paid in the previous year. The State Treasurer would then be required to reduce the municipality’s Consolidated Municipal Property Tax Relief Aid (CMPTRA), Energy Tax Receipts, Extraordinary Aid and/or Transitional Aid by that same amount.

It is important to note that the lion’s share of monies that municipalities receive from the State as CMPTRA and Energy Tax Receipts are only a replacement for funds that were originally direct sources of municipal revenues. Municipalities originally collected, for example, Public Utility Gross Receipts and Franchise Taxes, Business Personal Property Taxes, Financial Business Taxes, and Class II Railroad Property Taxes. These revenues were intended for municipal use from their beginnings.

When the State, at the request and for the convenience of the taxpaying businesses, became the collection agent for these taxes, it pledged to redistribute the funds back to local governments. Thus, these revenues are local revenues and not State revenues given as aid to municipalities.

In addition, P.L. 2010, c. 3, capped the accumulated leave payment at \$15,000 for any employee hired on or after May 21, 2010. For the municipalities that do offer the benefit, as not all municipalities offer this benefit, payments made today were negotiated in previous years and were part of the give and take of contract negotiations. Now penalizing a municipality for a payment agreed upon years ago is not the way to control accumulated leave payments. P.L. 2010, c. 3 was a positive step in the right direction.

However, if the intent is to control legacy accumulated leave payments, then we suggested that the language in S-2220 from the 2010-11 legislative term is more appropriate. S-2220 would have capped accumulated leave payments for current employees and have them draw down on accumulated days before using existing days, as well as be valued at the rate of pay when the time was earned not when it is paid out.

We would note that A-752/S-1256 would also reduce the total amount of State school aid paid to a school district or county vocational school district by the amount that was paid in their previous budget year for accumulated absences.—LB

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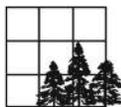
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Around the State



Patriots' Pride

In one of Brick Township's entries for the Show Off Your City contest, the town's community spirit was on full display. Brick actively promotes town pride, from patriotic events such as those shown above, to creative events, including this month's Brick Pride Bear creation on May 6, touted as "the first ever Build-A-Bear Pop-Up Workshop to be held by a city or municipality in the entire country." Afterwards, Mayor John G. Ducey hosted a Teddy Bear Picnic at Windward Beach. 🐻

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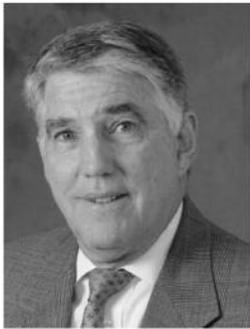
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