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# municipalities

Official Publication

of Municipalities

January 2018

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NJLM President  
Mayor, East Rutherford



Focus:

**Leadership**

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Deadline to submit is February 1.

Entry details: Unfortunately stockphotos and images that are too low resolution will not be considered. By submitting a photo you are agreeing that you own the rights to the photo and that NJLM has permission to use the photo in *NJ Municipalities*, on NJLM's social media and website, and on other printed materials. A winner will be chosen at random on February 15. Please include your Facebook profile name and we will tag your photo on Facebook!





## New Jersey Municipalities Magazine

Volume 95 | Issue 1

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“Share and include valuable League opportunities on your calendars, including the Saturday Orientation Programs for New and Re-elected Officials on January 6 and 20, as well as Mayors Legislative Day on March 14.”

## Give Voice to Your Priorities

As you prepare for and celebrate your local reorganization keep in mind that the public, State agencies, and lawmakers all need to hear from you about the issues most important to your community and local government. Your governing bodies and professionals are an important part in that effort. Keep them actively involved so your communications reflect the most accurate details.

The local meetings, press, radio, and access television are always important ways to voice local government priorities. Along with them also keep in mind the need to communicate with and through various media outlets, including social media. Since your residents no longer rely on just one, single source of information exchange, learn how they consume and exchange information so you can meet them there. For an example, find the League on Twitter @NJ\_League

The League helps you by giving voice to the consensus issues agreed upon at the Annual League Conference. See the 2018 resolutions on page 44 that were voted on and are now part of the League's policy. Use the advice provided in this issue to assist you in planning your communications. Refer to the background materials found on the League website, [njlm.org](http://njlm.org), and The Town Crier blog, [njlmblog.wordpress.com](http://njlmblog.wordpress.com)

Take a moment to share and include valuable League opportunities on your calendars, including the Saturday Orientation Programs for New and Re-elected Officials on January 6 and 20, as well as Mayors Legislative Day on March 14. And watch for upcoming opportunities to become even more directly active in the efforts organized by the League.

This year the new administration in Trenton is working through its own transition. Part of that will include the League President, Mayor James Cassella of East Rutherford, meeting with cabinet members and agency heads as they become available. He will be sure to communicate the League's priorities while also opening our channels to learn their priorities. He will work with, and through, the League Vice Presidents and the full League Executive Board, which you can review on page 1 of this issue.

All of this effort is meant to support your own involvement and the involvement of your elected colleagues and professionals as we move forward together into a New Year and bright future for the Garden State.

And this month Governor Christie will return to private life after eight eventful years serving as Governor of our State. We thank him for his service and wish him and his family the best in whatever lies ahead. 🍀

*Michael Darcy*



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– Mike, 2013 graduate



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# Sweet Deal

How Hackettstown and Mars Wrigley work together as good neighbors

By Maria DiGiovanni, Mayor, Hackettstown

**T**he Town of Hackettstown is one of the sweetest towns in New Jersey. Located in a valley along the banks of the Musconetcong River in Northwest New Jersey, Hackettstown is 3.5 square miles with almost 10,000 people calling it home.

Also calling it home is Centenary University, Hackettstown Medical Center, and Mars Wrigley Confectionery U.S. Hackettstown has been home to Mars Wrigley since 1958 when Mars moved its national headquarters and plant to Hackettstown from its original location in Newark.

The sweet smell of chocolate drifts through the town most mornings, replaced only by the smell of roasted peanuts once or twice a week. It's a gentle reminder of our Mars Wrigley neighbor—a neighbor that employs approximately 1,000 associates, many of whom live in Hackettstown.

## Good neighbors

Being a great neighbor, Mars Wrigley sponsors many town events, including the annual Springfest where tons of its candy, snack food, and product is given away, and the company is a welcomed participant in Hackettstown's Community Day every October. More recently, Mars partnered with the Hackettstown Police Department and the Hackettstown Business Improvement District to co-sponsor Hackettstown's Halloween Downtown event.

A Mars representative also has a seat on the Hackettstown Business Improvement District's Board. However, until 2012 you would have been hard-pressed to actually recognize Mars Wrigley Headquarters and Plant—the plant where half the M&M's in the United States are made.





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Those of us who live in Hackettstown know that we can turn over a pack of M&M's and see it says "Made in Hackettstown, NJ," but there were no distinguishing signs or characters on their buildings or within the Town.

### Building partnership

When I was elected Mayor in November 2011, my goal was to partner with Mars Wrigley, then called M&M Mars Chocolate, N.A., to brand Hackettstown and Mars together. I wanted to showcase how much having a worldwide company, and such a well-recognized one at that, in our town meant to me and the residents of Hackettstown.

“ Along with the new benches, new sidewalks, and decorative lamp-posts, new street signs with M&M characters would be a welcome sight.”

Meeting with Mars Wrigley executives in March 2012, I presented my vision on branding. After discussion on several ideas, the renaming of the street that the headquarters and plant are located (High Street) was the first initiative we wanted to take on. It was agreed that residents would participate by voting on the five top names that we settled on. The vote took place over two weeks and finally a winner was selected: M&M's Chocolate Avenue. The street signs along the road from Main Street (State Highway 46) past Mars Wrigley and to the town boarder would have new street signs with the new name.

On October 16, 2012, the new signs were unveiled in a ceremony at Mars Wrigley headquarters. In attendance were

## Delicious Welcome to Hackettstown



On the entryways into the Town, "Welcome to Hackettstown" signs with the Town's logo on them announced that people were coming into Hackettstown. The signs were older and wooden and needed repair.

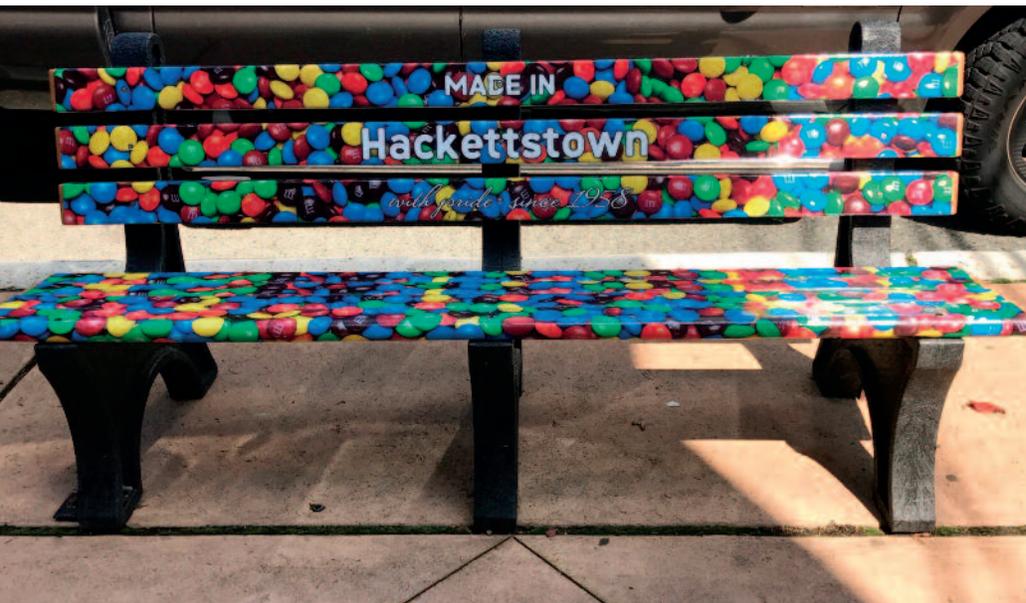
For two years conversations between Mars, myself, and our Department of Public Works were held concerning the specifications of the signs, the characters on the signs, and our budgets.

We knew we wanted the Red and Yellow M&M characters holding up the words "Welcome to Hackettstown," to be consistent with street signs within Town. In addition, a hanging sign underneath would proudly boast "Made in Hackettstown with pride since 1958" showcasing M&M's.

Mars Wrigley executives and associates, then Lt. Governor Kim Guadagno, State and County Officials, Town Council members, and the director of the Hackettstown Business Improvement District, among others. On that same day, an M&M's World "pop up" store opened on Main Street for two weeks a few blocks away, featuring products that boasted "Made in Hackettstown." People lined up for blocks to purchase candy and products. Our first branding initiative was a great success; it was a wonderful day in Hackettstown.

About a year after, I was invited to a team-building event for Mars associates. At that event, it was revealed that benches would be built and placed along Main Street with various Mars characters and product pictures. The benches were placed throughout Main Street. It is great to see people walking on Main Street and stopping to take pictures of the benches, especially with their children.

By Halloween 2014 we were completing yet another branding idea. Hackettstown has a wonderful, walkable Main Street, thanks to a revitalization effort that



started in 2009 and completed in 2015. Along with the new benches, new sidewalks, and decorative lampposts, new street signs with M&M characters would be a welcome sight.

Once again we went to work with ideas of what we wanted to have the street signs look like. It was decided that all

street signs on Main Street and the cross streets would be changed. At the town's Gazebo Park at the Hackettstown Downtown Halloween event, the new street signs were unveiled. Hackettstown now had new street signs up and down Main Street and side streets with the Red and Yellow M&M characters on them.

### The sweetest town

Leighanne Eide, Hackettstown Site Director for Mars Wrigley Confectionery U.S., said the company and the community have a strong, longstanding relationship. "We're proud to make M&M's in Hackettstown for almost 60 years and what better way to show our pride than by partnering with the town on new welcome signs, benches, and street signs with our iconic characters" Eide said, adding, "Being part of the Hackettstown community and having multiple generations of residents be part of making M&M's is an essential part of our history and success."

In August of this year, the welcome signs went up. As the Red and Yellow M&M welcome people passing through the town, people visiting our town as well as the people who work in town, and those of us who are lucky enough to live in Hackettstown—one of the sweetest towns around. 🍬

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★★★★★  
The Municipal knowledge of the JPM leadership is excellent, and a key factor in achieving our shared goal.

**Mayor Colleen Mahr**  
Borough of Fanwood  
★★★★★  
Starting 16 years ago, JPM helped our Borough create many new and innovative shared services with our neighbor Town and School District.

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# NOW & THEN



## Conference Wrap Ups...

Throughout the century-plus history of the League Conference, the NJLM team has strived to make each Conference a success story for every attendee. Over the years, that has meant different things to different people—but there has always been the overarching goal of endeavoring to create a time of professional growth and development, where municipal officials can work together to sharpen their governing saws and move into the next year with fresh ideas and inspiration.

This year was no exception, and as you can see in this issue's features, the League Conference attracted a wide range of participants, from the Governor Elect Phil Murphy and Lt. Gov. Elect Sheila Oliver to newly hired Municipal employees. Each attendee had the opportunity to meet new people and learn more about how others in the Garden State meet their challenges. The classrooms were filled with delegates prepared with

questions about the future ranging from pension reforms and Chapter 78 to the nuts and bolts of running a community's infrastructure, as well as keeping the lights on affordably and the water flowing consistently.

The League also had the pleasure of welcoming a new slate of Officers and Executive Board members who will endeavor to guide the League in their efforts to Realize Tomorrow's Potential. Throughout 2018 *NJ Municipalities* will revisit the topics of greatest interest to attendees to the Conference, keeping League Members up-to-date on the latest strategies and developments in this year of changes to come.

Have any topics you'd like to see in the magazine's pages? Please contact Managing Editor Amy Spiezio at [aspiezio@njslom.org](mailto:aspiezio@njslom.org). Know any companies from the Exhibit Hall whose businesses would enhance the operations of other municipalities? Please drop Advertising Manager Taran Samhammer a line at [tsamhammer@njslom.org](mailto:tsamhammer@njslom.org). We all look forward to another happy and successful new year in the Garden State! 🍷



Amy Spiezio  
Managing Editor

## Time Capsule: Conference Considerations 1918, 1977, 2016



**1918** "We were organized for business, we are performing that business and, it is my candid opinion, that we can best continue to carry on our business of promoting the welfare of the people of our municipalities by developing the work in which we are now engaged and by having but one convention each year, with that convention built on the idea...of giving the municipal officials something which will make them more efficient, stimulate them to greater endeavors in rendering service to their people, and perhaps enlarge our vision of the part which the modern municipality must play in the great work which is opening before us, of making America efficient for the

citizens of our great democracy, thus supplementing the work that is now being done to "make the world safe for democracy."

—Frederick Donnelly, Mayor of Trenton and then-retiring President of NJLM

**1977** I assume that as other conventions are attracted to Atlantic City because of the gambling, that at least for one or two years, rooms will be at a premium. The housing situation should ease considerably, however, when the new hotels and motels which are presently still on the drafting boards are constructed and opened.

The executive Board has also acted by shortening the Conference from its present four-day format so that it would encompass only three days; that is Tuesday, Wednesday, and Thursday, November 14, 15, and 16. The Conference would conclude on Thursday with the business meeting and possibly a final workshop scheduled on Thursday afternoon following the League Luncheon. —Robert H. Fust, League Executive Director

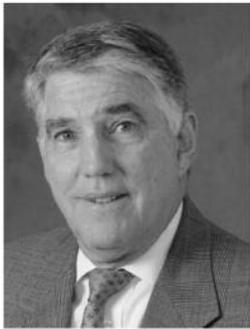
**2016** "I've been Mayor for 21 years and was on Council for 11 before that, so I've been coming [to the League Conference] for 30 years and I'm still learning." —Mayor James Cassella, NJLM President, then-2nd Vice President

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# nj NOW

## League Organizes Support for 2% IA

A coalition of business and local government groups throughout the state were organized by the NJ League of Municipalities to deliver a message urging the Legislature and Governor Elect Phil Murphy to support permanently extending the 2% cap on interest arbitration awards. Cited as a critical issue for all of the organizations, it was noted that the expiration of the cap would have a negative impact on property taxes and jeopardize the continued delivery of critical services as well as adversely impact residential and commercial property taxpayers, working class families, and those on fixed incomes.

### The organizations included:

- Chamber of Commerce Southern New Jersey
- Commerce and Industry Association of New Jersey
- Government Finance Officers Association of New Jersey (GFOANJ)
- International Council of Shopping Centers (ICSC), NJ Chapter
- NAIOP New Jersey
- New Jersey Association of Counties (NJAC)
- New Jersey Association of County Finance Officers (NJACFO)



NJLM President, Mayor James Cassella of East Rutherford, (seated) speaks to the media about the permanent renewal of the 2% Interest Arbitration Cap flanked by supporters of the effort from local government and business organizations (standing left to right): Jarrod Grasso, CEO, New Jersey Realtors; Tom Bracken, President and CEO, NJ Chamber of Commerce; NJLM Assistant Executive Director Michael F. Cerra and Executive Director Michael J. Darcy, CAE; Heather Simmons, President, NJ Association of Counties and Gloucester County Freeholder; Andrew Musick of NJ Business & Industry Association; John Donnadio, Executive Director, NJ Association of Counties.

- New Jersey Builders Association (NJBA)
- New Jersey Business & Industry Association (NJBIA)
- New Jersey Chamber of Commerce (NJCC)
- New Jersey Conference of Mayors (NJCM)
- New Jersey League of Municipalities (NJLM)
- New Jersey Municipal Management Association (NJMMA)
- New Jersey Realtors (NJR)
- New Jersey Urban Mayors Association (NJUMA)
- Southern New Jersey Freeholders Association

First enacted in 2010 and extended for an additional three years in 2014, the 2% Interest Arbitration Cap empowers municipalities and counties across the State to effectively control public safety employment salaries and personnel costs, the group noted in a statement to local officials delivered in December as part of an ongoing effort to renew the cap.

The groups' message to legislators noted, "The 2% cap has proven to be an effective tool for controlling cost without impacting the recruitment, retention, or response of our public safety officials. With this in mind, we respectfully request your immediate support of legislation that would permanently extend the 2% cap on binding interest arbitration awards." 🗳️

## Ready to Run Program Set for March



Ready to Run New Jersey is set for March 9 and 10 at Douglass Student Center, Rutgers, The State University of New Jersey, in New Brunswick.

### A "How-To" Training for Public Life

Ready to Run® is a bipartisan program for women who want to run for office, work on campaigns, get appointed to office, or learn more about the political system.

### You will learn:

- Practical "how-tos" for candidates
- Real world advice and best practices from the experts
- Strategies for positioning yourself for public leadership
- The ins and outs of New Jersey politics
- Campaigning in a digital age

The event offers two tracks to meet participants' needs, including:

- Track 1: I'm Ready to Run, Now What? for women planning to run for office immediately.
- Track 2: I'm Not Ready to Run Yet, But...for women who want to learn more about different ways to get involved in politics or position themselves for public leadership. 🗳️

@ For more information, select the Ready to Run button at [cawp.rutgers.edu](http://cawp.rutgers.edu).



# DATA CENTER

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The average score for cities in New Jersey is 77 out of 100 points, which falls above the national average of 57.

Asbury Park . . . . .	91	New Brunswick. . . . .	65
Elizabeth. . . . .	73	Newark. . . . .	70
Hoboken. . . . .	92	Ocean Grove. . . . .	63
Jersey City. . . . .	100	Paterson . . . . .	64
Lambertville . . . . .	98	Princeton. . . . .	76
Montclair . . . . .	61	Trenton. . . . .	69

The Human Rights Campaign (HRC) Foundation, in partnership with the Equality Federation Institute, released its sixth annual Municipal Equality Index (MEI), assessing LGBTQ equality in 506 cities across the nation, including 12 in New Jersey.

The 2017 Municipal Equality Index, the only nationwide rating system of LGBTQ inclusion in municipal law and policy, shows that cities across the country, including in New Jersey, continue to take the lead in supporting LGBTQ people and workers.

For LGBTQ Americans, legal protections and benefits vary widely depending on location—20 states have non-discrimination laws that include protections for LGBTQ people in employment, and 19 states have laws that protect LGBTQ people from discrimination in places of public accommodation. But cities are leading the way: since the MEI's debut in 2012, the number of cities earning perfect scores has increased more than sixfold, and today at least 24 million people live in cities that have more comprehensive, transgender-inclusive non-discrimination laws than their state.

The MEI rated 506 cities including the 50 state capitals, the 200 largest cities in the United States, the five largest cities or municipalities in each state, the cities home to the state's two largest public universities, municipalities that have high proportions of same-sex couples and 98 cities selected by HRC and Equality Federation state group members and supporters. It assesses each city on 44 criteria covering citywide nondiscrimination protections, policies for municipal employees, city services, law enforcement, and city leadership's relationship with the LGBTQ community. ♣

@ The full report, including detailed scorecards for every city, as well as a searchable database, is available online at [hrc.org/mei](http://hrc.org/mei).

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## Somers Point Accepted into National Flood Insurance Program's Community Rating System

**S**omers Point Mayor Jack Glasser announced that starting on May 1, 2018, Somers Point property owners who have federal flood insurance will start to receive a 20% discount on their insurance rates.

The discount is a result of the city's acceptance into the National Flood Insurance Program's (NFIP) Community Rating System (CRS). The CRS is a program administered by the Federal Emergency Management Agency (FEMA) that provides lower insurance premiums under the NFIP. Communities can apply to participate in the CRS, and residents of participating communities pay lower premium reduction rates based on the implementation of floodplain management policies.

After more than a year of working with representatives from the FEMA Regional Office and the New Jersey Department of Environmental Protection (NJDEP), Somers Point has established compliancy and provided the necessary documentation to show that its policies are consistent with the standards of the



National Flood Insurance Program, achieving a Class 6 certification in the Community Rating System (CRS) program.

"Now that the city has received preliminary approval by FEMA, property owners who have federal flood insurance

will save 20% or more than \$161,000 annually city-wide," said Glasser.

A total of 956 property owners in Somers Point have federal flood insurance policies. These policies insure over \$221 million in property and have paid out more than \$806,000 in premiums in 2016 alone.

The city of Somers Point is already working on ways to improve the city's CRS rating and provide a higher discount for property owners in the future. The city received a grant to develop a Watershed Management Plan, which is a prerequisite for a Class 4 certification. The Stockton University Coastal Research Center has completed this Plan and it is under review by FEMA.

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**Saturday, January 6, 2018**

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For more information click the QR code or visit [njslom.org/seminars](http://njslom.org/seminars)





## South Plainfield Flags

At the South Plainfield Borough Council announced that the Elks and American Legion donated a combined \$6,000 to purchase 1,000 American flags. The flags are available to residents free of charge on a first-come, first-serve basis through the South Plainfield Department of Public Works (DPW).

According to TAP into South Plainfield, “the idea to adorn the borough in more red, white, and blue stemmed from a comment [Mayor Matt] Anesh made back in June. Speaking at the Elks’ 2017 Flag Day Ceremony, the mayor comments how he proudly displays the flag at his home and that it would be nice to see more flying throughout the borough.”

“During that ceremony and over the years, I’ve recounted stories about how, after 9/11, we saw flags all over; there seemed to be flags on every pole, hanging from windows, and even on cars,” said Anesh to TAP into South Plainfield. “I mentioned how it would be nice to get back to where we once were, when it seemed like every house had one, and how neat it would be if every residence in South Plainfield had an American Flag to display.”

@For information on flag etiquette and how to properly display the American flag, visit [usflag.org/flagetiquette.html](http://usflag.org/flagetiquette.html) and [tapinto.net/towns/south-plainfield/articles/](http://tapinto.net/towns/south-plainfield/articles/)

## New Brunswick Opens Joyce Kilmer House

The Joyce Kilmer birthplace house, located at 17 Joyce Kilmer Avenue, was open on December 6 for the City’s annual open house observance of this local historical figure’s 131st birthday.

Alfred Joyce Kilmer, author of the poem “Trees” and many other poems and essays, was born in New Brunswick on December 6, 1886, in his parents’ home, located at what was then 17 Codwise Avenue. The poem “Trees,” published in 1914, was considered to be the most popular poem in America at the time.

He was killed in July 1918 in France during WWI, while serving in the U.S. Army with the 69th Infantry Regiment. He was 31 years old.

His writings and heroic death brought him fame and inspired the naming of the Camp Kilmer Army post in Piscataway and Edison (then Raritan Township) on the outset of WWII.

Kilmer’s birthplace home, located at 17 Joyce Kilmer Avenue, was acquired by Joyce Kilmer Post #25 of the American Legion in the late 1920’s and used as a post office and a shrine to Kilmer. Today, the house is in the care of the City of New Brunswick, used for both municipal services and as a continued location for the Kilmer shrine. 📍



### Budgeting for the Elected Official: Everything you Need to Know to Create, Balance, and Approve Your Municipalities’ Budget

Saturday February 24, 2018 • 8:30 a.m.-2:00 p.m.

The Conference Center at Mercer  
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The League has created a special half day program geared towards Elected Officials to help them in understanding the Municipal Budgeting Process. The day will be broken into four parts that include:

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## For Your Information: Town Crier

Seeing the Town Crier at the Annual League Conference each year harkens back to the early days of the nation. NJLM has had an Official Town Crier since 1997, Rich LaLena of Berlin.

*Here he gives us a little history on Town Crying.*

Town criers, or Bellman as they were sometimes called, were the original newsmen. The first town criers were the Spartan Runners in the early Greek Empire and as the Roman Conquest spread through Europe the role increased in importance until it became a position of the court.



“The town crier would read a proclamation, usually at the door of the local inn, then nail it to the doorpost of the inn, resulting in the expression “posting a notice” and the naming of newspapers as “The Post.”

Centuries later, when England colonized the world, the position of the town crier spread with it. Before people could read, town criers brought the news to the people, and served as spokesmen for the King.

Town criers were protected by law. “Don’t shoot the messenger” was a very real command; anything that was done to a town crier was deemed to be done to the King and was, therefore, a treasonable offence.

Usually people of standing in the community were chosen as criers, they had to be able to write and read official proclamations. The town crier would read a proclamation, usually at the door of the local inn, then nail it to the doorpost of the inn, resulting in the expression “posting a notice” and the naming of newspapers as “The Post.”

Each town crier is officially appointed by a public office or organization. The style of uniforms is authentic and date back to the 17th Century and they are usually designed incorporating the colors of the crier’s town or the period of his choice. At times their ceremonial hats are adorned with curling feathers, a traditional representation of the quills used by earlier town criers to write their proclamations. Announcements or Cries are always preceded by the traditional “Oyez Oyez Oyez” or “Hear Ye Hear Ye” and conclude with “God save the Queen” or “God Bless America!”

@ For more information, contact [RichLaLena@gmail.com](mailto:RichLaLena@gmail.com)

### JANUARY

#### January 6

**Orientation for Newly Elected, Re-Elected, and Experienced Municipal Officials**  
Hilton Hotel, East Rutherford

#### January 20

**Orientation for Newly Elected, Re-Elected, and Experienced Municipal Officials**  
Hotel ML, Mount Laurel

### FEBRUARY

#### February 24

**Budgeting for Elected Officials**  
Conference Center at Mercer, West Windsor

### MARCH

#### March 2

**A Quick Review of Budget and Audit Updates**  
Webinar-Your Computer

#### March 8

**Budget, Ethics, and DLGS Updates on Best Practices and Procurement**  
Conference Center at Mercer, West Windsor

#### March 14

**26th Annual Mayors’ Legislative Day**  
State House Annex, Trenton

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UpFront: Leadership

# Q&A with the New League President

By James Cassella, Mayor, East Rutherford,  
NJLM President



**“No matter what the makeup of a municipality’s population is or where it is located—whether it be along the Jersey Shore, the rolling hills of the northwest, in the shadows of New York City, along the banks of Delaware, and everywhere in between—we are one, fighting for those many issues that affect all of us.”**



now, after 22 years in the position of Mayor and with many of these issues behind us, but still with more work to be done, I continue to proudly serve the people of East Rutherford.

By the way, in case you are wondering: I did, as my godfather did years before, get invited to the White House by the President (George W. Bush); and I do have a photograph with a president: President Clinton.

**“Being around people in government showed me that there is so much good you can do for a community and the people by being involved, whether it be as Mayor, Councilman, or any of the many positions available to serve on in government. You can make a difference.”**

**Q How would you describe your leadership?**

**A** I guess I would describe myself as non-dictatorial. It is more important to me to have input from a number of people.

Also, I am a hands-on mayor, being involved but not micro-managing, letting the professionals do their job.

I am a firm believer in compromise. Although I know politics can get nasty and I am a politician, I do try to cut through that. I want to get things done, solve issues, not just talk about them.

As we are currently witnessing, people sometimes use all of their energies dealing with politics, ideology, and personal disputes, which leads to nothing of substance getting done. I try to avoid that as much as possible. To me it is always important to remember that we are serving all the people, not just one group and we should never lose sight of that when working toward our goals.

I am a firm believer that we are in this together and we need to work together. It is not me against you.

**Q What led you to get involved in local government in East Rutherford?**

**A** My interest in government began at an early age when both my father and godfather were involved in local government.

My father was a councilman in East Rutherford and my godfather was the mayor.

Many of the people they interacted with served in various positions—judge, board member, tax assessor, etc. Throughout my childhood I was always around people serving and, being so young, I just became fascinated with government and politics. I remember a photograph in my godfather’s home of him and President Eisenhower and Mrs. Eisenhower sitting in the White House and me thinking, “Wow, I would like to do that someday.”

More importantly, though, was that being around people in government showed me that there is so much good you can do for a community and the people by being involved, whether it be as Mayor, Councilman, or any of the many positions available to serve on in government. You can make a difference.

In my late teens I started to get involved in campaigns for offices on pretty much every level from Board of Education to Congress. I did that for a number of years, not really having the time to run for office, but then I was asked to run for the Board of Education to fill an unexpired term and, after serving two terms, ran for the Council, where I served 11 years. When the long-time Mayor of East Rutherford decided not to run, I decided to step up when asked by him to run. My decision to run for Mayor was based on a number of factors but the main reasons were the need to address our aging infrastructure and the need to deal with the number of a vacant or under-used properties that were once a viable part of our industrial past. I felt I was in a good position to deal with these issues and

**Q What are the greatest strengths of local government in New Jersey? What are the most problematic weaknesses?**

**A** I believe the greatest strength in local government is that out of all the levels of government, it is the only one that deals directly with the people. The people you represent know where you are; they see you in person at the local store or at a ball game or school function. You are not just a name. The biggest weakness I see is that local government does not have the ability to control much of what we get blamed for. For example, we have no control over what the county taxes are or what the school taxes are, but the tax bill comes from the municipality. So even if our municipal taxes do not increase or go down but the county and/or the school taxes increase, we will get blamed for a tax increase.

Plus, in some instances, we are the ones on the front lines when the legislature in Trenton passes a bill that negatively affects our residents and we have to try to explain something that we had nothing to do with—in both cases we cannot do anything about it other than voice our opinion.

**“To me it is always important to remember that we are serving all the people, not just one group and we should never lose sight of that when working toward our goals.”**

**Q What do the citizens expect from their municipal officials, and has that changed at all over the years?**

**A** I think at a minimum, citizens expect their municipal officials to make sure that local services, garbage pickup, snow plowing etc., operate efficiently but also, that we listen to what the citizens have to say or what their issues are. If they contact you, they expect a response. Of course, sometimes it is impossible to satisfy a request but in many cases people will accept that as long as you, at the very least, talked to them about their problem.



**Q What are your goals as League President?**

**A** My first goal as League President is very simple: stay out of the way, let our staff continue to do what the League staff has been doing for the last 102 years. They are the people who have made the NJ League of Municipalities what it is today.

Having said that, I would like to help in any way I can to try and work with our legislature and new Governor to pass legislation that is important to our municipalities. There are a number of issues that are important to the League and our municipalities, which includes my hometown of East Rutherford.

My goals will mirror what our staff and members would like to achieve starting with passage of legislation that extends the 2% arbitration cap.

Three other major goals which, again, I believe are important to the League and its members are:

- Trying to get the legislature to seriously address school funding.
- Being able to retain 100% of our energy tax.
- Resolving the pension issue.

These goals are probably similar to the goals of past presidents of the League, but hopefully, we can make some headway with these issues. I also would be pleased if we are able to reach more of our members in helping us to try and achieve our goals, because if we do, every municipality will benefit.

It is also important to our citizens that the people see you. It doesn't matter how large or how small an event is, it is important to them that the Mayor is there. I try to attend any event that I am invited to or aware of and do believe people appreciate that. I can say that I miss very few.

There is an expectation that elected officials will stand up for their municipality, for their taxpayers and citizens. They like to see their elected officials fight for their community. These expectations have not really changed over the years but what has changed is how the people contact you when looking for information or discuss an issue they might have.

Being involved for almost 40 years, I have found that the biggest changes that have occurred are not so much with what the citizens' expectations are but how they interact with municipal officials. Technology has changed all of that. When I was first elected, people would telephone you or come to your door but now with the technology and social media, information that they may have been looking for from you is available online, or instead of the phone call or knock on the door, you may receive a text or an email. Our municipalities have changed; the people have changed; society has changed; politics has changed; state oversight has changed, but the expectations of what our citizens want from their local elected officials really hasn't changed all that much.

## Q What advice would you give to someone just elected to local office for the first time?

A First, I would advise them to sign up for one of the League's sessions for newly elected officials, which are held every January. They will get a great overview of various aspects of local government and the League. I then would tell them that they should always remember that they are no different than anyone else in their municipality, but they are now in a position to help all their fellow citizens. They should never forget: you work for the people not the other way around.

An elected official should try to put politics and personal differences aside when trying to make a decision that will benefit your municipality.

When serving in an elected position you need to be active. It is not just one or two meetings a month and it is not always easy, but in the end when you are successful in getting something done that makes your community a better place it can be very gratifying.

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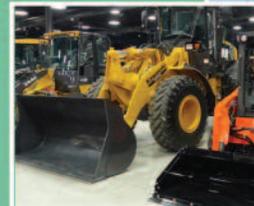
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## Acceptance Remarks of Mayor James L. Cassella President, New Jersey State League of Municipalities Thursday, November 16, 2017

**T**hank you all very much for giving me the opportunity to preside, for the next 12 months, over your League of Municipalities. It is an honor for me and for my hometown, East Rutherford.

First and foremost, I'd like to thank my wife Janice, who held the Bible today. Good job!

I also have to acknowledge and thank, and unfortunately he can't be here today, past president and former Mayor of Moonachie Fred Dressel. He's a good friend and he's the one that gave me a call eight, nine years ago and said, "Would you serve on the Executive Board?" I said, "I don't know if I have the time." He said "It doesn't take much of your time. A couple of meetings a year, one in June, one in December. That's it." I said, "Ok." Well, here I am today. I've seen more of Trenton in the last two years than I ever saw of Trenton in my life.

But also, very importantly I wanted to thank my friend Paul Sarlo. He stayed late on my behalf to swear me in and I really do appreciate it. Thank you for taking time out. I know you're busy. He's coaching his kids, he has a job, he's Mayor, he's Senator, he's head of the budget committee, and he has two boys that are quite busy with their athletic endeavors, so it is really special that he took the time. Thank you, Senator.

I also must thank the family of people who work together in Borough Hall, and all around our community, to serve the people of East Rutherford. The members of our Council, I do have Councilman Lahullier here, so thank you, Jeff, for being here. Danielle Lorenc, our clerk and Tony Bianchi, our CFO, I'd like to thank them for coming down and without them I don't think we could operate quite as well, thank you. And thank you to the Police Chief, DPW, Fire Department, EMS, and, most of all, our volunteers throughout our community. It is because of their dedication East Rutherford has become what it is today.

East Rutherford is known to many people only because of the number of professional sports teams that have called East Rutherford home for the last 41 years, including currently the Jets and the football Giants. And of course for the hosting of the Super Bowl a few years back. But there is so much more to our community. The signs that greet visitors



coming into the borough bear the three words that serve as our motto: Family. Progress. Commerce. That is what our town is about for those who live and work there. And I am proud to say that I'm the Mayor of East Rutherford, in Bergen County, New Jersey.

In accepting election as League president, I want to recognize another family. The family of public servants, who serve the people of New Jersey in local government and who join together in our League of Municipalities.

I especially want to recognize my friend and my immediate predecessor in this office, Mayor Albert Kelly of Bridgeton. Above everything else, he really is a good man and has been a great leader for this organization. He also is on the transition team of Governor-Elect Murphy.

He's Mayor of Bridgeton. I'm Mayor of East Rutherford. You could not find two more different communities in New Jersey, but this is what makes the League of Municipalities unique. He's a Democrat, I'm a Republican. Bridgeton is almost as far southwest in New Jersey you can go, and East Rutherford is almost as far northeast as you can go in New Jersey. Bridgeton is surrounded by farms, East Rutherford is surrounded by New York City, Newark, Paterson, and Passaic. But there are many common issues that are confronted in our communities, and every community in New Jersey.

Property taxes, 2% arbitration cap, state mandates, affordable housing, pensions, and so much more. We stand together fighting for what is right for our municipalities.

Speaking about Democrat and Republican, though, one thing that impresses me most about the League of Municipalities is its bipartisanship or even nonpartisanship. When you become a member of the Executive Board and you attend meetings, you check your party affiliation at the door. We are there to support Democrat and Republican municipalities, whether they are urban, suburban, or rural municipalities. No matter what the makeup of a municipality's population is or where it is located—whether it be along the Jersey Shore, the rolling hills of the northwest, in the shadows of New York City, along the banks of Delaware, and everywhere in between—we are one, fighting for those many issues that affect all of us.

I also want to honor those who have served and are serving

on the League's Executive Board and I thank each and every one of you. I will depend on your enthusiasm, your insight, and your counsel in the coming year. Congratulations to my fellow officers. Welcome, Janice Kovach, I think you're going to enjoy this. She's Mayor of Clinton and she's been active with the League and most deserving of this position. And welcome back, Colleen Mahr, my first vice president, and my old friend Jim Perry, whose brother, George I should mention, is a Councilman in East Rutherford. Congratulations to all of you, I look forward to working with each and every one of you.

I want to honor all those who have served and all of those who continue to serve their fellow citizens on the local level in New Jersey. I'm proud to be one of you and I'm humbled by your examples of honorable service. I will depend on your support during my term as your president, but without your active participation in League affairs my efforts will fall flat and we won't get anywhere. So I really do look to you to help me to be successful.

It will be an exciting year with a new administration coming

in, and on behalf of the League of Municipalities, I wish the Governor-Elect Phil Murphy and Lt. Governor-Elect Sheila Oliver the best and of course the same goes to the Legislative leadership: our good friend Paul Sarlo who was just reelected, and we look forward to working with all of them. I think we're going to have a lot of dialog. I see a good year coming up.

The League is celebrating its 102nd year and I'm not here to reinvent the wheel, because it is the staff through the years, people like former director Bill Dressel and the current staff, starting with Mike Darcy, Mike Cerra, and the entire staff. This is what makes this organization. We are there to support them and their efforts. You go to the Conference and everything is set up, everything is great. Well it's all because what these people do, our staff, our leadership; it's amazing each year and it gets better and better.

You have given me an important mission. But it is not only mine. Please remain active in our efforts to create a better tomorrow for all the people of our Garden State. If we all work together, I know we will be successful. ♣

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# Keeping Our Children Safe From Gangs

By Hector C. Lora, Mayor, City of Passaic

**T**he recruitment of children by adult gang members to commit crimes is appalling and in my strong opinion needs to be addressed with stiffer penalties that reflect the damage it does in all our communities, particularly urban centers.

A New Jersey State Police report documented that gangs are operating in all 21 of New Jersey's counties and in nearly half of our municipalities.

Currently in New Jersey, adult gang members who are defendants for "soliciting, recruiting, coercing, or threatening a person under 18 years of age" are charged with a crime of the second, third, or fourth degree. In my view the State Legislature should raise the penalty to a first degree crime or ensure mandatory minimum jail time is a real consequence for this crime, as well as include residency and hiring restrictions on habitual offenders when it comes to schools and youth agencies.

**“ In an effort to safeguard our children, we should make it clear that we will do everything in our power to protect vulnerable young lives, which may be preyed upon by adults luring them to join criminal street gangs. Stiffer penalties will send that message.”**

Some may argue that this penalty is too harsh. However, in an effort to safeguard our children, we should make it clear that we will do everything in our power to protect vulnerable young lives, which may be preyed upon by adults luring them to join criminal street gangs. Stiffer penalties will send that message.



Mayor Hector C. Lora of Passaic speaks about League Resolution No. 2017-03 "Resolution Calling for Legislation to Increase Criminal Penalties for Adult Street Gang Members Who Solicit or Recruit Minors to Actively Participate in Criminal Street Gangs," at the League Resolution Committee Meeting on Tuesday, Nov. 14 at the League Conference. Mayor Lora sponsored the resolution, which was co-sponsored by Mayor Joseph Tempesta, Jr., of West Caldwell, League Past President, and Assemblyman and Passaic City Council President Gary S. Schaefer. The resolution was adopted at the Annual Business meeting held during the League's 102nd Annual Conference as one of the League's priorities for 2018. For the full text of the resolution, please visit [njslom.org](http://njslom.org).

If in certain instances the penalties of a first degree crime are too harsh, the law should provide for some judicial discretion. Even today, the second and third degree penalties in certain instances are downgraded.

I plan to bring this issue to the forefront through the State legislators in Passaic and Bergen Counties and welcome the support of all in this effort.

The responsibility for protecting these young lives belongs to all of us. Together New Jersey Mayors and legislatures can collectively send a strong and supportive message to the children and families of all of our communities.

Protecting the children of our great State of New Jersey, and ensuring that they choose the right path, must be a paramount concern. 🇯🇵



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# New Rules for Tree Experts Adopted

By Steve Chisholm, President,  
New Jersey Board of Tree Experts

Last spring, the Rules of the NJ Board of Tree Experts (the Board) were officially adopted and posted to the NJ Register. The adoption and posting officially implements the Licensed Tree Expert and Licensed Tree Care Operator Act passed in 2010, *N.J.S.A. 45:15C-11 et seq.* The law requires contractors performing work on trees in New Jersey to register with the Board, have at least one licensed individual at each branch location, and carry the appropriate type and level of liability and workers' compensation insurance.

The law also requires tree care companies to abide by national standards of practice for tree care and tree worker safety, and licensed individuals to attain at least 32 hours of continuing education every two years.

## WHAT MUNICIPALITIES CAN DO

It is important for all municipalities and residents to be aware it is now illegal to perform tree work for hire without a license and business registration. Initially, the Board will be busy with registering tree care companies and licensing individuals.

Municipalities can assist in reporting those who have not yet registered with the Board, appear to be performing improper tree care, or are operating in an unsafe manner (e.g., undefined work zones, workers without personal protective equipment, etc.).

At times, code enforcement or police may be needed to shut down a jobsite until the potential violator is brought into compliance with the law. Code enforcement officials should familiarize themselves with the law and how to contact the Board.



### A new structure

The law establishes a two-tiered licensing structure creating Licensed Tree Care Operators and Licensed Tree Experts. See the Board's website, [njtreeexperts.org](http://njtreeexperts.org), for details on what work each is authorized to perform. The Board of Tree Experts is authorized to effectuate the law through compliance and enforcement.

The law had support from County and Municipal governments and the NJ Department of Community Affairs, which reported in the wake of Superstorm Sandy, the chief complaints regarding tree services were a result of fly-by-night tree removal companies. Tree care industries have long supported the law because of the high number of injuries and fatalities experienced by untrained tree care workers. In the seven years between when the Law was passed until the time the rules were passed effectuating the law, 26 people lost their lives in New Jersey while performing tree work.

### Standard for safety

Municipal and line clearance workers are exempted from the law, however, the Board of Tree Experts strongly recommends the unregulated community strive to meet national safety and tree care standards. The Tree Care Industry Association has developed a set of generally accepted industry standards for tree care practices, which can be found in ANSI A300 and ANSI Z133. Anyone seeking help in performing this work to a higher and safer standard is encouraged to contact the Board for guidance. 📍

@ For additional information on business registration, licensing, and the Law; contact the NJ Board of Tree Experts at **732-534-0982**, [njtreeexperts@gmail.com](mailto:njtreeexperts@gmail.com) or visit their website at [njtreeexperts.org](http://njtreeexperts.org).

# New Jersey Building Officials Association, Inc.

[www.newjerseyboa.com](http://www.newjerseyboa.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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# Remove or Treat Ash Trees Today

Prevent costly problems tomorrow

By Rosa Yoo, Forest Health Coordinator, New Jersey Forest Service

**I**t may be hard to believe that a tiny green insect can wreak havoc on an entire tree species, but it is happening in 30 states nationwide, including right here in New Jersey. The emerald ash borer (EAB) has the potential to kill as many as 99% of the ash trees in the Garden State. That includes ash in forests, along streets, around homes, in parks, and along edges of fields. That is why anyone who has even one ash tree on their property or manages properties with ash trees should protect against the EAB now, even if a formal detection has not been made in their jurisdiction.



## What is EAB?

This metallic green insect measures about 1/2 inch in length. For such a small creature, it can do enormous damage. An infestation of EABs can kill ash trees in as little as three to four years. The beetle's larvae feed on the inner layer of the bark, which effectively girdles the tree, eliminating its ability to move water and nutrients from the roots to the leaves, eventually killing the tree.

EAB is a non-native, invasive insect that was first detected in North America in Michigan in 2002. In 2014, EAB was detected in New Jersey, and has since been found in 12 counties and 52 municipalities, with new detections constantly appearing.

## Treat ash trees

It is not too early to start pesticide treatments to protect ash from EAB infestation. Pesticide treatments are effective in protecting individual ash trees from EAB infestation. However, ash trees selected for treatment should be relatively healthy, as most pesticide treatments are taken up by the cambium, the tree's vascular system.

Ash trees with low levels of EAB infestation can be still be protected via pesticide treatments if done early enough and with appropriate pesticides. Pesticide treatments should be performed by a licensed certified pesticide applicator, and continue for at least 10 to 15 years.

## Remove ash trees

It's also not too early to start removing any ash trees that you do not plan to treat. Begin this work sooner than later, and spread the work out over multiple years, which will make this otherwise daunting task more manageable.

Unfortunately, soon after an ash tree dies, the wood becomes brittle and prone to failure. Dead ash trees can pose a serious threat to people and property from falling branches. For this reason, be sure to remove ash trees in high-use areas, within striking distance of homes, yards, driveways, and buildings.

It is safer to cut and remove live ash trees than dead ash trees. Do not wait until ash are dead to start removals.



Tree damage inflicted by the Emerald Ash Borer.

## For More Information

Visit [emeraldashborer.nj.gov](http://emeraldashborer.nj.gov) for:

- A sample EAB Action Plan
- List of pesticide treatment options
- List of professionals to assist with ash removals
- List of wood utilization companies
- Downloadable outreach materials
- Map of confirmed EAB detections in NJ

## Ash Trees

It was established to unify the outreach and education message to residents, municipalities, and counties within the State on how to deal with EAB.

The Task Force maintains [emeraldashborer.nj.gov](http://emeraldashborer.nj.gov). This site is updated regularly with new information and resources to assist with addressing EAB, as well as to track EAB detections throughout the state.

### Grants

Through participation in the New Jersey Urban and Community Forestry Program (NJUCF), grant opportunities are available for municipalities and counties to assist with EAB/Ash management planning, reforestation, and tree planting.

There is currently no funding source to assist with ash removals. Municipalities and counties that do not participate in the NJUCF should consider becoming accredited for all the benefits the program can provide to your community. 📌

@ Visit [communityforestry.nj.gov](http://communityforestry.nj.gov) for more information.

Rosa Yoo is a Regional Forester with the New Jersey Forest Service. She is the Forest Health Specialist, mainly focusing on exotic invasive insects and diseases that threaten New Jersey's forests.

### Act now

Address EAB today, because in as little as 3 to 5 years there may be no live ash in your communities, in your forests, or around your homes.

With more than 24 million ash in forested areas in New Jersey, and countless more in parks, landscapes, and then along streets, EAB-induced ash mortality will only increase and expand as time goes on unless treatment measures are started as soon as possible.

It is not too late to begin treatments on healthy ash trees you want to protect from EAB, and initiate removals on the other ash that are not slated for treatments.

Some areas of the state are at a critical point where EABs have been present for several years. Without action to slow the spread, widespread death of ash trees is a real possibility in the near future.

To address the EAB crisis in your town, develop a plan of action, prioritize areas or specific trees for management activities, and establish partnerships to get the work done.

### EAB Task Force

In preparation for the EAB invasion, New Jersey established the New Jersey Emerald Ash Borer Task Force. It is comprised of representatives from:

- New Jersey Department of Agriculture
- New Jersey Forest Service
- U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS)
- Rutgers University
- USDA Forest Service

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# Improving Processes, Making Progress

2017 Innovation in Governance  
Awards Program winners named

By Michael Rogers, City Administrator, Summit; and  
Heather A. Mailander, Village Manager/Village Clerk, Ridgewood

The New Jersey Department of Community Affairs and the New Jersey League of Municipalities continue to recognize *Innovation in Governance* through their annual awards program. The awards are presented as part of the Mayors Lunch and Executive Briefing Wednesday, November 15, during the League of Municipalities Annual Conference in Atlantic City.

This awards program was established to highlight exemplary local government programs that provide innovative and practical approaches to solving municipal problems and concerns. At the same time, we share these innovative approaches are shared with municipal leaders throughout the state at the Annual New Jersey League of Municipalities Conference, and through the National League of Cities “Best Practices” database.

#### The 2017 judges were:

- League Past Presidents **Paul Maticera** and Plainsboro Mayor **Peter Cantu**;
- Division of Local Government Services Director **Timothy Cunningham**; and,
- League of Municipalities Executive Director, **Michael J. Darcy**, CAE

The program invited applications describing any type of innovation undertaken by municipalities in the past 16 months. The participants responded with a range of submissions that underscore the variety of challenges municipalities solve.

Following are reports of the two programs which yielded excellent results for Top Honorees, the Village of Ridgewood and the City of Summit.



#### The City of Summit Launches First Ridesharing Program in NJ for Residential Commuters

As an alternative transportation option, ridesharing is not new but Summit’s program is the first of its kind in New Jersey to use ridesharing technology as a parking solution. This innovation has the potential to shape how municipalities



Summit Mayor Nora Radest announces the Rideshare Program.

Two top honorees and three honorable mentions were recognized at the League Conference, with the top honors recognized with a plaque at the Mayors Box Lunch.

#### The 2017 Top Honorees are:

**Village of Ridgewood:** Outsourcing the Management of Crossing Guard Services

**City of Summit:** Ridesharing Technology as a Parking Solution

#### The 2017 Honorable Mentions are:

**Bloomfield Township:** Open Public Records Portal

**Freehold Borough:** New Jersey’s First Participatory Budget Project

**Highland Park Borough:** Arts in Highland Park

think about and implement parking options in the future.

The City of Summit has a population of approximately 22,000 residents. It is located in Union County, and has been designated as a Transit Village community by the state. The City of Summit and its Parking Services Agency provides a number of parking options for city residents, employees, visitors, and non-resident commuters on a daily basis.

The Summit ridesharing program is an innovative congestion mitigation strategy that provides a “last-mile solution” for Summit residents who commute to and from work via the NJ Transit Summit Station, a regional transit hub that accommodates over 3,600 average weekday passengers on the NJ Transit Morris and Essex line.

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NJ GMIS is an association of New Jersey public sector technology leaders. We provide organizational structure, networking and activities to enhance coordination among state, county and local governments along with public school agencies.

## Innovation in Governance Awards

### Busy station

Summit train station is considered one of the top 15 busiest train stations in New Jersey. A high volume of ridership from the Summit train station perpetuates a significant traffic and parking congestion problem in Summit's downtown neighborhood.

The city developed a dynamic ridesharing program with the purpose to:

- Develop an alternative, reliable means for city resident commuters to get to and from the Summit train station
- Ameliorate the inability of resident commuters to easily access daily parking options near the Summit train station.
- Test the performance of dynamic ridesharing as a tool to provide a parking solution, reduce traffic congestion, and stimulate a modal shift to ridesharing
- Determine if a dynamic ridesharing service can serve as an affordable cost alternative to traditional parking infrastructure such as city-owned surface lots and structured garages

Through a Request for Proposal (RFP), the city solicited proposals from qualified vendors to provide customized technology software as a service that enables resident commuters to connect with a registered group of drivers to share a ride, within reasonably short notice, using mobile communication technology.

### Program specifics

In October 2016, the City of Summit launched New Jersey's first ridesharing commuter program with Uber, designed to help residents struggling with limited parking at the Summit train station. The program was a six-month long pilot program that was scheduled to terminate on March 31, 2017.

The city's pilot program offered commuters the opportunity to use Uber as a "virtual garage" alternative mitigating the need for single-occupancy vehicle trips and parking within Summit's downtown area during peak commuter hours. Summit residents with prepaid parking

permits were required to register with the city and once admitted into the program were charged a flat fee of two dollars per ride with a maximum of two rides per day. The city subsidized each ride according to demand pricing. All trips were required to begin or end within Summit or at the train station, and be completed Monday through Friday between the hours of 5 a.m. and 9 p.m.

After a successful first six months, the project was extended by Summit Common Council for an additional six months.

The ridesharing program incorporates traffic calming measures that reduce vehicular congestion and parking demand in Summit's downtown area. The project resulted in 300 single-occupancy vehicle trips averaging 1.4 miles per trip for 246 days. This translates to 103,320 total miles avoided and emissions reductions of 637 pounds of hydrocarbons, 4,756 pounds of carbon monoxide, 316 pounds of nitrogen oxide, 94,641 pounds of carbon dioxide, and 4,804 gallons of gasoline.

Summit estimates that 100 parking spaces that were formerly taken up by long-term commuters were made available each day through this program to be used by other residents or downtown employees. As a result, the city was able to hold off on its immediate need to build a new parking facility on public ground, saving an estimated \$5 million in taxpayer dollars over the next 20 years.

The innovative pilot program began with 100 resident commuters and was expanded to include 150 total participants for the second six months. The city has recently submitted a RFP to extend the program for a second year, and hopes to continue it indefinitely.



Following implementation of the program, the City of Summit has shared its RFP with other NJ municipalities to replicate this innovation in other communities across the state.



### Outsourcing the Management of Crossing Guard Services to Improve the Day-to-Day Operations Within the Ridgewood Police Department

The Village of Ridgewood has the largest school district in Bergen County, with six elementary schools, two middle schools, and one public high school. There are 30 school posts for the crossing guards, which protect the elementary and middle school children.

There are challenges in managing and staffing all of the crossing guard posts, including associated costs. Management of the crossing guards was under the supervision of the Traffic Bureau of the Police Department. A Police Records Clerk also became the responsibility of the patrol supervisor to coordinate. The time spent managing the crossing guards averaged two to three hours per day.

Ridgewood was also severely understaffed, with only two alternate crossing guards. If they were unavailable, police patrol officers covered the morning posts and parking enforcement officer (PEO) or police patrol officers covered afternoon posts. Due to the absentee rates of the crossing guards, there was a shortage in providing police services and from September through December 2014, there were 10 times where there were no police officers available for emergency calls because they were all on crossing guard posts.

During the 2015 school year, corrective actions were taken, including doubling the number of alternate crossing guards,



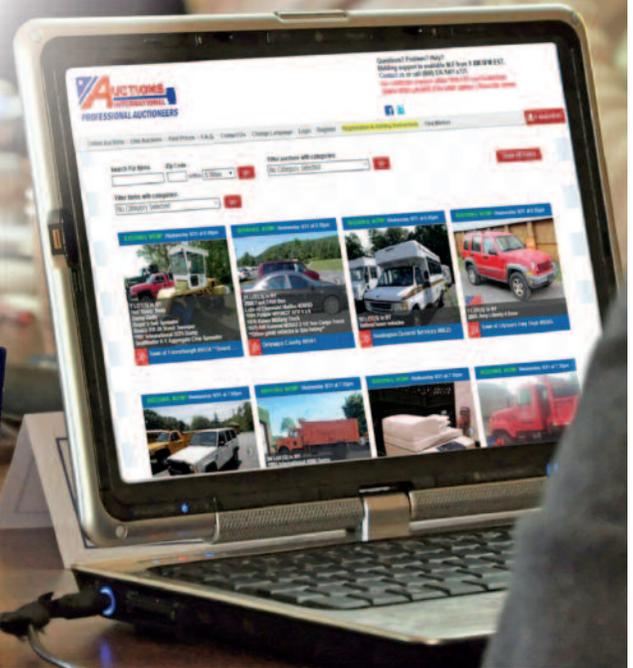
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## Innovation in Governance Awards

calling the PEOs in the morning to see if they would come in early to cover a morning post, and holding over a PEO that was going off at 3 p.m. to take the first school post in the afternoon. This caused an increase in PEO overtime costs, but it allowed more police officers to be on the road. These changes reduced the amount of posts covered by police officers in 2015, but overtime costs went up and the same management and attendance issues still existed.

The estimated total cost of running the crossing guard program was approximately \$310,000 a year with \$195,000 of that cost being the total salary for all of the crossing guards. In 2014, when police officers covered crossing guard posts, \$47,365 was spent in salaries for police officers to cover the posts; and \$28,800 was spent in salaries for administrative tasks done by the Police Department to manage the crossing guards. In 2015, approximately \$3,000 in salaries was spent for the PEOs to cover the guard posts. The Village was spending a lot of money and still not fully addressing the challenge of covering all crossing guard posts while at the same time putting enough police officers on the road to cover the call volume and



Outsourcing the management of crossing guard services is an initiative which can easily be undertaken by other New Jersey municipalities for the betterment of all their stakeholders. In fact, the Village of Ridgewood was so pleased with the results of this program that an optional one-year renewal of the program was authorized by the governing body for the 2017 school year with the expectation that it will become a permanent program in the Village of Ridgewood in future years.

enforce violations around the schools.

In trying to find a better way to manage the crossing guard program, the Ridgewood Police Department did some research and found that in other areas of the country, crossing guard services are outsourced. Ridgewood went out for a competitive bid for a company to run the day-to-day operation of the crossing guard program, and California-based

All City Management Services (ACMS) was the sole bidder, at \$325,000 a year. ACMS took over Ridgewood's crossing guard program in the summer of 2016 to ensure that would be ready for the beginning of the school year. ACMS recruits, hires, trains, manages, performs background clearances, administers payroll, provides substitutes, supervises,

investigates all complaints, provides problem resolution, and communicates with schools and municipalities.

They also maintain comprehensive General Liability, Worker's Compensation, and auto insurances to cover their clients and employees. Because the crossing guards were no longer employed by Ridgewood, the liabilities of injuries on the job and unemployment costs were no longer borne by the Village. The crossing guards employed by Ridgewood were hired by ACMS at the same salary and the same vacation/holiday compensations previously provided. Training, assignments, day-to-day management, personnel issues, complaints about a crossing guard's performance, and supplying uniforms are all the responsibility of ACMS.

Since the Village of Ridgewood was the first municipality in the State of New Jersey to outsource the management of the crossing guards, the legal aspects also had to be researched. ACMS was already employed by multiple cities in Michigan, where they have similar laws to New Jersey about crossing guards under the direction of the Police Chief. The Village Attorney found, because of the similarities of the Dispatch Center and Michigan law, there were no issues in using an outside contractor to manage the crossing guard program as long as the contractual agreements gave final authority to the Ridgewood Police Chief.

Although outsourcing crossing guard services costs the Ridgewood slightly more, it allows for a greater police presence and enforcement during school hours. It also allows the time to be better spend on other safety initiatives. The stakeholders in the process have all been positive about this change. ♻️

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Morristown (Great Downtown)

# Great Places in New Jersey

The New Jersey Chapter of the American Planning Association announces 2018 Great Place designees

By Sheena Collum, Executive Director, New Jersey Chapter of the American Planning Association; Village President, South Orange



Hackensack (Great Public Space)

**G**reat Places in New Jersey celebrates downtowns, public spaces, streets, and neighborhoods of exemplary character, quality, and planning. These places represent the gold standard in terms of having a true sense of place, cultural and historical interest, community involvement, and a vision for tomorrow. The New Jersey Chapter of the American Planning Association is pleased to announce the 2018 Great Place designees, joining 26 other locations since the program was launched in 2012. To learn more visit: [GreatPlacesNJ.org](http://GreatPlacesNJ.org).



Millburn (Great Street)

## Great Downtown: Morristown

Over the past 10 years, Downtown Morristown has experienced a true renaissance. Hundreds of new residential units have injected new life and vibrancy into the downtown. Home to 18,411 residents and a workplace to over 22,000 people, a downtown that once closed down at the end of each workday now surges continuously with vibrant street life.

On any given day, local and regional patrons visit one of Morristown's 141 restaurants, 20 bars, 9 coffee shops, an award-winning 1,302-seat performing arts center and a state-of-the-art 10-screen cinema.

The town's shared vision "is to become the most welcoming, beautiful, healthy, resilient, and sustainable place to live, work, and play in New Jersey."

## Great Public Space: Hackensack Cultural and Performing Arts Center and Atlantic Street Park

The Hackensack Cultural and Performing Arts Center provides programming space for children and seniors, as well as interior gallery space for local artists.

Atlantic Street Park provides performance areas for spring and summer concerts, shaded outdoor space for lunch hour, an intimate garden and outdoor chess tables.

The design includes an outdoor performance stage, with ample seating on benches, seatwalls, and lawn areas. The most significant architectural feature is wooden trellises that create an outdoor room. Since its opening, the park has been used continually for outdoor movie nights, Shakespeare in the Park and lunch time concerts.

## Great Street: Millburn Avenue and Main Street

In late 2015, Millburn Township committed nearly \$8.5M to create safer and more vibrant downtown streets.



Ocean Grove (Great Neighborhood)

The New Jersey Chapter of the American Planning Association hosted its Great Places in New Jersey Awards Reception on Oct. 30 at the South Orange Performing Arts Center.



## Great Places in NJ

and many other community groups continue to provide opportunities for spiritual growth and renewal through worship as well as educational, cultural and recreational events, and programs for all ages in a seaside setting. 🇺🇸



Morristown officials accept the honor of being designated a Great Downtown (from left to right: City Planners Christopher Kok and Phil Abramson of Topology, Business Administrator Jillian Barrick, Mayor Timothy Dougherty, Redevelopment Counsel John P. Inglesino of Inglesino, Wyciskala & Taylor, LLC.

### Awards Jury

The Great Places in New Jersey designees were selected with the help of the following judges:

**Charles W. Latini, Jr., PP, AICP,** President, American Planning Association – NJ Chapter; Principal/Owner, L&G Planning

**Thomas G. Dallessio AICP, PP,** FRSA, President, CEO & Publisher, *Next City*

**Jef Buehler, MPA, LNJ,** Placemaking & Place-Based Revitalization Specialist; Local Planning Services, New Jersey Department of Community Affairs

**Peter S. Reinhart, Esq.,** Director, Kislak Real Estate Institute, Monmouth University; Chairman, New Jersey Future

**Mike Cerra,** Assistant Executive Director, New Jersey State League of Municipalities

**Charles Brown, MPA,** Senior Researcher, Adjunct Professor

**Alan M. Voorhees** Transportation Center, Edward J. Bloustein School of Planning and Public Policy

The first phase focused on streetscape improvements including the transformation of Main Street into an “event street” and the construction of a new road to improve commercial viability and circulation. In addition to safety and aesthetic improvements, the design also accommodated a variety of Creative Placemaking opportunities.

Innovative solutions such as flexible parking lanes and parklets, enlarged corners for gathering, and an event street that includes a concrete roadway and overhead string lighting to enhance the pedestrian character of this space.

### Great Neighborhood: Ocean Grove

Founded in 1869, Ocean Grove is a unique, historic, and vibrant shore community that is noted for its pristine beaches, abundant Victorian architecture, and old-fashioned charm that has drawn visitors for generations. Its strong Christian roots date back to the late 19th Century’s “camp meeting” movement, when a group of Methodist ministers formed the Ocean Grove Camp Meeting Association to develop and operate a summer camp meeting at the Jersey Shore.

Today, the Camp Meeting Association, the Ocean Grove Chamber of Commerce,

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# Powerful Ideas

## Energy saving options for municipalities

By Anthony Cancro,  
Township Administrator, Township of Plainsboro

**M**any municipalities look to reduce their operating costs to save money and keep their budgets manageable. One such action, and a good place to start, is by reducing municipal energy costs.

Plainsboro took advantage of the state's Direct Install program, part of the BPU's Clean Energy Program.

### Getting started

The Direct Install is a turnkey solution that makes it easy and affordable to install energy efficient equipment, and pays up to 70% of the retrofit costs! An energy assessment will tell you what you need to replace, including lighting, HVAC, and other inefficient operational equipment with energy efficient alternatives. The Township used Tri-State Light and Energy to undertake its interior and external lighting improvements, as well as energy conservation measures. In general, we saved as much as 80% with our improvements over the older, less efficient equipment. It is an incredible state program to assist municipalities in reducing their energy cost, reduce their carbon footprint, and to allow more than two-thirds of the costs to be paid by a state grant.

The Sustainable Jersey program offers a well-organized review of the various programs and methods to increase building efficiency which municipalities seriously consider.

Another option to consider is purchasing your power (electric and/or natural gas) from a third-party supplier utilizing a DCA-approved Reverse Auction Energy Consulting firm. The Township of Plainsboro hired a consultant to investigate whether there would be energy savings if we purchased electric power directly from a third-party supplier.

Energy auctions were held for electric power to both municipal buildings and street lights. The end results revealed a significant reduction in cost (almost 18%), which provides our Township with an annual total savings of over \$45,000 per year.

### Considering aggregation

While Community Energy Aggregation does not reduce a municipality's budget, it can directly reduce what the Township residents are paying for electricity. The Government Energy Aggregation Act of 2003 (P.L. 2003, c. 24, "GEA Act") allows municipalities and counties to establish Government Energy Aggregation (GEA) programs through an ordinance or by resolution, respectively.

A Community Energy Aggregation or Government Energy Aggregation program permits a municipality to aggregate



residential energy users together to create purchasing power that provides an opportunity to purchase energy supply from third-party suppliers (TPS) at prices lower than the average utility price.

Municipalities can also purchase renewable energy content for residents at a premium, if they so choose. Only BPU licensed TPS are considered.

Community Energy Aggregation is subject to significant regulatory oversight through both legislation and regulations; assuring residents that the Township has followed a regulatory process with safeguards. To ensure compliance with those regulations, and to get the best supplier for its residents, the Township hired a consultant to take us through the process.

## Municipal Benefits

Some of the benefits of the Plainsboro Township Community Energy Aggregation program:

- **Reduced Energy Prices.** Competitive process and pooling of thousands of residents into a single bid encourages lower rates.
- **Consumer Protection.** Township and consultants manage risk by designing the contract and bid specifications to protect consumers. Contract terms were reviewed by BPU and Division of Rate Counsel. The price is established and known for the full contract term; no bait and switch on price; no market-based variable prices; no hidden fees. Length of contract is specifically defined. No fine print for customers to worry about.
- **Transparency.** Residents are informed of price, contract term, and comparative savings vs. utility tariff.
- **Customer Choice.** Customers may opt-out or opt-in at any time with no fee.
- **No Hassle.** Third-party supplier charge shows up on PSE&G bill—no change.
- **Local purchasing.** Currently the utility, through a wholesale auction overseen by the State, selects the supplier for residential accounts. The PCEA program allows the municipality to shop on behalf of the residents.

Even with a consultant, a municipality must be engaged in the process—pass an ordinance, hold town hall meetings, answer resident questions, write articles, and post to social media to educate and inform the residents of the program, the benefits, and potential savings.

Under state rules, a municipality must first pass an ordinance to establish a Community Energy Aggregation Program. In August 2016, the Township formed the Plainsboro Township Community Energy Aggregation (PCEA) program.

Required documentation was then sent to the state BPU and Division of Rate Counsel for review. The Township released a Request for Proposals to all New Jersey licensed third-party suppliers to supply electricity to all Township residents who are not currently being served by a third-party supplier. The Township released the RFP in October 2016. In November 2016, proposals were received and after review and evaluation, the Township Committee determined the most beneficial proposal. Under BPU rules, the Township could only award a contract if the bid price was below the current tariff price charged by PSE&G. If there were no savings, then no contract could be awarded.

As a result of that competitive process, the Township awarded a contract to the selected vendor for a 21-month period beginning March 2017. The 21-month proposal provided the most overall value, considering price, long-term price stability, and the company's qualifications. The firm has been a retail electric power supplier for more than 10 years, and has served residential customers in New Jersey since 2013. Today, they serve more than 100,000 residential aggregation meters statewide. The contract price is \$.10401/kwh, and will save participating residents about 17% as compared to the average PSE&G tariff price for power supply. This translates into savings of about \$15 per month, or nearly \$300 over the 21-month contract term.

### Into the future

Now that Plainsboro has taken advantage of the Community Energy Aggregation process, we will investigate ways to increase the green fraction of the energy beyond the State mandated renewable portfolio standard. This will lower



Plainsboro's carbon footprint and achieve a significant number of Sustainable Jersey Certification points.

In the end, municipal officials have options to save their towns and residents money through various proven energy conservation measures and actions. Look to experienced experts in the field to guide you through the process that will result in maximizing savings. 💡

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# Improving the Odds

Understanding NJDOC's commitment to offender reentry

By Gary M. Lanigan, Commissioner, New Jersey Department of Corrections



**T**he New Jersey Department of Corrections (NJDOC) prepares roughly 10,000 inmates for reentry from prison back into the community each year. That is why offender reentry is far more than a catchphrase to those of us in corrections.

The objective of offender reentry is to enhance public safety by reducing the risk that inmates will reoffend and return to prison. By providing comprehensive services to inmates from the time they enter prison to the time they reintegrate into society, the NJDOC, initiated under the direction of then-Governor Chris Christie and his administration, prepares offenders to become productive, law-abiding citizens at the conclusion of their sentences.

As a result of legislation and policy initiatives such as expansion of drug courts, bail reform, Ban the Box, drug program licensure and educational benchmarks, New Jersey has seen its inmate population decrease from more than 30,000 at the turn of the century to a current population of approximately 21,000. During that same period of time, the number of inmates returning to state prison within three years has reduced from 48% to 31%, significantly better than the national average.

## Path to reentry

The department has worked with the New Jersey Administrative Office of the Courts and the county jails to shorten the time between when an offender is sentenced to state prison and the time when he or she actually arrives. This is crucial, because as soon as an offender arrives at an NJDOC reception center, he or she immediately undergoes testing to determine his or her medical and mental health needs, as well as his or her education level and vocational skills. This allows for placement in appropriate programming so that each individual who is incarcerated can begin his or her path to reentry.

Within its many programming services, the Department of Corrections addresses issues such as addiction, anger management, effective parenting, résumé writing, conflict resolution, and education, among others. There is a major emphasis on education within the department, and the NJDOC provides educational programming with the ultimate goal of inmates obtaining meaningful employment. In addition to providing basic literacy, high school, and privately funded college-level courses, our department places a high value on vocational training programs, offering more than two dozen different programs. Moreover, the NJDOC utilizes its own industrial trade program, DEPTCOR, also known as the Bureau of State Use Industries, in order to educate, train, and provide marketable skills to hundreds of inmates.

In addition to providing necessary services and programs, departmental staff also assists the ex-offenders in obtaining critical documents for prospective employers. This includes military documents, Social Security cards, birth certificates, and motor vehicle identification cards.

Along with providing substance use disorder treatment, the department also addresses the critical short-term need for housing when offenders first reenter society by beginning a process a minimum of six months prior to release. During this period, the non-profit community, religious organizations, the State Parole Board, and the Board of Social Services assist in identifying transitional housing or other services an inmate leaving our custody may require.

The RCRPs also assist returning offenders with locating housing by working with the inmate to repair family bonds that may have been lost before or during incarceration. Family reunification can be a support mechanism to help the ex-offender remain sober and also bring about access to housing.

Also, I would be remiss if I did not mention the importance of the assistance the department receives from its many volunteers. Our education volunteers play critical roles in prisoner reentry by serving as mentors and tutors to the inmate population.

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## Supporting sobriety

The NJDOC has made it a priority to guide inmates toward a life of sobriety in the hopes that they will ultimately achieve long-term stability. In order to address the issue of addiction, the department has taken a number of steps to assist offenders. In 2016, the NJDOC worked with the Department of Human Services to license the substance abuse treatment programs currently utilized in the Residential Community Release Programs (RCRP), commonly referred to as halfway houses. Our RCRPs now have a number of licensed treatment beds so that minimum security inmates can take advantage of community-level treatment while gradually transitioning back into society.

Additionally, in order to treat inmates who are not eligible for beds in the RCRPs, as of April 2017, Mid-State Correctional Facility became the first licensed, clinically driven Substance Use Disorder (SUD) prison operated by the NJDOC, housing medium custody offenders. The department also opened a drug treatment program for medium custody females at the Edna Mahan Correctional Facility for Women. Inmates are assessed upon intake to determine their substance use disorder needs and, if necessary, are referred to the SUD program for ongoing treatment. The inmate takes part in programming and therapy and can remain in the program as long as clinically required. Once released from the program, inmates are monitored throughout their sentence, and if they relapse, they can be returned to the SUD program for further treatment.



Dr. Margaret Henderson (center) of Essex County College is joined by Assistant Commissioner Dr. Darcella Sessomes and Commissioner Gary M. Lanigan at the annual Volunteers of the Year awards ceremony at the War Memorial in Trenton, NJ.

There are also many religious mentors and organizations who donate their time and act as a form of support as well as a resource for housing, food, clothing and other needs when the offender is released.

### Release from custody

Finally, upon an inmate's release from custody, the NJDOC is in full cooperation with the Fair Release and Reentry Act (FRARA) of 2009. FRARA is intended to provide offenders who have completed their sentences with a comprehensive information packet to aid in their re-integration into society. On the day of release, inmates receive a FRARA portfolio containing a temporary release photo ID, final discharge paperwork, a copy of current criminal charges, remaining account balance, final trust account statement, and a medical records summary. Information is also provided on the right to vote, records expungement process, child support/custody, community-based resources, and State Parole Board Certificate of Rehabilitation application, as well as a host of other pertinent reentry-related materials.

The New Jersey Department of Corrections has made strides in prisoner reentry in the past seven years, and I am proud of our staff for all of their efforts and hard work to continually improve our system. Although I believe that the department's efforts have proven to be comprehensive and resourceful, our duties are unbounded, and the NJDOC will always strive to improve and advance. 🇯🇵

Gary M. Lanigan has more than three decades of experience in the criminal justice and financial management realms and has served as Commissioner of the New Jersey Department of Corrections since March 22, 2010.



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# 2018 Legislative Priorities

League President **James Cassella**, Mayor of East Rutherford, has identified a number of League priorities for 2018 and asks for your assistance in advancing these important matters.

Some of the items listed below may sound familiar—Mayor Cassella has prioritized property tax reform, the number-one concern for our property taxpayers, as the League’s top priority. In doing so, he asks his fellow local officials to continue to prioritize previously unaddressed significant public policy issues that remain impactful to our municipalities and our taxpayers.



He has also added several new subjects to the forefront of the League’s efforts, and he requests your assistance and advocacy to help the League move these key issues to a positive outcome.

**INTEREST ARBITRATION CAP** The League’s top priority is the extension of the 2% cap on interest arbitration awards. Every piece of evidence, statistic, and fact demonstrates that the IA cap has successfully curtailed property tax increases. Yet the State Legislature appears hesitant to do what common sense demands and extend the cap. The League will not stand by while the interests of property taxpayers are pushed aside in favor of special interests.

**RESTORATION OF ENERGY TAX RECEIPTS** This is a means to provide real property tax relief. Due to rising costs, municipalities often need to spend more in successive years in order to maintain services and programs at a steady level. When the State diverts municipal energy tax receipts for its own use, the difference will, in many cases, have to be made up by increases in property taxes or reductions in existing services.

**RESTORATION OF URBAN ENTERPRISE ZONES (UEZ)** Six UEZ designations were allowed to expire last year. The program itself will continue for years to come as some designations last for another decade, but we must reinvigorate this program and we can start by restoring the zones which were unwisely allowed to expire.

**SCHOOL FUNDING** This is a so-called “third rail” issue but we must, at the very least, recognize that school budgets comprise, on average, over 60% of the local property tax burden. There’s no easy solution but urban, suburban, and rural communities should work together to identify means to pay for schools in a more equitable manner.

**AFFORDABLE HOUSING REFORM** The Executive and Legislative branches have withdrawn from this issue and municipalities are confronted with a dysfunctional, costly and inefficient court process. Many towns have or will settle with

litigants, but new additional tools to help municipal compliance need to be authorized and the Executive and Legislative branches must reengage on this issue immediately and ultimately develop a reasonable, rational statewide housing policy.

**STATUS OF TAX EXEMPT PROPERTIES** It is past the time for a review of the tax exemption statute to resolve the status of “non-profits” and assume tax fairness for property taxpayers.

**PUBLIC HEALTH** The League will continue to promote of a culture of health, including food access, food deserts, and summer feeding programs. We’ve started already with a successful effort launched at the 2016 League Conference to secure a place for New Jersey in the U.S. Department of Agriculture’s (USDA) plans to launch a two-year pilot to enable Supplemental Nutrition Assistance Program (SNAP) participants to purchase their groceries online. Each day, thousands of New Jersey residents struggle to put healthy food on the table for their families. As of July 2016, there were 858,572 people in New Jersey receiving SNAP benefits, which is approximately 10% of our state’s population. A significant number of your constituents are dependent on these benefits to provide nutritious and affordable food for their children and families.

**YOUTH** Promotion of youth involvement in public service, including youth City Council members. These opportunities will give youth from communities all over New Jersey the opportunity to get involved with their hometowns, develop character and integrity, and help develop the next generation of leadership.

Over the course of the next year, The League will continue its strong commitment to empowering local governments, helping them to operate more efficiently and effectively as the advance innovative programs that strengthen the level of service provided while saving taxpayer dollars. ♻️

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# Annual Mayors' Hall of Fame



**A**t the 102nd Annual New Jersey League of Municipalities Conference in Atlantic City,

Silver Level Mayors (L to R standing): Mayor Robert W. Matthies of Seaside Park; Mayor Paul J. Smith, Jr., of Union Beach Borough; Mayor John Birkner, Jr., of Westwood Borough; Mayor Louis Manzo of Harrison Township. L to R seated: Mayor George Conard, Sr., of Riverside Township; Mayor Joseph Nametko of Netcong Borough; Mayor Mauro D. Raguseo of Little Ferry Borough; Mayor Jennifer Naughton of Spring Lake Borough; Mayor Thomas F. Kelaher of Toms River.

then League first vice president Mayor James Cassella of East Rutherford and officials from throughout New Jersey honored the most recent inductees to the Mayors' Hall of Fame.

The League established the Mayors' Hall of Fame to recognize mayors who have served for over 10, 20, or 30 years. "Over the years, the mayors we have recognized have seen their communities grow and change while they have worked to make a difference. A decade or more of service as mayor is a long-term commitment of time and energy as leaders with the

goal of bettering their communities," said League Executive Director Michael Darcy, CAE. "The recognition is well-earned." The members of the 23rd induction class of the Mayors' Hall of Fame were honored during a special ceremony during the Mayors Box Luncheon on Wednesday, November 15, in Atlantic City. 📍

## 2017 Inductees

## Silver (10-20 years as Mayor)

- Honorable Louis F. Manzo** Harrison Township
- Honorable Mauro D. Raguseo** Little Ferry Borough
- Honorable Joseph A. Nametko** Netcong Borough
- Honorable George Conard, Sr.** Riverside Township
- Honorable Robert W. Matthies** Seaside Park Borough

- Honorable Jennifer Naughton** Spring Lake Borough
- Honorable Thomas F. Kelaher** Toms River Township
- Honorable Paul J. Smith, Jr.** Union Beach Borough
- Honorable John Birkner, Jr.** Westwood Borough



# Meet Your New Board Member

New Jersey's Municipalities elected **Michael Venezia**, Mayor of Bloomfield, on Thursday, Nov. 16, 2017, to serve on NJLM's Executive Board

**A**s a member of the League's Executive Board, Mayor Venezia will help lead the Association of New Jersey's 565 municipal governments. Mayor Venezia will represent the interests and needs of New Jersey's local elected officials to county, state, and federal governments.

The Honorable Michael Venezia, Mayor of Bloomfield was elected Councilman-at-Large in 2011 and Mayor in 2014. He leads the Faulkner-Special Charter community with 400-plus employees and \$80 million budget and strives to improve productivity in a civil service context, upgrading and increasing utilization of IT, acquiring new open space for parks and development of new recreation facilities, working to stabilize property taxes, and improving failing infrastructure. In his tenure, Mayor Venezia has created new policies such as Complete Streets, Quality of Life Task Force, Real Estate Task Force Board, Parental Leave

policy, etc. In addition, he has helped negotiate multiple contracts, including current police and fire contract, which resulted in \$3 million in savings for the township over 10 years.

Mayor Venezia is also currently the Director of Human Resources for the Essex County Vocational Technical Schools in Newark.

Previously he was an Assistant County Administrator for the County of Essex; Senior Advisor/Projects Director for U.S. Senator Frank R. Lautenberg; Field Representative for U.S. Representative Bill Pascrell, Jr.; Staff Assistant for NJ Senator Ellen Karcher; and Field Organizer for John Kerry for President.

He has his Master of Public Administration from Fairleigh Dickinson University and Bachelor of Arts from Monmouth University.

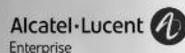
Mayor Venezia is a member of League of Municipalities Legislative Committee, Monmouth University Alumni Association, Society for Human Resource Management (SHRM), and New Jersey Personnel Administrators Association. 



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# League Committee Approves 13 Resolutions



East Rutherford Mayor James Cassella, NJLM President

On Thursday, November 16, in Atlantic City 13 resolutions articulating the new legislative and policy priorities for the League of Municipalities were adopted at the Annual Business meeting held during the League's 102nd Annual Conference.

These resolutions were proposed by officials who are currently in municipal office and are general in nature with demonstrable relation to municipal government interests. Previously, on Tuesday, November 14, the League Resolutions Committee screened these resolutions. The Committee was chaired by the newly elected League President James Cassella, Mayor of East Rutherford.

In the year to come, these resolutions will be key priorities for the League, and NJLM staff will be working with the sponsors of the resolutions to line up legislative sponsors, as well as taking other steps to see the implementation of these resolutions.

## Index of Approved Resolutions

**No. 2017-01** Resolution Urging the State Legislature to Extend the 2% Cap on Police and Fire Arbitration Contract Awards

**No. 2017-02** Resolution Urging Congress to Protect the Deductibility of State and Local Taxes

**No. 2017-03** Resolution Calling for Legislation to Increase Criminal Penalties for Adult Street Gang Members Who Solicit or Recruit Minors to Actively Participate in a Criminal Street Gangs

**No. 2017-04** Resolution Calling for the Restoration of Energy Taxes to Municipalities

**No. 2017-05** Resolution Supporting the Federal Tax Exemption on Municipal Bonds

**No. 2017-06** Opposes Preemption of Municipal Authority Over Zoning, Permitting, and Rights-of-Way Regulations for the Purposes of Broadband Deployment

**No. 2017-07** Urging the Governor and State Legislature to Adopt Comprehensive Reforms to the Fair Housing Act

**No. 2017-08** Resolution Calling for Parity in the Thresholds of the Local Public Contracts Law and Pay-to-Play Law

**No. 2017-10** Calling on the Legislature to Permit On-line News Platforms to Qualify As Legal Newspapers for the Purpose of Municipalities Publishing Legal Notices

**No. 2017-12** Resolution Calling for Tort Reform in Claims Against New Jersey Municipalities

**No. 2017-13** Resolution Requesting an Examination and Consideration of Alternate Methods for the Funding of Public School

**No. 2017-15** Resolution Urging Legislature to Amend N.J.S.A. 40A:14-178 to Provide for Reimbursement to Municipalities for Police Recruit Training

**No. 2017-16** In Appreciation of League President Albert Kelly, Mayor of the City of Bridgeton 🍷

@ All the Resolutions can be viewed in full at [njslom.org/2017conf/2017-conf-resolutions.pdf](https://njslom.org/2017conf/2017-conf-resolutions.pdf)

# Conference Connections

Moving Forward,

## “Realizing Tomorrow’s Potential”



The 102nd Annual League Conference ushered in a new governor, new ideas, and new strategies for facing the future.

This year’s event was a success story filled with plans for the future ranging from environmental conservation to building local government staff for the future. This forward-facing gathering allowed local officials to compare results and gain inspiration from the successful efforts of their peers from throughout the state.

The theme of “Realizing Tomorrow’s Potential” included a full slate of sessions from the League and its 21 Affiliates covering topics from drones to the new FAST tax filing system. Newly elected officials and professional staff received a warm welcome to municipal government while seasoned veterans gained deeper understanding of the ongoing issues as well as the concerns on the horizon for the year to come.

Along with sessions, delegates had the opportunity to take in an array of products and services in the Exhibit Hall, including the new Smart Cities Pavillion of high-tech vendors. And, the Conference was the starting point for the new leadership of NJLM Officers and Executive Board members, and League policy priorities adopted at the League Annual Business Meeting.

Many thanks to the 16,000-plus attendees and more than 1,000 exhibitors who made the Annual League Conference a success. We appreciate your support of the League and your ongoing service to the Garden State’s local governments.

Following are highlights of the yearly event, from business meetings to informative sessions.



@ Visit [njslom.org](http://njslom.org) for a full photo album of each day at the Conference.

***“Our theme this year is Realizing Tomorrow’s Potential, a theme we share in many different ways. As local officials, we have a common interest in issues that hit closer to home. And as members of the League of Municipalities, we are united in our desire for good local government...that’s why we’re all here today.”***

Mayor Albert Kelly of Bridgeton, President, NJLM



**Day One of the Conference, Tuesday, Nov. 14,**

saw delegates get right down to business with an Orientation and the League’s Resolution Committee meeting (for full list of Conference Resolutions see page 48). Sessions on Tuesday included hot topics such as Budget and Audit Updates featuring Division of Local Government Services Director Timothy Cunningham, and Liquor Licensing & Economic Development with Alcoholic Beverage Control Director David Rible.



**“ We are adamantly opposed to any change in State and Local taxes.”**

Mayor Brian Wahler of Piscataway, NLJM Past President, speaking in support of the SALT Resolution at the Resolution Committee Meeting



**Left to right from top:** **1** Registration opens at the 102nd Annual League Conference. **2** Sessions attracted interested, engaged audiences ready to learn. **3** (l to r) Mayor Janice Kovach, Clinton Town, NJLM Executive Board; Mayor Colleen Mahr, Fanwood, League 2nd Vice President; Assemblyman Gary Schaer and Passaic Council President; and Mayor Eric Jackson, Trenton at the League Resolutions Committee meeting. **4** Mayor Joseph Cassella, East Rutherford, NJLM 1st Vice President, and Passaic Mayor Hector Lora discuss youth safety at the League Resolutions Committee Meeting. **5** West Caldwell Mayor Joseph Tempesta, Jr., NJLM Immediate Past President, receives recognition from Bridgeton Mayor Albert Kelly, NJLM President, for his service to the League. **6** Assembly Republican Leader Jon Bramnick shares his tips for staying positive in daily governance at the session Punchlines & Politics: Perfect Together.

**Day Two of the Conference, Wed., Nov. 15**, started on the run and kept up a fast pace all day. Kicking off the morning with Fitness with an Olympian, a Mayors Wellness Campaign event led by four-time Olympian and NJ Hall of Famer Joetta Clark Diggs, sessions went on to provide mental exercise on topics ranging from Pension & Health Benefits Reforms, Social Media, and Ethics. The next Governor was the hot topic of the day in a Former Governor's panel and the state Legislative leadership, whose members also observed the impacts of national politics on the state of New Jersey. The Mayors Box luncheon recognized the ongoing service of local leaders with the induction of this year's Mayors' Hall of Fame. In addition, Commissioners Chuck Richman from NJ DCA and Bob Martin from NJ DEP provided their outlook for the administration and the legacies they leave behind.

At the end of the day, the Women in Municipal Government launched its new Networking & Awards Event, recognizing five Outstanding Women in Municipal Government.



**1** Pension & Benefits Reform attracted a standing-room only crown with panelists (l to r) Ed Donnelly, President, NJ Firefighters Mutual Benevolent Assoc.; Patrick Colligan, President, NJ State Policemen's Benevolent Assoc.; Mayor Colleen Mahr, Fanwood, NJLM 1st Vice President; Mayor Brian Wahler, Piscataway, NJLM Past President; David Miller, Director, Treasurer's Office, Mercer County; and Jon Rheinhardt, Administrator/CFO Wharton, GFOA President. (Not pictured, Matthew U. Watkins, Administrator, Bloomfield). **2** Accepting their 2017 Innovation in Governance Award, Ridgewood Village's (l to r) Village Clerk Heather Mailander, Deputy Mayor Michael Sedon, and Mayor Susan Knudsen from DCA Commissioner Chuck Richman. **3** Panelists from The Past is Prologue: Christie's Legacy & the Next 4 Years (l to r) Brigid Callahan Harrison, Professor, Montclair State University; Jim McQueeney, Winning Strategies; Former Governors Donald T. DiFrancesco, John O. Bennett, James J. Florio, and James E. McGreevey; Mayor Joseph Tempesta, Jr., East Caldwell, NJLM Past President; and Benjamin Dworkin, PhD, Director, Rebovich Institute for NJ Politics, Rider University and NJ Municipalities columnist. **4** Summit Mayor Nora Radest and DCA Commissioner Chuck Richman with Summit's 2017 Innovation in Governance Award in recognition of Risdesharing Technology as a Parking Solution. **5** . The Exhibit floor was also bustling as attendees caught up on the latest.



“ They get energized, they get organized, and they react. I’m telling every politician here on out, you’re going to get a reaction from the voters.”

Jon Bramnick, Assembly Republican Leader, speaking of the impact of Federal government activity on citizens and their local officials.



**Left to right from top:** The panelists for the Legislative Leadership in 2018 session (l to r) Mayor James Cassella, East Rutherford, League 1st Vice President; Senate President Stephen Sweeney, Senate Republican Leader Thomas H. Kean, Jr., Moderator Michael Aaron, NJTV Chief Political Correspondent, Assembly Speaker-Elect Craig Coughlin, and Assembly Republican Leader Jon Bramnick. • At the Women in Municipal Government (WIMG) Awards and Networking Event, Mayor Janice Kovach of Clinton Town (left), NJLM Executive Board Member, and WIMG Co-Chair Mayor Sue Howard of Monmouth Beach and NJLM Executive Board Member (right) present plaques to Outstanding Women in Municipal Government honorees (l to r) Deputy Mayor Stephanie C. Murray of Middletown, Councilwoman Stephanie McGowan, Ed.D., of Rutherford, Mayor Colleen Mahr of Fanwood, NJLM 2nd Vice President, Sharon McCullough, Administrator, Haddonfield, and Gabriela V. Simoes Dos Santos, CFO, Harrison Town. • Getting started with a workout from the Mayors Wellness Campaign led by Olympian and spokesperson Joetta Clark Diggs. • The Urban Mayors Association session discussed Cities in Economic Transition Under a New Paradigm. (l to r) Mayor Lester E. Taylor of East Orange; Mayor Wilda Diaz of Perth Amboy; Schenine Mitchel, Brownfield Project Manager, Environmental Protection Agency, Region 2; Mayor J. Christian Bollwage of Elizabeth, NJLM Past President; and Mayor Adrian O. Mapp of Plainfield.



**Left to right:** Hamilton (Mercer) Mayor Kelly Yaede speaks while Ft. Lee Mayor Mark Sokolich moderates the session Municipal Ethics Programs & the DCA Local Finance Board. • At the Mayors Box Lunch NJ DEP Commissioner Bob Martin (center) and NJ DCA Commissioner Chuck Richman speak about pressing local matters in a panel moderated by Mayor Albert Kelly of Bridgeton, NJLM President.

# 102<sup>nd</sup> Conference **Exhibitor** Highlight

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**Wrapping up the Conference on Thursday, Nov. 16,**

the Governor-Elect Phil Murphy and Lt. Gov.-Elect Sheila Oliver attended the League Luncheon, reaching out to their partners in local government. Sessions for the day remained well attended with subjects such as Interest Arbitration and the 2% Cap as well as Water Infrastructure–Proposed Solutions with Assemblymen John McKeon and DiMaio. And the Conference closed with the League’s Business Meeting, at which the Officers and new Executive Board were elected into office for the

year and the League policies were set with the vote to adopt 13 new League resolutions.



**“ I do not come to the Governorship claiming even remotely to have all the answers. But I know where to find a lot of them. I will rely heavily on you, all of you in this room, to help us move forward. There are decades of experience in this room that we cannot wait to tap into.”**

Gov.-Elect Phil Murphy at League Luncheon

**At the League Business Meeting (top to bottom):** Senator and Wood-Ridge Mayor Paul Sarlo swears in new League President Mayor James Cassella of East Rutherford as Janice Cassella holds the Bible. • The new League Officers were also sworn in by Sen. Sarlo (r): (l to r) Mayor James Cassella of East Rutherford, President; Mayor James Perry of Hardwick, 2nd Vice President; Mayor Colleen Mahr of Fanwood, 1st Vice President; and Mayor Janice Kovach of Clinton Town, 3rd Vice President. • Then League President Albert Kelly was presented with a Service Plaque from incoming President Cassella.



**Left to right from top:** Fun on the Exhibit Floor. • Several Union County Mayors catch up for a moment at the Conference. (l to r) Adrian O. Mapp of Plainfield; Mayor Derek Armstead of Linden; Mayor Mahr of Fanwood, NJLM 2nd Vice President; Mayor Christine Dansereau of Roselle; and Mayor J. Christian Bollwage of Elizabeth, NJLM Past President. • At the Water Infrastructure session, Mayor Lester Taylor of East Orange, Village President Sheena Collum, Assemblyman John McKeon, Erin Law of McManimon, Scotland, & Bauman, LLC, and Assemblyman John DiMaio. • The League’s 2017 Executive Board, Mayors Cassella, Mahr, Kelly, and Perry, welcome Lt. Gov. Elect Sheila Oliver (center l) and Gov.-Elect Phil Murphy (center r) to the Annual League Luncheon. • Mayor Kelly, League President, presents Brian Kronick, Esq., former NJLM Labor Relations Counsel, with a plaque for his service to the League.

# NJLM: Your Partner in Good Local Government!

**M**embership in the New Jersey State League of Municipalities can make your job easier. The League is your organization, available to answer questions on all aspects of local government. From newly elected officials to seasoned municipal workers, NJLM offers services and information to answer the questions of those in all aspects of local governments.

## A History of Service

For my nearly 30 years as an elected official, the League has been the strongest resource for thinking on public policy and process. The staff and the participation of elected officials and municipal professionals have guided our town's efforts to constantly improve in every way, and have been a tremendous sounding board for problems we face from time to time. Just would not have achieved what we have without them.

*Mayor M. James Maley, Jr.,  
Borough of Collingswood*

## Go-To Tool Box

Whether it's the seminars, policy updates, access to accurate information when preparing materials to serve constituents, or collaboration with other elected officials, membership in the League is invaluable. The League has been my personal go-to source for direction and training and is one of the most integral parts of my toolbox. I am very grateful for the wealth of resources, and I truly appreciate the integrity of the association.

*Keiona R. Miller, President, Somerset County  
Governing Officials Association,  
Councilwoman, Borough of North Plainfield*

## Invaluable Resource

The League of Municipalities has been an invaluable resource and an institution in the State. The staff at the League work tirelessly behind the scenes to assist and support local officials working on behalf of taxpayers. They are vigilant about tracking legislation that will have an impact on municipalities then quickly and effectively mobilize elected and appointed officials to lobby in the best interests of taxpayers and in the face of special interests.

*Ziad Andrew Shebady,  
Township Administrator,  
Township of Springfield*



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# GOLD DOME



## Murphy's Winning Campaign, and its Lingering Effects in Trenton

By Ben Dworkin, Ph.D., Director of the Institute for Public Policy, Rowan University

**W**hen you win a political campaign, especially one as sweeping as Phil Murphy's victory in November, it is often difficult to recognize the long-lasting effects of all the hiccups, mistakes, and unforced errors that happened along the way to victory.

This is why what was most interesting about the 2017 gubernatorial race was that, even as Murphy had such a strong win, the relationship between him and down-ballot Democrats was repeatedly placed under increased, and perhaps avoidable, stress. While such pressure didn't affect the final results, the new governor is weaker at the starting gate than if he had a tighter, more coordinated campaign. Given the significant policy challenges facing the new administration, weakness is not something anyone wants or needs.

Consider that during the campaign, Murphy was widely tagged as a reckless spender—someone who says “yes” to everyone.

Murphy, however, is not a naïve liberal who doesn't care about the taxpayer. When he spoke on the campaign trail, he almost always hedged his comments about what he would do: Pension payments will be made in full as soon as we can... We can't get there in one or two years... We want to find the money.

In effect, Murphy told New Jerseyans that he will have these priorities. The problem was that many people were hearing promises.

As a result, other Democratic candidates, not wanting to be similarly labeled, had to think about ways to create some distance between themselves and the top of the ticket. Though they all might have won, this was a strain on the governor-party relationship.

A second campaign moment that may affect Trenton politics in 2018 was when the Murphy team admitted they intended to raise \$1.3 billion in new taxes.

It's one thing if the media does an analysis of your campaign proposals and comes up with a cost. But it's quite another when your own people admit a specific number to the press.

Most New Jerseyans will not be affected by the proposed taxes. Unless you make more than \$1 million, shift your corporate tax burden to affiliated businesses in low-tax states, or smoke marijuana, you probably don't have much to worry about.

In addition, some have suggested that talking about “\$1.3 billion” during the campaign may be an effective, though counter-intuitive, strategy that prepared the public for what will eventually come down the road.

But during the campaign, once “\$1.3 billion” was part of the discussion, it was that much harder for every down-ballot Democrat to run fully with the Murphy campaign. It increased the stress on efforts to coordinate messaging, and that means it could be that much harder to govern in the New Year.

The third moment in the campaign that increased the divide between Murphy and fellow Democrats running in 2017 was his use of the phrase, “sanctuary state.”

While the governor-elect wanted to talk about DACA and the 20,000 “dreamers” we have in New Jersey, the focus turned away from that important issue and towards the broader and still undefined “sanctuary state.”

Murphy worked to explain what he meant: New Jersey would be a tolerant state, a state that protected the innocent. Unfortunately, voters rarely hear the explanation.

Clearly, it did not make a difference in the gubernatorial campaign. For every person who might have shifted from Murphy to his Republican opponent, Kim Guadagno, because of his use of “sanctuary state,” someone else was offended by Guadagno's television ad on the issue and voted for Murphy. The Lt. Governor was never able to seriously cut into Murphy's lead.

However, the “sanctuary state” issue did resonate in the some “swing districts” and towns. And that meant it drove another wedge between Democrats down ballot and candidate Murphy.

When legislative and local Democrats find themselves pushing away from the top of the ticket, they aren't likely to be as loyal to their governor when difficult decisions have to be made later on. If you don't think you won on Murphy's coattails, then how much do you owe him when he asks you to cast a tough vote to enact his agenda? That will be a real question for Democrats this year.

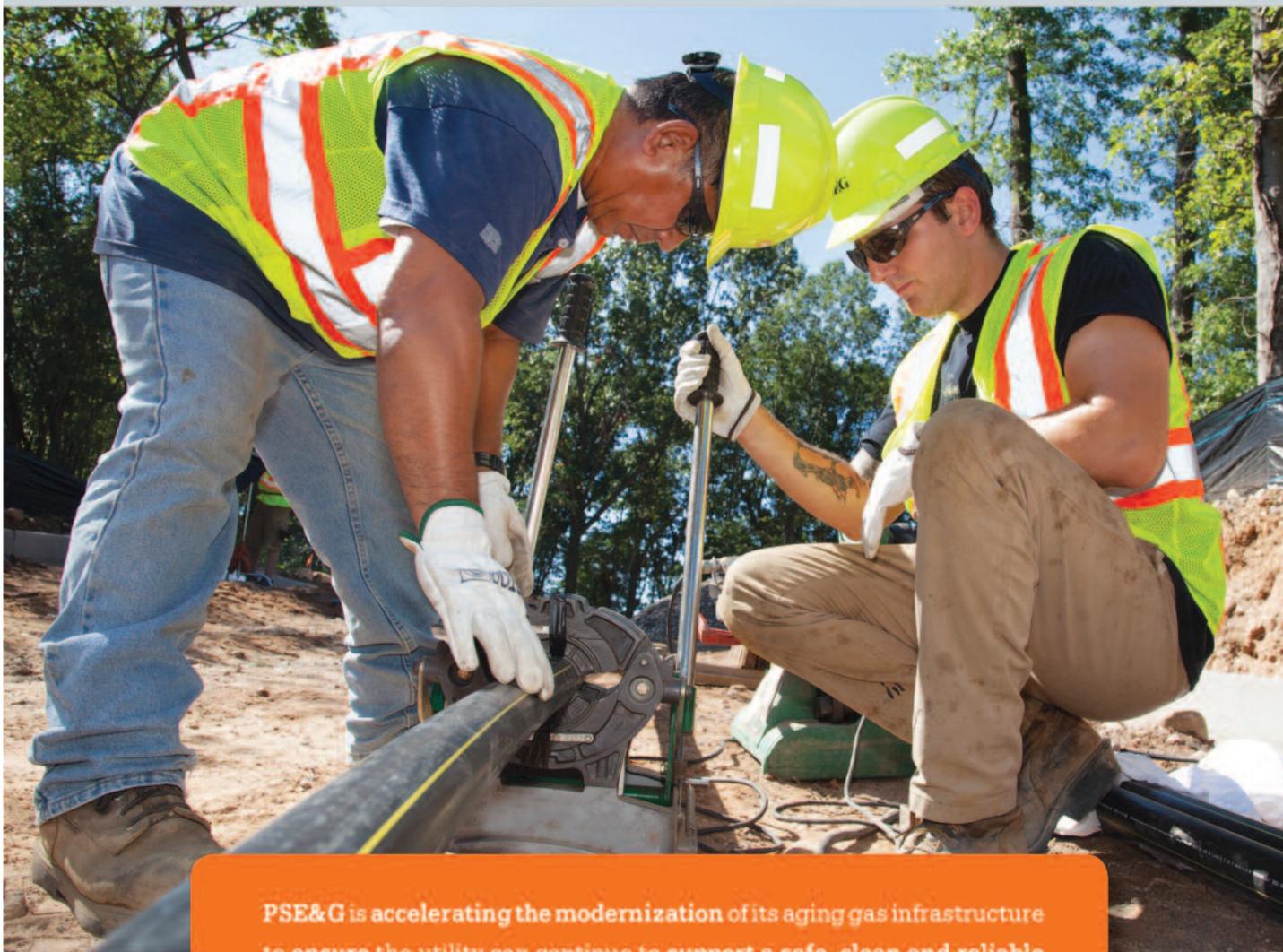
All this is taking place just when Murphy needs to marshal all of his political skills and acumen to resolve a myriad of difficult budget and policy problems facing New Jersey.

Winning by 12 points is a huge accomplishment and credit deservedly goes to Murphy and his entire campaign team. But winning often blinds us to the things that didn't go so smoothly, and those elements may well have a lingering effect in 2018. 🍷

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# FINANCE CENTER

## Considering Competitive Contracting

By Mark Moon, Esq., Richard Trenk, Esq., Joseph Valenti, QPA, and NJLM's Lori Buckelew, RMC, and Frank Marshall, Esq.

The Local Public Contracts Law (LPCL) allows contracting units, including municipalities, in certain circumstances to use a procurement process that evaluates proposals based on set of predetermined criteria in lieu of a bidding process that requires acceptance of the lowest responsible bidder. This process, known as “Competitive Contracting,” provides a procurement method for specialized goods or services where price is not the only factor to consider when awarding a contract. When used appropriately, competitive contracting provides municipalities with the flexibility to award contracts based on other factors besides price.

Like public bidding, competitive contracting can only be used when the price for the contracted goods or services exceeds the bid threshold. Unlike public bidding, in competitive contracting a municipality can consider price and other factors in awarding contracts for specialized goods or services, however, the municipality must enumerate these criteria and the evaluation methodology in the specifications, typically called the Request for Proposals (RFP). Generally, a contract awarded through competitive contracting cannot exceed five years unless it is one of the statutorily limited exceptions for a longer contract duration.

### Appropriate Uses

Competitive contracting can only be used for the purchase of certain goods or services outlined in N.J.S.A. 40A:11-4.1, which includes the purchase or licensing of proprietary computer software; emergency medical services; goods or services exempted from bidding pursuant to N.J.S.A. 40A:11-5; concessions; consulting services, property appraisal services; maintenance, custodial and grounds keeping services; grant writing; animal control; reassessment or revaluation services; or the operation, management, or administration of other services, with prior approval of the Division of Local Government Services (DLGS) Director.

A municipality may request special permission from the Director of the DLGS to use competitive contracting for a

specialized service that is not listed in the Local Public Contracts Law. The written request must provide enough information for the Director to respond to the request. The regulations are clear that the Director will not approve an application when a municipality combines a service with other services that are required to be procured through competitive bidding in an attempt to avoid the statutory obligation for the receipt of bids.

**“ The governing body must award a contract within 60 days from the receipt of proposals, unless the vendors agree to a longer period to evaluate and/or score the proposals.”**

### Getting Started

The first step in the competitive contracting process is for the governing body to pass a resolution authorizing its use. The resolution must cite the specialized goods or services cited for which the municipality seeks to utilize competitive contracting as well as identify the individual (qualified purchasing agent, Contracting Unit's legal counsel, or administrator) who will administer the competitive contracting process. It is important to remember that the governing body must pass a different resolution for each specific category of contract every time it wishes to utilize competitive contracting to purchase any of the permitted specialized goods or services. An omnibus resolution authorizing competitive contracting used for any of the specialized goods or services listed in the statute is insufficient.

Once the resolution has been adopted, the municipality can issue the Request for Proposal (RFP), which is the core document of any competitive contracting process. Municipalities must include certain requirements in both the RFP and all

awarded contracts as required by statutes outside of the Local Public Contracts Law, including, but not limited to compliance with equal opportunity and affirmative action requirements established under the law against discrimination and submission and disclosure of the prospective vendor's statement of ownership.

The RFP must also state the time and place for the receiving and opening of the proposals and the criteria that will be used to evaluate the proposals. However, the weighing of the criteria in the RFP does not need to be disclosed in the RFP but must be announced prior to the opening of the submitted proposals, if not disclosed in the RFP.

### Three Components

The Local Public Contracts Law requires that the RFP contain at least three components, including all requirements deemed appropriate and necessary to allow for full and free competition between vendors; information necessary for potential vendors to submit a proposal; and a methodology by which a Contracting Unit will evaluate and rank proposals. The first two components of an RFP are consistent with a Contracting Unit's advertised bid specifications in public bidding. The third requirement, however, is unique to competitive contracting and includes the criteria by which a municipality evaluates and scores proposals. The methodology must include at a minimum, technical, management, and cost-related criteria.

The solicitation process, the advertising and vendors response to the RFP, is the next step in a competitive contracting process. The notice of the availability of the RFP must be advertised, in the official newspaper, at least 20 days before the date established for the submission of proposals. The advertisement will generally include instructions as to how a prospective vendor will obtain the full RFP. Please note that the law places requirements when the municipality is seeking to replace services being provided by its own employees with the services of vendor. One such requirement



# Read More About It!

**Competitive Contracting**, when used appropriately, provides Local Contracting Units with the flexibility to award contracts for certain specialized goods and services based on other factors besides price.

To learn more and access sample evaluation forms, resolution, and procedural insights check out the League of Municipalities' publication, "Local Contracts Law Series #2: Primer on Competitive Contracting." Order it by downloading, filling out, and sending in the form at [njslom.org/publications/Publications.pdf](http://njslom.org/publications/Publications.pdf)

is the notification to employees or their representatives prior to the issuance of the RFP. Employees must be given an opportunity to demonstrate that in-house employees can meet the same contract requirements as a potential outside contractor in performing the specified services.

After the RFPs are received the municipality's qualified purchasing agent, legal counsel, administrator, or evaluation committee must issue a report to the

governing body in accordance with the methodology described in the RFP and statute. The governing body must award a contract within 60 days from the receipt of proposals, unless the vendors agree to a longer period to evaluate and/or score the proposals.

A competitive contract can only be awarded by a governing body adopting a resolution. In addition, the Municipal Clerk must publish a notice of award in the official newspaper. 📄



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## Volunteer Emergency Contributions & BYOB Regulation

By Frank Marshall, Esq., NJLM Staff Attorney



**There are a number of restaurants and other establishments in our municipality that allow patrons to “bring your own bottle” (BYOB). We think offering a BYOB option is beneficial and don’t want to ban it outright, but it seems to be getting out of hand. What, if anything, can our municipal government do through ordinance to regulate BYOB?**



Municipal governments are limited in how they can regulate BYOB. This is because the State has explicitly regulated the practice of BYOB; and when the State has stepped in to regulate an area, local governments are preempted from passing their own regulations. Hope is not lost however, as often time enforcement of the statewide rules are enough to achieve a municipality’s goals, thus curtailing the need to create additional regulations at the municipal level.

*N.J.S.A. 2C:33-27* is the pertinent code section dealing with BYOB and includes statewide rules regarding the consumption of alcohol in establishments that sell or serve food and liquid refreshments but do not possess a liquor license. These statewide rules include: allowing patrons to bring only wine or malt beverages (hard liquor is prohibited), a prohibition against charging a cover or service fee related to the BYOB, and prohibiting an establishment from advertising that they offer BYOB. In addition to these enumerated rules, establishments offering BYOB must also follow all other applicable liquor laws which apply to those with a liquor license.

If stricter enforcement of the statewide BYOB rules is not enough to achieve your municipal goals, other options still remain. The first and most severe is a complete ban on BYOB establishments within your municipality. While a municipality is authorized by State law to do this, a complete ban may not be the best approach as it could hurt local restaurants and deter future businesses from opening in your municipality. Instead, a better approach could be to prohibit BYOB in all premises but exempt from that prohibition a clearly, objectively, and rationally defined class of commercial premises such as restaurants. This approach has been reviewed by the NJ Appellate Court and has been deemed appropriate as such municipal regulation is not preempted through the State’s BYOB laws.

Through a combination of better enforcement of statewide

BYOB rules and a review of the commercial premises authorized to offer BYOB in your municipality, you should be able to achieve your goal of providing for the health, safety, and welfare of your municipal inhabitants.



**Our municipality would like to increase the contribution we make each year to our volunteer fire company and ambulance squad. Is there a limit on how much we can contribute?**



Yes, *N.J.S.A. 40A:14-34* and *N.J.S.A. 40:5-2* provides for a maximum annual appropriation for contributions to volunteer fire companies and ambulance squads, respectively.

For volunteer fire companies, *N.J.S.A. 40A:14-34* provides for a cap on annual contributions by a municipal governing body.

At a minimum, this cap is set at \$150,000 but is adjusted every two years to account for inflation. The most recent adjustment was made in March 2017, with the current cap amount set at \$150,750. If there are more than three volunteer fire companies within a municipality, the law also allows for an appropriation of an additional \$50,000 for each additional company, with certain limitations set on how this additional appropriation must be spent.

For volunteer ambulance squads, *N.J.S.A. 40:5-2* allows for a municipal governing body to make a voluntary contribution of not more than \$70,000 each year. Unlike the contribution limit for volunteer fire companies, the law regarding volunteer ambulance squad contributions does not provide for future cap adjustments due to inflation. However, the law does permit a municipal governing body to contribute an additional \$35,000 annually should the volunteer ambulance squad experience an extraordinary need.

Although there is a limit to the contributions your municipality can make to your town’s volunteer fire company and ambulance squad, your municipality may appropriate additional funds for the purchase of rescue or emergency vehicles, equipment, supplies, and materials to be used by these volunteer associations. These purchases remain outside of the scope to the contributions limits, provided that title for these items remains with your municipality and that the funds for the purchase of these items are controlled and disbursed by your municipality. ❧

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

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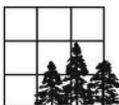


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# Around the State

## A Spell on Newton

Ryan Stapel, owner of ReCollectables in Newton, and several other shopkeepers helped cast a magical spell over the Sussex County town that exceeded all of their imaginations. The entrepreneurs came up with the idea to transform a small section of the downtown Newton into a recreation of Diagon Alley from the Harry Potter series by J.K. Rowling to tempt the town's Holiday Parade attendees to stay and shop on Small Business Saturday. And boy did it work...block-busting crowds were attracted, seeking holiday magic. "We thought 3,500, not 35,000, and we found out what six volunteers could do," Stapel says. "We had 9 or 10 days to prepare," he adds, because that's when the organizers realized that the event had gone viral, attracting press attention all over the world. Preparations quickly went into overdrive, "The Town and County and the Board of Education stepped up to give us a hand," he said. "Mayor Lavante was a godsend—working together between the town and merchants really set us apart."

The press of the crowd was overwhelming and inspiring, Stapel notes. "We're going to do it again...with 365 days to plan, not 10. If we can recreate that magic—that would be great." 🧙

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