

# nj municipalities

Official Publication of the New Jersey State League of Municipalities

February 2021



# COVID Finances

## Getting ready for budget season

2021  
LEGISLATIVE  
GUIDE  
INSIDE

# How can the Bureau of Municipal Information help your municipality?

## Top 5 ways

- 1** Increase efficiency  
(by using the tools available in our online resource centers)
- 2** Increase knowledge on a subject  
(topic summaries: found on resource center webpages; & in-depth bill histories: found on NJLM's blog)
- 3** Learn from other municipalities  
(visit the library of ordinances and shared service agreements enacted throughout the State)
- 4** Stay current: Read what's in-the-news  
(subscribe to news flashes to have topic updates emailed to you; or read through the article links featured in individual resource centers)
- 5** Ask questions - discuss with an expert  
(League advisory & consultation services are available on several topics)

## Resources on over 30 topics





## New Jersey Municipalities Magazine

Volume 98 | Issue 2

EDITOR  
**Michael F. Cerra**

MANAGING EDITOR  
**Amy Spiezio** [aspiezio@njlm.org](mailto:aspiezio@njlm.org)

DIRECTOR, COMMUNICATIONS, MARKETING, AND TECHNOLOGY  
**Taran B. Samhammer** [tsamhammer@njlm.org](mailto:tsamhammer@njlm.org)

CONTRIBUTING EDITORS  
**Lori Buckelew**  
**Benjamin Dworkin, Ph.D.**  
**Andrew LaFevre**  
**Frank Marshall, Esq.**  
**Paul A. Penna**

CREATIVE DIRECTOR  
**Dawn Becan, White Eagle Printing Company**

SUBSCRIPTION MANAGER  
**Thomas Fratticcioli** [tfratticcioli@njlm.org](mailto:tfratticcioli@njlm.org)

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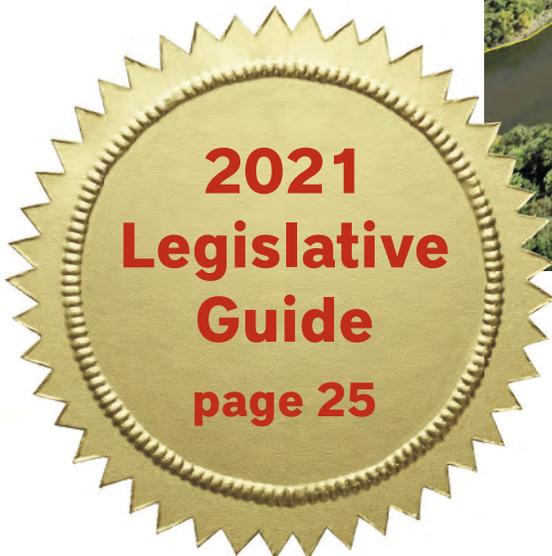
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Michael F. Cerra Executive Director  
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## Keep in Touch: Now More Than Ever Legislative Connections Matter

**T**he first quarter of 2021 has started out filled with plenty of activity under the gold dome and in council and committee chambers around the state. Recent events underscore the importance of constructive dialogue and communication in the public space, particularly among those of differing viewpoints. As New Jersey’s municipal governments reorganize and move optimistically forward, we have the opportunity to make good on resolutions such as keeping in touch.

Each February we publish the year’s Legislative Guide, which provides a roadmap to Trenton (see page 25). While it’s not going to give you the quickest way to get through Trenton road traffic, it’s certainly a closeup look navigating state government with the League’s Legislative Team, the League Legislative Committee, your representatives in Trenton. We hope that you use this toolkit to build your interaction with state officials and reach out to Assistant Executive Director/Director of Government Affairs Lori Buckelew, and her team, who are your partners in the capital city. Having your place at the table and your voice in the conversation will be critical in the management and recovery from the pandemic and beyond.

Every year we also turn to our state legislative leaders for their perspectives and outlooks on the year to come. This year a

major focus on both sides of the aisle will be the pandemic with its budgetary, public health, and societal impacts. And while that struggle continues, the State moves along with the legalization of recreational marijuana, the securing of infrastructure, and reckoning with race and social justice. How these topics and more move through the government depends on your input to ensure municipalities are treated fairly and realistically in 2021.

Budget challenges won’t be limited to the State level—municipalities will have to face their own struggles. Former DLGS Director and current Executive Director of the NJ Housing and Mortgage Finance Agency, Melanie Walter, notes that nearly 80% of all municipalities are expecting reduced revenue from local sources, with projected median decreases of 11.5% (see story page 38). In a time where budgets are going to be more of a puzzle than most years, we invite you to attend the NJLM webinar, Budgeting for Elected Officials, on March 6. Visit [www.njlm.org/seminars](http://www.njlm.org/seminars) for more information.

As you know, there’s more to local governments than budgeting. Communicating with your community and maintaining a strong connection is critical. This year, take advantage of opportunities to build a sense of community through NJLM activities such as the Show Off Your City contest (entries due now!) and NJ Local Government Week April 18-24. 

*Michael Cerra*

“  
**This year a major focus on both sides of the aisle will be the pandemic with its budgetary, public health, and societal impacts.**  
”

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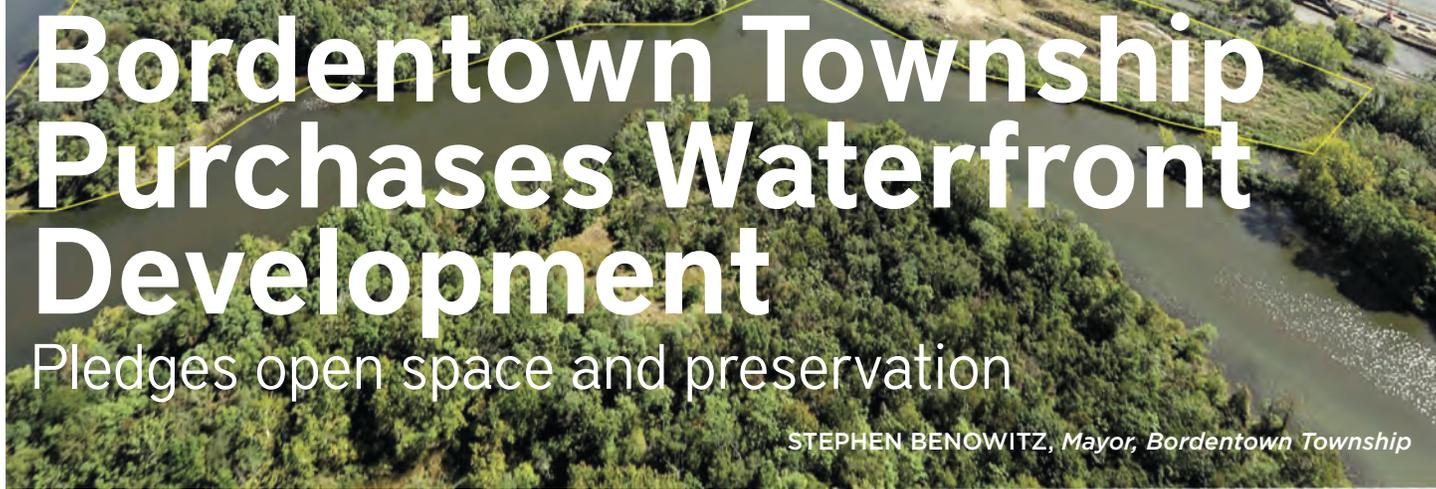
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# Bordentown Township Purchases Waterfront Development

Pledges open space and preservation

STEPHEN BENOWITZ, *Mayor, Bordentown Township*

Photo Credit: Max Spann R/E & Auction Co.

**B**ordentown Township has purchased approximately 72 acres of property along the Delaware River that were previously slated for high-density housing. The property, once part of the Bordentown Waterfront Development project, is now planned for public open space, wildlife preservation, and environmental conservation.

A small parcel of the property will remain for development to accommodate an inclusionary affordable housing project.

## A growing community

Bordentown Township has seen significant residential and commercial growth over the past several years. This purchase carries extra significance because we can preserve areas like the waterfront that are so environmentally important.

Township Officials observed that purchasing 72 acres of Delaware waterfront property is legacy changing.

When the opportunity came about to purchase the property, to work with the developer, and to preempt the auction,

Bordentown's Township Committee saw that an aggressive action would provide benefits down the road environmentally and ecologically. Since there are a few bald eagles and other endangered species of plants and animals around the area, the committee saw the opportunity to purchase the property and pushed aggressively for it.

In 2008, the Bordentown Waterfront Development was approved as a multi-phased project that included high-density residential and commercial buildings. The first several phases included Rivergate Apartments, Waterfront Village, and the QuickChek gas station and convenience store.



Photo Credit: Max Spann R/E & Auction Co.

## UpFront:

### Bordentown's Waterfront Development

There are two parts of the remaining phases that will be constructed: a previously approved 66-unit apartment development adjacent to the QuickChek and the aforementioned small inclusionary affordable housing element.

Volunteers of America (VOA), the non-profit builders of the age-restricted (55 and over) affordable housing complex catering specifically to veterans at Waterfront Village, will build the 66-unit building. The projects by VOA are part of the Township's affordable housing program.

"When this was originally approved in 2008, there were a lot of things that had not happened in the township. Since then, we've had a lot of residential and commercial development. When we looked at the overall density, we were facing over 330 units of residential market-rate housing and we saw the opportunity for open space, recreation, and preservation," explained Township Administrator Michael Theokas.

### Savings captured, burdens prevented

By purchasing the property and not building the bulk of the project, the Township has prevented the construction of over 330 market-rate residential units. In addition, the Township was supporting the project through Redevelopment Area Bonds (RAB) in the amount of \$14 million for the construction of the public infrastructure (public roads, water, and sewer). Those RAB funds will no longer be needed and will be cancelled from the Township's debt.



## Jersey Professional Management

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**Mayor John McCormac**  
Township of Woodbridge

JPM helped us hire two members of our Senior Management Team and handled everything tremendously.



**Mayor Thomas Andes**  
Township of Denville

Dan and his team at JPM were instrumental in recruiting exactly the right person as our first Executive Director of our newly created Business Improvement District.



**Mayor Fred Tagliarini**  
Township of Aberdeen

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



**Mayor Beth Holtzman**  
City of Ventnor

Best decision we made; Maria Mento and Joe Verruni are very knowledgeable and always accessible.



**Stephen Mountain**  
Manager, Township of Randolph

JPM was very responsive to our needs and utilized a process that was fair and organized. They helped us select the best professional for the position.



**Mayor Richard Onderko**  
Borough of Manville

Best Municipal Government Advisors I've met in 10 years in elected office. Helped us recruit a fantastic Administrator. Thanks Dan and JPM.



**George Jackson**  
Administrator, Borough of Eatontown

JPM's thorough recruitment and selection process led us to just the experienced professional we were looking for.



**Mayor Dina Long**  
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One of the best decisions we made after Sandy was bringing experienced professionals from JPM onto our team. Joe Verruni and Debbie Smith provided the expertise and guidance we needed to navigate the recovery and rebuilding.

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## UpFront: Bordentown's Waterfront Development

The cancelling of over 330 units prevents the possibility of potentially hundreds of children entering the school district. Bordentown Township will also save the burden on its utilities, roadways, and municipal staffing. Most importantly, this is all accomplished with the added benefit of preserving ecologically and environmentally sensitive areas along our waterfront.

### Township Officials have stated that purchasing 72 acres of Delaware waterfront property is legacy changing.

Bordentown Township accomplished this with little to no effect on our budget moving forward. And, as previously stated, the Township is saving significant money in the future by eliminating the burden of 330 residential units on our schools and infrastructure.

Bordentown Township wanted to give our current and future residents a great opportunity to enjoy the waterfront. We hope

that this purchase attracts passersby to stay a little longer and enjoy all our commercial stores, shops, and eateries or take the short trip over to Six Flags Great Adventure. This will further bolster our reputation as “The Crossroads at the Heart of New Jersey.”

Bordentown Township believes that this waterfront purchase will be a jewel in our crown. The fact that the property was at one time slated for high-density housing and now is open space, makes this purchase even better. 🇯🇵

## Moving Forward

Township officials have already started the process of reaching out to other public entities for the planning and design of the proposed open space. It is anticipated that grant funds will be utilized to offset both the purchase price and develop the property's public amenities.

Total purchase price for the 72 acres was \$4.6 million.

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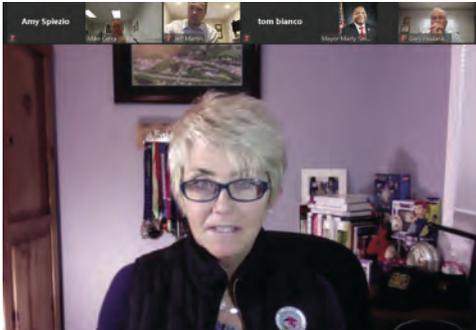
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## NJLM Holds Reorganization Meeting, Swearing-In Ceremony



At the first meeting of the NJLM Officers and Executive Board, held virtually in December, a new officer and board members were sworn in. Third Vice President Mayor William Pikolycky of Woodbine took his oath of office administered by NJLM President Mayor Janice Kovach of Clinton Town.

1st Vice President Mayor William Chegwidan of Wharton and 2nd Vice President Mayor Ray Heck of Millstone Borough were previously sworn in at the League's Annual Business Meeting in November.

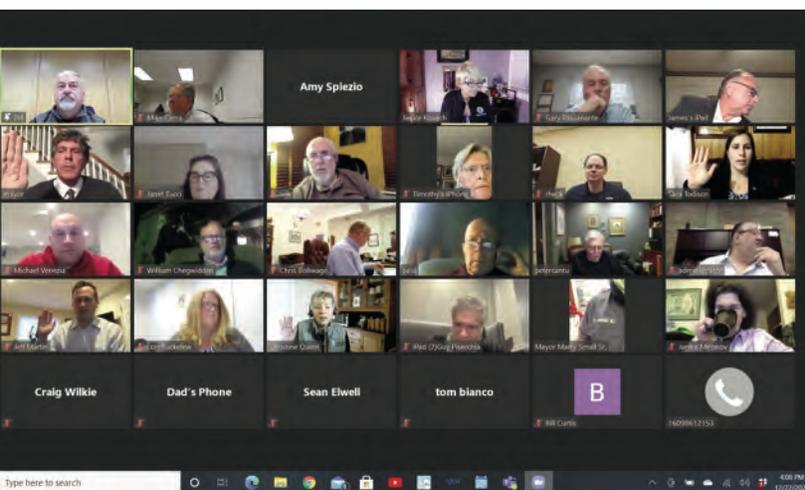
New Executive Board Members Mayor Jeffrey Martin of Hamilton (Mercer County), Mayor John Pallone of Long Branch, Deputy Mayor Christine Quinn of Sparta, Mayor Marty Small Sr. of Atlantic City, and Mayor Sara Todisco of Garwood were also sworn in by President Kovach. For biographies of the new board members, please see the January issue of *NJ Municipalities*. 



### Immediate Past President Perry Resigns

Immediate Past President and Committeeman for Hardwick James J. Perry Sr. has resigned his position on the Hardwick Committee and the NJLM Board citing a move out of state.

NJLM Executive Director Michael Cerra thanked Committeeman Perry for his service on behalf of the NJLM Officers and Executive Board, as well as the members and staff of the League at the regular meeting of the Hardwick Township Committee for his service to the League and to the residents of Hardwick, and wished him well.



# All-America City Applications Open



The National Civic League’s All-America Cities designation recognizes the work of communities in using inclusive civic engagement to address critical issues and create stronger connections among residents, businesses, and nonprofit and government leaders.

The 2021 All-America City theme is “Building Equitable and Resilient Communities.” The 2021 All-America City Awards will recognize communities that have worked to improve equity

and resilience. Equity is the fabric that allows communities to achieve broad-based economic prosperity and other goals. Resilience enables communities to face challenging times by not only preserving what makes their community great but adapting and growing stronger. Both qualities depend on inclusive civic engagement.

All-America City applicants for 2021 will be asked to discuss the strength of their civic capital—the formal and informal relationships, networks and capacities they use to make decisions and solve problems—and to provide examples of community-driven projects that have adapted and transformed the community to be more equitable and resilient.

Finalists are announced in March and invited to assemble a community team to present at the All-America City Event in June. Teams of residents; nonprofit, business, and government leaders; and young people from communities across the country will share insights with peers, learn from national thought-leaders, and present the story of their work to a jury of nationally recognized civic leaders. 🇺🇸

@ Apply by February 10 via [www.nationalcivicleague.org](http://www.nationalcivicleague.org)  
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Rocker John Rzeznik at a fundraiser in Westfield to benefit the Westfield Food Pantry and the Community FoodBank of New Jersey.

## Westfield & Rocker Help Hungry

The Town of Westfield invited residents to kick off the holiday season by keeping hunger and food insecurity top of mind through the “Be the Light” initiative. On November 29, the community participated in a series of events that highlighted this cause in partnership with Westfield resident and Goo Goo Dolls lead vocalist John Rzeznik.

According to the Community FoodBank of New Jersey, Union County’s number of food insecure residents has increased by 58% due to the pandemic. Feeding America projects a 56% increase in food insecurity throughout New Jersey as a result of COVID-19, representing an additional 431,060 residents. This rate is higher than the national average of 46% and greater than any of New Jersey’s neighboring states. The November 29 events reminded members of the community that they can help “Be the Light” for neighbors in need.

Rzeznik partnered with the Town of Westfield and the Westfield United Fund to raise nearly \$20,000 for the Westfield Food Pantry and the Community FoodBank of New Jersey to combat hunger for those in Union County facing economic difficulty and food insecurity this holiday season. 🇯🇵

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## MPIC Contest Winners Announced

The Center for Government Services, part of Rutgers, The State University of New Jersey, has announced the winners of the 59th Annual Municipal Public Information Contest – Fall 2020.

The contest honors Initiatives to increase the public’s awareness of government operations, strengthen community ties, and provide useful information and services to citizens. Its purpose is to promote the use of successful and innovative techniques that increase government’s ability to meet citizen needs and improve access to government services.

The sponsors are Rutgers Center for Government Services, New Jersey Municipal Management Association, and the New Jersey State League of Municipalities. This year’s judges were Gregory Bonin, Township Administrator, Branchburg Township; Lori Buckelew, MPA, RMC, Assistant Executive Director, New Jersey State League of Municipalities;

Michael Capabianco, MPA, MSCJ, Administrator, Seaside Park; Matthew Cavallo, Township Manager, Verona Township; and Teri Jover, Borough Administrator, Highland Park Borough. They hope this will create interest and provide incentive for municipalities to develop or enhance their public information programs in order to be able to offer more innovative, responsive and personalized services to citizens.

**The winners are:**

**Best Overall Public Information Program: Deptford Township**

**Best Print Media: Town of Westfield**

**Best Web/Social Media: Township of Hazlet**

**Best Special/Innovative Media: Township of Wyckoff**

**Special Award for COVID-19 Coverage: City of New Brunswick** 🇯🇵



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# Library Funding Heading to Municipalities

Governor Phil Murphy signed A4942, which authorizes nearly \$87.5 million to be distributed to proposed projects for the first round of funding from the Library Construction Bond Act.

This funding will provide crucial improvements to New Jersey public libraries, including ADA compliance upgrades for disabled residents, HVAC improvements, and projects to improve public access to information and modernize community space, including procuring new technology. This initial grant round will also fund 10 new library buildings.

A second round of awards is planned for the first quarter of 2021.

“Our public libraries serve as community bedrocks providing resources and information to thousands of New Jerseyans,” said Governor Murphy. “With today’s bill signing, libraries will receive critical funding to address accessibility issues for our disability community and provide necessary safety improvements for adequate ventilation systems, as well as

upgrading technology that will help shrink the digital divide in communities across the state.”

Mary L. Chute, New Jersey State Librarian, noted: “The pool of eligible applicants reflected many strong projects responding to compelling community needs. These 38 awards rate as the ‘best of the best’ by the review committee. We congratulate them and look forward to seeing their projects get underway.”

“We are grateful to the Murphy administration and the state legislature for recognizing the strength of Parsippany’s library proposal,” said Parsippany Mayor Michael Soriano. “This funding will help Parsippany continue the revitalization of North Beverwyck road and establish a state-of-the-art library that will benefit every resident of Parsippany.”

“Libraries have the power to transform communities. I thank Governor Murphy for his visionary leadership in supporting public libraries throughout New Jersey,” said Montgomery Township Mayor Sadaf Jaffer. “The \$5.375 million library

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bond awarded to Montgomery Township will be used toward creating a space where we can learn about our past and present, make connections among diverse neighbors, and find support in times of difficulty.”

## Library Grants The following projects will receive funding:

- \$379,960 to the Atlantic City Free Public Library – Atlantic City
- \$322,091 to the Atlantic County Hammonton Branch Library – Hammonton
- \$175,000 to the Avon Public Library – Avon-By-The-Sea Borough
- \$1,000,000 to the Free Public Library and Cultural Center of Bayonne – Bayonne
- \$37,500 to the Bernardsville Public Library – Bernardsville Borough
- \$3,447,081 to the Cape May County Library, Historic Franklin Street School – Cape May
- \$2,329,500 to the Cranbury Public Library – Cranbury Township
- \$524,142 to the Cumberland County Library – Bridgeton
- \$1,200,000 to the Dover Free Public Library – Dover
- \$500,000 to the East Orange Public Library – East Orange
- \$3,497,500 to the Fanwood Memorial Library – Fanwood Borough
- \$600,000 to the Franklin Township Public Library – Franklin Township, (Gloucester)
- \$1,314,000 to the Franklin Township Public Library, Southern Branch – Franklin Park, (Somerset)
- \$889,000 to the Freehold Public Library – Freehold Borough
- \$130,404 to the Garfield Public Library – Garfield
- \$980,837 to the Hunterdon County Library – Flemington
- \$5,000,000 to the Jersey City Public Library – Jersey City
- \$1,525,475 to the John F. Kennedy Memorial Library – Wallington
- \$90,000 to the Leonia Public Library – Leonia Borough
- \$1,100,000 to the Lincoln Park Public Library – Lincoln Park Borough
- \$8,388,250 to the Maplewood Memorial Library – Maplewood Township
- \$3,262,260 to the Millville Public Library – Millville
- \$1,950,000 to the Monmouth County Library Headquarters – Manalapan
- \$248,640 to the Monroe Township Library – Monroe Township
- \$5,375,000 to the Montgomery Township Branch (Somerset County Library System) – Montgomery Township
- \$507,000 to the Paramus Public Library – Paramus Borough
- \$2,999,530 to the Parsippany-Troy Hills Public Library, Lake Hiawatha Branch – Lake Hiawatha
- \$734,812 to the Paterson Danforth Memorial Library – Paterson
- \$9,364,500 to the Pennsauken Free Public Library – Pennsauken Township
- \$150,000 to the Red Bank Public Library – Red Bank Borough
- \$292,750 to the Ringwood Public Library – Ringwood Borough
- \$263,159 to the River Edge Public Library – River Edge Borough
- \$5,500,000 to the Roselle Public Library in Roselle Borough
- \$3,586,852 to the South Brunswick Public Library – South Brunswick Township
- \$3,080,875 to the Sussex County Library System (Dennis Memorial Library Branch) – Newton
- \$139,705 to the Totowa Public Library – Totowa Borough
- \$12,500,000 to the West New York Public Library – West New York County
- \$3,098,217 to the West Orange Public Library – West Orange Township



## TRAINING AVAILABLE ...

### Updated Model Employment Practices Risk Procedures

The MEL has updated its model employment practices risk procedures. Members adopting them by June, 2021 will be eligible to maintain their incentives.

#### The following tools are available:

- The MEL Annual Risk Management Training Program for elected officials and Authority Commissioners is accessible through the MSI Learning Management System. Discounts are available for completion of this course.
- The latest update of the written policies and procedures are now on the MEL website.
- Training for managers and supervisors is being arranged by each MEL member JIF and through MSI Instructor-led Webinars.
- Police Command Staff training is being provided in Instructor-led Webinars or In-Person training.
- Online training is also available for non-supervisory personnel.



FOR MORE INFORMATION, CONTACT YOUR JIF EXECUTIVE DIRECTOR OR RISK MANAGER.

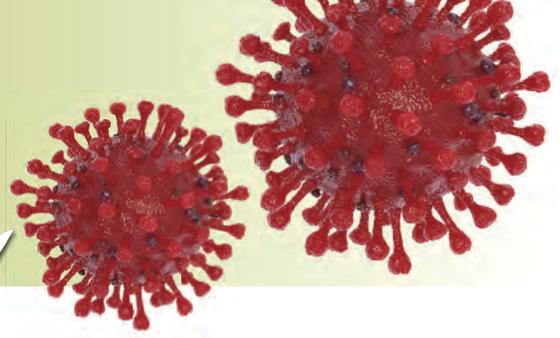


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# COVID Recovery



## Town Hall Safety Protocols

Middle Township takes measures intended to increase security and minimize foot traffic

TIM DONOHUE, *Mayor, Middle Township*

Visitors to Middle Township's Town Hall will now be greeted by a staff member who will buzz them in and help route them to their destination.

The added safety measure is part of a two-phase plan to tighten security and reduce the number of people walking through buildings as the COVID-19 pandemic continues.

Cameras have been installed at the front door of Town Hall, as well as the entrances of the Zoning and Construction and Public Works buildings to help monitor visitors. Visitors to Town Hall will now be required to use the main entrance on Mechanic Street.

Residents are encouraged to continue using drop boxes outside buildings for payments, permits, and paperwork.

### A safe welcome

The new entrance system, which was instituted on December 9, is expected to help maintain social distancing in Town Hall and control the number of individuals in the building at any given time.

These phased steps are necessary, as we continue to adjust to the changing realities in our society. We want our residents to feel welcome in their Town Hall. At the same time, the safety, security and health of our employees and visitors must be a top priority. We believe these measures implement a well-balanced approach to maintaining access to services, while upgrading security and enhancing COVID-19 protections.

### Securing the courthouse

A second phase of the security plan, coming in the next few months, will focus on Municipal Court, which shares a building with Town Hall but is separated from Township offices by a hallway. A locking mechanism will be added to the double doors between the court and Town Hall offices, and the general public will be unable to travel between the two parts



Residents who visit Town Hall will be buzzed in at the door and offered assistance to find their destination. It's part of a security plan that also minimizes the number of people in the building.

of the building. Employees will be issued electronic access cards to pass through the doors.

Like the first phase of the plan, these changes also have a secondary purpose of reducing the number of people walking through Town Hall. Court visitors will be required to use the Boyd Street entrance.

These steps are in addition to security protocols that are required through the Atlantic/Cape May County Vicinage. Those include moving light switches inside walls to protect against the possibility of someone turning off the lights to create a distraction and inflict harm.

Middle Township employees also participate in active shooter drills as part of the municipality's focus on creating a secure environment for staff and building visitors. 🇯🇵



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# Outlook 2021: Legislative Priorities

CRAIG COUGHLIN, *Assembly Speaker,  
NJ General Assembly, District 19*

**A**s we all know, 2020 was a year unlike any other, but the Legislature never stopped working from the swearing-in in January through December.

We began the year prepared to lead New Jersey on its road back to fiscal health, but we spent the year also grappling with the unprecedented crisis brought about by the COVID-19 pandemic, while also coming to terms with making our state more fair and equitable for all.

New Jersey's first confirmed case of coronavirus was reported on March 4. Anticipating the consequences too many New Jersey residents are all now too familiar with, the Legislature and Governor enacted 64 laws to address the growing crisis from the March 16 to the June 18 voting sessions. These laws impacted every facet of life including, healthcare, education, elections, local government operations, housing protections, remote work, and other private sector business matters, to name a few.

In response to the disease's devastating impact at the state's public and private nursing homes, we overhauled the industry, establishing new safeguards for patients and workers alike. We struggled with issues like how to keep food available in food banks, ensuring children whose only meal each day may be at school could continue to receive those meals, and how to best allow local governments to continue providing services during a pandemic.

In the spring, I asked business legend George Zoffinger to empanel the best minds in New Jersey to produce a list of actionable items for the Legislature to enact to help the economy rebound. The ensuing report led to dozens of bills working their way through the process.

In late May, our country began a fresh reckoning with race in the aftermath of George Floyd's murder. The Assembly passed nearly two dozen bills centered on racial and social justice in response, including mandatory body-worn cameras on all police officers.

After three years of work, the Legislature passed legislation on a framework to decriminalize, legalize and establish a well-regulated adult-use cannabis industry, ending a decades-long war on cannabis that disproportionately jailed people of color.

As a result of COVID, the Legislature was forced to take the historic step of passing two State budgets. Our goal from the outset was to do all we could to protect New Jersey families from the pandemic while positioning our state for a strong economic recovery. Due to this focus, we reached an agreement that means hundreds of thousands of New Jersey families will receive a \$500 middle class tax cut that will help our residents recover and stimulate the economy. We did this without axing critical programs that hundreds of thousands of New Jerseyans rely on each day.

**In 2021, every legislative decision will be made in connection to how it helps New Jersey recover economically from COVID.**

Just before the new year, after 19 months of work, both houses passed a sweeping jobs and business tax incentives bill to spur the state's economy for the next decade. Having learned from the 2013 law, the new bill aims to capture more segments of the economy from entrepreneurs and startups to attracting small, medium and large businesses alike. The bill means that for the first time, our economic development strategies will reflect our values. It will encourage food security by incentivizing healthy food options in food deserts, promote community partnerships with businesses receiving tax credits, spur growth in New Jersey's rich array of historic properties, rebuild on vacant land, increase affordable housing, and more.

After two years of work, the Senate President and I spearheaded significant revisions to public school employee health benefit plans to control costs for both employees and school districts.

We stood up for the environment by instituting a statewide single-use plastic bag ban set for Spring 2022, required large food waste generators to begin recycling its by-products, and enacted a landmark Environmental Justice law to reign in air pollution in overburdened communities and encourage cleaner, healthier industrial projects.

In 2021, every legislative decision will be made in connection to how it helps New Jersey recover economically from COVID. After a devastating year in nearly every facet of our lives, we have to return to the basics. More than 1.8 million New Jersey workers were out of work or underemployed at some point in 2020. We must get them back to work. On the heels of the Economic Recovery Act, the Assembly will focus on rebuilding our economy, our small businesses and the middle class.

Addressing the housing and eviction crisis that will unfold when the Public Health Emergency ends could trigger mass evictions. Similar to the Great Recession, our economy is significantly tied to the housing market—from homeowners and renters to banks and landlords to municipal government coffers and quality of life issues.

The Assembly will continue to respond to other post-COVID challenges concerning necessities like public health such as the vaccine rollout, mental health challenges, hunger, and other pressing and unforeseen remnants.

Throughout the most difficult year most of us will ever face, the Assembly also kept an eye on long-term goals. We took important first steps towards addressing our immediate and distant drinking water and wastewater infrastructure challenges through a series of hearings to identify solutions. The Assembly is now set to enact a comprehensive package to address lead service lines, combined sewer overflow, purveyor oversight and more.

The Assembly will continue to pursue the enactment of legislation stemming from the Economic Recovery Council chaired by George Zoffinger this past summer. Additionally, Majority Leader Greenwald has recently introduced a Main Street recovery package to assist small businesses.

## Our challenges are many, but so are our opportunities.

One of the many adverse effects of the pandemic has been the impact on school children, including but not limited to, learning loss from remote learning to a now-widened racial disparity gap

between predominantly white communities and communities of color. The repercussions on student learning will be felt for years so we must act quickly to reverse course.

While two all Vote-by-Mail elections proved successful in 2020, residents yearn to vote in person. The Assembly will quickly move to enact early in-person voting, allowing registered voters to visit select voting sites during the 10 days leading up to Election Day. The State of Florida, among others, has been doing it successfully for years. Here's our chance to give voters what they want while expanding voter accessibility.

Our challenges are many, but so are our opportunities. Our State government must focus on the most basic of necessities and priorities of working families and businesses and responsibly govern within our means so that 2021 and beyond is as successful as possible. 

## LADDEY CLARK & RYAN LLP WELCOMES FORMER MORRIS COUNTY PROSECUTOR FREDRIC KNAPP

Former Morris County Prosecutor Fred Knapp, after 8 years in office, has joined Laddey, Clark & Ryan. Building on his over 30 years experience in private legal practice, law enforcement and investigations, Fred is concentrating his practice in:

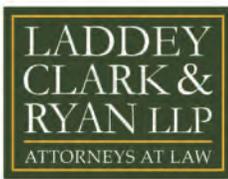
- Alternate Dispute Resolution (ADR) as a neutral disciplinary hearing officer, arbitrator and mediator
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# Outlook 2021: The Legislature must focus on property taxes and high-density housing

JON BRAMNICK, *Assembly Minority, NJ General Assembly*

New Jersey has faced a troubling trend over the last decade with more Americans moving out the state than any other in 9 of the last 10 years, according to an annual survey by United Van Lines. Census estimates from 2019 showed a net decrease in population in the state of nearly 4,000 residents in the previous year alone.

Much of the exodus New Jersey is facing can be attributed to the long building affordability crisis our residents are facing. Nearly 15% of those leaving the state moved across the Delaware River into less expensive Pennsylvania while a growing number of retirees are moving to lower taxed Florida making it the third most popular destination for New Jersey residents leaving the state.

The result of this outmigration is a loss of revenue. A 2018 study by the New Jersey Business and Industry Association estimates that New Jersey is losing between \$50 and \$100 million annually in income tax revenue due to residents fleeing the state. The income tax is constitutionally dedicated to property tax relief meaning our schools are losing out on funding, our municipalities are being squeezed tighter and property taxpayers are going up.

The governor and the Legislature must re-focus and confront the difficult reality that adding to New Jersey's standing as one of the highest taxed states in the nation by raising taxes by \$4.2 billion in the previous three years is making the problem worse. It is not too late, but we are running out of time to change the direction of the state we all love.

Fortunately, there are solutions to these problems but it will require partisanship to be set aside.

The first thing we need to do is return municipal revenue back to municipalities. Providing all energy tax receipts, and requiring property taxes be lowered the same amount as the extra aid, will make a huge difference. We need to have civil service reform, saving billions of dollars by getting rid of archaic and expensive laws. And, we need to end sick-time payouts for public employees. Capping payouts for unused sick days at \$15,000 still costs at least \$6.5 billion across the state. That is simply unaffordable for people who can only dream of having such a munificent benefit.

Most importantly, to lower property taxes we need to fix school funding. Every year that goes by, we find that the current system is untenable and does not fulfill New Jersey's constitutional obligation to provide a thorough and efficient

education for our students.

By rededicating income tax revenue to school funding New Jersey would be able to fully fund the best school system in the country and lower property taxes more than the current government programs targeting relief toward seniors and the disabled. Satisfying funding will lower property taxes for every resident. In many towns, up to 70% of New Jersey's nation-high property taxes are because school funding is inadequate, and the cost to fully fund education grows every year.

On the other end, affordable housing lawsuits have been a nightmare for towns and their residents for far too long. Unfortunately, the Murphy administration and legislative Democrats are happy with the current litigation. Their concern is not logistics, or the environment, or infrastructure, or high-density housing, or the will of the people who love and live in their hometowns. Trenton Democrats are happy the issue is out of their hands, despite their obligation to make it right.

The past five years Republicans have had a comprehensive bill package that would fix the high-density housing migraine for towns by setting state obligations, getting rid of the builders' remedy and taking the issue out of the courts. Every budget year we ask the same question to the Judiciary during their hearing: do you think affordable housing should be handled in court or by the state? The answer is the same every time: they don't think the court should handle the issue, nor do they want to; it is a state government responsibility. That responsibility has been willfully ignored by the Assembly majority to the detriment of towns and taxpayers.

These two issues must be dealt with urgently and with sincerity. Together, we can do it. Together, we can fix the primary problems facing municipalities and residents. The Legislature has crossed party lines and joined together many times before to deal with big issues. I have always called for unity, respect, and bipartisanship. That is more important now than ever in our lifetimes. The Legislature can and must put partisan differences aside and work together for a better, more affordable New Jersey before it is too late. 

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### NJ DOT

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OF NY & NJ:

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### THE CITY OF NEWARK

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# Marijuana Legalization Will Create Jobs While Providing Local Control

STEVE SWEENEY, *Senate President, District 3*, and  
NICHOLAS SCUTARI, *Senator, District 22, New Jersey State Senate*



**A**fter years of negotiation, legislative debates, and a constitutional amendment approved 2-1 by voters, New Jersey last month became the largest state in the Northeast to legalize adult-use marijuana. We simultaneously passed the most progressive decriminalization bill in the nation, including strong expungement provisions to begin to reverse the legacy of racial inequities in our criminal justice system that grew out of the misguided “War on Drugs.”

In the months and years ahead, the creation of a cannabis industry will be an economic engine for the state, allowing entrepreneurs and small business owners to profit from the cultivation and sale of cannabis under a business model that will be tightly controlled by the independent Cannabis Regulatory Commission we created.

By establishing this new industry, we will create as many as 43,000 new jobs, including cultivators, processors, wholesalers,

distributors, retailers, deliverers, and related services. And because we kept the tax rate low, we can begin to cut out the black market that has prospered and caused so much damage in our state.

We listened to your concerns as mayors, council members, planning and zoning officers, and local law enforcement and municipal court officials. We want to respect the rights of individual communities who don’t want to participate in this

new industry. That’s why the law contains provisions whereby any municipality would be allowed to prohibit marijuana businesses in their communities.

We understand, all too well, that each municipality in the state has its own set of values and should be free to set its own priorities. Those who do choose to participate, and allow the cannabis industry to open retail or cultivation operations, would be allowed to collect a 2% local excise tax and retain the revenue.

Furthermore, recognizing that the legalization of adult-use marijuana will have an impact in every community, we are allocating a percentage of statewide revenue to provide training and equipment for Drug Recognition Experts in municipal, county, and state law enforcement agencies. That doesn’t include the savings from an estimated \$127 million now spent in New Jersey to enforce marijuana laws that could be used by

law enforcement for other purposes.

The majority of the state tax revenue generated from establishing this new

**We understand,  
all too well, that each  
municipality in the  
state has its own  
set of values and  
should be free to  
set its own priorities.**

industry will be plowed back into “impact zones”—cities where the criminality of marijuana has been concentrated, unemployment is high, and where many

neighborhoods have been left scarred by poverty. Investment in these impact zones will help us begin to repair communities that have felt the heaviest burden of racial injustice in our legal system.

Following on other initiatives, including enacting ground-breaking bail reform and ending most mandatory minimum sentences, we are continuing efforts to restore justice to our neighborhoods and communities of color that have for too long been unfairly targeted.

This new law will dedicate 70% of the sales tax revenue and 100% of the “Social Equity Excise Fees” on cultivators to aid “impact zones,” including in communities in some of our largest cities, and neighborhoods hurt most by the drug laws. The remaining 30% of the sales tax revenue will fund the operations of the state’s Cannabis Regulatory Commission, to fund drug recognition specialists in state and local law enforcement agencies, and other related programs.



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## Marijuana Legalization

The law will cap the number of cannabis facilities at 37 for the first 24 months after the legislation is signed into law, while also giving New Jersey's 12 existing medical marijuana dispensaries an opportunity to enter the recreational market.

In addition to doing away with criminal penalties that have been disproportionately imposed on those in minority communities, such as low-level marijuana offenses, the law will provide the legal means for an automatic expungement process for past offenses. The law will also feature an array of other social justice provisions, including business incentives for minorities, women, and disabled veterans in order to help them participate from the ground floor up in the new industry.

Overall, we see this law as a historic step forward that will bring marijuana out of the underground market with a regulatory system that ensures the safe use of cannabis products by adults.



This represents a significant change in public policy that will have a real-life impact on social justice, law enforcement, and the state's economy, and put us in the forefront of the reform movement.

These reforms will allow us to at last correct long-term social and legal injustices that have had a discriminatory impact on communities of color, and

also establish a legal framework whereby recreational marijuana is regulated and made legal for adults. 

---

Senator Steve Sweeney (D-Gloucester/Salem/Cumberland) is the Senate President of the New Jersey State Senate. Senator Nicholas Scutari (D-Middlesex/Somerset/Union), serves as Chair of the Senate Judiciary Committee.

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# **2021** **Legislative Guide**

Building Municipal Presence in Trenton  
with the NJLM Legislative Team

# Claim Your Space at the Gold Dome Table

Letter from the NJLM President



**M**oving into the second year of managing the COVID-19 pandemic, local governments have been stressed and stretched beyond any expected emergency. To help our citizens with their very real pressures and concerns, we've had to innovate and seek out partnerships to ensure that our interests have been protected and advanced to the state and federal levels.

No part of our state has been spared, North, South, or Central. Big cities, medium-sized townships, and small towns, all along the shore and rivers, in the woods and atop the mountains, we have all faced the health crisis as well as the housing, business, education, and governing crises that mark this extraordinary time.

Throughout the pandemic positive and negative actions of the State Legislature and by the Governor's Administration have impacted our problem-solving ability in our home communities.

Ordinary and extraordinary issues alike have called your League Officers and our Legislative Relations Team to heighten efforts to continue to advance the cause of efficient, effective, economical, and ethical government in New Jersey municipalities.

Whether in crisis or content, and whatever the State's policies and priorities may be, the League's mission remains constant: To challenge all assaults on local government, on our local liberties, and on the Home Rule principles that serve as their foundation; to ease our chronic overreliance on regressive property taxes to fund essential services; to encourage civic virtue and citizen involvement in collective decision making; to promote the health, safety, and welfare of our neighbors and their neighborhoods; and to allow us to build a better future for our hometowns.

The League's work helps us to do all of those things, regardless of partisan considerations. However, progress will grind to a halt, or perhaps lose ground, without the organized and cooperative participation of local officials with those in our State house. It's the League's priority—and my own priority this year as president—to emphasize how much we need you to stay

informed and to get involved. That can begin with a careful consideration of the information included in this Legislative Guide. But don't let that be the end.

**Throughout the pandemic positive and negative actions of the State Legislature and by the Governor's Administration have impacted our problem-solving ability in our home communities.**

Have your voice heard by sharing with us—and with your State-level representatives—your thoughts on State policy. Please consider volunteering to serve on any League committees or task forces studying issues important to you.

I urge you to stay as involved in State issues as your schedule allows to ensure that State-level decision makers understand municipal perspectives as the decisions for this critical period are determined. As I've said before and I will say again: If you're not at the table, then you're on the menu. 🍴

Sincerely yours,  
Janice Kovach  
President, NJLM; Mayor, Clinton Town

# Policy Insights and Actions with Legislative Team Tools

The League always encourages elected and appointed local officials to engage their representatives. It ensures your voice is heard loud and clear. As your partner here in Trenton, our alerts and calls to action will help you stay informed and empowered in your efforts for a better Garden State.

In addition to our policy objectives, the League's advocacy is focused on enhancing member engagement.

The first step in that effort is catching up on the details of the latest legislative issues through the local government lens.

The Town Crier blog is focused on legislative and regulatory issues. Using this tool helps you drill a bit deeper into important policy developments. Following The Town Crier at [www.njlm.org/blog](http://www.njlm.org/blog), gets you the latest analyses on the largest questions facing policy makers in our State and Nation's capitals.

Past postings have dealt with issues like:

- COVID-19 related matters
- Attorney General Directives
- Regulatory advisories

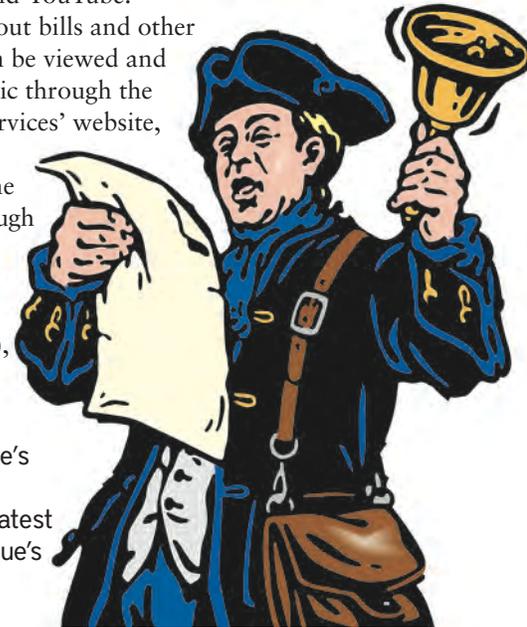
- Cannabis legalization
- Small Cell legislation

For the latest legislative developments, please follow the League's active social media. We have a presence on Twitter, Facebook, LinkedIn, and YouTube.

More information about bills and other related information can be viewed and printed free to the public through the Office of Legislative Services' website, [www.njleg.state.nj.us](http://www.njleg.state.nj.us).

Digitized bills from the 1996-1997 session through today can be searched by Bill Number, Bill Sponsors, and Bills in Committee, Keyword(s), and Bill Subject. 

 Check the League's homepage, [www.njlm.org](http://www.njlm.org), for the latest information on the League's legislative activities.



## Getting Active

The League of Municipalities speaks on your behalf, and to be effective, it needs you to take an active part. Here are some of the things you can do to help the League help you.



# 5 Ways the League's Legislative Team Helps You

Around 10,000 bills and resolutions are introduced during each two-year term of the Legislature. Of those bills, approximately 2,500 impact the Garden State's 565 municipalities. The debate in Trenton's legislative halls is of major importance and potential impact to municipal officials.

## 1 Member Interaction

The League represents the interests of municipalities by listening to you, person-to-person. The Legislative team usually meets you at the League's Annual Conference and we come to your county league meetings. And throughout the year the team members meet you at various other functions and seminars.

We encourage you to call or write the League's office and send us resolutions you've adopted. Your response to surveys is sought from time to time. Also, we read media reports and research pieces to learn your concerns and opinions.

Because we've been listening, we are prepared to recognize proposed legislation that may create a problem or provide an opportunity.

## 2 Legislative Committee Meetings

The League Legislative team review lists of bills recently introduced or amended, flagging those most likely to affect local government and pulling copies of those bills for more thorough analysis. Based on that analysis, we prepare an agenda of bills to take before the League Legislative Committee.

That Committee is composed of over 100 local officials (see page 7), just like you. In fact, if you can spare one work day a month, 8 or 9 days a year, we encourage you to join that Committee.

There you can help your colleagues from all around our State and serve on one of our Subcommittees:

- General Legislation
- Land Use, Environment, and Community Development
- Intra-Municipal Affairs
- Taxation and Finance

Each Subcommittee has an agenda of 10 to 15 bills that are studied, debated, and voted upon. Then we convene as a Committee of the Whole to take final action on the recommendations of the Subcommittees.

## 3 Legislative Action

After the meetings, your League Legislative action team returns to Trenton to draft position letters on the various bills based on the Committee's debates and actions.

These are sent to sponsors and to any Legislators who could be asked to vote on the proposals. Committee actions are also summarized and published in our Legislative Bulletin, a collection of bill briefs that enjoys broad circulation among municipal officials, State Legislators, and Executive Branch Officers.

The Legislative action team also uses tools inform you of the nature and consequences of new laws or regulations. We report on the movement of major bills impacting municipalities in two publications:

- The "Legislative Update" column—a regular feature of the award-winning magazine, *New Jersey Municipalities*.
- The Town Crier, the League's up-to-the-minute blog.

When your help is needed on a deadline, the members of the League Legislative action team rely on "Legislative Alert" letters. If aware of your interest in a particular matter, personal emails and phone calls are sometimes placed as well. We use these tools most often when a particularly good bill needs a push or when an especially bad bill seems ripe for passage.

## 4 Key Policy Maker Contacts

Your League Legislative team—a veteran staff of duly registered Governmental Affairs Agents—keeps you informed about proposals put forward by all our State’s 40 Senators and 80 Assembly Members, as well as by the Governor’s Administration.

We reinforce with key policy makers exactly how you feel about the major issues impacting the community.

Assistant Executive Director Lori Buckelew, Legislative Analysts Andrew LaFevre and Paul Penna and Associate General Counsel Frank Marshall monitor the weekly meetings of Assembly and Senate Committees and provide the Committee Members with background on the League’s position on the bills under their consideration.

## 5 State-Level Committee Meetings

The Senate and Assembly committees consider bills and resolutions in forums that represent the best of representative democracy in our Garden State.

Legislators who have become experts in their committee jurisdictions listen to arguments for and against passage of scores of proposals over the two-year session. Whenever they consider a bill on which the League has a position, your League Legislative team will let them know about it.

We’ll tell Legislators what your position is and why you’ve taken that position.

All of these actions can make a difference when it comes to protecting the interests of local government. 🇯🇵

## Meet Your Legislative Team!

NJLM’s government affairs staff tracks pending legislation to ensure municipal interests are being advanced in Trenton. Please reach out to discuss issues of concern and to become more active in the League’s legislative activities.



**Lori Buckelew**

Assistant Executive Director/  
Director of Government Relations  
lbuckelew@njlm.org



**Andrew LaFevre**

Legislative Analyst  
alafevre@njlm.org



**Paul Penna**

Legislative Analyst  
ppenna@njlm.org



**Frank Marshall**

Associate General Counsel  
fmarshall@njlm.org



**Ciara Bradley**

Legislative Administrator  
cbradely@njlm.org



**Shirley Cade**

Legislative/Administrative Support  
scade@njlm.org

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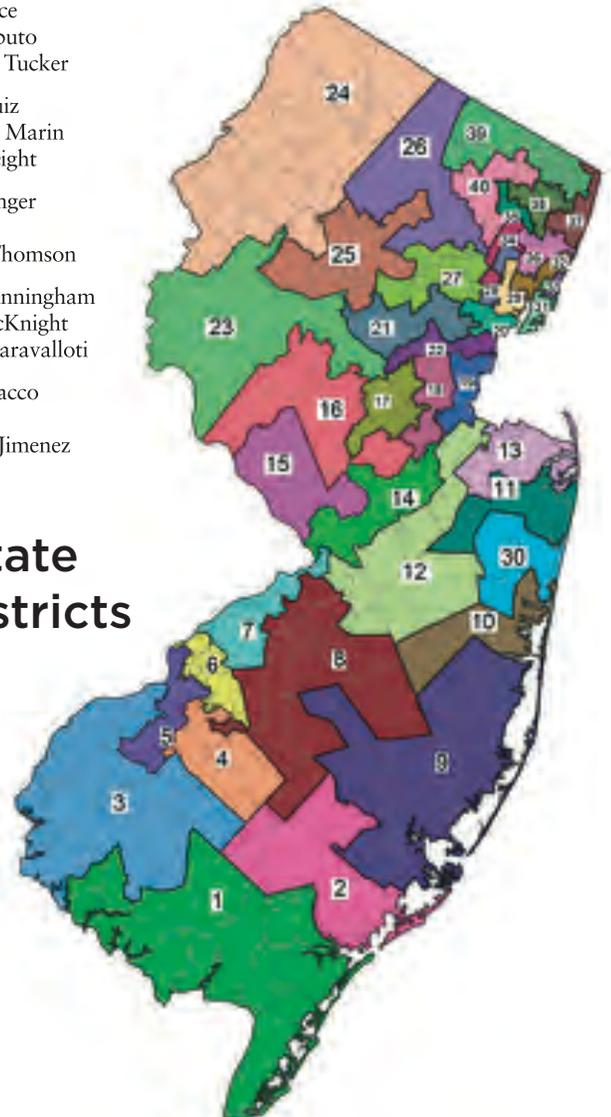
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## New Jersey State Legislative Districts



# Meet Your New Legislator



In 2020 one new Legislator joined the Assembly, Assemblywoman Aura Dunn, who represents District 25. After her 25-year career in government and public affairs, Aura Dunn was appointed to fill the Assembly seat vacated by now-Sen. Anthony Bucco on November 21, 2019, and she was re-elected to the seat in another District 25 Republican Committee convention on February 1, 2020.

She currently serves on the Assembly's Commerce and Economic Development, Human Services, and the Women and Children committees.

Previously, she was the district director for 12-term Rep. Rodney Frelinghuysen from 2016 to 2019, a budget analyst on education policy for the U.S. Senate Appropriations Committee from 1997 to 2000, and a policy advisor for the House Veterans Affairs Committee. She also lobbied for America's Public Television Stations and Sesame Street Workshop.

Assemblywoman Dunn volunteers as a domestic violence crisis counselor with the Mendham Borough Police Department for the Jersey Battered Women's Service. Since 2010, her family has hosted a New York City child each summer for the Fresh Air Fund. She served on the board of the Morris County Habitat for Humanity and the Morris County Mental Health Addictions Services advisory board.

Assemblywoman Dunn earned her bachelor's degree in sociology from the State University of New York at Buffalo and a master's degree in public administration from George Washington University. She lives in Mendham with her husband and their three children. 

 Assemblywoman Dunn can be reached at her district office at 191 Main Street, Suite D, Chester, NJ 07930; via phone at 908-955-7228; or via email at [aswDunn@njleg.org](mailto:aswDunn@njleg.org).

## Legislature's Big Year

The Legislature consists of two Houses: a 40-member Senate and an 80-member General Assembly, all of whom will be up for election in 2021. Legislative elections are held in November of each odd-numbered year. Members of the Assembly serve two-year terms. Senators serve four-year terms, except for the first term of a new decade, which is only two years. This "2-4-4" cycle allows for elections from new districts as soon as possible after each reapportionment.

Senators must be at least 30 years old and residents of the state for four years prior to election. Members of the Assembly must be at least 21 and state residents for two years. All legislators must live in the districts they represent. While legislators spend a considerable amount of their time on legislative matters, service in the Legislature is considered to be part-time, and most legislators also hold other employment. In New Jersey, state-level elected officials can also concurrently hold office on the local and county levels.

Since it's a Census year, the legislative districts can also be expected to be examined. Legislators are elected from 40 legislative districts of substantially equal population. The voters in each district elect one Senator and two members of the General Assembly. Every ten years, after the Federal census, the boundaries of the 40 districts are redrawn to maintain an equal population in each district. This reapportionment of districts is performed by a bipartisan Apportionment Commission, whose members are appointed by the state chairs of the two major political parties.



# Smile, You're on Camera

## Body Worn Camera mandatory for most NJ law enforcement officers

JENNIFER ROSELLE, ESQ., *Genova Burns*

**G**overnor Murphy recently signed two bills governing the use of body worn camera (BWC) by law enforcement officers in New Jersey. Although many law enforcement agencies already use BWC, these bills mandate use by most uniformed state, county, or municipal patrol law enforcement officers.

Subject to limited exception, covered officers are expected to initiate use of BWC while performing their duties. Those engaging in undercover assignments; those working in an administrative capacity; those working with confidential informants; or those performing union representation duties are generally exempt from the BWC requirements. Certain officers in county prosecutor's offices are also exempt.

For covered officers, audio and video recordings must be used when responding to a call for service or from the start of any other law enforcement interaction between the officer and the public. If safe to do so, officers are expected to notify subjects they are being recorded; any decision not to notify the subject must be documented by the officer. Under existing law, officers are typically expected to leave the BWC activated until the issue is resolved and they leave the scene.

### Exceptions to BWC

BWC use is not mandated in all instances. To the contrary, officers' permissive and obligatory deactivation of BWCs is outlined by the new legislation and existing Attorney General Guidelines. For example, an officer may deactivate a BWC at the request of an individual seeking emergency medical services, so long as the individual is not the arrestee.

Likewise, officers visiting a school for reasons other than investigating a crime or responding to an emergency, or who do not reasonably believe they will need to exercise force, are not to activate their BWC if minor children are in view of the BWC. If the BWC was activated at the time of arrival, officers are expected to deactivate the BWC if those conditions are met. Similar protections exist for patients in healthcare facilities, treatment facilities and houses of worship.

### Footage retention

As with the prior voluntary use of BWCs, captured footage must be retained for specific period of time. Although the law is not effective for another seven months, the new laws require

all local law enforcement agencies to develop policies governing data retention. At a minimum, routine BWC footage must be retained for 180 days from the date of recording. Any contract for data retention must include this minimum retention period.

In addition to this statutory minimum for routine video footage, the law also includes specific provisions for retention when BWC footage captures incidents such as arrests for criminal behavior or attempted criminal behavior, use of force incidents, or when complaints are made by an individual on the footage. In addition, a longer retention period attaches when the footage as possible evidentiary value or when the video recording may offer exculpatory value.

The laws likewise govern when the retained footage is, and is not, subject to release under the Open Public Records Act.

### BWC working group

In addition to the new laws, the Governor also issued Executive Order 201 to announce the creation of an Interagency Working Group on Body Worn Cameras. This group, consisting of 14 individuals will, according to the executive order, provide guidance and recommendations to both the Attorney General and Governor's Office about implementation of these new requirements. Among other objectives, this working group will work to "identity barriers" to adopting BWC systems; develop technological support strategies (i.e. investigate whether centralized storage is a viable option); develop implementation strategies; and address other such considerations related to implementation.

The advisory recommendations and findings of the working group are to be submitted to the Governor's Office and the Attorney General by no later than March 31, 2021.

Bottom Line: Local law enforcement agencies should ready themselves for the new mandates and update any existing policies to conform with the laws' requirements. For local law enforcement agencies who do not currently use BWCs, the purchasing process should begin shortly as the law becomes effective in just seven months. 

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# Reporting Accuracy

Strategic tips for communicating with the media and disseminating correct information

ROBIN DENTE, *Assistant Business Administrator, Hanover Township*



**A**s a former managing editor in the private sector, I'm fortunate to be able to view things from both the media and local government sides of the fence. From that vantage point, I admit that I bristled the first time I heard the phrase "fake news." The journalist in me felt badly for credible reporters whose hard work could be so easily dismissed by a characterization implying articles are intentionally false or misleading. In my current Assistant Business Administrator role, I worried about the implications for government communications, the lifeblood of public service.

The good news? (And it isn't fake!) I realized after giving it careful thought that there are ways municipalities can enhance reporting accuracy and am pleased to share some of my strategic tips with you. Let's start with four on communicating with the media:

## **Turn Media "Relations" into "Relationships"**

Introduce yourself to the reporters and editors who give you coverage. Get to know them and their publications. Cultivating a mutually respectful working relationship will encourage the press to reach out to fact check or get additional information for balanced, accurate coverage. You'll also have a better chance at gaining assistance in correcting information erroneously reported or circulating widely through social media or by word of mouth.

Additionally, a good rapport will make it comfortable for you to reach out and persuade the media to give coverage on something important your community needs to know.

## **Anticipate the Media's Needs**

Help the media help you. Be accessible and proactive in providing information, interviews, or comments as quickly as possible. When reporters reach out to fact check or get details, make their request a priority. Refer them to the appropriate municipal employees or board members with the most accurate, up-to-date information, and be sure to personally reach out to the co-worker or government official to get their cooperation in taking the reporter or editor's call.

Is there a story of continuing interest in the community? Stay ahead of the curve by reaching out to the media to give updates on those key issues for timely, fact-based reporting.

## **Remain Objective**

Even with the best media relationships, press coverage will not always be what you expected, so keep the following in mind. Newspapers have tight deadlines and limited space. If you didn't get press on a newsworthy release or event, use your municipality's own communication platforms to get the word out. Should the copy have a longer shelf life, re-send the release to the media and ask them to consider coverage in a future edition.

Have you discovered something incorrect in an article? Use that relationship we talked about earlier to reach out to the publication and calmly, objectively point out the error or omission. Ask for a correction or retraction, and stress why it's important for accuracy and maintaining credibility with readers.

## **Don't Get Dizzy from the Spin...**

It can be frustrating to send out a fact-filled release only to later read those same facts framed by the media in a tone counter to what you conveyed, but don't let it rattle you. Take a deep breath and ask yourself this: Are the facts in the story accurate and complete? If not, reach out and request a retraction or correction. If they are, use your website, social media and other communication platforms to report the information as you intended the press release to run. Let the public form their own opinions based on the facts as you and the media presented them.

Now let's look at some tips for getting your information out correctly:

**1. PIO Approval is Key.** Establish who the official Public Information Officers (PIOs) are for your municipality and clearly communicate these designations to all employees, boards, and commissions. Be specific in letting everyone know the process to be followed in getting material approved for release by the PIOs.

Be sure to always list the appropriate PIO on all releases as the contact for more information, even if he or she did not write the release. The PIO can directly respond to media outreach or make the appropriate referral to a staff member or official who is the most knowledgeable about the content of the release.

**2. Address All Errors.** When you've sent out incorrect information, publicize the retraction, correction, or additional facts needed through your media contacts and platforms. Owning the error and acting to make the public aware of the mistake is the most responsible approach and will strengthen public trust.

When you become aware that wrong information is circulating that didn't originate from your PIOs, take the lead to accurately inform. Send out a media release and use your platforms to publicize the corrections. Stay neutral in your tone. For example, you could frame it as: "It's come to our attention that members of the public have heard... (state the misperception). We'd like to take this opportunity to give you the facts." Then objectively provide them.

**3. Cite It!** Include links on your digital communications (or by reference in your media releases) to validating sources for important information (e.g., excerpt of minutes, municipal budget, ordinances, video clips of public meetings, etc.). This is an especially powerful tool when you're trying to correct misperceptions based on erroneous information circulating widely among the public, or when the subject is sensitive or controversial within your community.

**4. Include All Pertinent Facts.**

What you don't say in a release or interview with the media can be as important as what you do. Always try to imagine

yourself as the reader of the information you're disseminating. What would you want to know as a taxpayer and member of the public? Include that content.

When you're working with reporters, point out facts you suggest they use in a developing story they may have been unaware of to help them give complete and balanced coverage. As needed, refer the media to your subject matter experts to equip journalists with all the relevant

information.

I hope these strategic tips prove helpful in meeting the unique challenges of communicating in the age of "fake news." I encourage you to give them a try and come up with some of your own. The relationships you cultivate and processes you establish will benefit your municipality, the media, and most important of all—the public you both seek to accurately inform. 



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# NJ Local Governments

## Maintaining fiscal strength as we weather COVID-19

MELANIE WALTER, *Executive Director, New Jersey Housing and Mortgage Finance Agency;*  
*former Director, New Jersey Division of Local Government Services*



**N**ew Jersey municipalities entered 2020 from a position of great and increasing fiscal strength. Strong patterns of economic growth and operational stability over the last few years had well positioned our municipalities to weather the dire fiscal impacts of the COVID-19 crisis.

As we assess the impacts of the pandemic on municipalities across the state, data obtained through the Financial Automation Submission Tracking (FAST) system budget and audit submissions have facilitated the Division of Local Government Services' comprehensive review and analysis of trends in municipal fiscal health leading into and throughout the COVID-19 crisis.

The average municipality saw a decrease in fiscal stress between 2018 and 2019. 81 percent of the 411 municipalities

with a current credit rating had a "high grade" rating of AA- or better with Standard and Poors or Aa3 or better with Moody's. The median municipality had a fund balance of approximately 21% of budget, well above the Government Finance Officers Association (GFOA) recommended minimum of two months of General Fund expenditures or the state-monitoring minimum of 5%. Moreover, these fund balances were growing. The average municipal fund balance rose by 4.7%, and 62% of

municipalities increased their fund balance from 2018 to 2019. Ultimately, over two-thirds of municipalities (68%) ended the fiscal year with more cash receipts than they did the prior year, while the average net debt per capita dropped by 13% overall, with two-thirds of municipalities realizing net debt decreases. This reflected the communities' strength, as did tax collection rates averaging 98%.

This picture of the pre-pandemic 2020

demonstrates that New Jersey communities were thriving. Absent the crisis, all signs pointed to a continuation of that trend.

Unfortunately, COVID-19 rapidly altered our operating environment in many unpredicted ways. Every municipality in New Jersey has experienced a level and breadth of impact from this public health crisis that exceeds anything we have ever seen before. The impacts have been felt in every sector from

individuals to government to business.

We have experienced record unemployment numbers; tenants and homeowners unable to pay their rent and mortgage; a higher number of individuals experiencing homelessness and food insecurity; and an inability of residents to pay their utilities due to sustained loss of income.

To assist with the impacts of this crisis, a Governor-ordered moratorium on evictions for homeowners and renters was put in place throughout the state when



The **New Jersey Municipal Management Association (NJMMA)** is a statewide professional association made up of municipal managers and administrators. Founded in 1954, the NJMMA has been a valued resource for local government for more than 60 years. The members of this proud association know all about municipal government, and here is what you need to know about them:

- NJMMA's membership currently represents over 250 full-time professional managers statewide.
- Members are responsible for many of the essential services that are delivered daily to more than four million New Jersey residents.
- The Association's primary objective is to ensure members are well prepared to deliver local government services, efficiently and effectively, working in conjunction with the elected officials who serve in local government.
- NJMMA's leadership are the primary advocates and spokespersons for professional local government management across the state.
- The Association is recognized by elected officials throughout the state for its members' expertise, contributions to the enactment of sound public policy, and the delivery of public services.
- NJMMA has been affiliated with Rutgers University for the past nine years, providing members with the assistance, technical training, and support that comes with a partnership with a nationally recognized state university.
- The Association maintains ongoing relationships with other New Jersey professional associations, which collectively represent nearly all licensed officials working in local and state government.

For more information on the NJMMA, or to become a member, please contact Executive Director Alan Zalkind at [zalkind@docs.rutgers.edu](mailto:zalkind@docs.rutgers.edu).

the State of Emergency was declared. Additionally, there is a voluntary moratorium on utility shutoffs by regulated utility companies to help ensure that residents' basic needs are being met despite the financial impacts of this pandemic.

As individuals and businesses have suffered and been forced to adapt, so too has government met unprecedented challenges. Revenue shortfalls burdened local units striving to meet those challenges. Substantial COVID-19 related expenditures in public safety overtime, health services, self-insured health benefit outlays, and public works heightened the budgetary and cash-flow strain.

Initial financial models were bleak. Fortunately, a combination of sound leadership at the state level and strong local management, better than projected actual revenues, cost control, and state and federal supplemental funding and programs have mitigated many of the worst impacts, ensuring core community needs remain supported.

### Realizing revenue losses

Based on 2020 User-Friendly Budget data, nearly two-thirds of municipalities have budgeted for and realized revenue losses compared to 2019. Nearly 80% of all municipalities are expecting reduced revenue from local sources, with projected median decreases of 11.5%. A majority of municipalities have also experienced a modest decline in municipal property tax collections with an average property tax collection shortfall of approximately 1.5%.

As a result of the many budgetary challenges confronted this year, 62% of municipalities reported using more fund balance to balance their budgets in 2020. A substantial number, 55%, of municipalities reported a moderate to severe COVID-19-related cash flow or anticipated surplus impact on the 2020 Best Practices Survey. To mitigate the impacts of COVID-19 without unduly burdening taxpayers, 44% of municipalities have reduced budgeted spending. This outcome is particularly revealing within the context of a 17% statewide increase in municipal health and human services spending necessitated by the pandemic.

This is a challenging picture indeed, but it also reveals the strength and



**Every municipality in New Jersey has experienced a level and breadth of impact from this public health crisis that exceeds anything we have ever seen before.**

resilience of New Jersey's municipalities in the face of circumstances previously unimaginable.

### State-level resources, guidance and relief

Recognizing the burden shouldered by each New Jersey resident and the municipalities in which they reside, the Murphy Administration has strived to provide financial resources, guidance, and legislative and regulatory relief every step of the way. We are sharing in this crisis and will share in a robust recovery.

A significant portion of the funding for statewide programs comes through the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act.

To assist in restart and recovery efforts, the Department of Community Affairs (DCA) has been particularly involved in administering a host of CARES Act grant programs that are having a significant impact on communities, small businesses, and individuals across the state.

**COVID-19 Relief Program** Some of the initiatives that DCA has implemented included a new COVID-19 Relief Program that is providing over \$12.5

million in federal CARES Act funding for community COVID-19 response activities through three already established neighborhood programs. The Neighborhood Revitalization Tax Credit, Neighborhood Preservation, and Main Street New Jersey programs are rapidly deploying resources to a wide variety of neighborhoods and businesses in need of COVID-19 relief. These programs collectively serve 60 neighborhoods throughout the state.

**CDBG COVID Relief** DCA also received \$41 million in Community Development Block Grant (CDBG) COVID Relief funds due to the pandemic. As a state entity, DCA allocates CDBG funds to counties and towns for approved projects that address COVID-related needs, including Personal Protective Equipment, creation and operation of testing sites or quarantine sites, and small business assistance.

**Emergency Rental Assistance Program** And in response to the pandemic, DCA's Division of Housing and Community Resources (DHCR) recently administered a \$100 million

COVID-19 Emergency Rental Assistance Program to help tenants pay their rent. The program provides up to six months of rental assistance to households that lost income due to the pandemic and are having difficulty paying rent.

Home Heating & Energy DHCR also provided additional COVID Relief Funds for the Low-Income Home Energy Assistance (LIHEAP) and Universal Service Fund (USF) programs, which both address home heating and energy needs for people with low incomes.

**Local Government Funds**

DCA also recently announced a COVID-19 Local Government Emergency Fund which provided \$60 million in CARES Act funds allocated among 12 counties and their constituent municipalities that did not receive direct federal CARES allocations. These 288 local government entities are being served through this program, which allows for their COVID-19 related expenditures incurred from March 1, 2020, through Dec. 30, 2020, to be reimbursed. The State has further supported these 12 counties by reimbursing their COVID-19 related expenses not covered by the Federal Emergency Management Agency (FEMA).

These programs are serving the sectors of our economy that need it most—people, communities, landlords, small businesses, and main streets.

These investments will help to strengthen the state’s most vulnerable residents, businesses, and neighborhoods, while ensuring specific local COVID-19 response needs are met.

Our communities and our partnerships are stronger than this crisis. Facing it together has only made our bonds stronger. 

Melanie Walter assumed the position of Executive Director of the New Jersey Housing and Mortgage Finance Agency on January 1, 2021. Immediately prior to this role, she served as DCA Director of the Division of Local Government Services (DLGS) and Local Finance Board Chairwoman for two and half years.

*The Urban Mayors Press published a version of this article in their winter edition.*

## Cooperative Efforts

DCA has two sister agencies—the New Jersey Housing and Mortgage Finance Agency and the New Jersey Redevelopment Authority—that have been instrumental in COVID relief efforts for landlords, tenants, and small business owners in New Jersey.

The New Jersey Housing and Mortgage Finance Agency (NJHMFA) recently announced its second round of grant funding for the Small Landlord Emergency Grant (SLEG) Program to assist vulnerable renters across the state by covering their missed rent from April through July 2020.

Additionally, the New Jersey Redevelopment Authority (NJRA) recently closed its second round of the Small Business Lease Emergency Grant Assistance Program to provide rent/lease assistance up to \$10,000 for small businesses impacted by COVID-19 in NJRA’s 64 eligible communities. The program saw such a positive response that Passaic, Essex, and Ocean counties worked with NJRA to replicate their program at the county level.



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# Tapping Philanthropy

## Leveraging the COVID-era volatility for long-term priorities

JORDAN GLATT, *Director of Strategic Partnerships, and*  
MICHAEL INGANAMORT, *Communications Director, Community Foundation of New Jersey*

The year 2020 was, in a word, volatile. The back and forth among political partisans on foundational issues such as equity, expression, and race marked a volatile year in our civic squares. The ups and downs in the market, interest rates, and unemployment marked an historically volatile year for the American economy. Volatility transcended our social norms, our cultural appetites, our media consumption, and even our charitable giving.



While municipalities have had to endure this volatility and deliver consistent service on behalf of residents, there is an opportunity to leverage at least one aspect of this volatility—charitable giving from residents—in ways that lead to maximum, long-term benefit.

### Ready to help

All told, communities across America, including here in New Jersey, were the beneficiaries of a tremendous volume of new charity, fueled by Americans' desire to help one another through the COVID-19 pandemic. The Community Foundation of New Jersey alone received more than \$170 million in charitable gifts last year, an all-time high for the 40-year-old charitable institution. These dollars are being deployed on behalf of donors across New Jersey to achieve the greatest impact, with \$82 million already out the door at year's end.

Take the example of Newark Working Kitchens, a fund established at the Community Foundation by Audible, to activate local restaurants in one of the cities hit hardest by the COVID-19 pandemic. Newark Working Kitchens pays local

restaurants to stay open, keep their staff employed, and cook meals that are delivered to low-income seniors and families, including many without homes. The fundholder, in this case Audible, is ordering hundreds of meals daily that are keeping the proverbial lights on at these small businesses while feeding those in greatest need.

In Paterson, the Community Foundation is working to launch the City's new Financial Empowerment Center (FEC) on behalf of local donors. The FEC model is built on the belief that local government can serve as a trusted voice for residents amidst a sea of scams and complicated financial choices. As the program develops additional community-based partnerships and determines its own long-term viability, the Community Foundation serves as the program's administrative backbone.

These examples show that, despite the tremendous growth in philanthropy, the fundamental motivation to give remains the same: to make things better close to home.

While municipalities and school districts benefit from such gifts, they are rarely the direct recipient or central coordinator



of a resident's philanthropy. This is largely attributable to the growth in outside nonprofit organizations, but also because of donors' disinterest or distaste for the changing leadership and uneven politics of local government.

### A community chest

Every town has those who express a devotion to their community, but who are reluctant to bequeath their estate directly to that community. The Community Foundation of New Jersey does most of its work with these everyday New Jerseyans, helping them turn their philanthropic ideas into reality and thereby unlocking philanthropy that would otherwise be lost.

Founded in the spirit of the original community chest, the Community Foundation ensures that giving from more than 1,100 donor advised funds and legacy funds (better known as bequests) is not only in-line with donors' intent, but also more sustained and impactful.

The Community Foundation is "issue ecumenical" in that it implements philanthropic legacies of all stripes. Its north star is the donor's intent and it serves as a critical bulwark against the politics of the day. This work has run the gamut from a pedestrian safety program in Little Falls to an all-access playground in Parsippany, from dedicated funding for Camden County food banks to the Morristown Festival of Books.

By connecting charitably inclined residents with the Community Foundation, municipalities can ensure residents' community-focused giving will last for generations. The Community Foundation provides much-needed comfort and assurance to these residents and donors who are motivated to give to their communities. And because the Community Foundation bears the responsibility for

maintaining a donor's wishes, municipalities avoid the legal machinations of modifying the terms of a bequest that may be too constrictive.

The partnership between charitable families and the Community Foundation not only safeguards local philanthropy, but also creates much more of it for the long-term. Municipalities can help foster these partnerships and thereby

tap residents' philanthropic giving for greater stability in volatile times. 

Jordan Glatt, a former mayor of Summit and one of New Jersey's Shared Services Czars, is the Director of Strategic Partnerships at the Community Foundation of New Jersey. Michael Inganamort, the Council President in Chester Township, is the Communications Director at the Community Foundation of New Jersey.

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# Brownfields Opportunities

Application for NJEDA loan program open until April 13

## NJEDA Community Revitalization Brownfields Loan Program

Application Window:  
January 14, 2021-April 13, 2021

A competitive financing program that will provide investment resources for projects that perform remediation, abatement, and demolition activities in order to promote redevelopment of brownfields sites for commercial, retail, and mixed-use development or expansion.

### Interest Rate

3% with potential reductions for projects that address specific public policy goals

### Terms

10 year term. No interest payments first 2 years; interest payments only years 3 and 4.

### Per Project Loan Amount

\$100,000 to \$5 million

**\$15 MILLION**

Total Funding Available

### Can be used for:

- Building and structural issues (including demolition)
- Soil, groundwater, & infrastructure investigation
- Hazardous materials assessment, survey, & disposal
- Planning, engineering, and professional services

More information is available at  
[www.njeda.com/bfloans](http://www.njeda.com/bfloans)

The application for the New Jersey Economic Development Authority (NJEDA) Brownfields Loan Program is open until Tuesday, April 13, 2021.

This program makes low-interest loans of up to \$5 million available to brownfield redevelopment projects for all aspects of brownfield revitalization, including assessment, investigation, and demolition. It is one of the only funding sources available to cover pre-construction planning, demolition, asbestos, PCB removal, and lead-based paint remediation. Applications are now open and will close on April 13, 2021. More information is available at [www.njeda.com/bfloans](http://www.njeda.com/bfloans).

### Filling funding gaps

Historically, remediation has been a major barrier to successful brownfield redevelopment projects because of the lack of funding sources available to support site assessment, planning, and cleanup.

The Brownfields Loan Program is a unique investment tool that addresses this challenge by filling in these funding gaps to make the remediation phase of revitalization projects financially viable.

The program offers low-interest financing of \$100,000 to \$5 million for all aspects of brownfields revitalization projects, including assessment, investigation, and demolition. Loans will be awarded through a competitive application process, with projects receiving scores based on various details about the brownfield site and the proposed redevelopment project.

Projects that provide beneficial end uses that promote environmental resiliency, public health, and community well-being will receive higher scores and may also qualify for interest rate

**1** **Uses:** Loan proceeds can be used for eligible project development costs.

**2** **Dollar Amount:** Loans of up to \$5 million to potential brownfield site purchasers and current brownfield site owners for costs associated with brownfields site remediation.

**3** **Benefits:** Low-interest bridge financing that makes the remediation phase of a brownfields redevelopment project feasible. Interest rates may be further reduced depending on the proposed end-use of the redevelopment site.

**4** **Eligibility:** Please see Eligible Applicants, Sites and Uses at NJEDA- Brownfields Loan Program for more information.

reductions if approved for financing. More details about the application process and evaluation criteria are available at [www.njeda.com/bfloans](http://www.njeda.com/bfloans).

**Suite of solutions**

The Brownfields Loan Program is part of NJEDA Community Revitalization, a suite of solutions designed to support

development that transforms underutilized and contaminated spaces into community assets, with the goal of achieving a greener, fairer New Jersey. This includes ensuring that residents living in communities that have historically suffered from disinvestment, environmental contamination, and health disparities benefit from brownfields redevelopment.

In addition to the Brownfields Loan Program, NJEDA Community Revitalization initiatives include the forthcoming Brownfields Impact Fund, the proposed Brownfields Redevelopment Tax Credit, the expanded Community Collaborative Initiative (CCI), and the Brownfields Center at NJIT. 

 Applications for the Brownfields Loan Program are now open and will close on April 13, 2021. More information about the program and details on the application are available at [www.njeda.com/bfloans](http://www.njeda.com/bfloans).

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# EMS Success

## How three N.J. EMS agencies are bucking the volunteer trends

BARRY BACHENHEIMER, EdD, FF/EMT, EMT, South Orange Rescue Squad; Firefighter, Roseland Fire Department; Instructor, National Center for Homeland Security and Preparedness

New Jersey is a small but densely populated state with an interesting EMS system. All advanced life support (ALS) is provided by hospital-based systems in partnership with private health corporations, and two-person paramedic units are required. There is no volunteer ALS, and local agencies and fire departments do not have ALS capabilities. Basic life support (BLS) is provided in New Jersey’s 565 municipalities by a mix of career municipal third services, career fire departments, private corporations, hospital-based services, and volunteer ambulance and rescue squads. While fire departments and police departments are required in New Jersey towns, EMS is not. There used to be well over 600 volunteer units serving the state, but that number today is just a little over 400 and steadily declining.

Essex County is home to nearly 10% of New Jersey 8.8 million residents. Twenty years ago, Essex County, consisting of 22 towns, had more than two-thirds of its EMS covered by volunteer EMS squads. Now many of those towns have contracted with private services, started hybrid programs, rely on mutual aid, or have gone out of business. However, there are a few all-volunteer EMS organizations that have remained and even thrived, even during the time of COVID-19.



### West Essex First Aid Squad

#### FACT SHEET

- **Towns served** Primary territory is the towns of Caldwell, West Caldwell, Fairfield, Essex Fells, and North Caldwell. Mutual aid provided to neighboring towns
- **Year formed** 1937
- **Vehicles** Four BLS ambulances, one rescue truck, one fire rehab unit
- **Active membership** 95 members, 60 of whom are EMTs
- **Call volume** Approximately 2,750 calls a year

David Black has been captain of the West Essex First Aid Squad for several years, and he “couldn’t be prouder” of his agency, especially for the way its handled COVID-19 operations. While the vision of some volunteer agencies is retired folks or homemakers, Black shares that “60% of my active members



are under 30 years old. To me this says a lot about younger folks’ commitment to service and volunteerism.”

West Essex is a pretty busy squad as far as Essex County goes, in service around the clock. It does not bill for services. “Funding is tough,” says Black. “We get about 80% from donations from residents and businesses.” The five towns collectively contribute the remaining 20%, but not evenly. “People don’t realize the squad pays for its own station, landscaping, fuel, vehicles, utilities, medical supplies, uniforms, radios, and insurance.”

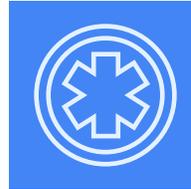
West Essex is unique in that it truly is a rescue squad. In the 1960s, 70s, and 80s, rescue and auto extrication in New Jersey was primarily performed by ambulance and rescue squads. Over the last several decades this role has shifted mostly to fire departments, but West Essex maintains a state-of-the-art rescue truck and trains constantly. The rescue truck responds to all motor vehicle crashes and structure fires in its response area.

For the last several years, West Essex has also had a fire rehab vehicle that responds to structure fires with food, drink, and supplies for weary firefighters.

COVID-19 has changed the way West Essex operates. “No member goes out on a call without an N95 and PPE,” Black says. “The day I can’t protect my members is the day we stop answering calls.” Additionally, West Essex increased training for all crews, especially for PPE and cleaning. All EMTs have temperature checks and screening checks before every shift.

West Essex uses UV lights, transformed one ambulance into a COVID-only vehicle, and overstocked with disinfectant. Some innovative younger members took spare parts and an SCBA tank and made a portable disinfecting machine, saving the squad money and providing the ability to disinfect the ambulance right in the emergency room bay. “The whole thing cost less than \$150!” notes Black.

West Essex follows all CDC guidelines for PPE. Going further, leadership reached out to older members and any members who worked in hospitals and allowed them to take leaves of absence. They also contacted parents of younger members who lived at home to make sure they approved of their children going out on COVID calls. Black is proud that because of all these precautions and a strong focus on safety, at this time no squad member has tested positive.



## Verona Rescue Squad

### FACT SHEET

- **Towns served** Primary territory is the town of Verona. Mutual aid provided to neighboring towns
- **Year formed** 1927
- **Vehicles** Three BLS ambulances, one reserve ambulance, one first responder SUV, one chief’s SUV, two EMS electric bikes
- **Active membership** 122 on roster (70 EMT, 5 EMR)
- **Call volume** Approximately 1,700 calls a year

Chief Ricky Tempesta has been a longtime member of the Verona Rescue Squad and chief for the last several years. He has seen his agency grow exponentially in volunteers on his watch. What’s the secret? “Work with people. Have multiple classes of membership. Treat it like a job where you have full-time, part-time, and per-diem volunteers. Take whatever time people have to give!” Tempesta says.

During COVID Verona both gained and lost members. The



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## Volunteer EMTs



leadership called every member who was in a high-risk class due to age or comorbidities, advised them of the risk, and gave them the option of a leave of absence. While some took it, many continued to ride their shifts. The squad also suspended its high school cadet program. It did gain a great deal of interest, however, and onboarded dozens of new members. A long waiting list of individuals is interested in volunteering.

Verona has modified some operations. “We added a 24/7 road supervisor in a first responder SUV to assist crews on scene, observe crew donning and doffing of PPE for protocol compliance, and help decon the ambulances after jobs,” Tempesta says. The squad suspended mutual aid for a time but is back to both providing it for and receiving it from surrounding towns.

The team is funded primarily by donations from residents and businesses. Leaders seek grants and corporate donations. The municipality provides funding for communication equipment, insurance, and fuel.

In response to a perceived uptick in active-shooter incidents, the Verona squad formed a rescue task force that frequently trains jointly with the Verona Police Department. The team has tactical medicine equipment and tactical PPE and runs frequent drills for 24/7 deployment. Additionally, the Verona squad has a pair of electric bicycles for its EMS bike team; these get a lot of use during the scores of standby requests the squad receives. In terms of equipment, every ambulance has a power stretcher and loading system. Each has a BLS vital signs monitor and an automatic CPR device. They carry all medications allowed on BLS units in New Jersey.

Tempesta says one secret to member retention is flexibility: “If they can help us get a call answered and get an ambulance to a person who needs it, especially during the daytime hours, I don’t get caught up in as many rules and regulations as other places.” He also buys his members food—pizzas for training drills, subs during meetings, snacks during standbys.

The squad also equips members with gear and uniforms. “All members who respond get a radio,” Tempesta says. “All members who join get a full custom uniform: EMS pants, an embroidered job shirt, several uniform shirts, t-shirts, reflective jacket, duty boots, and a dress uniform shirt. We want them to feel appreciated and look professional.”

The squad also hosts an annual awards dinner. “It is a chance for the squad and town to say ‘Thank you, you are appreciated,’” Tempesta says.



## South Orange Rescue Squad

### FACT SHEET

- **Towns served** Primary territory is the village of South Orange. Mutual aid provided to neighboring towns, primarily Maplewood, Newark, and Orange
- **Year formed** 1951
- **Vehicles** Four BLS ambulances
- **Active membership** 40 on roster (all EMTs or in EMT class)
- **Call volume** Approximately 1,600 calls a year

The South Orange Rescue Squad (SORS) was founded in 1951 and has been providing free EMS service to the residents and businesses of South Orange for the last 69 years. In 2014 the squad’s longtime headquarters was torn down to make way for a retail space and parking garage. In addition to being relocated to temporary quarters in a small apartment a few blocks away, the squad had to fundraise to pay for a new station.

SORS does not bill. All its funding comes from private donations. The village of South Orange [provides fuel for ambulances and funds a length-of-service awards program for members who qualify. The squad pays for all its own medical supplies, ambulances, uniforms, radio and communication equipment, utilities, and more.

SORS expanded service over the past five years. While some veteran EMTs left, the squad acquired several new members who contributed an immense amount of time. In addition to answering 9-1-1 calls for South Orange, the squad also started responding into the neighboring town of Maplewood more frequently, as its volunteer first aid squad had dissolved in 2016. Further, SORS often provides mutual aid into Newark when its busy urban system gets overloaded.

Unlike many volunteer squads, South Orange keeps its crews in-house. “We don’t respond to pagers. Because crews are always together at the station, we typically can have an ambulance out the door moments after the dispatch,” says Cass. “Our five-minute response time is considered outstanding by industry standards.” To keep members engaged on duty, the squad provides free Wi-Fi, several large-screen TVs, a study area, and bunk rooms, and keeps the kitchen drawers well-stocked with snacks.

South Orange drills often to keep EMT skills on the cutting edge. Its goal, according to Cass, is to be “one of the most progressive and advanced BLS squads in the state in every aspect possible.” South Orange has partnered with MD-1, New Jersey’s on-scene physician emergency response program. Through this partnership with Dr. Mark Merlin and his fellows,



the ambulances now carry all the current equipment allowed via New Jersey protocols, including CPAP, aspirin, naloxone, EpiPens, PEEP valves, albuterol, and more.

South Orange Rescue Squad has a cadet program where high school students get trained as EMTs and contribute to the organization while training to become senior members.

COVID did not leave the SORS team untouched. Along with an uptick in calls came changes in protocols. Ambulances were disinfected after calls with chemicals and UV lights. Crews were provided personal P100 respirators so as not to burn through all the remaining PPE. One ambulance was set up as a permanent COVID ambulance with compartments sealed off and the interior coated in plastic for easier cleaning.

SORS sent a dedicated volunteer crew into Newark multiple days in a row when its system became overloaded in April. Remarkably, rather than losing members, SORS gained them. It still has a waiting list. “The problem, and it is a good problem to have, is I don’t have space on crews for all these new people, as we want to continue to practice good social distancing in the station,” says Cass.

### Conclusion

Research has shown that volunteerism is down in recent years. The need to work more jobs or more hours, a rise in two-income families, greater call volume, increased training requirements, and fear of disease have led to many community volunteer ambulance services adding paid employees, beginning billing, or going out of business.

In Essex County, three 100% volunteer agencies are showing that free BLS ambulance response can be done, and done well, with the right mix of effective leadership, a strong focus on training, and recruiting and retaining interested volunteers. 🇯🇵

Barry Bachenheimer, EdD, FF/EMT, is a frequent contributor to EMS World. He is a career educator and university professor with more than 34 years in EMS and fire suppression. He is currently an EMT with the South Orange (N.J.) Rescue Squad, a firefighter with the Roseland (N.J.) Fire Department, an instructor at the National Center for Homeland Security and Preparedness in New York.

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## Preparing for Adult Use Marijuana Roll Out

FRANK MARSHALL, *Esq.*, NJLM Associate General Counsel

### What should our town be doing to prepare for adult-use marijuana?

At the time of this writing, no legislation legalizing adult-use recreational cannabis has been signed into law. While both houses of the legislature have approved bills, they await the Governor's action.

For purposes of this article, it is assumed that Senate Bill 21 as passed by the Legislature will be signed by the Governor.

The bill would establish six “marketplace” classes of licensed businesses: a Class 1 Cannabis Cultivator license for facilities involved in growing and cultivating cannabis; a Class 2 Cannabis Manufacturer license for facilities involved in the manufacturing, preparation, and packaging of cannabis items; a Class 3 Cannabis Wholesaler license for facilities involved in obtaining and selling cannabis items for later resale by other licensees; a Class 4 Cannabis Distributor license for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another; a Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and a Class 6 Cannabis Delivery license for businesses providing courier services for consumer purchases.

The first thing that every municipality should be aware of is that the legislation provides municipal governments with the choice to decide whether or not to allow cannabis retail and cultivation activities within their borders. A municipality may choose to prohibit any one or more of the above licenses, except for Class 6 licenses, from operating within their borders.

This choice however is effectuated through an opt-out mechanism. Unless a municipality takes an affirmative step to prohibit or to limit to any extent retail and cultivation activities within its borders, then such activities are by default permitted.

This would mean the growing, cultivating, manufacturing, and selling and reselling of cannabis and cannabis items, and operations for transporting and delivery services by a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, or cannabis delivery service would be permitted uses in all industrial zones of the municipality. The

selling of cannabis items to consumers from a retail store by a cannabis retailer would be a conditional use in all commercial zones or retail zones.

Even if your municipality has already passed an ordinance that would prohibit any of the licensed activities, the legislation would void those ordinances. Your municipality must pass a new ordinance reflective of the authority of the Act.

It is just as important to be aware of the timeframe in which municipalities must opt-out. Under the legislation, municipalities have 180 days from the effective date of the Act to opt-out, by ordinance, of any one or all licenses. Municipalities that fail to opt-out within this timeframe or those that choose to allow all or certain retail and cultivation activities within their borders cannot enact an ordinance to prohibit these activities for a period of five years thereafter.

After this five-year period a municipality then has another 180-day window to take action through the adoption of an ordinance to prohibit any one or more of the licenses from operating within their borders. Importantly however, this ordinance would only be prospective. Any licenses operating within the municipality at that time would be grandfathered in.

There is no time period restriction on a municipality that chooses to prohibit any or all licenses from operating within its borders but subsequently wishes to reverse that decision. A municipality may freely go from prohibiting one or more licenses to allowing those licenses to operate, any time they wish. Once allowing the operations of a licenses, however, a municipality would presumably be locked in to the same five-year period and grandfathering described above.

Your municipality should discuss this matter immediately, if you haven't already. On a topic like adult-use marijuana. With its many factors and interests to consider, 180 days is a relatively short time frame. Compounding this urgency is the consequence of municipal inaction within the proscribed 180 days being default permission for operation of adult-use cannabis licenses.

It may be wise for a municipality that needs more time to deliberate and exam the issue in greater detail to simply pass an ordinance within 180 days of the Act prohibiting adult-use cannabis retail and cultivation activities within their borders. The downside to doing this may be a missed opportunity to bring in a new industry and economic engine into your town as retailers and cultivators look elsewhere to set up shop immediately. 🇺🇸

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## Answering Procurement Questions from Emerging Issues Conference Session

MICHELE MEADE, *Municipal Technical Advisor, Division of Local Government Services and*  
MARC PFEIFFER, *Assistant Director, Bloustein Local Government Research Center, Rutgers University*

**A**t the 105th Annual League Conference session, Emerging Issues in Procurement, Michele Meade, NJ DCA Municipal Technical Advisor & Procurement Specialist, and Marc Pfeiffer, Assistant Director of the Bloustein Local Government Research Center at Rutgers University, discussed the increasing need for and use of e-procurement.

As municipal officials respond to the COVID-19 public health crisis, emergency procurement processes are in the forefront. And, with social distancing precautions in place, e-procurement became more necessary. Expert panelist discussed these and other emerging issues in procurement, but were not able to answer all questions during the lively session.

Following are responses to unanswered questions.

### **Q Can drawings for construction bids be emailed to interested bidders?**

**A** Yes. Or provide links to a site where they are stored. A full blown e-procurement system is not required to do that.

### **Q Can plans and or drawings for construction bids be uploaded to Bidsync/Periscope?**

**A** Yes. Most online e-procurement systems provide for that. Since architects and engineers can now use digital seals, plans and drawings can now be circulated that way.

### **Q What is an “S-REC?”**

**A** To confirm what we mentioned late in the presentation, it’s S-REC—Solar Renewable Energy Certificate. It’s what the owner of solar panels can use to sell excess energy back to the grid.

### **Q What are the rates for an S-REC now?**

**A** You can find them on the BPU’s website at [www.NJCleanEnergy.com](http://www.NJCleanEnergy.com).

### **Q Regarding “Minimum Features of Platform”: where is the platform; does the town have to create it or is it online and available for use by the municipality?**

**A** The “platform” is a software application created and maintained by the online service provider. It is generally stored and secured using a cloud-based information service, such as AWS—Amazon Web Service, Microsoft’s Azure, or the Google Cloud.

### **Q Can you talk about FEDRAMP compliance and if NJ E-procurement laws requires local units to comply with this?**

**A** FedRamp ([www.fedramp.gov](http://www.fedramp.gov)) is a highly regarded federal government service that “provides a standardized approach to security assessment, authorization, and continuous monitoring for cloud products and services.” The DLGS rules require that e-procurement vendors store their systems and data in a FedRamp Moderate Level certified service.

### **Q Do you know how well-versed vendors are in LPCL, Administrative Rules and Regulations, and other statutes affecting the LPCL?**

**A** It depends on the vendor. Some have studied the NJ requirements well and it will reflect in their offerings. Others will learn and get better at it.

### **Q Can a real estate broker be used in the sale of real estate properties?**

**A** Yes, through the competitive bidding process, requesting the DLGS to approve the service for use as competitive contract, or, depending on the value of the contract, by quotations. A real estate broker does not qualify as a professional service.

### **Q How would e-procurement differ (or apply) for RFPs?**

**A** E-procurement platforms can be used for bids, RFP’s of any kind (Competitive Contracting or Pay-to-Play), and formal or informal quotes. Some vendors include options for online evaluation of proposals, as well as calculations of the lowest responsible bidder for multi-item bids.

Generally, e-procurement can be used for any process that requires a sealed submission as long as the service provides an electronic lock box that is used for the procurement.

**Q Does the State Comptroller’s Office have to be made aware of e-procurement process if the project value triggers their involvement?**

**A** There is no specific requirement that we know of. It would make sense to let them know that is the approach you are taking. Regardless, since the process would be part of the specification you submit for review, they’ll figure it out.

**Q When scanning the low bidder online, how do we handle redactions? Does tax id, etc., get redacted out prior to scanning or does the entire bid get scanned?**

**A** It is suggested that you consult with legal counsel and that what would be determined to be redacted would likely be the same as information kept confidential in response to a traditional OPRA request.

**Q Marc Pfeiffer said, “for some reason people think that non-collusion form must be notarized, it does not.” In Spring 2019 Marc updated the Yellow Book, which has the form INCLUDING notary stamp. Please clarify.**

**A** The research on if it was required had not been completed when the update was done. That will be corrected in the next version of the Yellow Book.

**Q Are there written instructions that cover which circumstances dictate when hard copies of documents are required, if using an online service for bids/auctions?**

**A** No. If you choose to use a dual (paper/online) process, you need to think that through carefully. While the DLGS rules permit using both approaches for a given procurement,

Pfeiffer does not recommend a dual process—just jump in.

**Q Can a municipality hire a travel agent?**

**A** Sure. Use a competitive bid process if you think you’ll spend more than bid threshold on it or use an appropriate Pay-to-Play for a window contract between \$17,500 and your bid threshold. You can also request the DLGS to approve the service as a competitive contract. 

**@** For further information, please email Michele Meade at Michele.Meade@dca.nj.gov and Marc Pfeiffer at Marc.Pfeiffer@rutgers.edu.

**Did you miss the original session?**  
Visit [www.njlm.org/2020conference](http://www.njlm.org/2020conference) through Nov. 1 to view it. You can still register to watch all recorded conference sessions.



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# GOLD DOME

## New Jersey Faces Tax Incentives Redux

BEN DWORKIN, PH.D., *Director, Rowan University Institute for Public Policy & Citizenship (RIPPAC)*



In late December, Governor Phil Murphy and Democratic legislative leaders coordinated a massive \$14 billion revision, reauthorization and funding of the state's tax incentive programs.

It was a stunning piece of legislating in both its size and the speed with which it was ushered into law, with significant implications for both New Jersey's economy and politics.

The last major revision of the state's tax incentive initiatives came in 2013, under the Chris Christie administration, as New Jersey emerged from the Great Recession. The programs, which are administered by the state's Economic Development Agency (EDA), provided tax breaks to companies that move to the state and to companies that stay here, but were considering moving away.

For its supporters, the programs were seen as bold steps needed to revitalize struggling cities like Newark and Camden, as well as reinvigorate employment opportunities in the state.

For Murphy and many of his supporters, arriving in Trenton in January 2018, these programs were an out-of-control boondoggle.

### EDA battlefield

The governor, beginning with his 2019 State of the State address, spent months blasting the EDA. Dramatic investigative articles revealing how political insiders were able to influence the process appeared in the press. The administration brought in a group of non-New Jerseyans to conduct hearings and an investigation, which revealed further sordid details.

The most prominent defenders of the 2013 law and its implementation, among them Senate President Steve Sweeney and businessman, philanthropist, and powerbroker George Norcross, found themselves in the surprising position of having to play defense, week after week.

In June 2019, just before the 2013 law was set to expire, Murphy offered specifics on how he would want to reform the tax-incentive programs. This included a cap of \$400 million in total tax benefits that could be awarded in any year. He also advocated for new tax breaks to support the redevelopment of brownfields and historical redevelopment. Additional benefits would go to those who used union workers on their projects.

In the end, there was no agreement and the programs were not reauthorized.

The lack of serious public debate over the last 18 months seemed to put the entire topic on the backburner.

And then, with just weeks to go in 2020, Murphy raised the issue with legislative leaders and demanded that a bill that he could sign be introduced and passed before the end of the year.

**Fundamentally, what the new law shows is that Murphy believes in tax incentives and his progressive supporters in the Democratic party, as a general rule, do not. When they were all criticizing the Christie-era law, that dissonance was glossed over. This past December, it was on full display.**

Legislators and staff scrambled to put it all together, while in constant negotiation with administration representatives. The ideas had been bandied around for a year-and-a-half, but the final details had to be determined and put on paper.

What eventually passed was derided by Murphy's closest allies in the progressive wing of the Democratic party as the pursuit of a policy that doesn't work, costs too much, and failed every test of public transparency. More than a few Trenton observers were surprised to see Murphy dismiss so casually the concerns of his biggest supporters.

In addition to restoring the state's two primary job creation and redevelopment programs, the new law, in part, offers tax breaks for Murphy priorities including ensuring that there are more supermarkets in areas that don't have them and supporting public-private partnerships undertaken by "anchor institutions" in a municipality, such as universities and hospitals, along with the aforementioned historic preservation and brownfields redevelopment. A one-year tax credit program for small businesses was included as well.

Murphy was also able to get support for a public-private venture capital fund, an idea he has been pushing for several years.

In January 2019, Murphy noted, "To those who bemoan our inability to pay for even the most basic items in our budget, let me say that [support of tax incentive programs that total \$1 billion], simply put, is nuts."

Almost two years later, the new law reinstated caps but the overall amounts were now more than \$1.5 billion annually

over the life of the legislation. Even by Trenton standards, this appeared to be a stunning reversal.

The Murphy administration defended the legislation and noted that it also includes new taxpayer protections that upgraded the test for whether a tax-credit recipient delivered on its job creation promises, increased the penalties for any recipient who misleads the EDA, and established an Inspector General to focus on fraud and abuse.

Fundamentally, what the new law shows is that Murphy believes in tax incentives and his progressive supporters in the Democratic party, as a general rule, do not. When they were all criticizing the Christie-era law, that dissonance was glossed over. This past December, it was on full display.

### Other implications

There are other political implications emanating from this bill.

First, there is a real and tangible détente among the legislative Democrats and the

governor. The general thinking is that everyone being on the ballot together in November 2021 requires no less. Issues that had been points of contention are getting resolved one way or the other, including the millionaire's tax, the borrowing of \$4 billion to fund the budget, and the Horizon reform legislation.

Second, the speed with which this legislation moved was most likely the result of a desire to shore up business community support for the governor's re-election, following a year where a number of business owners have been increasingly frustrated with what they see as arbitrary COVID-19 restrictions affecting their ability to operate.

Third, though there was scant public debate over the bill once it was introduced, the EDA will still need to propose regulations that will require 90 days for a public comment period. These three months may well be used by critics to increase the public's understanding of what is, and is not, happening in this law— and

to counter-mobilize for new reforms.

And fourth, Democratic progressives will see this bill, despite some good parts, as a slap in the face from Murphy, someone they thought was a better friend. In the raw calculus of politics, the governor can get away with it. He's been a champion for, and delivered on, a number progressive issues, including the minimum wage increase, paid family leave, and climate change. From the Murphy perspective, where else are the progressives going to go?

Democratic legislators might find themselves facing an occasional primary from the left in 2021, but no one seems to be threatened by it.

So the implication for the Democratic left is that to take their power to the next level will require a whole different level of thinking and organizing.

In the meantime, the policy of pursuing economic growth through billion-dollar tax incentive programs will continue in New Jersey. 🇯🇵

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# Legal Team

## Serving Municipal Interests

In a year filled with unpredictability, the League's legal team could be counted on to continue their work advocating for New Jersey's municipalities. The legal department's amicus participation included amicus interventions before both the New Jersey Appellate Division and Supreme Court. While the issues were diverse, many of the matters touched upon OPRA in some way.

The League participates in these cases because they have statewide impact and municipal interests are well served by our involvement.

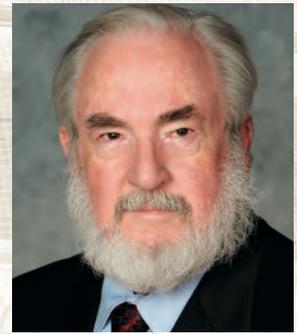
In addition to our amicus work, the League's legal department is a consistent resource for municipal attorneys as they continually adapt to a changing legal landscape. Acting as a clearinghouse for ideas and practices, we monitor and report on important state and federal court decisions that impact our members.

The legal department continues to review and update the various publications offered by the League, contribute to the League magazine and Town Crier blog, while maintaining League's ordinance and resolution library. This valuable tool for municipal attorneys, elected officials, and others allows users to see how other municipalities have solved problems, helping them to better address their own.

NJLM's legal department also works on legislative and regulatory advocacy—working closely with members of the League's legislative staff to provide analysis on legislative affairs. The Associate General Counsel frequently represents the League and municipal interests as a stakeholder on a variety of issues before the State's regulatory bodies.

We thank all of the legal experts who counsel the League and its members for their ongoing commitment to support New Jersey's Municipalities. 🇯🇵

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Helmer, Conley & Kasselmann  
Willingboro

### DEPUTY GENERAL COUNSEL



**TRISHKA WATERBURY CECIL**  
Mason, Griffin & Pierson  
Princeton

### ASSOCIATE GENERAL COUNSEL



**FRANK MARSHALL**  
League of Municipalities  
Trenton

### ASSISTANT COUNSEL



**EDWIN W. SCHMIERER**  
Mason, Griffin & Pierson  
Princeton

### ASSISTANT COUNSEL



**EDWARD BUZAK**  
Buzak Law Group  
Montville

### LABOR COUNSEL



**ANGELO GENOVA**  
Genova Burns  
Newark

### LABOR COUNSEL



**JOSEPH HANNON**  
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Newark

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BOB CASEY, *Past Executive Director, New Jersey Municipal Management Association*

*The following is an excerpt from a paper in the NJLM Foundation's "Friends of Local Government" series. The entire narrative is available on the Foundation's website, [www.njlmef.org](http://www.njlmef.org).*

**A**s an elected official, you are expected to provide "leadership" both to the municipal organization and the community as a whole. The real question is: How you can accomplish what you feel is necessary for the municipality? And most difficult of all, how you can get your fellow elected officials to join in the process?

## SET GOALS

You must have a clear understanding in your own mind of your long-term goals: where you want your municipality to go over the next year and your term of office. You were elected to accomplish certain goals and you should always remember them. You will quickly become bogged down in the mundane issues of the ongoing activities of your municipality. Do not allow these daily issues to cause you to ignore what you believe needs to be done to improve the municipal operations, to address one or more community issues or other concerns that you may have.

### Some suggestions:

**a.** You may want to break down your goals into subgoals or implementation steps that will lead to addressing the

larger goal you have and then to set time lines for these incremental steps.

- b.** Be open to modifying your goals as you become more knowledgeable about the organization and its capabilities—once in office, you may find things different from what you expected.
- c.** Write down your goals—post them in your office as a daily reminder.
- d.** Share your goals with others—become an advocate, use them as your guiding principles.
- e.** Hold an annual special meeting with the elected officials and key staff personnel to discuss everyone's goals and to develop common shared goals for implementation. This could be the most important meeting of the year. 🇯🇵

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The New Jersey State League of Municipalities would like to thank its supporters, who value their partnership with the 565 municipalities of New Jersey. For information about the League's sponsorship program, please contact Michael F. Cerra at 609-695-3481, Ext. 120, or [mcerra@njlm.org](mailto:mcerra@njlm.org).



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# NJ LOCAL APRIL 18-24 GOVERNMENT 2021 WEEK

#njlocalgovt

This year, the New Jersey State League of Municipalities invites you to celebrate **NJ Local Government Week**.

We invite you to join in with municipalities across the Garden State **April 18-24, 2021**, to engage citizens while celebrating the work of local government.

**NJ Local Government Week** is a time for municipalities to encourage civic education, community collaboration, volunteerism, and local pride. Municipalities throughout the Garden State are encouraged to participate, and the NJ State League of Municipalities (NJLM) suggests you get the celebration started with the following:

**Showcase.** Highlight the programs and services you offer, showcasing the hard work of local government and the value residents receive on a daily basis.

**Coordinate.** Tap into local resources such as community service and volunteering events in partnership with local organizations to cross-promote NJ Local Government Week.

**Exhibit.** Encourage citizens to share their civic pride with an essay, photography, or design showcase/contest. Why not make it a feeder program for your entry for the League's Show Off Your Municipality photo contest?

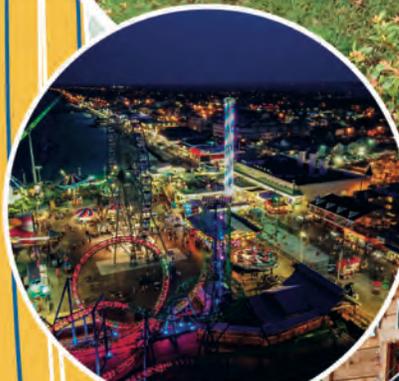
### Wondering Where to Begin?

The website includes ideas and materials for celebrating **NJ Local Government Week**, publicity tips and strategies, and links to a sample press release and resolution. Information and resources, as well as a downloadable NJ Local Government Week logo, are available at [www.njlm.org/njlocalgovt](http://www.njlm.org/njlocalgovt).

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