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Official Publication of the New Jersey State League of Municipalities

February 2015

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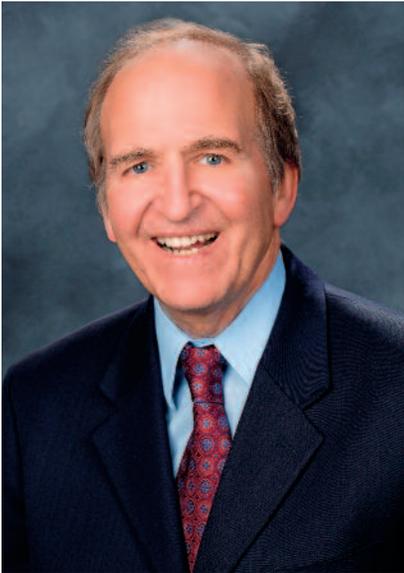
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## Do Your Share in Shaping Our Future

**D**ecisions that will be made in Trenton this year will affect New Jersey long into the future.

Last month in his State of the State address, Governor Christie outlined his vision for the coming year. This month, he will unveil his Budget for New Jersey's next fiscal year. Taken together, his proposals will frame the debates that have already begun.

As community leaders and elected officials, as well as the custodians of property tax dollars, you have the right and the responsibility to become active participants in state-level policy debates. In this month's special Legislative Guide, you will find the tools you need to make a difference on behalf of the citizens you represent.

In addition, many of the stories in this issue will help you better understand the problems and the prospects that lie before us.

Also, consider increasing your involvement in the League's efforts to advocate at the State House in Trenton. Please read

our "Dear Mayor" letters as soon as they come in. You may be able to affect an outcome today, but not tomorrow. Watch for notices of upcoming League seminars that could give you the information you need, when you need it. Call for copies of bills or for information on League positions. And visit our website, [njslom.org](http://njslom.org), for the most up-to-date information on the crucial issues facing our state and your municipalities.

NJLM also welcomes your participation on our Legislative Committee. The group meets regularly to consider new legislation and its impact on local communities. By serving on one of its many subcommittees you can share your expertise in areas as diverse as land management and taxation.

We are committed to being your partners in improving life in your towns and cities for those you represent. Your active participation in the partnership is the key to success. ♣

*Bill Dressel*

“ You may be able to affect an outcome today, but not tomorrow. ”



## Keith A. Bonchi, Esq. Contributes to Local Government

New Jersey Municipalities contributor and attorney Keith Bonchi is no stranger to municipal government in New Jersey. Practicing law in New Jersey for over 30 years, Bonchi is the chairman of the commercial section of Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi and Gill of Atlantic City and Northfield, Atlantic County. His special interest is in real estate, tax lien foreclosures and mortgage foreclosures.

He is a graduate of Lenape Regional High School, Medford; Arcadia University, Glenside, Pennsylvania and Seton Hall Law School, Newark. He has served as a faculty research associate to Professor Wilfredo Carabello and an intern to the chief counsel of the New Jersey State Senate.

He has been a special counsel on tax liens to many municipalities in New Jersey, and has represented the Tax Collectors & Treasurers Association of New Jersey (TCTANJ) and the New Jersey State League of Municipalities as *amicus curie* before New Jersey courts on property tax cases of importance to municipalities.

He has written over 40 articles for the TCTANJ magazine the *Criterion* and several articles for New Jersey Municipalities. Since 1999 he has served as general counsel to the Tax Collectors & Treasurers Association of New Jersey. Over 25 matters that he has presented to the New Jersey courts have resulted in published opinions. He has been the municipal prosecutor and subsequently the municipal solicitor in the City of Northfield.

He was the primary author of the Handbook on Tax Sale Foreclosures while a member of the Superior Court ad hoc committee on foreclosures. He has proposed amendments to the property tax statutes in New Jersey for the legislature's consideration. He has been a presenter at training sessions for tax collectors, attorneys and elected officials throughout the state. ♣



## Wahler Receives Jane E. Lawton Award

The National Association of Telecommunications Officers and Advisors (NATOA) presented its Jane E. Lawton Award to League President and Mayor of Piscataway Brian C. Wahler at the League of Municipalities Conference luncheon.

The Jane E. Lawton Award is presented annually to an elected official to recognize extraordinary service on behalf of local governments and communities throughout the United States. It was created in memory of the Honorable Jane E. Lawton, who served as Mayor of Chevy Chase, MD; Delegate to the Maryland State House; and President of NATOA.

Steve Traylor, Executive Director of NATOA said, "Mayor Wahler was nominated because of his strong support for the Jersey Access Group (JAG). Additionally he helped JAG become an affiliate of the New Jersey League of Municipalities. For recognizing the importance of PEG operations and the role they play in local communities. For being involved in telecom issues and understanding the vital role that advanced communications play in economic development, civic engagement, etc. Unlike a lot of elected officials, when it comes to telecom issues, he can talk the talk. He was the unanimous selection."

Previous recipients of the award include Marilyn Praisner (posthumously), Senator Kay Bailey Hutchison; Congresswoman Tammy Baldwin; Andy Huckaba, City Council Member, Lenexa, KS; Senator Jay Rockefeller; and Senator Barbara Mikulski. ♣

New Video:

## 'Red Light Cameras Prevent Accidents'

Officials from Newark, Roselle Park, Springfield and Union Township, joined by legislators and advocates, predict that New Jersey's roads are poised to become more dangerous following the shut-off of the state's traffic safety cameras in a new video released by the Traffic Safety Coalition. The state pilot program is being allowed to expire without data reviews of the fourth and fifth years of the program, which are required to be completed prior to any decision to suspend the program.

The officials express their support for legislation (A3964/S2643) introduced by Assembly members L. Grace Spencer (D-29), Ralph Caputo (D-28) and Eliana Pintor Marin (D-29) and Senators Ronald Rice (D-28) and Teresa Ruiz (D-29), respectively, which would make New Jersey's traffic safety camera program permanent and remove the cap that restricts the number of municipalities that can participate.

## Stressing Emergency Preparedness

In September, Perth Amboy held a press conference to stress the importance of having a plan in place for emergency situations. Speakers encouraged residents to develop a plan to communicate with relatives during a storm or other emergency.

In addition, several groups—including the American Red Cross and Middlesex County and Perth Amboy Fire Department—displayed information on how they respond to emergencies. Along with Mayor Wilda Diaz, speakers included representatives from Verizon, FEMA and PSE&G. 📌



## One intersection in the city saw a 1,300 percent increase in crashes following camera deactivation.

A sample of quotes in the video includes:

- Newark Mayor Ras Baraka: "Anybody that's saved because of the red light cameras' existence means that the program is successful."
- Springfield Chief of Police John Cook: "The data speaks for itself. As far as eliminating the program, [it] certainly goes against what law enforcement advises."
- Chief Paul Morrison of Roselle Park: "97% of people who have received summonses at our camera controlled intersection have not re-offended. And that's a good thing; that's a public safety thing. That saves lives. That saves people from serious injury."

Data from across the country convincingly demonstrates that locations that have ended their traffic safety camera programs have experienced sharp increases in unsafe driving following the removal of the cameras.

For example, after intersection safety cameras were turned off in Houston, injury crashes increased 350 percent. One intersection in the city saw a 1,300 percent increase in crashes following camera deactivation (Oberg, Ted. "Accidents way up with red light cameras off," KTRK-13 Houston, June 8, 2011). Speeding increased by 214 percent in Garfield Heights when cameras were removed ("Ohio cities' home rule rights face another threat, this time over traffic cameras," www.Cleveland.com. February 18, 2014). When Albuquerque, NM turned off cameras at three intersections, red light running and speeding violations increased by 584 percent in just five months (Laflin, Nancy. "Scary Stats with red light cameras off," KRQE News. May 27, 2011). 📌



Mayor John E. McCormac, DEP Commissioner Bob Martin and NJLM Executive Director Bill Dressel.

## Woodbridge Township Mayor Named “Environmentalist of the Year”

Mayor John E. McCormac was named “Environmentalist of the Year” for 2014 by the Governor’s Environmental Excellence Awards which recognize environmental, academic, business, government, civic and citizen leaders from across New Jersey for their commitment to protect and enhance the state’s environment.

The Governor’s Environmental Excellence Award noted that since becoming mayor in 2006, John E. McCormac implemented environmental and sustainable programs to protect and restore the environment, while taking into account Woodbridge’s economic and financial factors. His accomplishments support his belief that “if you go green, you will save green.”

Under Mayor McCormac’s leadership, Woodbridge Township received \$2.4 million in rebates from the state Board of Public Utilities to install solar panels at six town-owned buildings, secured \$5 million in open space funds from the county for preservation, and implemented single stream recycling that reduced municipal disposal costs by \$135,000 while increasing recycling by 44 percent (to 65 percent in 2013, far above any larger town in New Jersey).

Mayor McCormac also:

- Worked with the school board to conduct energy audits of school buildings that led to building upgrades and energy conservation measures.
- Backed remediation of 29 acres at a former manufacturing site to clear a path to locate a future energy complex as part of the redevelopment of this brownfield site.
- Fostered, through the municipal Redevelopment Agency, restoration of more than 100 acres of wetlands along the Raritan River and construction of the future Woodbridge Waterfront Park.
- Helped forge a partnership between the township and CIEL Power to offer a township-wide Home Energy Assessment program.

John E. McCormac implemented environmental and sustainable programs to protect and restore the environment, while taking into account Woodbridge’s economic and financial factors.

In addition, Woodbridge Township has been named the New Jersey “Sustainable Champion” having achieved Silver-Level Certification for five consecutive years—2013, 2012, 2011, 2010 and 2009 (Woodbridge did not participate in the Sustainable Jersey program in 2014) and has been selected as a pilot community in the national program of STAR (Sustainability Tools for Assessing and Rating Communities), in conjunction with Sustainable Jersey and Rutgers University.

“I am proud to receive the Governor’s Environmental Excellence Award as Environmentalist of the Year,” said Mayor McCormac. “The Award serves as a benchmark for our sustainable initiatives and provides the township with additional resources needed to plan for our green future.”

The 15th annual Governor’s Environmental Excellence Awards program is co-sponsored by DEP and the New Jersey Corporation for Advanced Technology (NJCAT), in partnership with the League of Municipalities. NJCAT Technical Director Dr. Richard Magee, an avid supporter of GEEA for the past 15 years, was recognized by Commissioner Martin for dedication to the environment and this awards program. ♻️

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## Former Little Falls Mayor Honored with 5K

In November, the 12th Annual Harold M. Schumacher Passaic Valley Rotary River Run was held to honor Harold M. Schumacher, a former mayor of Little Falls, police commissioner, local businessman and founding member of the Rotary Club of Passaic Valley. All of the money generated from the 5K run was donated to local and international Rotary Club charities. 📌



## Keansburg Awarded \$1.1 Million Façade Grant

Keansburg was recently awarded a Stronger NJ Neighborhood and Community Revitalization (NCR) Streetscape Revitalization Grant of more than \$1.1 million by the New Jersey Economic Development Authority (EDA).

“This grant is the result of the tireless hard work of our City Council and the Planning Board.”

– Keansburg Mayor Thomas Foley

A portion of the grant, totaling \$450,000 will be used to revitalize Main Street and Carr Avenue commercial districts and improve community resiliency by creating a unified building façade. Eligible revitalization projects under the streetscape component of the NCR Program may include streetscapes, sidewalks, facade enhancements and code-related and other physical upgrades to commercial areas.

“After Superstorm Sandy, the borough was very proactive and went after any grant funds that would help revitalize Keansburg and make our borough more resilient from future storms,” stated Mayor Thomas Foley. “This grant is the result of the tireless hard work of our City Council and the Planning Board; hard work that has paid off by providing needed funds to improve our business districts. These funds will help to chart the future of Keansburg,” Foley added.

The borough will coordinate with contractors to fund improvements—up to \$15,000 per business—for those owners of commercial properties who applied for and qualified to participate in the project. The remainder of the grant will be used for overall improvements to the downtown area. 📌

@ For more information about the Borough of Keansburg, visit [www.keansburgboro.com](http://www.keansburgboro.com).

## Summer Support



Middletown recently received \$20,000 from the Recreational Opportunities for Individuals with Disabilities (ROID) grant program. The award will benefit Middletown’s Summer Recreation Inclusion Program, allowing them to expand it and include more students and a greater variety of activities.

The objective of the township’s program is to bring children of all abilities together to interact and learn social skills. Middletown’s program focuses on children with social participation disorders; such as ADHD, anxiety and Asperger’s Syndrome. Children with these diseases do not often qualify for extended school year programs through the school district.

Through their summer program, Middletown hopes to offer children a higher level of support and intervention than what is typically offered in a summer camp. For example, the individual needs of each participant will be evaluated and a curriculum created to help each student develop the skills to succeed. 📌

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## Toms River Builds A Document Storage Facility



**T**oms River recently moved its document storage to a centralized location. The new, 4,000-square-foot facility can store up to 13,000 cubic feet of records. The building includes a vestibule, loading area and shredding room. Humidity and temperature levels are monitored and lighting limited to prevent document aging. The \$1.1 million project was funded through a bond ordinance. To save on the project's cost, the building was constructed on land that the township already owned.

Designed with expansion in mind, the building includes 1,000 square feet of additional space that the township will consider renting to other municipalities. Previously, township documents had been stored in 18 different locations. Before the move, boxes were taking up valuable office space in Town Hall and throughout off-site departments. The new building not only provides protection and control over records management, for both officials and citizens, it also improves the township's efficiency.

Before files were moved they were categorized, indexed and identified so that they could be easily located. Much of this organization was guided by the length of time that the township is required to keep a particular type of document, which varies based on the type of document. For example, the township is required to keep marriage applications for 75 years and purchase orders for only six years. Documents are shredded when no longer needed. All files can be tracked using one computer database and files are organized by department. ♪

### Correction

An error was made in January's Legal column titled, "Are your Minutes Reasonably Comprehensive?" The exact term used in the Open Public Meetings Act (OPMA) is "comprehensible" not "comprehensive." See N.J.S.A. 10:4-14.

## Newark Holds Community Education Convention

**M**ayor Ras J. Baraka hosted the two-day Newark Community Education Convention on November 21 at Bethany Baptist Church and on November 22 at the Rutgers University-Newark Paul Robeson Campus Center.

Themed "Reclaiming the Village," the convention brought together educators, activists, and leaders from across the region, state, and nation, to discuss Newark's education issues, solutions, and best practices.

"As an educator for 22 years and Newark's chief executive, I regard the teaching and nurturing of our youth to be one of the most important tasks a community can fulfill. It is a moral obligation to our residents and their future. That is why it is so important that we held this convention here in Newark, bringing together people of all ages, experts from within our city and outside it, to address our issues, create a community-based and child-focused educational structure, and continue to transform Newark into a city we can all believe in," Mayor Baraka said.

Discussion topics included an overview of public education in Newark from the 1970s to the present; Breaking Through Barriers to Learning; Newark's Educational landscape: A Community View; and Planning Together to Transform our Schools Together. Panelists included school principals, student leaders, Newark municipal directors, education experts, and community activists.

Partners in the event were the City of Newark; NAACP-Newark Chapter; Abbott Leadership Institute; Coalition for Effective Newark Public Schools; Communities United; Parents Unified for Local School Education; American Federation of Teachers; Newark Teachers Union; Education Reform Now; Teach for America; Newark Student Union; Newark Trust for Education; Statewide Parent Advocacy Network; Newark Charter School Fund; United Way of Essex and Hudson. ♪

## Be Featured in **nj** NOW

If your community has a unique program or story, write to Taran B. Samhammer c/o The League of Municipalities, 222 West State Street, Trenton, NJ 08608 or via email at [tsamhammer@NJSLOM.org](mailto:tsamhammer@NJSLOM.org).

NJLM's 2015 Legislative Guide

# Get Involved in Effective Advocacy

- How the Process Works
- How the League Speaks for Local Interests
- How You Can Become More Involved

# LEGISLATION

## **Getting Legislative Results for Your Constituents**

You can influence the outcome of state legislation by working closely with the League's legislative staff members

# TION

Dedicated to the service of your fellow citizens, you, as municipal officials, demonstrate a broad and deep concern for your neighbors and your communities. And, as active members of the League of Municipalities, you show a further commitment to the men and women who similarly serve, all around our Garden State. For that, the League staff thanks you. You help to make both your municipalities and the League positive communities for both the present and the future of New Jersey.

One of the ways you help is in your attention to and action on state legislation. Your League of Municipalities Legislative staff is dedicated to keeping you informed of developments in Trenton and to making state officials aware of local problems and concerns.

While you can and do communicate with your own elected state Representatives directly, your League legislative team keeps you informed about proposals put forward by our state's 40 Senators and 80 Assembly Members, as well as by the Governor's Administration. And, they tell those key policy makers on an issue exactly how you feel about it.

Your state Legislators may not agree with you, or with us. Different people will inevitably see things from different perspectives. That can lead to different conclusions on various issues. And that can lead to one of two things—conflict or communication. Communication is the key.

A single piece of legislation could enhance—or hamper—your ability to serve your citizens.

Understanding the processes involved is important.

How does the legislative process work? What is the process by which a bill becomes a law? How can you help in the ongoing campaign of the New Jersey State League of Municipalities to defeat bad legislation and encourage the passage of good legislation? Are there any objective standards we can apply to distinguish between the two?

## Legislative Process

The Legislative process is described in the chart on the next page. At every phase your League has been playing an active role.

The League has a veteran staff of duly registered Governmental Affairs Agents. Under the leadership of Mike Cerra, our Director of Governmental Relations, they 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.

First, they listen to you. They meet you at the League Conference, they come to your county league sessions, you call or write the office, you send them resolutions you've adopted.

An estimated 10,000 bills and resolutions are introduced in the average two year term of the Legislature. Approximately 2,500 of those bills will have an impact on the 565 municipalities in the Garden State. The debate in the legislative halls in Trenton, consequently, is of major importance to you, the municipal official.

Also, they read newspaper articles to learn your concerns and opinions and they meet you at various other functions and seminars. Finally, you respond to surveys that they send, from time to time.

They also review bills that have been recently introduced or amended. They flag those most likely to affect local government. They pull copies of those bills for more thorough analysis. Based on that analysis, they prepare an agenda of bills to take before the League Legislative Committee.

At every phase of the legislative process your League plays an active role.

That Committee is composed of over 100 local officials just like you. In fact, if you can spare one work day a month, five to nine days a year, they would welcome your membership. Each of the four subcommittees (Taxation and Finance; Intra-Municipal Affairs; Land Use; Environment and Community Development; or General Legislation) has an agenda of 10-15 bills, which it studies, debates and votes upon. Then it convenes in the Committee of the Whole to take action.

Based on the Committee's positions, League staff draft position letters on the various bills to send to sponsors and other Legislators. Our Committee actions are summarized in the *Legislative Bulletin*, and in the "Legislative Update" column—a regular feature of the award-winning magazine, *New Jersey Municipalities*.

That, in a nutshell, is how the League communicates from the local level to the state. But, it also transmits the signals it receives from the state back to you.

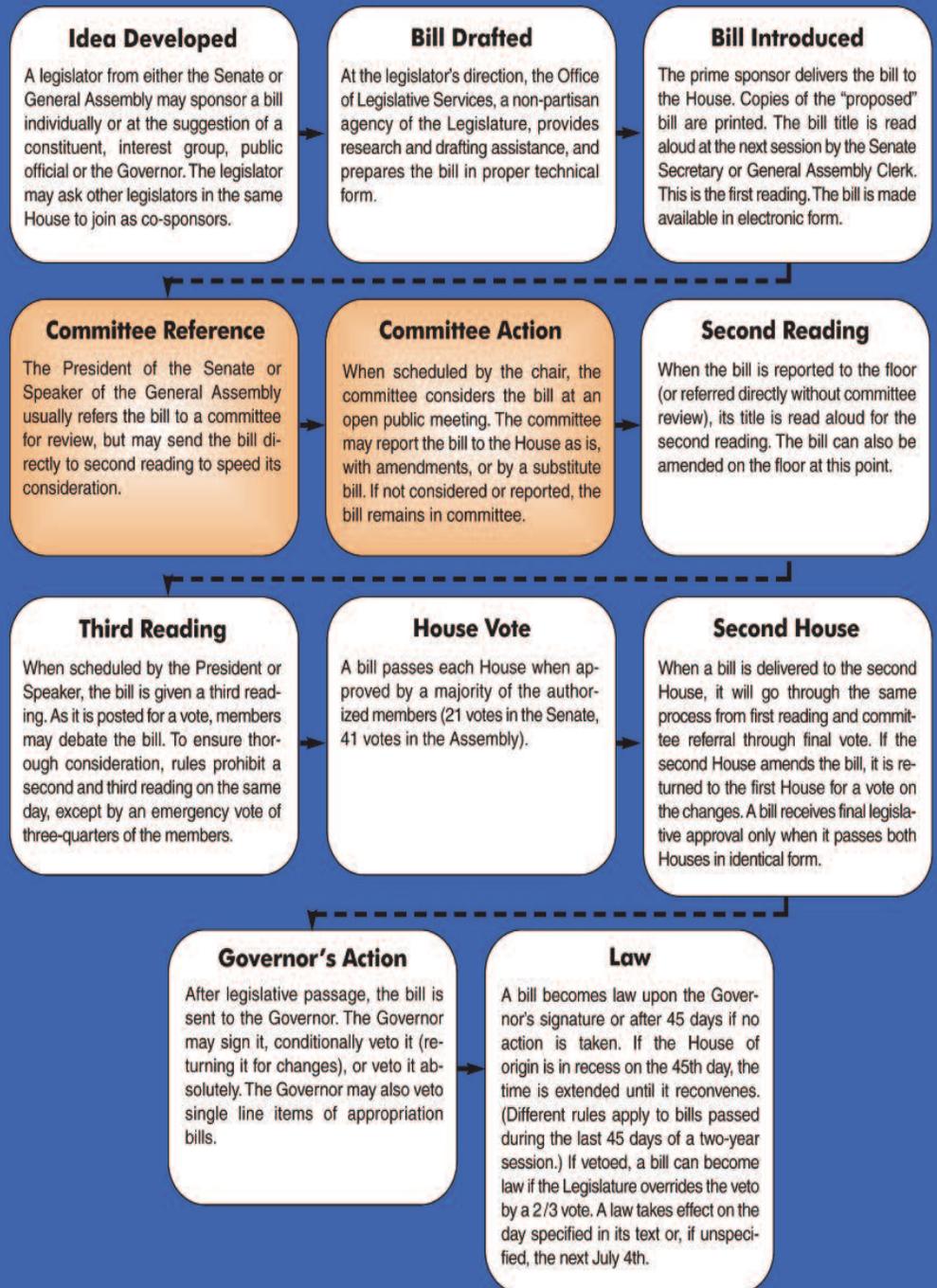
When your help is needed in a hurry, members of the League Legislative Action team rely on "Legislative Alert" letters and, if aware of your interest in a particular matter, personal e-mails and phone calls. They use these tools when a

particularly good bill needs a push or an especially bad bill seems ripe for passage. At other times, they use these tools to inform you of the nature and consequences of new laws or regulations.

Remember, what happens in Trenton has a very direct bearing on your town

and your programs. A single piece of legislation could enhance—or hamper—your ability to serve your citizens. Work with your League and through your League, to make your views known, so we can help our state representatives get the job done right. 🗳️

## How Committees Work Within the Legislative Process



Source: "Making Your Voice Heard" Office of Legislative Services, 11/2012.

## Advocacy Tips

**Get Personally Acquainted with Your Legislators** If you haven't already done so, call or contact your representatives. If you can, arrange to meet them in person. If you can't, then ask to talk directly with them. Don't wait until you need their support to contact them. It might be too late.

**Get to Know Your Legislators' Staffs** Each state Legislator in New Jersey represents a district that includes approximately 225,000 people. Each of our Congressmembers represents over 700,000. And our two U.S. Senators represent all of our state's 8.9 million people. That's a lot of constituents to hear from and to serve. Obviously, they can't do it alone. They rely heavily on trusted and loyal aides to help them better serve. Frequently, you may be unable to talk directly with your Legislator to express your concerns on a particular issue. If that is the case, a call to the Legislator's aide or other staff member, whom you know and who knows you, is the next best thing.

**Invite Your Legislators to Special Events** The opportunity to meet and communicate with constituents is a valuable gift to any elected official. Invite your legislators and their staffs to local and regional meetings and events as guests or speakers. Also invite them to parades, town festivals or other events.

Your hospitality will not be forgotten. And rarely will it go unrewarded.

**Get on Your Delegation's Mailing List** This will help you to learn their feelings about issues that are particularly important to them. Effective communication depends more on careful listening than on brilliant rhetoric.

**Recognize Legislators' Problems** You can try to hear all that they are saying, but you'll never hear all that they are hearing. Your Legislators represent all of the constituents in your area. Their duty is to represent all of the people to the best of their abilities. There may be times when you think your Legislators are on the wrong track, but they may have facts that are not available to you. Never threaten political or other consequences if the Senator or Representative refuses to see an issue your way. Remember that you can disagree without being disagreeable.

**Say Thanks** Nothing grates more on a relationship than ingratitude. Remember to thank Legislators regularly and publicly for their time, work, support and votes. Never discount the importance of a thank you; it can really make a difference.

## A Call to Action

In one of his State of the State speeches, former Governor Jim McGreevey made at least one comment that, regardless of political philosophy or affiliation, merits our consideration. "Those of us in public service must be prepared to answer two simple questions about our actions: Who are we willing to stand up for? Who are we willing to stand up to?"

The New Jersey League of Municipalities was created 100 years ago by progressive municipal officials who were willing to stand up for "a government of the people, by the people and for the people" and who were willing to stand up to those powerful economic interests that sought to control the Legislature. That same crusading spirit has guided the League throughout the years and it shapes our Legislative Advocacy program today.

We need all dedicated municipal officials to join us in our stand. We hope you will use this guide to become a more effective advocate for the people you have sworn to serve. In order to make a difference, you must get involved.

Our League Legislative team works hard to keep us informed of developments in the State Capital. They co-write a regular "Legislative Update" column, which appears in each issue of our magazine, *New Jersey Municipalities*. This column features pithy updates on Legislation under consideration by the State Senate and the General Assembly. They also collaborate in the publication of the "Legislative Bulletins" and letters.

Unless enough of us are willing to put pen to paper, or to pick up a phone, or to let fly a fax, or to pound out an e-mail, they toil in vain. On any issue that is important to you, your municipality and your fellow citizens, you need to follow up with your two representatives in the General Assembly, your State Senator and, when and if a bill should reach his desk, with our Governor Chris Christie.

If you would like to get more deeply involved, please contact myself or our Director of Governmental Affairs, Mike Cerra. We always need officials who are willing to come to Trenton to testify on key issues. We also welcome volunteers to our Legislative Committee. It meets 5-8 times a year, to develop League policy on newly drafted initiatives. In any one of these capacities, your participation could spell the difference between success and failure.

Your Legislators will listen to your concerns, so please become involved in the program to the extent your schedule allows. February is a short month, but without your help, this could turn into another long year.

—Brian C. Wahler, President, NJLM; Mayor, Piscataway

**Stay Informed on the Issues** Throughout its deliberations, the Legislature is making important decisions that may have a direct impact on your municipality. You can't lobby what you don't know! Stay abreast of the issues through the local media and the League's Legislative Bulletin, published throughout the Legislative Session. This is supplemented by Legislative analyses and Membership Alerts full of timely information on key municipal issues that are being considered by the Legislature. Other legislative publications include the League's annual "Legislative Action Agenda" and the Update column that appears in each issue of this magazine.

**Social Media** You can also use the internet and social media to increase awareness of local issues and concerns.

**Use the League** Remember that your League staff will be informed of the critical issues and can help you in your advocacy efforts. They can also assist in analyzing the information to explain what a bill might mean to your hometown.

**Express Yourself** The time for listening and learning never ends. But, eventually, the time comes for talking. Because of who you are and because of the office you hold, you owe it to yourself, your constituents and your state and federal representatives, to speak, honestly and forthrightly, on the issues affecting your municipality. Some may say that Legislators have no time or inclination to answer their phones or read their mail, and that one single contact won't make any difference anyway. In most cases, these views are wrong. Thoughtful, factual, persuasive contacts can change Legislators' minds and cause them to review their positions. Be sure to have accurate facts and good arguments about any issues you discuss with your legislators.

**Write Letters Carefully and Thoughtfully** Each letter you write should cover one proposal and should reference the bill number in a separate line at the top of the page. Present your opinion logically and base it on facts. Emotional appeals do not influence votes, nor should they. The importance of personally contacting a Legislator on time cannot be overemphasized. An eloquent letter does no good if it arrives after a vote. You may also fax or e-mail a letter or brief note to your Legislator to get your position across quickly.

**Use the Local Media** Schedule meetings with the editorial board and staff of your local newspaper to discuss legislative issues and positions. Schedule sessions on local television and radio shows to discuss the issues and their impact on your municipality.

**Attend NJLM's Mayors' Legislative Day** The League's Mayors' Legislative Day is held early each year. This is an opportunity for municipal officials to visit with key state policy-makers on crucial municipal issues that are being considered by the Legislature and by Executive Branch agencies. 📍



NJLM Director of Government Affairs Michael F. Cerra, and Senior Legislative Analysts Jon Moran and Lori Buckelew talk with Senate President Steve Sweeney.

### Legislative Reporting and Bill Services

The Office of Legislative Services no longer offers mail subscription service of bills in hard copy. The complete text of all bills and laws are available on the New Jersey State Legislature website. Bills and other related information can be viewed and printed. The site is updated daily, therefore, information is timely. The service is free to the public. Visit [njleg.state.nj.us](http://njleg.state.nj.us).

**The League's 2014-2015 Legislative Roster:** \$15 for members and \$25 for non-members. Contains updated information and photographs of the Governor and his cabinet, members of the State legislature, Senate and Assembly Committee. New Jersey's Congressional Delegation and a handy district locator. **Contact:** Shirley Cade at (609) 695-3481 ext 114 email: [scade@njslom.com](mailto:scade@njslom.com)

**Legislative Index of New Jersey, Inc.:** Cumulative record of the action on each bill and resolution along with a brief synopsis of each bill. Service also includes legislative roster and directory. Published monthly during the Session, memoranda provided in between. Available in print only: \$325 per annual session. Session Day Results emailed—\$225. (Results emailed night of each session). On-Line subscriber service is also available. **Contact:** Government News Network/Govnet at 172 W. State Street, P.O. Box 2041, Trenton, NJ 08607; Tel: (800)GOVNET-9; Fax: (609) 393-1990; E-Mail: [chrisjenson@govnet.com](mailto:chrisjenson@govnet.com); Web: [govnet.com](http://govnet.com).

Check the League Home Page: [njslom.org](http://njslom.org) for the latest information on the League's lobbying program.

The League would like to thank all the members of the Legislative Committee. Our advocacy efforts would not be possible without their willingness to share their valuable time and expertise.

William J. Kearns, Jr. Esq., NJLM General Counsel,  
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Paul Anzano, Mayor, Hopewell Borough  
John Armano, Mayor, Berlin Borough  
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Vincent Barrella, Mayor, Point Pleasant Beach Borough  
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Stephanie Bush-Baskette, Esq., Ph.D., Director of Health/  
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Joe Bellina, Business Administrator, Freehold Borough  
Eric Berry, Administrator, Mount Holly Twp.  
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Fred Carr, Administrator, South River Borough  
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Robert Collins, Mayor, Kinnelon Borough  
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Kenneth D'Andrea, Committeeman Evesham Twp.  
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Joseph Delorio, Administrator, Manasquan Borough  
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Matthew Doherty, Mayor, Belmar Borough  
Jon Drill, Board of Adjustment Attorney, Raritan Twp./Clinton Twp./Greenwich Twp.  
Linda DuBois, Committeewoman, Pittsgrove Twp.  
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Gregory Fehrenbach, NJLM, Interlocal Service Coordinator  
Gary E Finger, Ombudsman, Board of Public Utilities  
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Robert Jackson, Mayor, Montclair Twp.  
Verlina Reynolds-Jackson, Councilwoman, Trenton City  
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Glen Jasonowski, Mayor, River Vale Twp.  
Jacquelyn Johnson, Councilwoman, East Orange City  
Barbara Johnson, Executive Director, New Jersey Urban Mayors Association  
Lavonne Johnson, Planning Board Member, Willingboro Twp.  
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Al Napoliello, Councilmember, Randolph Twp.  
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Jill Popko, Deputy Mayor, Bordentown Twp.  
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Jesse Tweedle, Mayor, Pleasantville City, Member, NJLM Executive Board  
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Shaun VanDoren, Mayor, Tewksbury Twp.  
Anthony Vauss, Mayor Irvington Twp.  
Chris Vaz, Administrator, Seaside Heights Borough  
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Bruce E. Walenczyk, Councilmember, Saddle River Borough  
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Suzanne M. Walters, Mayor, Stone Harbor Borough, Immediate Past President, NJLM  
Dwayne D. Warren, Esq., Mayor, City of Orange Twp.  
Matthew Watkins, Manager, West New York  
Cyril Wekilsky, Mayor, Boonton Town  
Millard Wilkinson, Past President, NJLM  
Donna Williams, Council President, Orange City  
Brian Wilton, Mayor, Lake Como Borough  
Kathy Wollert, Councilwoman, Ewing Twp.  
Francis "Mac" Womack, III Mayor, North Brunswick Twp.  
Dr. Joseph Youngblood, II Dean, The John S Watson Institute for Public Policy, Thomas Edison State College  
Dawn Zimmer, Mayor, Hoboken City

### Representatives of:

American Public Works Association—Paul Wnek, President  
Association of Municipal Assessors of New Jersey  
Building Officials Association of New Jersey  
Community Recreation Society of New Jersey  
Government Finance Officers Association of New Jersey  
Governmental Purchasing Association of New Jersey—Fran Shames, Executive Director  
Jersey Access Group  
Municipal Clerks Association of New Jersey—Michele Seigfried, Municipal Clerk, Robbinsville  
Municipal Court Administrators Association of New Jersey  
Municipal Electrical Inspectors Association of New Jersey  
Municipal Welfare Directors Association of New Jersey—Laura Glassman, Welfare Director/Human Services Coordinator, Livingston Twp.  
New Jersey Assoc. of County & City Health Officials—Dave Henry, Health Officer, Monmouth Regional Health Commission  
New Jersey Fire Prevention and Protection Association  
New Jersey Institute of Local Government Attorneys  
New Jersey Municipal Management Association  
New Jersey Planning Officials—Jason Kasler, Executive Director  
New Jersey Society of Municipal Engineers  
New Jersey State Municipal Prosecutors Association  
New Jersey State Plumbing Inspectors Association  
Registrars Association of New Jersey  
Tax Collectors and Treasurers Association of New Jersey—Bonnie Fleming, CFO/Tax Collector, High Bridge

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Senate Republican Leader Tom Kean, Jr.; Senate President Steve Sweeney; NJLM President and Mayor of Piscataway Brian Wahler; NJTV Chief Political Correspondent Michael Aron; Assembly Speaker Vincent Prieto; and Assembly Republican Leader Jon Bramnick served on a panel focused on legislation during the 99th Annual League Conference.

# WE REACH HIGHER WHEN WE WORK TOGETHER



## Towering achievements through collaboration

Local 825 Operating Engineers have been at the controls of high-rise construction from Atlantic City to Jersey City.

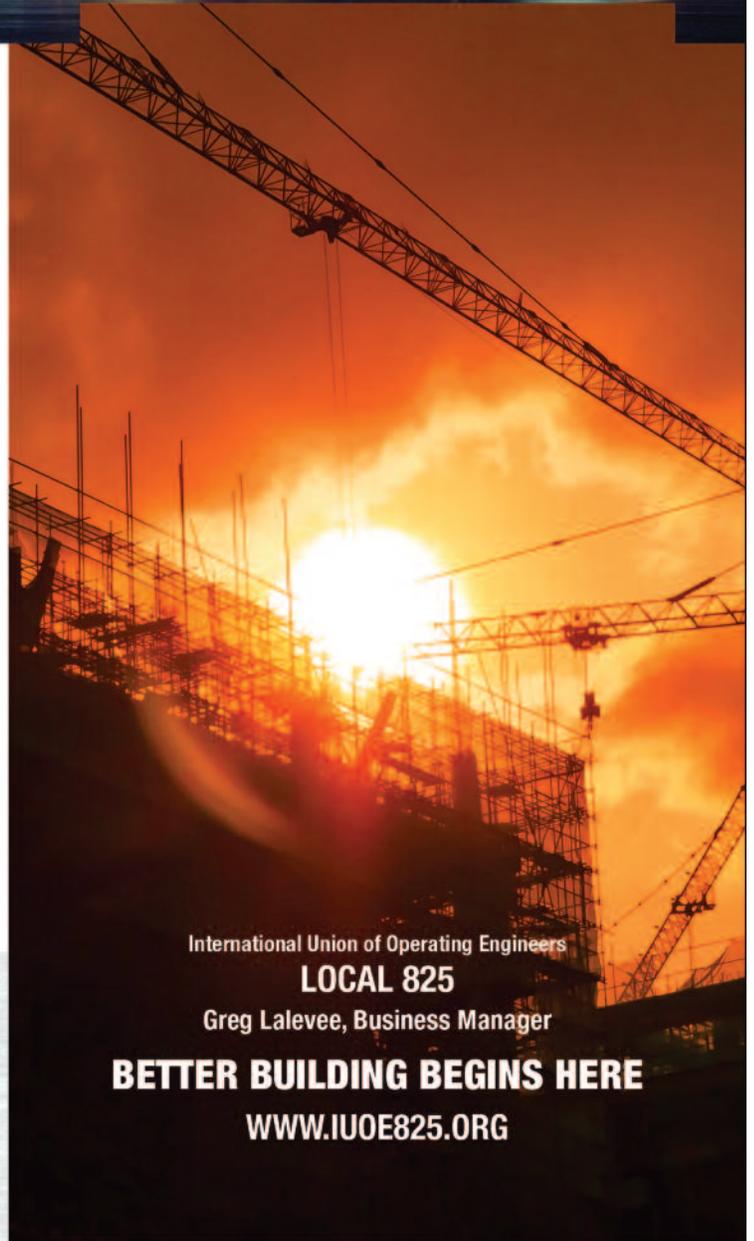
Our operators are the best trained and most experienced on any construction site. Yet it takes even more to raise productivity.

Collaboration is the key to reaching new heights and Local 825 Operating Engineers are trained to rely on construction team members to get big things done safely, on time and on budget.

Collaborating comes easily to us because our 6,500 members are involved in their communities every day of the year – as workers, volunteers, coaches, moms and dads.

We can help lift your productivity ... and your bottom line. Let's reach new heights together.

**Local 825 Operating Engineers work together to build better communities.**



International Union of Operating Engineers

**LOCAL 825**

Greg Lavee, Business Manager

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[WWW.IUOE825.ORG](http://WWW.IUOE825.ORG)



## Combating Wage Theft

By Liz Lempert, Mayor of Princeton

For millions of working poor Americans, making ends meet can be a daily struggle. The unscrupulous crime of wage theft can make matters even worse. Wage theft is when employers do not pay their employees for the work they have been hired to do, when employers pay for some hours but not others, or when they fail to pay overtime. For workers living paycheck to paycheck, falling victim to wage theft can mean the difference between meeting rent and utility payments versus eviction or the loss of gas, water, or electric service.

Wage theft victims tend to be low wage, low-skilled workers, and often are immigrants. Immigrants can be especially vulnerable to wage theft because they are reluctant to report it for fear of losing their jobs, or out of concern for their immigration status. A 2011 survey by researchers at Seton Hall Law School found that 50 percent of day laborers had not been paid properly at least once in the previous year.

Here in Princeton, we found through outreach forums with Latino residents that wage theft was a serious problem in the community that was going largely unreported. In cooperation with local immigration experts and organizations, the municipality has mounted a multi-pronged response, starting with enhanced enforcement and a better reporting process for complaints.

It is essential for police to understand the law regarding wage theft, and to collect the proper information from victims. Princeton's Human Services Department, the Princeton Police Department, and the Latin American Legal Defense Fund (LALDEF), a local non-profit, have collaborated to streamline the process for workers reporting wage theft by developing a standard intake form available in English and Spanish that is now accepted at all these agencies. The intake form identifies requirements for making a wage theft case and details the evidence that is needed for taking action. In addition, Police Chief Nick Sutter organized a special training and invited representatives from the New Jersey Department of Labor and Workforce Development's Wage and Hour Division to educate the entire police force on current wage theft laws and how to properly handle complaints. Representatives from New Labor, a New Jersey-based organization focused on immigrant workers' rights, also made presentations.

In addition to training police officers, it is crucial to educate workers themselves to ensure they are aware of their rights. Wage theft is illegal under both federal and state laws regardless of a worker's immigration status. Elisa Neira, our Human Services Director, along with Craig Garcia of New Labor, and Patrol Officer Jorge Narvaez routinely talk with day laborers outside of a popular bodega in town. These informal conversations have been key to building trust and educating workers on important information to note when taking a job and where to go for help if they aren't paid. Several of the wage theft cases resolved by the municipality this year came from this outreach effort.

**It is essential for police to understand the law regarding wage theft, and to collect the proper information from victims.**

Municipalities can also help to combat wage theft by passing a local ordinance. This summer, the Princeton Council strengthened our stance against wage theft by passing an ordinance regulating landscaper registration. The effort, led by Councilwoman Heather Howard and the Human Services Commission, was modeled on a similar New Brunswick law. Under the ordinance, landscapers registering with the municipality must now sign a document acknowledging state and federal wage theft laws. In addition, the municipality may revoke or suspend the license of any landscaper who is found to have stolen wages. By passing an ordinance, a municipality can send a strong message to employers. Most employers follow the rules and are disadvantaged by the illegal behavior of a few. Educating the employers can prevent wage theft and ensure a fair playing field.

Princeton's efforts are already paying off in addressing wage theft. Our police, working with Ms. Neira, have resolved two cases, each with wage restitution of more than \$1,000. Meanwhile, the Princeton Council is working to expand anti-wage theft provisions to cover other industries that require municipal permits and inspections such as restaurants and construction. Taking a strong stand against wage theft sends a message that the government will protect the rights of all, and can help to make our communities safer, more welcoming, and humane. 🍌

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# Body Cameras Pay Off in Evesham

Officers and the public are happy with the transparency and protection the cameras provide

Randy Brown, Mayor, Evesham Township;  
NJLM Executive Board Member

In August 2013, Christopher Chew was selected as Police Chief of Evesham Township. One of his first goals was to outfit all of our agency's officers with body-worn cameras. Chief Chew made a compelling argument about the importance of employing a high level of transparency in order to ensure the excellent customer service that our taxpayers deserve from our public safety officials.

During the initial stages, Chief Chew and I, along with the members of Township Council immediately recognized that the benefits of the body-worn cameras substantially outweighed the costs of purchasing the equipment.

**Starting the Program** The Chief of Police and his staff conducted a field study of several body camera systems. He returned a report to the Evesham Township Council and me, recommending the purchase of the Taser Axon Camera System with an initial cost of \$55,000 to purchase 51 cameras and the associated software. The department also used \$8,000 of asset forfeiture funds to outfit all members of the patrol division with body-worn cameras.

Chief Chew and I quickly realized the significant impact the body-worn cameras would have on our officers and the community. The benefits are priceless. We've discovered that they are reducing the number of frivolous lawsuits, citizen complaints and have promoted professionalism and accountability among members of the Evesham Police Department.

The Evesham Township Council and I believe that this is one of the most important projects to support our department's efforts in transparency and professionalism.

I authorized the purchase of the cameras with the understanding of a return investment from this cutting-edge technology.

**Strong Public Support** Following an outpouring



Police Chief Christopher Chew shows his body camera to Evesham Township Mayor Randy Brown.

of public support for the initial camera program, I authorized an additional \$38,000 to purchase body cameras for all officers. Now everyone is wearing one, including Chief Chew.

Since the implementation, the police department has downloaded more than 31,000 videos. The results have been impressive. Access to the videos has made it possible to quickly review and exonerate officers who were the subject of six internal affairs demeanor complaints. In a seventh case the department

Since the implementation, the police department has downloaded more than 31,000 videos.

quickly sustaining a complaint and instituting the appropriate discipline.

Consequently, the Evesham Township Police Department, Evesham Township Council and I have fielded dozens of requests from across the nation on how Evesham Township is ahead of the curve through the application of body cameras.

As Mayor of Evesham Township, I am so proud of our men and women of the Evesham Township Police Department! In addition to our new body camera program, our department achieved CALEA certification again in 2014. They have just been named in the top 1 percent of all police departments nationwide!

Evesham Township continues to be a trail blazer in New Jersey in unprecedented ways.

As Mayor of Evesham Township, I made a pact with our residents that I would do everything in my power to make Evesham the greatest and safest community to live, work and play.

This cutting edge initiative helps move Evesham Township closer to this goal. Evesham Township offers a well-rounded community, filled with beautiful

homes, safe neighborhoods, top-notch shopping and a bright future. More than 90,000 people are within Evesham's borders on a daily basis to work, visit, shop and use of our healthcare facilities.

On multiple occasions, Chief Chew has relayed the message that visitors come to Evesham Township because they feel safe here, whether they are din-

ing out, shopping or at work. This isn't a coincidence; this is the payoff of hard work, diligence and smart policing.

Evesham Township is ahead of the curve, making waves, national news with the gold standard of an elite police department.

I am proud to be the leader of this great town.

I am proud to work with such a fearless

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# Bringing Businesses to New Jersey

By working together, we can welcome new businesses and eliminate barriers to job growth

Kim Guadagno, Lt. Governor



Lt. Governor Kim Guadagno addresses the League Luncheon at the 99th Annual League of Municipalities Conference in Atlantic City on November 20.

*This article is based on remarks made by Lt. Governor Kim Guadagno at the League of Municipalities' Annual Conference on November 20, 2014.*

Some say we are no longer able to partner or accomplish anything meaningful. Some say that, because we represent different parties or hold clashing philosophies, our goal is hopeless. But I say that we have at least one common goal: to make this great state—and the lives of its people—even better.

Five years ago, the Governor asked me to stop the flight of private sector jobs out of New Jersey. In that year alone, we had lost 117,000. The decade before, so many people fled New Jersey that we lost a congressional district. We had nowhere to go but up.

**Facing a challenge** When we were elected, we could not envision navigating a Superstorm, or know that the only East Coast gambling resort would face competition from every state—culminating in massive layoffs. But with each test, we pulled together for the sake of our communities.

The only way to address the challenges we recognize today, and those of tomorrow, is by working together, bolstering one another with our shared strength, collective wisdom, and partnership.

What do we know about the New Jersey of tomorrow? We know we borrowed too much for too long to get there without

hardship. We are in danger of not delivering on essential promises we made to our children.

The blame goes back too far; it no longer matters which of the many “last” decision makers brought us here. The point is that we are at a crossroads. Instead of finger pointing, we must do better. It’s easy enough to say, but how we do make it happen?

**Partnering with business** Government is just one part of the equation—the solution is a partnership with the business community, which can create jobs here or move jobs away. This is why I have dedicated the last five years to listening to, encouraging and incentivizing the business community. Companies move where the numbers make sense and where they feel welcome.

Bayer HealthCare was in Wayne and New York and had to “right size.” Today, they are in what was an empty campus in Hanover because of true partnership with every level of gov-



NJ GMIS will hold its sixth annual government Technology Education Conference on March 25, 2015. This one-day event is a “must attend” for anyone responsible for the use of technology in the public sector. If you are a CIO, help desk technician, web master or K-12 tech supervisor you won’t want to miss this event. The conference covers topics of interest for all technology professionals in the public sector, including: In-depth technical sessions, management issues, IT specialties & applications, web, social media and communications, K-12 education and more.

Our Keynote speaker will be Thornton May, a futurist, educator and author. His extensive experience researching and consulting on the role and behaviors of “C” level executives in creating value with information technology has won him an unquestioned place on the short list of serious thinkers on this topic. Thornton combines a scholar’s patience for empirical research, a stand-up comic’s capacity for pattern recognition and a second-to-none gift for storytelling to address the information technology management problems facing executives. The editors at eWeek honored Thornton, including him on their list of Top 100 Most Influential People in IT. The editors at Fast Company labeled him “one of the top 50 brains in business”.



Last year’s event saw over 150 attendees, 14 educational forums and 42 vendors. providing many networking opportunities. This year, we are applying for four contact-hours of IT CEUs issued by the Division of Local Government Services!

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

**To register and for more information visit:**  
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Email: [Conference@njgmis.org](mailto:Conference@njgmis.org)

## Bringing Businesses to NJ

ernment. First, the numbers worked. Then, all the town leaders partnered with Bayer on almost a weekly basis to ensure that construction was on time and on budget. The move saved 1,000 jobs and created 500 new ones.

Bayer is a gift that keeps on giving because we were able to present the Bayer story to Ferring International, a private pharmaceutical company looking for a foothold in the United States. That company, without incentives, breathed new life into an empty Parsippany building with a new development facility and manufacturing plant with space for 1,000 new jobs.

These are just two examples of the hundreds of companies we have won over, which led to approximately 150,000 new private sector jobs and the retention of thousands more.

**Increased competitiveness** I've worked to convince the business community to deliver its best jobs to the brightest, hardest working men and women in the nation, right here in New Jersey. We cut red tape, streamlined government and are making New Jersey competitive again. We may not win every fight for jobs, but we want to be in every fight.

We can't do it alone. It is our job to commit to becoming fiscally prudent so the numbers make sense to businesses and they keep jobs here. It is our job to build resilient communities by making companies feel welcome. It is our job to continuously examine where we came from, where we must go, and how to set our state on the right path so businesses are attracted here.

We must act together to confront problems, find solutions and implement them. Without a partnership with business, without an environment that welcomes businesses—and the jobs that follow—we fail our communities.

That is the job elected officials are expected to do. We have no right to ask voters for their confidence again if we fail now.

**Your role** I know most of you have listened to me give out my cell phone number. It is one simple way of showing that we are serious about creating opportunities for New Jersey and an environment for business. I ask those who work with businesses in your towns to join this mission. You often know first which businesses need help, which might expand, or which are facing regulatory hurdles. We count on that intelligence to keep companies here.

I don't need to tell you what happens when a company closes. It's not just the loss of jobs. The people who work at those jobs are our coaches, volunteer first responders, Sunday school teachers, or PTA members. They are the very fabric of our communities.

Growing up, I moved more than 20 times. Some of those moves were because

my dad was looking for a better future for his family, other times we moved because he lost his job. No one needs to tell me what a plant closing means to a family. It is often humiliating to the adults and devastating to the children.

You are the boots on the ground. I know it—I spent 19 years on my planning and zoning board and two years as the commissioner in charge of public works for Monmouth Beach. You feel the loss when a storefront is shuttered. You and I must work together to prevent the pain and loss of a business that shuts its doors.

Without an environment  
that welcomes  
businesses—and the  
jobs that follow—we fail  
our communities.

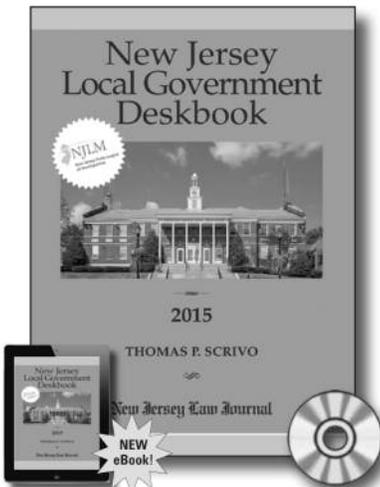
There's no rest when so much is at stake, when so much remains undone. Working together to create and keep jobs here is the service the public is entitled to and expects.

We in Trenton must make it easier for you to do what's best for your communities. You must find ways to consolidate and work together, share services and reinvest the savings.

**Breaking down the barriers** Lower the cost and barriers for companies to grow and, together, we will retain and attract jobs to keep families here. We are cutting through red tape, eliminating duplication of services, and bringing best practices to government. Now let's work together to attract good quality jobs.

We have built momentum, but we can do better and do it faster. To the mayors who have already used the phone: thank you. Thank you to all those towns who work hard to keep property taxes down, to eliminate barriers for companies to grow. To those who hear of a business in trouble or an expiring lease: call me. You know I answer. We've had 99 years of a great partnership. Let's look to another 99 for the sake of our children. ♣

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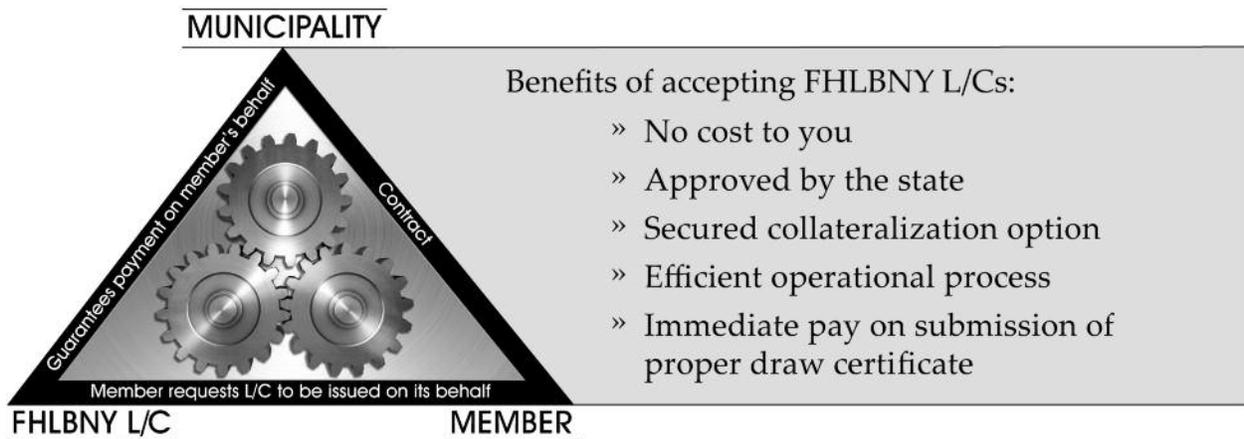
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# 100 years OF LOCAL GOVERNMENT COOPERATION

## NJLM Speaks for Local Governments in Trenton

By Suzanne Walters, Chair,  
NJLM 100th Anniversary Committee

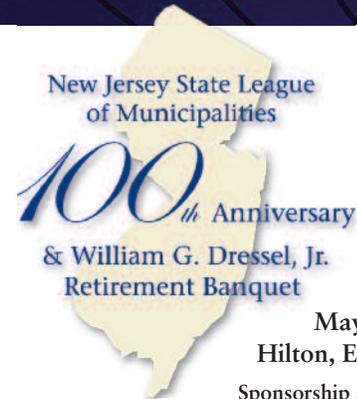
In the early 1900s New Jersey municipalities were left alone to advocate for themselves. Only occasionally would they work together when faced with the same problem to fight for a common cause. Often the coordination was haphazard and the results were equally uncertain.

This began to change when a group of mayors joined forces in 1911 to advocate for lower gas prices. Buoyed by their success, they chose to follow in the footsteps of other states to form an organized alliance—the New Jersey State League of Municipalities.

Over the next 100 years, the League's influence over laws effecting municipalities has grown exponentially. The League has continually fought for legislative measures that assist the state's local governments in maintaining their budgets, providing services and meeting with state mandates.



2014 League President, Suzanne Walters, Mayor, Stone Harbor, and League Senior Legislative Analyst Jon Moran address the Assembly Budget Committee on property tax relief priorities.



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League Executive Director Bill Dressel, Director of Government Services Michael Cerra, Senior Legislative Analysts Lori Buckelew and Jon Moran pose on the State House steps.

Case in point, in June 2014 the League was instrumental in reinstating the 2 percent cap on interest arbitration awards (A-3424). This law is part of a toolkit developed to provide much needed relief to local taxpayers. Extending this cap created a means to comply with the 2 percent levy cap implemented by Governor Chris Christie, and is particularly important because, in general, public safety represents the largest part of a municipal budget.

To make this success happen, the League worked closely with the Governor's office, Senate President and Speaker of the

General Assembly. The League also held multiple press conferences in cooperation with legislative leaders. NJLM also partnered with the New Jersey Association of Counties.

**NJLM's 2015 Legislative Guide can help you to make a difference in the League's lobbying effort.**

This legislative victory is just one of many that have improved life in New Jersey, for locally elected officials and the citizens they serve. The League has been instrumental in bringing local perspectives to those elected to the state Legislature. Measures such as State-Mandate, State Pay and the Municipal Land Use Law would not have been achieved without the united voice of local officials as represented by the League.

This issue has a special focus on advocacy. It is a long standing role of the

league that cannot be neglected. Each session brings legislation that has the potential to make your job of governing your municipality easier—or more difficult. Please read our Legislative Guide (p.14) to see how you can make a difference in this important, and historic, effort. 📌

@ Visit [njslom.org/100years](http://njslom.org/100years) for information on NJLM's history and upcoming events. Follow the celebration using #njlm100 on Facebook and Twitter.

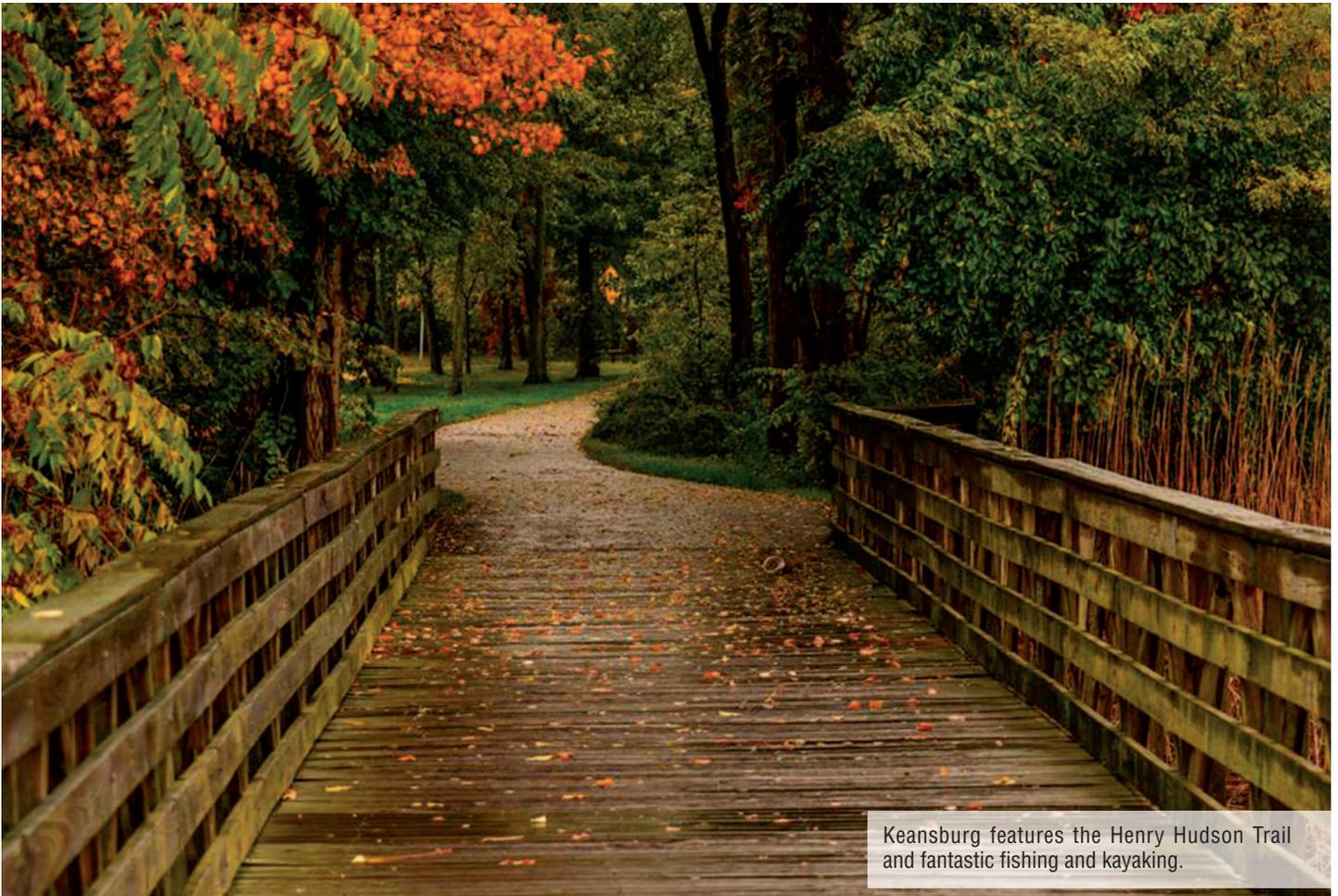


Then-League President Suzanne Walters greets Governor Chris Christie following the signing of legislation that reinstated the 2 percent cap on interest arbitration awards.

# Moving in the Right Direction

Keansburg sets out to realize its potential through a combination of promotion and planning

By Thomas Foley, Mayor, Keansburg



Keansburg features the Henry Hudson Trail and fantastic fishing and kayaking.

**M**y sons and I recently watched the movie *Cars*. The animated film takes place in Radiator Springs, a fictional town longing for the heydays before a new highway diverted traffic away from the town's main thoroughfare.

The Borough of Keansburg, where I have been Mayor since July 2014, reminds me a bit of Radiator Springs. On the coastline of the Raritan Bay, Keansburg started out as a resort town in 1917. I was born and raised here, and my family dates back to near the time Keansburg was founded. My great grandfather built the house in which I live, and my mother's family is from here, too. My father and grandfather talked about how the town used to be a bustling place, a hot spot for vacationers into the 1960s.

Sadly, two things have changed since then. First, in the '60s a storm destroyed the pier that docked ferries and used to house steamships. Second, and most impactful, was the completion of the Garden State Parkway that took traffic further south of the town.

**Polish and Promotion** Despite the decline in tourism, Keansburg still has many attractions and a great quality of life. With a little polish and promotion, the town's leadership is working to bring back the town's popularity. Our campaign



In the future, we envision a year-round beach-area entertainment district, where music venues and restaurants will be prominent.

will seek to highlight our recreational and community assets and correct any outdated misconceptions.

Keansburg is quiet, unique, historical and affordable—just what many potential residents are looking for.

**Amenities** Our town features the Henry Hudson Trail and fantastic fishing and kayaking. There’s also a free beach (one of the first you can reach from northern New Jersey), as well as an amusement park and water park. The short distance to New York City—less than an hour by ferry or train—is also appealing. But the clincher is the incredible view of the New York City skyline from our coastline.

In the future, we envision a year-round beach-area entertainment district, where music venues and restaurants will be prominent. Further we plan to develop a business district that will address everyday needs by including basic businesses, such as a pharmacy, banks, delis and a bakery.

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**Rebranding** To help move Keansburg forward, the borough recently hired a public relations and marketing firm to rebrand and promote our town. We've also approved a new logo that depicts the relaxed, inviting mood here.

With a little polish and promotion, the town's leadership is working to bring back the town's popularity.

Our business association recently started up again. To show off our town, we are holding more community events. I'm happy to say our new Zombies vs. Super Heroes walk, held the day after Halloween, received rave reviews on

Facebook. We're looking forward to an even larger turnout next year. We are also in the beginning stages of starting an annual Christmas festival.

**Open for Business** The Borough Council and I are also getting the word out that Keansburg is "open for new business." A Mexican restaurant, Chilango's, has moved into town with plans to open in 2015. In addition, we have driven several developers around town. Borough Council is also providing five year tax abatements and/or exemptions for the construction of commercial or industrial structures.

After Superstorm Sandy, the borough pursued grants to help revitalize Keansburg. We received a \$1.1 million Stronger NJ Neighborhood and Community Revitalization Streetscape Revitalization grant from the New Jersey Economic Develop-



ment Authority. A portion of the grant, totaling \$450,000, will be used to revitalize the Main Street and Carr Avenue commercial districts.

**Flood Insurance Discount** In addition, to encourage businesses and help our residents, a 15 percent discount on flood insurance is being offered via a Community Rating System (CRS)—another program that our Council pursued. After Sandy, more than 50 homes have been rebuilt with very little cost to the homeowners. When we finish, the town will look very different. Some neighborhoods have been transformed dramatically and look like new developments.

However, Council and I would like to see more than tourists come to the area. We would also like to see more families and empty-nesters move to town. Our expanding school system is eager to fill their classrooms with new children. We just broke ground on a 122,000-square-foot elementary school which will house 750 students in kindergarten through fourth grades. It is slated to open in September 2016.

In September, we unveiled three new tennis courts at Collins Field at the corner of Wood Street and Wood Avenue. The Keansburg Titans tennis team was thrilled to have courts they could call home.

I often think you have to live here to truly understand what makes this town special. This is a tightly knit community that takes great pride in its borough. You know the people who live next to you. Residents help each other out. If something needs fixed, we'll roll up our sleeves and fix it ourselves—or find the resources to get the job done.

Keansburg is moving in the right direction—we invite you to visit and experi-



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# Taking It to Talk Radio

An internet radio show helps busy citizens connect with their mayor

By John Ducey, Mayor, Brick



There is no greater resource available to elected officials than the residents we serve. It is important for all elected officials to make every effort to use that resource. We must ensure that the needs of those who elected us are being considered and met to the best of our ability.

In Brick Township, I have made it a priority to be accessible to the public. With over 75,000 residents in our community year-round, there is no shortage of people who are looking to share their thoughts about our community. Since I took office in January, I have held regular Mayor's In and Mayor's Out Nights to meet with the public. These events are held in municipal offices as well as locations in the community and are open to all. Council members, township officials and myself are on hand for a period of time to meet with whoever attends.

In an effort to reach even more people, I recently started an online talk show called Talking Brick with Mayor John Ducey. The show is run through BlogTalkRadio.com, a site that allows anyone to host live shows and podcasts using nothing more than a phone and a computer with access to the internet. One of the most exciting features of the show is that residents can call in and talk with us live. There is also a chat feature on the show's page where people can participate and ask questions. Talking Brick is another way for us to hear directly from the citizens and engage in two-way communication.

Producing the show is relatively simple. As host, I call a specific phone number a few minutes before airtime. The system

provides audio prompts that count down to air time and the show goes live. Anyone can listen to the show over the Internet. The system provides prompts as the end of the show draws near. It's that simple.

We have already upgraded to a premium level of service for about \$40 a month, which will allow us to produce longer shows more frequently and allow us to use microphones instead of telephones. It also provides us the ability to screen phone calls, which is important. If you are going to consider starting a live show with callers, you should consider upgrading so you can screen the calls. We are exploring the option of finding sponsors to offset the cost of the show.

So far we have produced three shows. We plan on having a live show every other week in the future. We also plan on using this resource during emergencies such as severe weather events to communicate with residents. We will do most promotion of the show on the township website and on Brick Township's Facebook Page, which has over 16,200 likes. I am confident that Talking Brick is going to be embraced by the citizens of Brick and become an integral part of the relationship between the Mayor's Office and the residents of our community. ♣

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# WASHINGTON



## We Have To Do Better

By Bill Pascrell, Jr., Congressman, Ninth District

**A**s Americans all across the country rang in the New Year, they did so with a newfound sense of hope about the future. After the Great Recession and years of economic pain that followed, for the first time since 2008, more Americans feel optimistic about the direction our economy is moving.

This optimism is not unfounded. In the last quarter, the economy grew at a blistering 5 percent annual rate. Unemployment is the lowest it's been since 2007. Gas prices have fallen from \$3.33 one year ago to a national average of \$2.23 today, and hourly wages have begun to rise.

New Jerseyans, however, will not be surprised to learn that while the country's economy as a whole appears to be headed for liftoff; our state is stuck on the launch pad.

There are still over 130,000 fewer jobs in New Jersey today than when the recession began in 2007. The country as a whole and our neighboring state of New York have recovered all of the jobs they lost and then some. Our unemployment rate is nearly a full point higher than the national average. We've got the second highest long-term unemployment rate in the nation, and the second highest foreclosure rate. Forty percent of young adults in New Jersey can't afford to move out of their parents' homes.

Our state's credit rating has been downgraded a record eight times, and is now one of the lowest the country. We've cut \$2.4 billion in pension payments to balance our budget over the past four years. Meanwhile, our pension fund has paid nearly \$1 billion in fees to Wall Street money managers who have delivered below average returns, shortchanging the system by nearly \$5.8 billion dollars in unrealized gains.

Hurricane Sandy devastated our state over two years ago, and we've expended barely over 50 percent of the federal community development block grant relief funding that I fought for along with my colleagues, to help us rebuild.

Our aging infrastructure continues to be a concern for long-term economic growth. The cancellation of the ARC tunnel, which had all its financing in place and would have been completed in the next three years, cost New Jersey \$3 billion in federal infrastructure funding. The delayed construction of this

vital infrastructure looks incredibly shortsighted in the wake of Hurricane Sandy's damage to the existing tunnels. A new tunnel project could end up costing the state up to \$6.2 billion and will not be completed for ten years.

New Jerseyans face the worst tax burden in the entire country. And, to add insult to injury, New Jersey taxpayers have written checks for more than \$4 billion in corporate tax breaks over the past decade—that's nearly \$48,000 for every job these companies are supposed to create—while the average taxpayer only sees their property taxes go up and up.

To put it simply, New Jersey's economic recovery has been a failure. If we do not change our present course we are at risk of being left behind. We have to do better.

**While the country's economy as a whole appears to be headed for liftoff, our state is stuck on the launch pad.**

At the federal level, with the start of the 114th Congress, I'm going to continue to fight on behalf of policies to help New Jersey's recovery. We need a long-term financing solution for federal transportation and infrastructure projects, especially mass transit, that disproportionately benefit our region. As New Jersey's only representative on the Ways and Means Committee, I'll continue to push for middle-class tax relief and broad based tax reform that can grow our economy, and fight attempts to raise taxes on New Jerseyans.

What we cannot do, not in our state or in the country as a whole, is get bogged down in the petty politics of division and brinksmanship. We need to work together to build on the momentum that we are seeing in the economy, and not be our own worst enemies. In New Jersey, we need to learn from the mistakes of the past and change course.

It's been a long, tough road over the last several years. Americans and New Jerseyans are rightfully frustrated that it's taken so long for us to get back on our feet. Now is the time for us to harness the progress we have made so far and continue to move forward. 🚀

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# End Expensive Sick Pay Buyouts for Municipal Governments

By Jon Bramnick, Assembly Republican Leader

**F**ive years ago, we turned a new page to help contain soaring property taxes and government spending. The 2 percent property tax levy cap and arbitration reform are examples of legislators working together to control costs.

One challenge we still face is the practice of giving six-figure payouts to retiring public employees for unused sick and vacation time. This payout is costly for municipalities and has serious financial consequences for New Jersey. As of 2013, taxpayers are obligated to pay more than \$865 million for these entitlements.

Municipalities must keep a close watch on expenditures to ensure taxpayers are paying for only necessary items and services. Paying retiring employees for unused sick days is unaffordable and irresponsible government. The costs of this benefit have become so burdensome that bonding is now a common way for local government to fund these payouts.

These payments can devastate a municipality—and they do. In 2011, eight cities either issued bonds or laid off employees to cover this cost. Taxpayers paid more than \$39 million to over 700 employees. This experience is not limited to one part of the state, but affects towns in every county.

Sick pay is intended for employees who are too ill to go to work, not as a basis for a bonus payment when they retire. The private sector does not provide this benefit, and neither should the government.

Governor Christie spoke for taxpayers across the state when he said these payments should be eliminated entirely because “sick leave is to be used when you are sick, not as a supplemental retirement fund.”

Unfortunately, the Legislature has not moved bills that would end this practice.

Currently, 20 Assembly Republicans sponsor a measure that eliminates the payment for unused sick leave. An employee

would only receive sick pay when they are too ill to come to work.

*As we begin 2015, the Legislature must focus its efforts on policies that improve the lives of New Jerseyans. We must do more than talk about solving the problem of paying for unused sick days.*

We have previously sponsored an identical bill, but the measure never received a hearing.

As we begin 2015, the Legislature must focus its efforts on policies that improve the lives of New Jerseyans. We must do more than talk about solving the problem of paying for unused sick days.

We need to act.

Unused sick leave payouts contribute to New Jersey’s infamous tax burden. This entitlement is one example of what makes New Jersey unaffordable for so many people.

Passing legislation that eliminates this practice must be a priority to restore fiscal sanity for taxpayers. 🗳️

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Assembly Republican Leader Jon Bramnick represents the 21st Legislative District.

# Modernizing the Gas Tax Makes Sense

By Vincent Prieto, Assembly Speaker

**A**s I am sure you have read over the past few months, our state is facing a serious transportation funding crisis that threatens our economy and quality of life. The Transportation Trust Fund is nearly broke, with practically all of its revenue going to pay off debt on old projects, rather than towards new road construction and rehabilitation where it belongs.

Meanwhile our transportation infrastructure is crumbling, with over two-thirds of our roads considered to be in poor or mediocre condition by the American Society of Civil Engineers. This situation is placing a crushing burden on drivers. The average New Jersey motorist faces an annual repair cost of about \$600 due entirely to poor road conditions. It is a dire predicament for our state, and that is why I have been speaking out about it since my term as Assembly Speaker began. It's also why I directed the Assembly Transportation Committee to hold hearings dedicated to finding solutions to the problem. We are not all the way there yet, but progress toward a bipartisan solution is being made right now.

The question of how to increase revenue into the Transportation Trust Fund is complicated not only by economic realities, but by political considerations. No elected official wants to raise taxes, especially with our residents already paying some of the highest property taxes in the nation. But most people agree that something needs to be done and it is difficult to see that happening without modernizing our state's gas tax, which at 14.5 cents per gallon is the second lowest in the nation. That number is dramatically lower than our neighboring states. This means that the future of our state's economy rests on our ability to inform the public about the need for TTF revenue and the consequences of not acting. These costs go beyond dilapidated roads to include a continued reliance on over-borrowing and the higher lending costs that go with it. Continued underfunding will also lead to higher repair costs for roads that are increasingly unsafe. There needs to be a campaign to bring weary taxpayers around to the truth that paying a little more now will save a whole lot later. Communicating this will require the cooperation of local leaders, such as yourself.

Beyond the need to fix our roads and create jobs, there is a significant reason why local officials should support a higher gas tax—increased municipal aid for road repair projects,

which will result in direct property tax relief. Many different figures have been deliberated already on the gas tax and other potential revenue raisers, but whichever solution eventually moves through the legislature should double the annual municipal aid for road repairs from \$190 to \$380 million. That is a goal that I have laid out since day one of this discussion and it is one that I intend to stick to.

**Now is the time for bold action that will put our state on the road to a stable transportation funding system.**

As a local Construction Code Official, I believe that I have a unique understanding of the budgetary pressures facing municipalities. Between the two percent cap, rising costs like health care and salaries, stagnant tax bases and other pressing issues, it is very difficult to budget responsibly and protect essential services. As Assembly Speaker, I always ask myself whether the legislation I am considering will have a positive effect on municipalities. I'm convinced that an increase in direct state aid and the less immediate benefits that come with it—such as attracting businesses with a robust transportation infrastructure—make modernizing the gas tax a winner for local government.

I hope that we can count on the support of local leaders in the coming campaign for our state's transportation and economic future. The stakes are high and will require support from multiple stakeholders, including the business community, labor unions, commuters and local elected officials who have their fingertips on the pulse of the communities they work hard every day to improve. The time for kicking the can down the road is over. Now is the time for bold action that will put our state on the road to a stable transportation funding system. 🍷

# Building Consensus for Large-Scale Redevelopment

How a magical night out changed attitudes toward a massive redevelopment project in Holmdel

By Ralph Zucker, President, Somerset Development



A view from Bell Works' second floor office space overlooking a section of the new public esplanade.

**I**n 2008, I found myself in a position familiar to nearly every developer and public official in New Jersey.

I had a big idea—one that I thought could truly transform a town for the better. It would create new cultural opportunities, commerce, housing and ratables in a sorely underused location. By any logical evaluation, I thought, our project would be a boon for the surrounding area and an exciting addition for its residents.

As I would soon find out, not all of the residents and elected officials agreed. In fact, our proposed plan for a complete repurposing of the quarter-mile-long, two million-square-foot

former Bell Labs property in Holmdel was met with more than just a smidge of skepticism—to some, it was an outrage.

**The Site** By way of background, world-renowned architect Eero Saarinen designed the former Bell Labs complex in the late 1950s for the research division of Bell Laboratories, later known as AT&T, Lucent, and ultimately Alcatel-Lucent. Within its walls, researchers made a number of monumental discoveries, not the least of which included the development of cell phone and fiber optic technology.



A photo of the Bell Works' lobby under construction.

Despite its incredible history, inspired architecture and flexible design, the property was encumbered by a lackluster office market and restrictive zoning that limited use to a single tenant. Talk of the potential demolition of such an iconic structure after Alcatel-Lucent

vacated the building sparked an outcry from historians and researchers around the globe.

**The Plan** Our plans would ultimately seek to preserve the building with an adaptive reuse redevelopment plan. Within the building, we saw a pedestrian-

## Large-Scale Redevelopment

friendly public “promenade” created from the complex’s existing Atrium, and the incorporation of a balanced mix of uses to potentially include supportive retail and shopping and dining options; health and wellness uses, a hotel and conference center; educational facilities, an upscale spa and public facilities. Outside the building, we worked to achieve zoning to allow for the development of new residences and sports facilities. Much like a vibrant downtown, we envisioned providing tenants and residents with a great place that affords access to an abundance of services and amenities, all in a single dense and walkable locale.

Holmdel, like many rural communities throughout New Jersey, does not have a downtown district. So surely residents and their governing body would see the opportunity before them in successfully repositioning the former Bell Labs property.

**The Questions** But, as is the case with most large-scale development, the plans



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## Large-Scale Redevelopment

initially stirred concern from the public. What would this mean for our taxes? How is this going to impact traffic? Would this affect our schools?

Similarly, elected officials, largely anticipating a public outcry, had their own legitimate set of questions. How will this affect the daily lives of our residents? What resources can we responsibly allocate? Is this project even feasible?

At every turn, the sights, sounds and smells of what could be tantalized our guests.

I soon realized that, no matter how confident I was in the success of the project, nothing could be accomplished without purposeful collaboration among all of the community stakeholders. Our approach, though not a revolutionary one, proved to be effective: Listen.

**Sharing the Vision** With a redevelopment project of this magnitude, the goal is not simply to convince the local plan-

ning board that the plan is good for the town. Instead, our aim was to engage an entire community to embrace an ambitious redevelopment vision for which no real precedent existed.

Recognizing that local officials' primary responsibility is to their constituents, we realized that there was a mutual need to prove to the public the merit of our project. Rather than ignore public concern, we ran toward it.

We held two public forums to solicit suggestions from residents, each of which attracted nearly 400 residents. We also established a website with a contact form for residents to submit questions, comments, concerns and ideas, and responded to and considered every single email we received.

**The Open House** These initial steps quickly illuminated the need to endear the building and its vast potential to the community, and led to our decision to host an "open house" of sorts, during which we welcomed more than 1,500 local residents and business owners to the massive complex to experience a town center in the building for one night.

That night, residents got a glimpse of what could become of the former Bell

Labs site, with mock storefronts and pop-up vendors flanking the atrium. At every turn, the sights, sounds and smells of what could be tantalized our guests. Renderings were projected onto the walls, one of them portraying the lobby of the new hotel. Nearby, a video loop of pizza bubbling in the oven played just steps away from a Cold Stone creamery stand serving frozen treats.

**The Turning Point** In retrospect, that evening was the turning point. We had reached out to the community, rather than hiding from them, and in the process we developed credibility and successfully demonstrated the unique opportunity we all had to build something truly great, together. It was after that night that we entered into meaningful conversations with the mayor, council and board leaders to absorb their collective concerns.

We forged a lasting relationship over years of meticulous planning, land use approvals and revisions. We helped to allay concerns about zoning conflicts while espousing our vision to breathe life into a once doomed property. After building the relationship from the ground up, both the development company and local government took a leap of faith to move forward with the project, with the ultimate goal of providing an exciting, innovative and useful addition to Holmdel.

Today, renovations are well underway on one of the largest adaptive reuse projects in the history of New Jersey, with nearly full support from the local administration and the town's residents. Thanks in large part to a proactive communications strategy in conjunction with local leaders, Holmdel's revolutionary new town center is only a few years away from becoming a reality.

Though this project is especially near and dear to me, the challenges that we faced are not unique. Controversy and distrust have continued to follow development at every turn, regardless of a project's merit. It's time to reverse that trend. Each stakeholder in the community must talk—and listen—to one another when considering a development that will affect the lives of residents. 🍷

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# GOLD DOME

## For Christie, New Jersey is a Microcosm for America

By Ben Dworkin, Assistant Professor of Political Science (Adjunct); Director of the Rebovich Institute for NJ Politics at Rider University

**G**overnor Chris Christie wants to run for president. This isn't exactly surprising. He's been a national figure since he arrived in Trenton.

His unique personality is part of why he remains a leading candidate for the Republican nomination, despite a crowded field of very talented, likely opponents. Indeed, in many ways, he's like the Beatles when they first came to America: he doesn't look like, or sound like, anyone else out there.

National Democrats, such as former Pennsylvania Governor Ed Rendell and MSNBC's Rachel Maddow, and state legislators such as Assemblyman John Wisniewski and Senator Loretta Weinberg, who head the special "Bridgegate" investigatory panel, might have thought the scandal would torpedo Christie's national ambitions. But if anything, it has strengthened the Governor among the party faithful, who now view him as the besieged target of partisan attacks.

However, playing the victim is not the key to Christie winning the presidency.

The winning strategy for Christie in 2016 rests on two pillars. First, the GOP has to avoid eliminating good candidates because they don't adhere to litmus tests imposed by the party, or one of the powerful interest groups that make up the Republican coalition. In 2013, Christie spoke before the Republican National Committee and described the obsession with litmus tests as a recipe for failure. "I'm in this business to win," he said. "For [Republican] ideas to matter, we have to win because if we don't win, we don't govern. And if we don't govern, all we do is shout into the wind."

Despite the GOP's huge gains in the midterm elections of 2014, the party faces very different challenges in presidential years—when unmarried women, African-Americans, Hispanics and younger voters all come out in greater numbers.

As the Republican Party's internal review concluded, a winning GOP presidential candidate has to reduce Democratic advantages among these key demographic groups. Failure to do so would isolate the party and force its nominee to fight an uphill battle for years to come.

Christie's second pillar and his key selling point to Republican primary voters is that he's already won these voters in New Jersey. In 2013, he did it so well that he took 60 percent of the vote in a very blue state—the first GOP candidate to do so since 1988.

The Governor's appeal is even more impressive once you break it down.

- Running against state Senator Barbara Buono, Christie won the female demographic by 15 percent. Romney lost women by 10 percent.
- Romney lost young voters by 20 percent in 2012. Christie lost those same voters by only 2 percent.

### Just because Christie ran up great numbers again Buono, can he do the same against Hillary Clinton?

- African Americans favored President Obama by a 93 to 7 percent margin, similar to other recent Democratic presidential candidates. In New Jersey, the Governor won with 21 percent of the African American vote. The ability to triple GOP support among this community shocked many political observers.
- Finally, among Hispanics, the nation's fastest growing ethnic group, Romney lost by 42 percent. The Governor won the Hispanic vote a year later by 6 percent.

Christie will use these numbers to support his claim that he is the Republican best positioned to win in 2016. He'll say his sweeping re-election victory is a template for success in a diverse electorate.

The question many are asking is how analogous is the New Jersey election of 2013 to the national one in 2016? Just because Christie ran up great numbers again Buono, can he do the same against Hillary Clinton? Unlike Buono, Clinton will have the full support of her party, plenty of money, and widespread name recognition.

Then again, Christie's currently the only Republican hopeful to have demonstrated the kind of broad-based appeal that will be necessary to win a presidential contest.

Part of the joy of being from New Jersey is having the pride to insist we are different than the rest of the country. In political terms, Chris Christie is doing the opposite. He's counting on New Jersey being a true microcosm of the United States. If he's right, he may well get elected President. 🍻

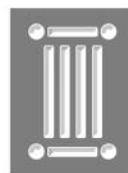
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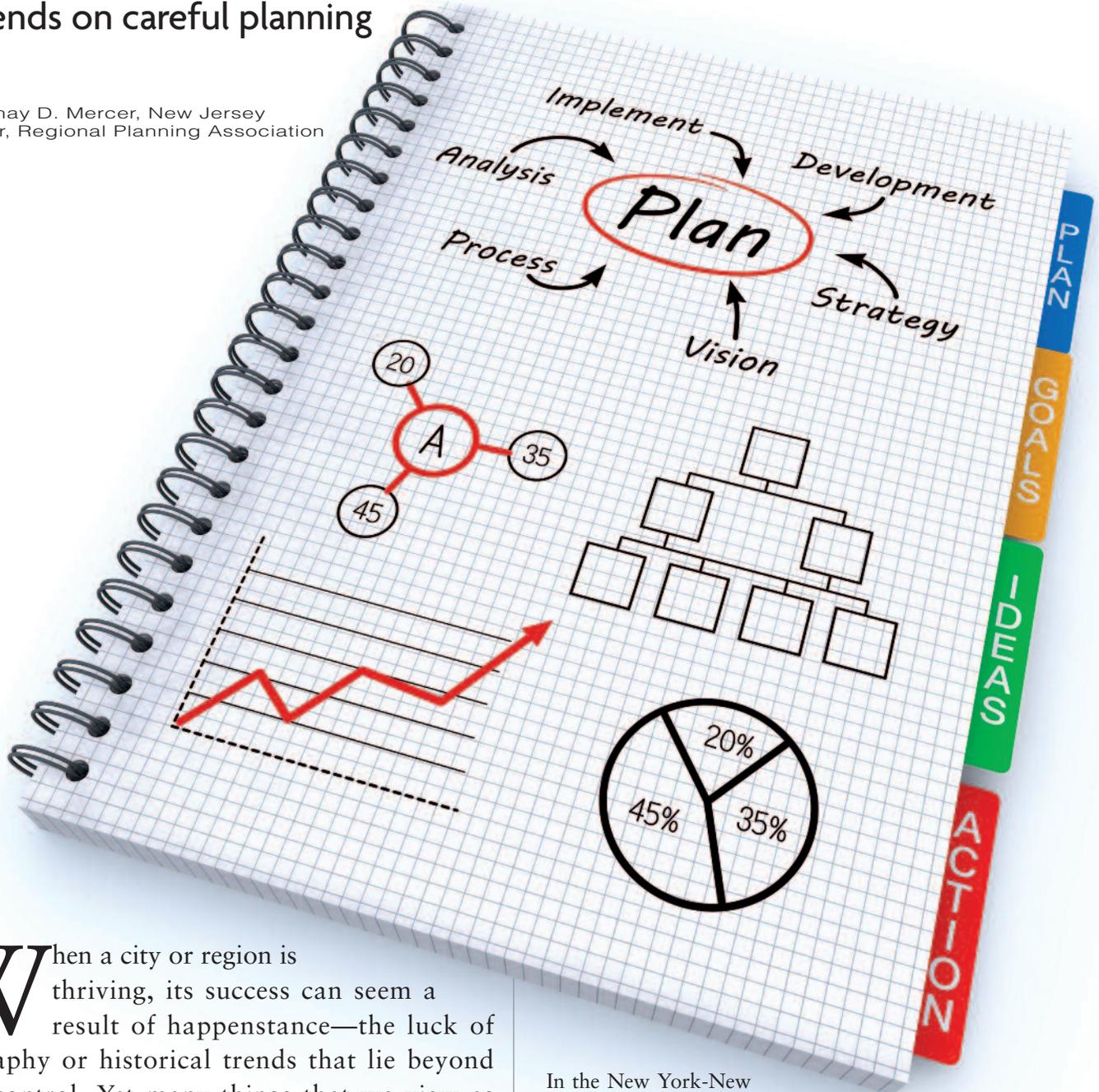
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# Our Region's Success Is Fragile

The New York-New Jersey-Connecticut metropolitan area's prosperity depends on careful planning

Courtenay D. Mercer, New Jersey  
Director, Regional Planning Association



When a city or region is thriving, its success can seem a result of happenstance—the luck of geography or historical trends that lie beyond local control. Yet many things that we view as organic—a robust economy, a thriving cultural scene, access to opportunity for residents and newcomers, a balance between urban communities and preserved landscapes—emerge partly as a result of careful planning.

In the New York-New Jersey-Connecticut metropolitan area, large-scale, long-term planning is done by the Regional Plan Association (RPA). Cities, states and other governmental entities plan for the future, but RPA plans across political jurisdictions and across multiple disciplines.

**The Fourth Regional Plan** Over the last year, RPA has conducted baseline research on the tri-state area to inform work

on the Fourth Regional Plan, a multi-year research and public engagement initiative launched in 2013. The plan, titled *Fragile Success: Taking Stock of the Tri-State Region*, is the first such effort in a generation. It is examining the metropolitan region's most pressing challenges, including declining economic opportunity, climate change and ineffective governance.

"We call it 'fragile success' because the real progress of the last 20 years is at risk if we don't address both new and persistent problems," said Christopher Jones, vice president of research at RPA.

## Our research uncovered some worrying signs that our suburban communities are losing ground to New York City.

The report, revealed a region that has made significant gains in economic vitality, safety, public health and quality of life through a series of charts, interactive maps and text. Yet many residents of the 31-county region are struggling to keep up, as housing costs and the cost of living outstrip household incomes.

Our research uncovered some worrying signs that our suburban communities are losing ground to New York City, including sluggish job growth and housing construction, a faster increase in the poverty rate and a dwindling ability to attract younger residents.

The report also examined the growing threat facing our coastal region from severe storms and climate change, revealing that scores of key facilities throughout the region, from power plants to transportation hubs to hospitals, are vulnerable to flooding. That risk is projected to grow substantially in the coming decade as sea levels rise.

**Research Continues** RPA's Fourth Regional Plan research is continuing.

Recent findings show New York metropolitan region's reliance on natural gas to generate electricity has surged in the last decade, climbing to 68 percent in 2012 from 53 percent in 2002.

Using interactive mapping software, RPA also revealed the wide divergence in job opportunities available to people living in different parts of the New York metropolitan region. The Access to Jobs map highlighted the role education levels, proximity to job centers, transportation options and industry sector all play in expanding or reducing a person's access to employment. A companion tool, the Access to Workforce Map, explored how employers' access to workers varies in different parts of the New York metropolitan area.

RPA has had a major role in shaping public policy since it was established in the 1920s to survey, analyze and plan the future growth of the metropolitan region. Beginning with the groundbreaking regional plan of 1929, which was the first initiative to recognize a metropolitan region that included New Jersey and Connecticut, RPA has developed long-range strategies for the region about once every generation.

**Share Your Ideas** The development of a new regional plan is rooted in the belief that since our environment, travel patterns and commercial activity span city and state boundaries, we must address these issues from a regional perspective. The Fourth Regional Plan focuses on the strategic government and business decisions that will shape the region's overall well-being for the next generation, and will propose policies and investments to ensure our common prosperity for the coming decades.

Over the next two years, RPA will be expanding the research process and developing policy recommendations. A vital part of this undertaking will involve gathering input from government, business, and civic and community organizations throughout the tri-state area. RPA is eager to hear your ideas for our region. You can invite RPA to speak to your stakeholders, post individual comments on our website, tweet at us or post on our Facebook page. 📌

@ For more information, visit [www.rpa.org](http://www.rpa.org), or view the **Fragile Success Report** at [fragile-success.rpa.org/](http://fragile-success.rpa.org/).



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# Putting Federal Transportation Dollars to Work

The NJTPA determines how and where to invest over \$1 billion dollars in federal funding each year

By Thomas A. DeGise, Hudson County Executive; Chair; North Jersey Transportation Planning Authority (NJTPA)



Construction of the 14th Street Viaduct in Hoboken. The bridge-like structure, constructed in 1908, carries some 20,000 cars a day between Hoboken and Union City and Jersey City. A \$54 million rehabilitation project, initiated by county and municipal officials, received federal funds through the NJTPA.

**F**rom neighborhood streets to the New Jersey Turnpike, mile for mile, New Jersey roads are among the most heavily traveled in the nation. It's not just that we live in the nation's most densely populated state but our state is a hub for much of the Northeastern United States. At rush hour it can seem as if we're all on the move at once.

Our aging and out-of-date infrastructure takes a daily pounding. Therefore, it takes all levels of government—federal, state and local—to provide the upgrades to keep it functioning. As you well know, making essential road improvements requires the juggling of numerous other priorities.

The North Jersey Transportation Planning Authority (NJTPA), which I currently chair, has a special role in meeting this challenge. We are the federally authorized Metropolitan Planning

Organization (MPO) for the northern New Jersey region. Our board consists of locally elected officials from the region's 13 counties and two major cities (Newark and Jersey City) and representatives from the New Jersey Department of Transportation, NJ TRANSIT, the Port Authority of New York and New Jersey and the Governor's Office. Working together we determine how and where to invest over \$1 billion dollars in federal funding each year in road, bridge and transit projects for our region.



The South Front Street Bridge in Elizabeth is part of the current NJTPA program.

In addition to programming capital funding, conducting studies and supporting transportation planning, the NJTPA has grant programs that allow our member counties and cities to take the lead in using federal funds to repair or replace infrastructure, and address safety concerns. These programs recognize that local knowledge is invaluable. You drive the roads every day and know what it takes to fix them.

to local input, the streetscape below the bridge was designed to include new park space, cobblestone streets and other improvements. In the end, the 14th Street Viaduct is the largest locally led capital project in Hudson County's history, and the largest local project funded by NJTPA to date. The county wouldn't

have been able to deliver this project without the assistance of federal funding. Similar locally led projects include the rehabilitation of the Clay Street Bi-County Bridge in Newark and East Newark (Hudson/Essex counties); improvements at Garden State Parkway Interchange 83 in Toms River (Ocean County); rehabili-

You drive the roads every day and know what it takes to fix them.

A perfect example is the 14th Street Viaduct in my home county of Hudson. The bridge-like structure, constructed in 1908, carries some 20,000 cars a day between Hoboken and Union City and Jersey City.

A \$54 million rehabilitation project was initiated by county and municipal officials and received federal funds through the NJTPA. NJDOT provided guidance and assistance to the county and towns as they worked on the new bridge, taking it through the various planning, environmental, and engineering phases with assistance and coordination from the NJTPA. The project was opened for traffic this summer. Thanks

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## Transportation Dollars

tation of the bridge over Al's Brook, Franklin Township (Somerset County:) and rehabilitation of the South Front Street Bridge over the Elizabeth River, Elizabeth (Union County).



Thanks to local input, the streetscape below the bridge was designed to include new park space, cobblestone streets and other improvements.

Through efforts like the NJTPA's local programs, we have shown we know how to make the most out of the money we receive.

Projects like these require significant time and resources. NJTPA is also involved in many less expensive projects that also make dramatic impacts on local transportation. For example, projects completed through the NJTPA's Local Safety and High Risk Rural Roads programs have reduced crash rates by up to 60 percent. These programs allow NJTPA member counties and cities to undertake priority projects to improve safety for drivers and pedestrians. At

our September meeting, the NJTPA Board approved \$31 million in federal funding for these programs, which fund high-impact, cost-effective safety improvements that are relatively "quick-fix" in nature.

They include upgrading traffic lights, installing pedestrian count-down signals, adding rumble strips to shoulders, reinforcing guard rails, replacing signs,

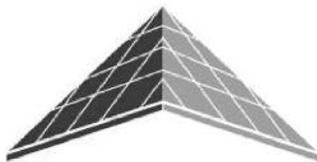
creating painted crosswalks and a host of other measures. The projects can make a dramatic safety difference.

In all, over the past decade, the NJTPA has funded more than 200 local projects, totaling more than \$700 million. This work has shown that through consultation and careful planning—drawing on local knowledge—federal funding can help local officials make transportation improvements. Improved safety, quicker travel and economic growth are the payoffs.

However, a dark cloud looms on the horizon—the lack of reliable, long-term federal funding. In July, Congress approved only a six-month extension of the critical transportation funding programs upon which New Jersey and the rest of the nation rely.

We in New Jersey understand the importance of investing in transportation. Through efforts like the NJTPA's local programs, we have shown we know how to make the most out of the money we receive. We must ensure our leaders in Washington understand what's at stake and act in the best interests of our state and the nation. 🇺🇸

Prior to serving as County Executive, Mr. DeGise was Jersey City's longest serving Municipal Council President, holding that office from 1993 to 2001.



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## OPRA and Certified Payroll Records

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

I was very interested to learn that some records custodians may be refusing to disclose certified payroll records under the Open Public Records Act (OPRA). I think that this is incorrect. While certain information must be redacted, these certified payroll records are subject to OPRA.

Under New Jersey's prevailing wage law every contractor is required to keep an "accurate record" showing the "name, classification, and actual hourly rate of wages and any benefits paid to each worker." N.J.S.A. 34:11-56.61. The New Jersey Department of Labor (DOL) has specific legal authority to inspect these documents. N.J.A.C. 12:60-5.1. Are these payroll records subject to OPRA?

It always helps to start with the basics. OPRA defines a "government record" as "any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business by any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, or that has been received in the course of his or its official business..." N.J.S.A. 47:1A-1.1.

These payroll records also may contain quite a bit of personal information. In regards to privacy concerns the law rather amorphously states that, "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy." Id.

Our State Supreme Court has read this language, "[to impose] an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests." *Burnett v. County of Bergen*, 198 N.J. 408, 423 (2009). Additionally, Governor McGreevy's Executive Order 21 provides some additional privacy protections by providing that, "[under the OPRA] an individual's home address and home telephone number, as well as his or her social security number, shall not be disclosed...."

Certified payroll records, required to be kept under the New Jersey Prevailing Wage Act, are subject to the Open Public Records Act. To be clear though, any private information such as social security numbers should be redacted. These documents do not clearly fall into any of the law's exemptions. And while there are some privacy concerns, they can be dealt with using redaction.

**I am confident that a New Jersey court would find that these payroll records are subject to OPRA and that redaction is appropriate to protect any privacy interest at stake.**

However, there is one decision from a federal district court, with which I very strongly disagree, that takes an opposite position. See *John Does and PKF-Mark II, Inc v. City of Trenton*, 565 F. Supp.2d 560 (D.N.J. 2008). In that case a contractor and its employees sought to enjoin Trenton from releasing its employees' names, addresses and social security numbers through OPRA.

In my opinion the court erred by focusing on case law derived from the Federal Freedom of Information Act (FOIA), rather than New Jersey's OPRA. Ultimately, the court determined that they were not subject to OPRA because of the privacy concerns associated with releasing certified payroll documents. Id. at 571. In my opinion, the court should have determined that these were records subject to OPRA, and then requiring redaction of personal information. In any event, because this is a federal court decision, it is not binding on New Jersey courts.

I believe that this case may be the source of the confusion. I also believe that this decision should be viewed as an outlier and that records custodians ought not to rely on it to withhold disclosing certified payroll records. I am confident that a New Jersey court would find that these payroll records are subject to OPRA and that redaction is appropriate to protect any privacy interest at stake. ♣

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

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## **Building On Common Ground**

The Engineers Labor-Employer Cooperative (ELEC) is comprised of: International Union of Operating Engineers Local 825, Associated Construction Contractors of New Jersey, Construction Industry Council of Westchester & Hudson Valley and the Construction Contractors Labor Employers of New Jersey.

*Left photo, Revel Casino Hotel; center photo, MetLife Stadium, courtesy of Skanska USA; right photo, Montclair rail station & municipal parking lot, courtesy of Prismatic Development Corporation.*

# Fighting Crime Together

Law enforcement personnel in the Route 21 corridor meet monthly to coordinate their efforts

By Joseph Brennan, Detective Sergeant,  
Regional Operations and Intelligence Center,  
Crime Unit, New Jersey State Police



POLICE LINE DO NOT CROSS

**F**or more than two years, municipal police departments along the Route 21 corridor have been meeting with their county, state, and federal law enforcement partners to combat crime through a program called Corr-Stat.

This part of New Jersey is the most densely populated in the nation according to the U.S. Census Bureau (2013) and has the highest proportionate level of statewide crime. In 2013, the region accounted for 56 percent of statewide incidents in which people were shot and 48 percent of recovered crime guns. These crimes were largely perpetrated by violent, repeat offenders who do not respect jurisdictional borders when committing these crimes. This presents a challenge to law enforcement agencies constrained by jurisdictional boundaries and limited resources.

**Corr-Stat Meetings** Each month, police chiefs and agency leaders gather for a Corr-Stat meeting with investigators and intelligence officers. They discuss ways to fight crimes that cross jurisdictional boundaries. These information sharing sessions make it possible for them to respond to crime in the region by sharing resources, planning joint operations, and implementing policies. Thanks to the cooperation that begins at their monthly meetings, they are developing shared solutions for shared problems.

Between meetings, there is a daily exchange of information among partner agencies. The New Jersey Regional Operations

Intelligence Center (NJ ROIC), the state fusion center, serves as the central repository of information pertaining to the criminal environment and produces intelligence and information products that represent the collective knowledge of the group.

Patterns of crime perpetrated by the same person(s) across jurisdictional borders are quickly identified and mitigated.

**Results** These information sharing initiatives, relationships and processes are producing concrete results. The NJ ROIC, through Corr-Stat, has established a process to analyze crime guns recovered

within the corridor. This procedure helps uncover illegal trafficking of firearms into the State of New Jersey, and ensures that ballistic evidence is transported to the Newark Police Department Ballistics Lab for analysis. The lab is then able to uncover connections between shooting incidents that weren't previously known.

The information resulting from this process, along with the Newark Police Department's willingness to share this resource and expertise, has opened up new avenues of investigation not previously available within the corridor. Additionally, patterns of crime perpetrated by the same person(s) across jurisdictional borders are quickly identified and mitigated.

Currently 28 municipalities, four county prosecutor's offices, the Port Authority of New York and New Jersey, NJ Transit, and NJ Parole, are participating in Corr-Stat. It continues to grow in the region and is being replicated in other

parts of the state.

**The Elements of Corr-Stat** Short for "Corridor Status," Corr-Stat is a law enforcement management accountability practice that focuses on information and intelligence sharing in a particular region. The goal is to address the common public safety issues of key inter-agency stakeholders from outside of a single jurisdiction.

**The fundamental elements of the Corr-Stat program are:**

- Command driven, but intelligence-led (Problems are identified through intelligence and analysis, and solutions are driven by the command staff.)
- Inter-jurisdictional collaboration & analysis
- Coordinated information sharing
- Targeted resource allocation
- Continuous follow-up (Information is exchanged daily through NJ ROIC.)

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# An Education Investment

In addition to offering 2,800 self-paced online courses for public authorities, the department is working with community colleges to design new programs.

Robert M. Czech, Chair/CEO,  
NJ Civil Service Commission



**T**wo years, 5,700 in-class students, nearly 30,000 online subscribers, and an award from the state's county college association later, the New Jersey Civil Service Commission's (CSC) revamp of the state's public employee training system has been an unqualified success.

In the fiscal year ending July 1, 2014 instructors delivered classroom programs to 4,721 government employees on-site and at community colleges and other sites throughout the state. Courses ranged from task-centered job skills to supervisory training to specialized offerings, like instruction for those implementing the Affordable Care Act.

**Saving tax dollars** The expansion of training is undoubtedly a boon for employees, employers, and the taxpayers of New Jersey. Public workers gain skills that enhance their productivity and promotability, and their employers benefit from a more flexible and versatile workforce. Most important, the modest investment in the people manning

government offices saves tax dollars by increasing efficiency.

The State of New Jersey has for many years offered training of various types to its agencies and departments. The function has moved among different departments and was, for the most part, fairly low-key.

With the increasing pressure on agencies to do more with less, the Governor directed that the Administration—and Civil Service in particular—help public bodies improve efficiency and better use limited resources. The result was an inter-departmental effort to develop and promote an array of training options that is available, not just to state agencies, or even to Civil Service jurisdictions, but to all public hiring authorities in the state.

Most encouraging are the benefits we have been able to reap—for agencies, employees, and taxpayers—with a minimal outlay of government funds.

**Learner oriented** The key to this initiative was moving from a trainer-oriented to a learner-oriented environment. Location and work load were cited by managers as two obstacles to bringing employers on board with a training plan. The solution was to combine decentralized classroom instruction with e-learning systems that can be accessed at the user's convenience.

We began with an online basic skills training program that was available to users whenever they need it.

**The LMS** The Learning Management System (LMS) is a software application for the administration, documentation, tracking, reporting and delivery of online education.

The LMS catalog offers over 2,800 self-paced online courses in various categories, including business, desktop, and

IT skills, legal compliance, policy training and ethics. It uses multiple modes of instruction, including videos, interactive courseware and practical simulations to engage students. Agencies can purchase subscriptions for their staffs, and courses are also made available as a “bonus” for personnel who sign up for selected classroom offerings.

**Classes** It was apparent from the start that the Civil Service Commission had neither the expertise nor the budget to build from scratch a statewide network of classrooms and instructors. To do that, we worked with the New Jersey Consortium of County Colleges and the Consortium of Community Colleges for Workforce and Economic Development,

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## Education Investment

which had the infrastructure and credibility to attract potential clients.

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By partnering with the colleges, we can tailor the material and presentations to ensure participants get information that's relevant to our workforce and to New Jersey public sector management.

**Supervisory skills and more** By far the most popular course is NJ STEP, or Supervisory Training Empowering Performance, which helps instill in employees the skills they will need to succeed as supervisors. It was developed in recognition of the reality that exceptional employees—those who are good at performing certain tasks and jobs—are all too often promoted to supervisory positions for which they are unprepared.

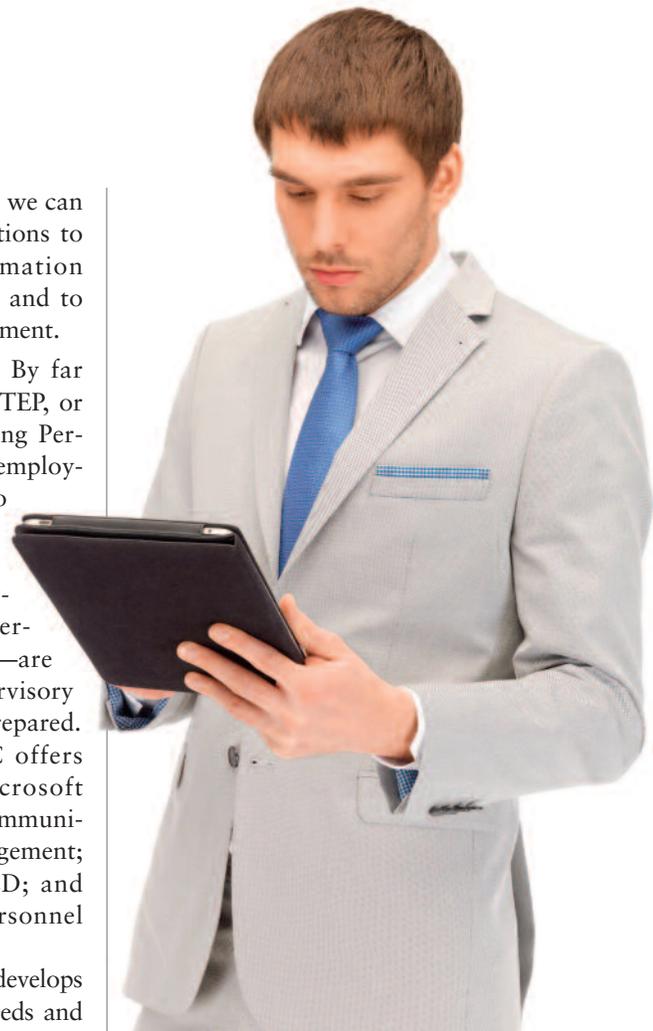
The roster of programs CSC offers also includes training in Microsoft Office applications; business communications essentials; project management; HeartSaver® First Aid/CPR/AED; and the County and Municipal Personnel System (CAMPS).

Commission training staff also develops new programs to meet specific needs and tailors existing ones to better suit the requirements of the client. For instance, when it became apparent that an opportunity existed to prepare local agencies and community groups to implement changes in the new health care law, the CSC developed a plan and secured the contract.

Likewise, staff can take an existing program like NJ STEP and, with the input of the contracting agency and the instructors, modify the content to address agency-specific concerns. In FY 2013, over 200 road crew supervisors were trained using curriculum customized for the Department of Transportation. The CSC recently trained 300 social worker supervisors for the County Boards of Social Services.

The Commission's efforts were acknowledged in June by the New Jersey Council of County Colleges, which presented the agency with its Community College Spirit Award.

**Assessment** And the work has only just begun. CSC staff holds regular regional stakeholders meetings with government officials at the community colleges to discuss workforce training and



development initiatives, and to explore new training subjects. They also assess the effectiveness of current programs through surveys and other evaluation methods. The feedback provides assistance in making program improvements and enhancements.

**New tools** Exciting new tools and approaches are on the horizon, including mobile and personal devices and social media. Distance learning is more than a roomful of students watching a video of an offsite instructor. Access to information is becoming more and more personal via laptops, tablets, and smartphones. Developers are creating training applications for these platforms that users can access from almost anywhere. Innovative ways of presenting information promise to make learning more accessible and engaging.

We've only begun to scratch the surface of what's possible. Most encouraging are the benefits we have been able to reap—for agencies, employees, and taxpayers—with a minimal outlay of government funds. ♣

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# LABOR RELATIONS

## Avoiding Wage and Hour Pitfalls

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

**W**age and hour litigation is the fastest growing type of employment litigation in the nation. Much of this litigation is filed under the Fair Labor Standards Act (FLSA), the federal law that governs how employees are paid. Municipalities must be mindful of their obligations under the Act as it is applicable to local public entities.

The general rules under the Act is that all non-exempt employees must be paid minimum wage for all hours worked and overtime compensation for all hours worked beyond 40 in a workweek. These seemingly uncomplicated rules, however, often present a minefield for employers. Determining which employees are non-exempt, their actual “hours of work,” and the overtime compensation to which they are entitled require careful analysis and, sometimes, legal counsel.

Claims under the Act are costly. In addition to the normal costs associated with defending litigation, the Act provides for double damages and attorney’s fees for a prevailing plaintiff. In addition, FLSA claims are often filed as “collective actions” (the FLSA’s version of a “class action”). Therefore, compliance with the Act is extremely important.

Your policies and practices should be reviewed annually to ensure you are in compliance.

**Refusing to pay unauthorized overtime** Employees are entitled to overtime for all hours worked over 40 in a workweek. Employees are to be compensated for all hours they are “suffered or permitted” to work. Hours permitted is generally understood as time the employer wants the employee to work. Hours suffered is generally understood to be the time the employer doesn’t necessarily want the employee to work, but they do so anyway. Refusing to pay for work because the employer did not ask for and/or authorize the work is a violation of the Act. Unauthorized overtime must be addressed through the disciplinary process, not refusing to pay for the unauthorized work.

To avoid these types of violations, while at the same time controlling unanticipated overtime costs, policies should make it clear that (1) employees will be compensated for all hours of work; (2) the mechanism for advising management when an

employee believes he/she has not been compensated for all hours of work; (3) that all overtime must be authorized in advance; (4) who has the authority to authorize overtime; and (5) the procedure for obtaining authorization.

Overtime cannot be waived by an employee. Even a signed agreement, entered into knowingly and voluntarily by the employee, will not be enforceable.

The goal should be to identify wage and hour issues before the Department of Labor or the lawsuit arrives.

**Improperly applying the exemptions** The main exemptions under the Act are the administrative, executive and professional exemptions. In order to be exempt from the Act’s overtime requirements, the employee must meet both a salary basis test and an exemption’s duties test. Under the salary basis test, an employee must receive a set salary every week regardless of the quantity or quality of the work performed. This generally means no deductions because of lack of work, absence from work or disciplinary suspensions. However, the analysis does not end here. There are exceptions to the salary basis requirements (e.g., deductions for absences pursuant to a bona fide PTO policy). But these exceptions are fraught with dangers and easily misapplied. The employer must also ensure the exemption’s duties test is satisfied. The administrative, executive and professional exemptions all contain specific requirements and an analysis must be done on an employee-by-employee basis; reviewing job titles or even job descriptions covering multiple employees is not enough.

**Docking/suspending exempt employees** Since exempt employees must meet the salary basis test, docking or suspending exempt employees, if not done properly, may turn an exempt employee into a non-exempt employee. This will cause the otherwise exempt employee to be subject to over-

time. As discussed above, docking an exempt employee's pay is permissible in limited circumstances such as an absence of one or more full days due to a sickness or disability if deductions are made under a bona fide PTO policy or to offset payment for such matters as jury/witness fees or military pay. Further, employers should be careful when suspending exempt employees without pay as this too often violates the salary basis requirement.

The FLSA does allow for suspensions without pay for violations of significant safety and workplace rules. However, this exception should be used sparingly. Often, a written warning or even a suspension "with pay" is the safer way to address a disciplinary issue with an exempt employee.

**Ignoring work off the clock** As discussed in the first bullet point, non-exempt employees must be paid for all work. This includes work that is performed outside of regular working hours. For example, if work is performed by employees during meal breaks, pre-shift, post-shift, or at home, this time will likely be compensable. Phone calls and emails made after work hours are generally considered compensable working time. Again, there are exceptions. The Departments of Labor will generally forgive the occasional quick call or email response. This is known as the "de minimis rule." But its application is extremely limited. Even quick calls and emails can become compensable if they are frequent, predictable, and easy to track.

**Recordkeeping** The FLSA imposes multiple recordkeeping requirements. Among these is the requirement to maintain records of hours worked each day and total hours worked each workweek for all non-exempt employees. While there is no required method of keeping track of hours of work, failing to do so accurately can lead to Department of Labor violations and also hamper an employer's ability to defend a wage and hour claim.

**Improper rate calculation** Another common mistake made by employers is improperly calculating the rate of pay.

The employer must count all includable remuneration in determining the "regular rate of pay" in order to determine the employee's "overtime rate." Examples of includable remuneration include shift differentials, meal expenses and most bonuses for quality of work and good attendance.

**Compensatory Time** The general rule in the public sector is that law enforcement personnel can accumulate up to 480 hours of compensatory time and non-law enforcement personnel can accumulate up to 240 hours of compensatory time. This time must accumulate at the rate of time and one-half just like overtime. Employees are entitled to take time off for compensatory time within a reasonable amount of time in which the request was made so long as the time off does not unduly disrupt the business operations of the employer. This issue can be negotiated so as to provide clearer guidance.

The above lists are just some of the issues that employers must consider in determining compliance with the Act. Issues such as rounding, calculating time spent "on call," and calculating time spent performing certain pre- and post-

shift activities are all crucial determinations under the Act.

**Consider collective negotiations agreements** In addition to the Act, municipalities must also be mindful of their collective negotiations agreements with their various collective negotiations units. The collective negotiations agreements may provide more generous benefits to employees. For example, it is not uncommon to have a provision in a collective negotiations agreement which provides for overtime for any hours worked beyond the normal workday. This is so even if the employee does not work more than 40 hours in a workweek. Therefore, in this situation, an employer that does not pay the employee for overtime past the normal workday will be in violation of the collective negotiations agreement, but not necessarily in violation of the Act.

The best way to protect against costly wage and hour litigation is to perform annual self-audits to ensure your recordkeeping and pay practices are consistent with the FLSA. The goal should be to identify wage and hour issues before the Department of Labor or the lawsuit arrives. ❧

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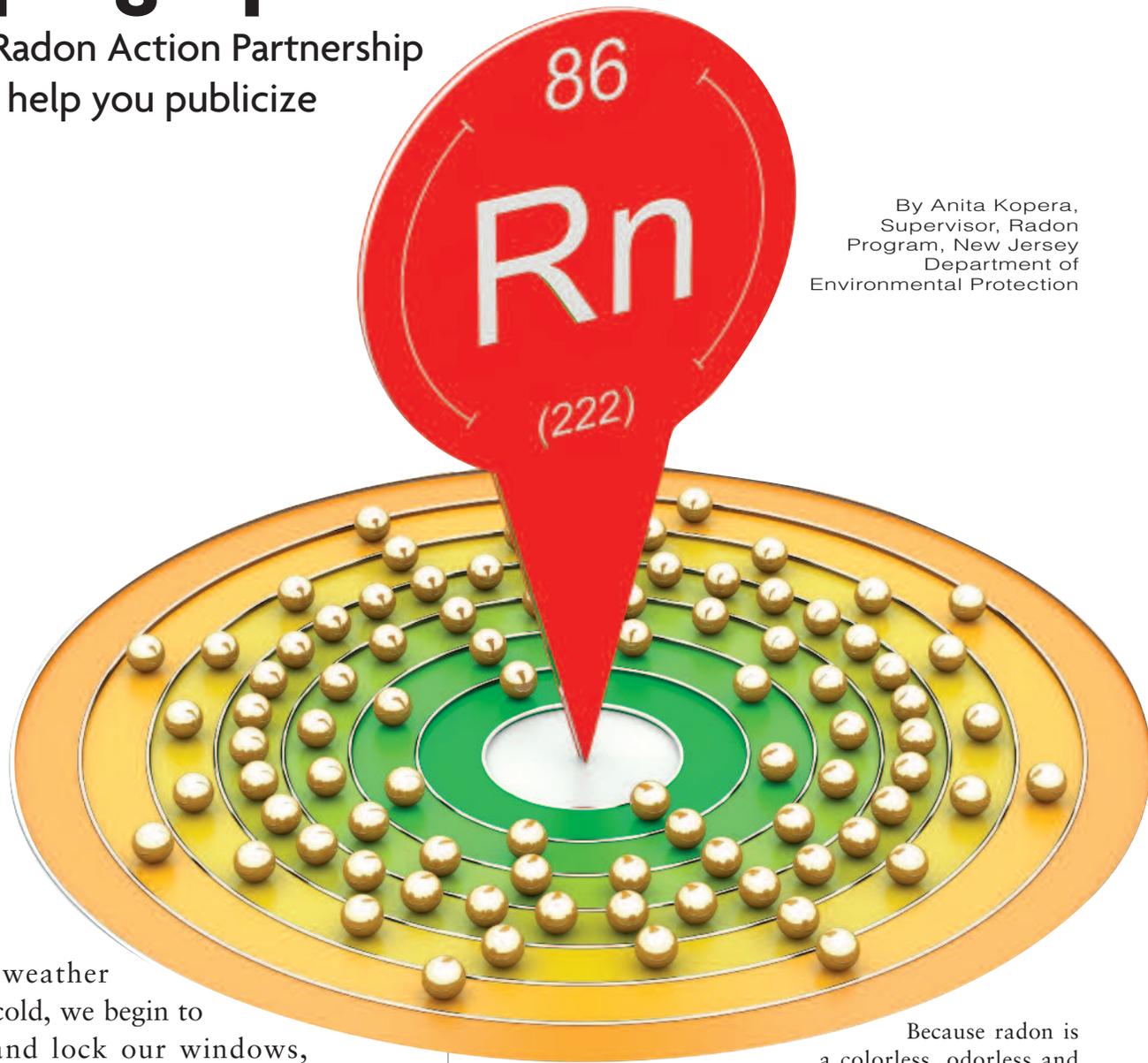
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# Ramping Up Radon Awareness

The DEP's Radon Action Partnership Packet can help you publicize the risks

By Anita Kopera,  
Supervisor, Radon  
Program, New Jersey  
Department of  
Environmental Protection



**A**s the weather turns cold, we begin to shut and lock our windows, weather-strip our doors, and take whatever measures are needed to prevent the chill from finding its way inside. Many people do not realize this also is the best time of the year to test for radon, when the windows are shut and the heat is on.

The presence of radon, which is a naturally occurring gas linked to lung cancer, can be checked using simple tests that are available through radon testing contractors, via mail order, or through home improvement centers and hardware stores. These tests are inexpensive and easy to use and they ensure the safety of families statewide.

Because radon is a colorless, odorless and tasteless radioactive gas, the only way to know if elevated radon is present is to conduct a test. Radon enters buildings through openings that are in contact with the ground, such as cracks in the foundation, sump pits, and small openings around pipes.

Radon decays into radioactive particles that can get trapped in the lungs and could damage lung tissue. Long term exposure can lead to lung cancer. The EPA estimates radon causes 21,000 deaths annually. The Surgeon General has warned that radon is the number one cause of lung cancer in non-smokers, and second leading cause of lung cancer after cigarette smoking. The risk of lung cancer is highest among smokers who are exposed to radon.

**Regions Most at Risk** Due to its geological makeup, the northwestern part of New Jersey, particularly Sussex, Warren, Morris, Somerset, and Hunterdon counties, typically has the largest number of homes with elevated radon concentration. Sections of Mercer, Burlington, Gloucester, and Monmouth counties also have high radon levels. However, everyone should test for radon because pockets of high radon concentrations can be found in other parts of the state, too. To access the New Jersey Radon Potential Map, which shows radon risks for each county and municipality in the state, go to: [www.njradon.org/radonin.htm](http://www.njradon.org/radonin.htm)

A municipality can receive a reimbursement of up to \$1,000 when it makes bulk purchases of radon testing devices that can be provided to residents for free or at minimal cost.

**Radon Awareness Program** Municipal officials have two unique opportunities to partner with the DEP’s Radon Program for radon testing and educational initiatives. Through the Radon Awareness Program (RAP), a municipality can receive a reimbursement of up to \$1,000 when it makes bulk purchases of radon testing devices that can be provided to residents for free or at minimal cost. RAP municipal participants are selected on a first-come, first-served basis based on available funding. To participate, municipalities must submit a form to the Radon Program prior to purchasing test devices. Once approved, the municipality is asked to issue a press release and distribute testing devices through a coupon and direct pick-up system. Limited record keeping is required. With very little

effort, radon testing devices can be purchased at no cost by the municipality and distributed to residents, which can positively impact the local radon testing rate.

Also, municipal officials are encouraged to partner with the DEP’s Radon Program during Radon Action Month in January. Municipalities can easily implement fundamental outreach initiatives by writing proclamations, issuing press releases, and providing presentations to encourage residents to test for radon.

The DEP has created the Radon Action Partnership Packet to help mayors and health officers to reach out to residents. Municipalities are encouraged to order brochures and other giveaways from the Radon Program to hand out at their local Radon Action Month events.

The Radon Program partners with municipalities through these two programs to highlight the importance of testing for radon and mitigating it when high concentrations are found.

Residents have several available options to test their homes. Self-test kits can be purchased at a cost of \$15 to \$50, while state certified contractors generally charge between \$50 and \$200 to come to the house for the service. Through the Radon Awareness Program, however, municipalities can provide the tests for

free or low cost.

The DEP and the EPA recommend that action be taken to mitigate radon if test results indicate radon levels of 4 picocuries per liter (4 pCi/L) of radon or higher. There is no truly “safe” level of radon since lung cancer can result from very low exposures to radon—however, the risk decreases as the radon concentration decreases. If levels are over the action level, fixing the problem usually entails installation of a venting system that draws the gas out of the home. The average price of such a system is \$1,300, although prices can range from \$500 to \$2,500, depending on characteristics of the home and the underlying soil.

Testing for the presence of radon is relatively simple. Radon testing and mitigation are voluntary, so outreach is a key component of an effective radon program. We encourage municipalities to partner with the DEP so that together we can educate residents and increase the radon testing rate in New Jersey. ♣

@ To obtain a RAP application and a Radon Action Partnership Packet, visit [www.njradon.org](http://www.njradon.org) or call the Radon Information Line at (800) 648-0394 or (609) 984-5425.



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# Can We Depend on Our Water Infrastructure?

By Daniel J. Van Abs, Associate Research Professor, The School of Environmental and Biological Sciences, Rutgers University; Chair, New Jersey Clean Water Council & Chris Sturm, Senior Director for State Policy at New Jersey Future



Nearly all New Jersey municipalities have public water, sewerage or stormwater systems, and many have all three. Whether owned by a municipality, a municipal utility authority or a private company, these water infrastructure systems are critical to our economy, environment and quality of life. Water emergencies—the loss of water services, or raw sewage flooding into basements—provide a painful reminder. But even when things are working well, every municipality should be concerned about the proper functioning of these systems, regardless of their ownership.

Because much of New Jersey’s population growth occurred from 1890 to 1930 and again during the post-war suburban expansion from 1950 to 1970, much of our water infrastructure is reaching or has already passed its useful lifespan. We have not kept up with water system decay for a variety of reasons, including the “out of sight, out of mind” nature of pipelines, insufficient knowledge, and opposition to increased water and sewer rates. Even the most stringently regulated components—the water supply and wastewater treatment plants—are, in many cases, over 30 years old and will require reconstruction. As a result, we are facing several decades during which our water pipes and treatment facilities will require extensive and expensive work, at roughly the same time.

**Evaluating Our Needs** New Jersey is not alone. National studies indicate that most if not all states are facing the same problems. However, much of our infrastructure is older, so our issues are more acute. For the last two years, New Jersey Future has been working with a team

In too many areas, we have put off investments in our water infrastructure until “later.”

from Rutgers University to assess the nature of our water infrastructure problems and what needs to be done. A 2013 report<sup>1</sup> prepared for Together North Jersey focused on water infrastructure needed to serve expected population and

employment growth in northern New Jersey. A 2014 report funded by The Geraldine R. Dodge Foundation described the enormous water infrastructure needs in the 21 cities with combined sewers,<sup>2</sup> while a second report supported by The William Penn Foundation focused on Pinelands water resources issues.<sup>3</sup> The 2010 New Jersey Clean Water Council recommendations on water infrastructure financing<sup>4</sup> and a 2013 Facing Our Future report on all of the state’s infrastructure needs<sup>5</sup> are additional resources. These reports share a common thread: New Jersey has not been and is not investing enough to maintain the long-term capacity of its water infrastructure systems. System failures are a routine feature of the news in New Jersey.

**The Costs** Reconstructing or replacing our water infrastructure will be very expensive. The additional costs over the next several decades will very likely be in the tens of billions of dollars. For example, the American Water Works Associa-

tion in 2012 estimated a need for \$1 trillion in capital expenditures nationally in the following 25 years, just for drinking water systems.<sup>6</sup> New Jersey has 2.8 percent of the nation’s population, so our share would be \$28 billion if our systems matched the national average age and quality. However, as our average infrastructure age is higher than many states, our costs may be higher. Then add costs for sewer and stormwater systems! Some funding is available through existing water and sewer rates, but more will need to be raised in the future.

New Jerseyans overwhelmingly believe that protecting the state’s water supply is an important priority.<sup>7</sup> And if asked, few would argue that water infrastructure should deliberately be allowed to fall apart. No one favors wasted drinking water, flooded streets, massive sinkholes, or polluted water. But there is a gap between this understanding and a willingness to support rate increases and taxes to upgrade water infrastructure. This will

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## Water Infrastructure

need to change. The longer we delay, the faster our infrastructure will decay.

Can society afford to pay the costs? Frankly, we don't have a choice. New Jersey must act to avoid water system failures, and therefore it will. The issue is when and how and who. Better system management can reduce some costs, such as for emergency repairs, energy and lost water revenue. Still, we can expect that water and sewer rates will increase for many, and perhaps greatly for some. This issue is a major concern for our poorest households. Unlike energy costs, it is



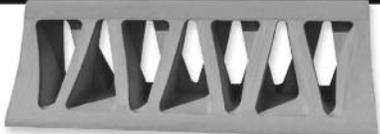
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unusual for water utilities to have household assistance programs. New Jersey will need to address this issue soon.

**The Agenda for Change** Based on the Rutgers reports and its own case studies, New Jersey Future has embarked on a major new initiative, with support from The Geraldine R. Dodge Foundation. In May 2014, New Jersey Future, The Dodge Foundation and The Johnson Foundation at Wingspread convened a meeting of 21 leaders, representing diverse perspectives from local governments, community organizations, water utilities, the business community, environmental organizations and others.<sup>8</sup> This group built consensus on an *Agenda for Change* to catalyze the transformation of New Jersey's urban water infrastructure (water supply, wastewater and stormwater). The group established Guiding Principles for improving urban water infrastructure, and recommended a set of Action Steps to stimulate progress. The *Agenda for Change* was released in June 2014 with support from former Governors Christie Whitman and James Florio, who served as honorary co-chairs at the May meeting. New Jersey Future is now working with this partnership to build a strong coalition for implementation of the agenda.

In too many areas, we have put off investments in our water infrastructure until "later."

**Unfortunately, "later" is "now."**

Municipalities need to ensure that sufficient investments are made to water

infrastructure, whether the systems are operated by the municipality or another entity. Our quality of life and the viability of our local economies depend on taking action before the systems fail and costs explode. These costs are coming due, whether we are ready or not, and so we need to be ready. Municipal and utility leaders and staff are encouraged to sign up at [www.njfuture.org/water](http://www.njfuture.org/water) for the Urban Water Solutions Network and become partners with New Jersey Future and its leadership team in the *Agenda for Change*. 📌

*The views expressed in this article have not been reviewed or endorsed by Rutgers University or the New Jersey Clean Water Council.*

### End Notes

1. See <http://togethernorthjersey.com/wp-content/uploads/2013/11/Water-Resources-Baseline-Report-Final-Clean-11Sept2013-small.pdf>
2. See [www.njfuture.org/issues/environment-and-agriculture/water-sewer/urban-water-infrastructure/](http://www.njfuture.org/issues/environment-and-agriculture/water-sewer/urban-water-infrastructure/)
3. See [www.njfuture.org/research-publications/research-reports/growing-smart-water-wise/](http://www.njfuture.org/research-publications/research-reports/growing-smart-water-wise/)
4. See [www.state.nj.us/dep/cleanwatercouncil/pdf/NJCWC\\_recommendations\\_water\\_infrastructure\\_financing\\_final.pdf](http://www.state.nj.us/dep/cleanwatercouncil/pdf/NJCWC_recommendations_water_infrastructure_financing_final.pdf)
5. See [www.cnjg.org/sites/default/files/resources/2013%20Facing%20Our%20Future%20Report%20-%20Infrastructure%20Investments%20Necessary%20for%20Economic%20Success.pdf](http://www.cnjg.org/sites/default/files/resources/2013%20Facing%20Our%20Future%20Report%20-%20Infrastructure%20Investments%20Necessary%20for%20Economic%20Success.pdf)
6. AWWA. 2012. Buried No Longer: Confronting America's Water Infrastructure Challenge. [www.awwa.org/Portals/0/files/legreg/documents/BuriedNoLonger.pdf](http://www.awwa.org/Portals/0/files/legreg/documents/BuriedNoLonger.pdf)
7. See [www.njfuture.org/wp-content/uploads/2011/10/SmartGrowth\\_NJPollAug2011\\_REPORT.pdf](http://www.njfuture.org/wp-content/uploads/2011/10/SmartGrowth_NJPollAug2011_REPORT.pdf)
8. The Johnson Foundation's report on this meeting can be accessed from: [www.johnsonfdn.org/](http://www.johnsonfdn.org/)

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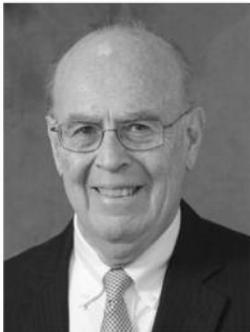
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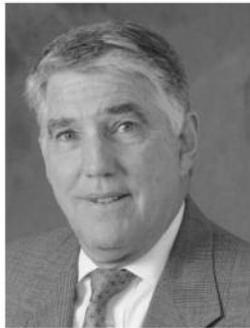
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**February 25**

**The Heroin Addiction Epidemic:  
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**February 27**

**A Quick Review of  
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**February 28**

**Budgeting for Elected Officials**  
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## MARCH

**March 11**

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