

nj municipalities

Official Publication of the New Jersey State League of Municipalities

January 2015

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1915 - 2015

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New Jersey State League of Municipalities

100 *th*
Anniversary
&

May 7, 2015



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NJLM Executive Director

Banquet

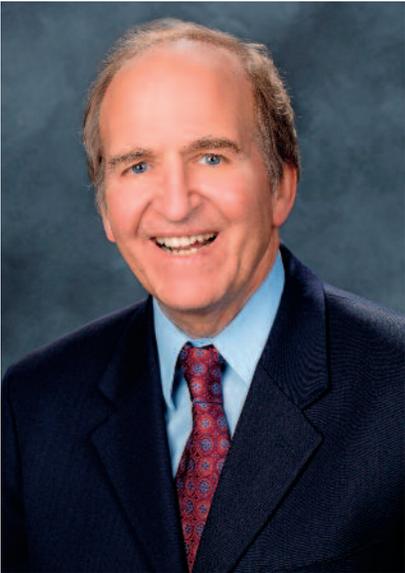
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Building Resilience

Back in November, New Jersey's 99th Annual League of Municipalities Conference proved again that resilience is more than strong sea walls and sturdy infrastructure. Resilience involves the ability of people to adapt to adversity and to cope with stress. The New Jersey League of Municipalities would not have lasted a decade, if not for the resilience of New Jersey's local officials. And local government in New Jersey would surely fail to meet our citizens' needs, if not for that resilience, as well.

The American Psychological Association (APA) lists 10 ways to build resilience, and many of them apply to the League and our Annual Conference. For example, the APA recommends that people make connections.

While at the Conference, I hope that you were able to meet some colleagues from around the state, some of the League's Officers and Executive Board members and some members of the League's staff. Be assured that we all stand ready to provide whatever support we can during your tenure in office.

The APA also recommends that to build resilience you should avoid seeing crises as insurmountable problems; and accept that change is a part of living. Many of our Conference educational programs were structured with those things in mind.

You will have another great opportunity to make valuable connections at our Annual Mayors Legislative Day in Trenton, at our newly elected and reelected officials seminars, or at any of our other ongoing educational opportunities. You can learn more about them and register to attend at njslom.org/seminars/index.

And according to the APA everyone should take decisive actions and move toward their goals.

As you each do those things, individually, the League as your voice in Trenton and Washington, will do the same, on your behalf. Last November, at our Business Meeting in Atlantic City, the League's member municipalities, acting through their mayors, passed 20 resolutions. In so doing, they made League policy in several crucial areas. You can read those resolutions and reflect on that policy elsewhere in this issue. They set certain goals for us and we intend to take decisive action. ♣

“The APA recommends that you avoid seeing crises as insurmountable problems; and that you accept that change is a part of living.”

New State Chair, New Vision, Same Mission

Longtime friend of the League of Municipalities, Don Tretola has been elected to serve a three-year term as the State Chair for New Jersey's ESGR (Employer Support of the Guard & Reserve). Tretola was unanimously elected by New Jersey ESGR and selected by National ESGR in Washington D.C.

The State Chair is an official Department of Defense volunteer position Mr. Tretola will be required to take an oath of office by the Assistant Secretary of Defense for Reserve Affairs. The position carries a three-year term and the protocol of a military two-star flag officer. The chairman provides the leadership and vision for a team of more than 180 dedicated volunteers and serves over 8,000 service members all across New Jersey. The Chair represents all Seven Seals; United States Army Reserve, Marine Corps Reserve, Army National Guard, Navy Reserve, Air Force Reserve Command, Air National Guard and Coast Guard Reserve.

ESGR, a Department of Defense office, is comprised of dedicated and trained volunteers and staff.

ESGR informs and educates service members and their civilian employers regarding their rights and responsibilities governed by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). ESGR does not have statutory authority to enforce, but serves as a neutral, free resource to employers and service members. ESGR's trained ombudsmen provide mediation of issues relating to compliance with USERRA.

Paramount to ESGR's mission is encouraging employment of Guardsmen and Reservists who bring integrity, global perspective and proven leadership to the civilian workforce.

Role of the Guard and Reserve National Guard and Reserve forces today total over 1 million service members and represent 49 percent of our total military force. Every day around the globe, thousands



Don Tretola, Lt. Governor Kim Guadagno and Adjutant General State of New Jersey, Brigadier General Michael L. Cunniff

of men and women in uniform risk their lives and make great sacrifices to defend our national interests. And, increasingly, members of the National Guard and Reserve forces are there along side, serving extended tours away from their homes, families and jobs.

A few years back, the League of Municipalities partnered with New Jersey's ESGR and solicited every municipality for their support of ESGR's new Employment Initiative Program, a collaborate program with H2H, US Chamber Hiring our Hero's and many others including the NJ State Chamber to advance the opportunity for our unemployed military men and women. Each and every municipality has signed a resolution supporting ESGR's mission.

Employer Recognition Recognition of supportive, steadfast employers is one of the most important elements of ESGR's mission to promote a cooperative culture of employer support for National Guard and Reserve members. Each state publically acknowledges employers support, which strengthens relationships between service members and employers. ESGR presents a series of awards to acknowledge the sacrifices made by so many employers year after year. 📌



Mayor Ducey of Brick Township accepts a Rutgers Municipal Information Contest award for Best Special/Innovative Media.

Rutgers Municipal Public Information Contest

Recognizing New Jersey's Top Communicators

The efforts of municipalities to increase the public's awareness of government operations, strengthen community ties, and provide useful information and services to citizens deserve to be highlighted. The purpose of the 47th Rutgers Municipal Public Information Contest is to promote the use of successful and innovative techniques that increase government's ability to meet citizen needs and improve access to government services.

Awards are presented for websites, other electronic media, print media, special innovations, visual media and best overall public information campaign.

The following municipalities are the winners of the 2014 Rutgers Municipal Public Information Contest:

- Best Overall Campaign—Jersey City
- Best Print Media—Wyckoff Township
- Best Special/Innovative Media—Brick Township
- Best Visual Media—Highland Park Borough
- Best Website/Social Media—Randolph Township

Emergency Power for Key Gas Stations



To address future emergency fuel supply challenges highlighted during Superstorm Sandy, the New Jersey Economic Development Authority (EDA) announced the first round of approvals under the Retail Fuel Station (RFS) Program. The \$7 million grant program will allow targeted retail fuel stations, on and near evacuation routes, faster and more reliable access to back-up power during an energy emergency.

To date, 33 stations have completed all required environmental and design reviews and are now approved to install back-up power solutions using grants provided through the program. Of the 33 approvals, 28 will install permanent

generators, while five will rely on “quick connect” devices, which provide connection points for mobile generators. Grants for the approved stations total \$1.8 million.

“This first round of approvals under the RFS Program represents a major milestone as we work to make New Jersey more resilient in the face of future disasters,” said EDA CEO Michele Brown. “These initial approvals, once installed, will help to avert the type of gasoline shortages and logistical and transportation challenges New Jerseyans faced following Sandy.”

The RFS Program, which is voluntary, is funded through the federal Hazard Mitigation Grant Program. Eligible stations, which were identified by state homeland security and emergency management personnel, will use the funds to purchase generators or quick connects. Stations were targeted for the program based on factors including proximity to evacuation routes and gasoline storage capacity. The application deadline was March 21, 2014.

A map and list indicating the location of the approved stations is available at njeda.com/web/pdf/RFS_ApprovedStations.pdf.

In addition to the RFS Program, the State also acquired and will maintain a strategic cache of emergency generators that can be deployed through state emergency responders during a major power outage to critical assets such as shelters, hospitals, public safety facilities, and retail fuel stations. The generator cache will be stored by the New Jersey Department of Transportation at strategically located facilities to help cover north, central and south response needs.

NJ SHARES

Mayor Janice Mironov Recognized as a Neighborhood Hero

East Windsor Mayor Janice Mironov was awarded the New Jersey SHARES' (NJS) Neighborhood Hero Award for her leadership on their Board, as a representative of the League of Municipalities.

Many are faced with difficult choices, such as paying for food, rent or heat. NJS helps families regain control of their utility bills and avoid a much deeper potential crisis. Since its founding in 1998, NJS has provided an energy safety-net for more than 178,000 households. Your warm heart can heat a home! ♡

@ To donate or learn more visit www.njshares.org or text WarmHeart to 50155.



'Rahway's Own' Campaign Kicks-off

Rahway Arts District Inc. has launched a campaign to showcase Rahway as "Home to Creativity and Innovation," building on the success stories of local residents and the city's significant investment in the arts, innovation, and education. The campaign, themed "Rahway's Own," launched September 1, 2014. It covers a range of print and digital media.

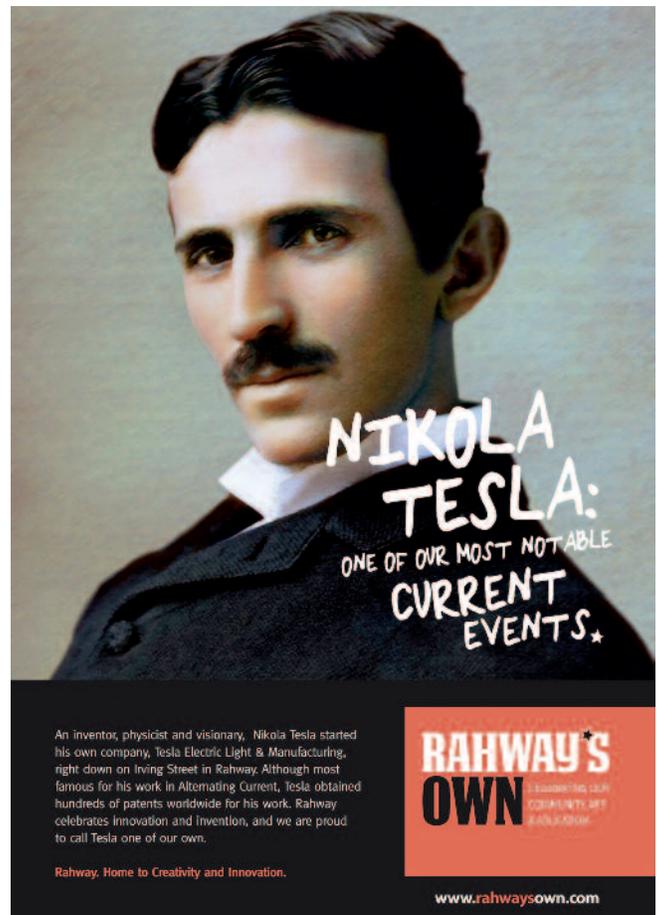
The marketing initiative features a series of large-scale posters and video interviews highlighting the achievements of Rahway residents, both historical and current, from astrophysicist Carl Sagan to former San Diego Chargers defensive lineman Antonio Garay.

"Rahway has been home to many visionaries and innovators," says Rachael Faillace, executive director, Rahway Arts District Inc. "Creativity has had a strong place in this city's history and it's at the heart of its current renaissance. We want to share Rahway's success story with the world."

The campaign, developed in partnership with Wisdom Media, a Rahway-based creative design studio, highlights five Rahway residents in a series of posters appearing on New Jersey Transit station platforms and other media outlets.

In addition, a series of interviews with Rahway notables—including artists, musicians, political figures, and business people—will launch on ArtsRahway social media channels. The first season ran from September—December 2014, with a new episode released every two weeks. One session featured Rahway Mayor Samson Steinman discussing public investment in the arts and public places, and the relationship between the arts and economic vibrancy. ♡

@ To learn more, visit Youtube.com/ArtsRahway, RahwaysOwn.com or ArtsRahway.com.





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:
Website: www.njgmis.org/conference.html
Email: Conference@njgmis.org

Grant Brings Homework Help Back to Carteret

Carteret launched a pilot program last January to provide free homework assistance to students in a structured environment. The borough's Teacher in the Library program provides after-school help to local students in any grade. Assistance is provided by fully accredited and certified teachers. During the first five months, over 1,100 students sought assistance, and the program received an overwhelmingly positive response from residents. This past fall Carteret received a \$10,000 grant from the Verizon Foundation to resume the program. 📖



Taking a Closer Look at Volunteer Attendance

In March Pequannock passed a resolution to track attendance at committee meetings in an attempt to ensure that volunteers are attending meetings as often as they should be. The goal is to discourage volunteers from missing too many meetings.

Rather than asking a volunteer to leave, the township will keep a record of his or her absences and take this into consideration when making annual appointments.

When a volunteer fails to attend meetings for a period of eight consecutive weeks or four consecutive regular meetings, the board's chairperson will provide written notification to the Township Council and Clerk. Rather than asking a volunteer to leave, the township will keep a record of his or her absences and take this into consideration when making annual appointments.

The resolution also establishes policies and procedures concerning the appointment and requirements for volunteers in an attempt to provide greater transparency in the operation of the township. Other items in this resolution include (1) recording a listing of current members that can be made available for public review and (2) limiting the total number of positions served by an individual to three. 📖

Art in City Hall

The City of New Brunswick is seeking art from citizens to be displayed in City Hall as part of a new local art program.

"Art at City Hall" looks to support the arts by giving local artists, student artists and the New Brunswick community a place to display their own interpretations of life in New Brunswick.

Submissions will be placed in various publicly-accessible spots around City Hall for visitors to see and enjoy. Exhibits will rotate, depending on the time of year.

"New Brunswick City Hall is a lively building that sees many visitors each day," said Mayor Jim Cahill. "Through this project, we hope to use our community's public home as a way to showcase the talent and visions of its citizens."

"Autumn Still Life" is currently on display, featuring a display of charcoal renderings created by New Brunswick High School Visual Arts students. 📖



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Walk for Shelter Dogs in Montclair

The second annual Dog Walk of the Dead was held in Montclair in October. The event started in 2013 as a fundraiser for the Montclair Animal Shelter. For the walk, owners and the dogs dressed as zombies in an attempt to raise awareness for the local shelter. This free event included vendors, music, pet friendly restaurants and a pet costume contest. 🐾

Historic Grant Funds Medford Tour

Medford's Historical Society received a \$5,000 grant from the New Jersey Historic Trust's "Discover NJ History" License Plate Fund. The money will be used to develop a tour to highlight the life of Doctor James Still, a 19th Century African American physician. The tour will include several historic sites relating to his work and his family.

Born in 1812, Still was a self-taught physician, author, farmer and the third-largest real estate owner in Medford at that time. 🐾



Enjoying Outdoor Living and Gardens



Swedesboro's annual "Outdoor Living & Garden Show," held in their downtown this past May, promotes gardening and recycling. Attendees of this free event learned about pruning from master gardeners. The Conserve Wildlife Foundation of New Jersey discussed the importance of bats, and raffled off a bat house. In addition, the event featured wine tasting, live music and children's activities. Upcycled art and a large variety of plants were on display. Attendees could also join in several contests with the chance to win prizes. 🐾

Correction

The December 2014 Labor Relations column contained an error. The two referenced decisions are Law Divisions decisions and not Appellate Division decisions. While the article mentioned that the matters were under appeal, a typographical error occurred which referenced the decisions incorrectly as Appellate Division decisions.

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You're in Office—but Are You Leading?

A look at the common qualities
of successful administrations

By Robert Casey; Member, Local Government Alignment,
Reorganization and Consolidation Commission; former
Municipal Administrator/Manager; past Executive Director,
New Jersey Municipal Management Association



These sound great, but the real question is: how do you go about doing these things? How can you accomplish what you feel is necessary for the municipality? And most difficult of all, how can you get your fellow elected officials to join in the process?

1. Set goals.

To succeed you need a clear understanding in your own mind of your long term goals: where you want your municipality to go over the next year and your term of office. You were elected to accomplish certain goals and you should always remember them. You will quickly become bogged down in the mundane issues of the ongoing activities of your municipality. Do not allow these daily issues to cause you to ignore what you believe needs to be done.

Recognize that a good staff supports their elected leadership—regardless of who is elected.

Some suggestions:

- Break your goals into sub-goals or implementation steps that will lead to addressing the larger goal you have and then set time lines for these incremental steps.
- Be open to modifying your goals as you become more knowledgeable about the organization and its capabilities; once in office you may find things different from what you expected.
- Write down your goals and post them in your office as a daily reminder.
- Share your goals with others—become an advocate, use them as your guiding principles.
- Hold an annual meeting with elected officials and key staff to discuss everyone's goals and to develop shared goals for implementation. This could be the most important meeting of the year.

2. Work through others.

There are two key processes that govern change in municipal government: Co-optation and Incrementalism. The implementation of your goals requires the involvement of others. To affect change you must, as a minimum, have the acceptance of your goals and processes by others, even if you do not have their full support or concurrence.

Co-optation is the process of involving those to be effected by a decision early in the process so that they "buy into" the process and the end result. This is especially true of those who may be in a position to throw a roadblock against accomplishing the goal.

Incrementalism is the realistic way local government works. Change seldom comes in one large process; rather you slowly inch toward change, one piece at a time, one sub-goal at a time. Municipal change occurs normally through evolution and not revolution.

This article is based on a paper in the NJLM Foundation's "Friends of Local Government" series. The paper is the narrative of a presentation given by Robert Casey at the Mayor Leadership Training seminars offered by the League of Municipalities. The entire narrative is available on the Foundation's website at www.njlmef.org.

As an elected official, you are expected to provide "leadership" both to the municipal organization and the community as a whole. Leadership is a great word, but what does it mean? According to the textbooks it includes: "setting direction and tone; prioritizing goals; getting your goals enacted by other elected officials; and implementing the goals."

Are You Leading?

3. Know your organization.

You must have a good understanding of the actual functioning of your municipal government and what you can and cannot do as an elected official. You may find that the reality of the position to which you were selected is far different than you were led to believe.

You should discuss with your attorney, your administrator or key staff person and even your predecessor (assuming you are on speaking terms) as to what is the actual real world function of the municipality from a legal as well as a

Most importantly, don't give up "tilting at that windmill" that you want to change.

pragmatic standpoint, as well as the actual current condition of the municipality from a fiscal, policy and priority basis.

Your new ideas and goals may require a change in existing policy and procedures. Change is good and it is a strength of local government but not all movement is necessarily positive change.



Municipalities are constantly evolving local policies, programs and operations. However, if you want to change an existing policy or procedure—remember this existing policy or procedure normally evolved over time and in response to various competing demands. Remember a "camel" is a horse designed by a committee to reflect all of their desires. The camel may be an ugly beast but it is very good for the environment in which it is placed.

All municipal policies are camels in their design and maybe in their actual operation. To make change you must first know in depth how the existing systems operate and why they operate in that manner. Who is impacted? Why? When? How?

You must have a good idea of how you want to change the system. What you want to do.

Meet with those most directly involved to discuss the present and the future. You need to know the obstacles to what you want to do before you start so you can anticipate these difficulties in your planning process.

Challenge them to overcome the identified problems within the existing framework or to implement what you want. However, also recognize that change often requires compromise to reflect the competing demands that can affect even the simplest of issues. The greatest obstacle to implementing a great policy is the delay to seek a perfect policy—that doesn't exist!

4. Recognize your staff's commitments and knowledge.

Your municipal staff is normally neutral in the political process, in spite of what you may have heard from others who have not been in your position. Recognize that a good staff supports their elected leadership—regardless of



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who is elected. This is their job and responsibility. Do not blame them if you take exception to the discretionary policies of the prior administration. Their role is to provide the guidance for the policies and then to support the policies when they are finally established.

Enunciate clearly to the staff the goals and objectives of this new administration. You must tell them and periodically remind them of these and the organization's purposeful direction.

Your staff serves as advocates for their particular function in the government and this is good. There are often disagreements amongst the staff especially in the competition for resources. Do not discourage this conflict. Instead, use it to further your knowledge of the total needs of the organization.

Your administrator or manager should be the person providing the overview to you on how to implement what you want to do. You should meet with this

person on numerous occasions and keep that person in your loop as to what your thoughts are.

Don't be afraid to ask your staff to comment on your thoughts and plans. You need to know what they know, plus how they believe a particular issue can be handled. You serve as the catalyst to bring up the issue and to keep the discussions focused on the issue.

You must appreciate the existing time and operational constraints on your employees. Find out what these are so you will have an understanding of the pressures on them as they may be pulled in two or more directions.

In sum, your goal is to co-opt the staff into buying into your goals and ideas. Make them a part of your team, your solution, and not your opposition.

5. Don't micromanage.

Break down your ideas into subgoals or a series of steps and set deadlines for components to be reviewed, examined,

implemented, etc. Have the staff agree to these target timelines and then meet periodically to see how things are going. If you become too directly involved you may lose the perspective you need to make the changes and compromises needed to accomplish your long term goal.

6. Persevere.

Most importantly, don't give up "tilting at that windmill" that you want to change. You may have to be nimble at its edges for some time to get to where you want to be but be willing to recognize that even nibbles are progress. Don't initially oversell a change—let everyone know that change will come incrementally and methods could vary as the implementation processes impact existing realities.

Robert Casey is a former Municipal Administrator/Manager, who served in four municipalities on a full time basis and provided consulting services or served as a temporary or interim Administrator on numerous occasions.

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27 Years as a Municipal Manager

Sound management practices transcend location and forms of government

Christopher Rath, Township Manager, Roxbury



During my 27-year tenure as a municipal manager, I have had the opportunity to work in three states (North Carolina, Massachusetts and New Jersey), each having a variety of forms of government. While there were key differences in the structure of the municipal organizations, the value of applying sound management practices was consistent. The application of quality municipal management is vital to the successful administration of a town, city or municipality.

The purpose of this article is to illustrate examples of sound management practices that transcend location and forms of government.

Municipal Life in the Carolinas My career began in North Carolina which has an established tradition of the Council-Manager form of government. While North Carolina has statutory limited home rule; in practice the legislature and

courts interpret municipal authority broadly. North Carolina has a large number of unincorporated areas, where services are provided on a regional basis by the county. These services may include property assessment, schools, public safety patrols, planning and zoning. There is limited or no tenure for municipal positions, limited formal collective bargaining units and, in general, local elections are non-partisan.

After working in North Carolina, I took a post in Massachusetts.

“Town Meetings” in New England

The existence of the “Town Meeting” is the most significant difference between Massachusetts and most states. In Massachusetts, as in other New England States, the Town Meeting serves as the Legislative Body. Business matters which are conducted at the Town Meeting include approval of the annual budget, salaries for municipal employees, and the adoption of by-laws (the equivalent of municipal ordinances). The experience gained through the practice of presenting a budget to several hundred residents has sharpened my presentation and public speaking skills. Massachusetts also retains independently elected positions; such as Tax Collector, Municipal Clerk and Roads’ Supervisors.

greater fiscal involvement and oversight, greater use of tenure and far greater oversight in land use laws, planning, zoning and environmental regulations.

However, regardless of the regulatory or governance structure, certain management practices are successful.

Key among these is leadership. The Mayor and Council must have a well-grounded policy (vision) for the municipality. Also critical is a Manager/Administrator who creates an environment of personal responsibility within each department.

General Observation While form of government and state regulations may differ, the application of consistent management practice can overcome those differences. The manager will need to development of a system that tracks department performance and holds the municipal department manager accountable. This practice should result in the development of concise and easily identified department goals and objectives. In Roxbury, we use an annual “To Do List.” Each department manager presents four to five concrete objectives to be accomplished during the year. These objectives are listed on a bulletin board in each municipal building and on the

township’s website. At the monthly department head meetings the list is reviewed and any completed objective is checked off.

The implementation of sound financial management practices includes long term capital improvement plans, financial forecasting and trend analysis. These practices provide diagnostics and analytical tools which can help leaders make policy decisions, including how to set department goals and objectives. This practice must include transparent and fair procurement and purchasing practices.

Finally, the municipality should have an institutional philosophy which promotes the ability of the public to be informed of the operations and transactions of their community’s employees.

To help your town meet these goals, I recommend you and your employees participate in professional organizations such as the International City Managers Association and the New Jersey Manager’s Association. Likewise, make a commitment to becoming more active in the New Jersey League of Municipalities. My membership in these groups has provided a wealth of experience and support as I moved amongst the states and their various

The manager will need to track department performance and hold municipal department managers accountable. In Roxbury we use an annual “To Do List.”

Like North Carolina, Massachusetts’ local elections are non-partisan. In addition, both North Carolina and Massachusetts distribute a significant portion of State Aid based on formulas. As an example, the highway improvement funds (gas tax) are distributed according to population and roadway miles. Massachusetts’ formula also considers employment within a municipality. In contrast, New Jersey uses a grant program to distribute highway improvement funds regardless of population or roadway miles.

Managing in the Garden State My observation is that New Jersey differs from the aforementioned states by having



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The Dialogue behind a Great Website

It took input from the whole town to bring borough communications back up to speed

John Lester, Councilman,
Borough of Mountain Lakes

Did you ever play the children's game Post Office as a kid? The first child whispers a phrase to the next, all the way around the circle. By the time the message reached the last one, it was completely different. Surprise!

While this is great fun when you are eight years old, it's a problem when it's happening in your municipality. Yet, with our busy lives, it's no surprise that our messages are getting 'lost in translation.'

That was the case in Mountain Lakes in early 2012. Communications, particularly through our website were breaking down. When our site debuted in 1999, thanks to a small group of dedicated volunteers, it was our pride and joy. However, over time the demands of the borough's departments, Commissions, Committees and more would become overwhelming. The borough did not participate in the maintenance or provide any funding. Thus, requests were not always completed within the 'expected' time and technology was advancing; resulting in users leaving and moving their websites to other platforms, usually resulting in non-correlated web addresses and different looks and feel.

Asking the Right Questions In early 2013, a Discussion Item was placed on the Borough Council agenda to create a Communications Advisory Task Force. The Task Force would be asked to investigate and to report on three questions. The first question asked which communication methods should be covered in a Plan. These could include the website, bulletin boards, print media, email blasts, texts, etc. The second question concerned itself with the messaging types, such as a calendar, emergency notices, committee/commission reports, volun-



When our website debuted in 1999, thanks to a small group of dedicated volunteers, it was our pride and joy. However, over time the demands of the borough's departments, Commissions, Committees and more would become overwhelming.

teer information and more. The final question, which seems simple at first, considered the potential constituents. After the residents and borough personnel prospective residents, businesses, houses of worship, and other groups were considered.

Once the questions were in place, a Task Force convened to assess the answers and draft a plan. The results were to be presented back to Council in 90 days.

We all agreed that to be successful, the Task Force would have to be small enough to be effective but represent significant yet varied perspectives. Representatives of the borough administration, the existing website committee, and larger resource users were all included.

On March 21 of 2013, members of the Advisory Task Force attended the “New Jersey E-Government: Best Practices for Municipal Websites” conference at Monmouth University. The findings from the study, as well as the body of research it contained, became an invaluable resource to not only the Advisory Task Force but also to the Communications Committee we formed later.

rent borough website from the personal and technical perspectives. First the group surveyed borough residents to understand what information they would like to receive through a new website. We sought to understand how they prefer to receive information. As serendipity would have it, the Board of Education was seeking similar informa-

tion with a survey of parents with children in the school system. They were more than generous and agreed to work with the CAC.

The second task was to draft a working list of functions that the borough desired in a website—immediately, and in the mid- and long-term. Ultimately, the group decided that it was essential to

In early 2013, a Discussion Item was placed on the Borough Council agenda to create a Communications Advisory Task Force.

Communications Goals In April, the Goals for the to-be-formed Communications Advisory Committee (CAC) were presented:

- 1) Improve/enable communications throughout the borough among residents and between residents, Borough Council members, Committees/Commissions and borough departments by creating a flexible, updated, up to date, scalable suite of services that serves all the interests of the borough.
- 2) Create a single point of entry for all to access and discover the rich content whether they be in the borough or outside.
- 3) Create a structure for residents, the borough, the police and the board of education to work together and feel engaged.
- 4) Use volunteers as much as possible while having zero to minimal impact to the budget.

The CAC was approved and formed, incorporating the Website Committee and representative members of the borough administration, Commissions, Committees and interested groups in the community.

Survey and Function The first task for the new CAC was to examine the cur-

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Communications

abandon the existing platform and move to a current and more open architecture. Members of the now discontinued Website Committee provided valuable perspectives and helped the task force understand the mapping of the existing borough website.

The CAC members then identified and divided the work of improving the site. Each member agreed to tackle multiple tasks. The Committee included experts in business, graphics, communications and IT. The tasks included reviewing the Monmouth University E-Government report, building a list of potential website vendors, suggesting home page layouts, determining a single format for all participants' main page, designing the community calendar and marketing the website.

All the while the current website had to be kept viable—and 2013 disappeared and 2014 was going quickly.

As the work continued, the focus sharpened. The CAC sought to create a unified but individual, customizable community-wide calendar. User departments needed to update their own content. The committee also worked to create a home page that would welcome all types of visitors, promote volunteerism, and highlight the major attributes of life in our community.



Once they'd formulated this vision, it was time to turn to the professionals to build a new platform.

Professional Help The vendor selection process yielded five potential firms. Each was sent the document with our specifications. Four replied and the CAC selected two for consideration. The major reasons the finalist was chosen had to do with their knowledge, willingness to work with the CAC and willingness to share insights and best practices.

It was not based on how many sites the vendor had implemented. The borough and committee were looking for a partnership—not a product.

The CAC then worked with over 25 departments, Commissions and Committees and roughly 25 community groups to determine what data needed to be converted to the new site and how to accomplish the task. The notion of Phase 1 and Phase 2 deliverables also started to enter the planning conversations.

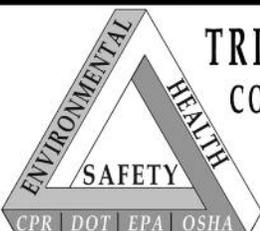
We hope to release our new website this month. Everyone is very excited.

As is true in most aspects of life and work, there are keys to a successful project. And yes, they all pivot around communications.

Some of ours include:

- Involve the appropriate parties, early and openly
- Be receptive to new information and ideas
- Respect differing opinions
- Provide guidance to the team but empower them
- Set realistic expectations for all parties

I would like to thank all the members of the Advisory Task Force, the CAC, Borough Council, Board of Education and the Borough Administration. They've been a great team on an exciting and worthwhile project! 🍷



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Traveling to the Arctic to Consider Climate Change

By Thomas F. Kelaher,
Mayor, Toms River Township
Member, NJLM Executive Board

Whether or not you believe in climate change, also known as Global Warming, one thing is clear; Superstorm Sandy hit New Jersey on Oct. 29, 2012 and left tens of thousands of homes damaged by high winds and flooding. Was the storm stronger as a result of climate change? That's something that many scientists believe and it is an important issue to look into.

In learning about the strength of Superstorm Sandy, experts state that Sandy was heightened by the warm sea surface temperatures off the East Coast. Researchers have indicated that temperatures around the world are increasing and the Arctic ice cap is melting faster than was predicted a few years ago. We may begin to see heavier rains resulting in a longer hurricane season.

In the Northeast, sea levels are rising up to four times faster than the global average, making New Jersey more vulnerable to storm surge and flooding. What we assumed was a one in 100 year event may now occur every three to 20 years by the end of the century.

Half of the ratables in New Jersey that were lost in the storm were lost here in my town of Toms River (10,500 homes). Two years later, \$1 billion out of our lost \$2.25 billion has since been restored to our tax base, but rebuilding continues to be a slow process.

The media attention that followed Sandy still slightly remains—with researchers, scientists and students coming to our township to conduct studies. This exposure is the reason why I have been chosen to lead a New Jersey group on an Arctic Expedition to witness the effects that climate change is having on the polar ice caps.

Fifteen participants from the Toms River area will be chosen to travel to Norway and join scientists, policy makers and other citizens throughout the United States and Norway to learn about the realities of climate change by heading out to the Arctic Circle. The citizens nominated will represent diverse backgrounds and differing views of climate change. The actual trip will take place in 2016, but I was invited this past September to head out to Oslo, Norway to learn more about the project and the process of selecting 14 other people to join me. I was interested to meet with my counterparts in Norway who have experienced their

own problems with climate change, such as frequent flooding and interference with the feeding habits of their local cattle, which in Norway, happen to be reindeer.

The Institute on Science for Global Policy (ISGP) is spearheading this project with Dr. George H. Atkinson at the helm. Atkinson is the former Science and Technology Adviser to U.S. Secretaries of State Colin Powell and Condoleezza Rice. The goal of the ISGP is to show us some of the effects of climate change to help us form our own opinions to share with the community. The ISGP isn't advocating one position or another on climate change, but wants the participants, upon their return, to publicly communicate their views on climate change and its impact on their lifestyle. All of us will be required to make speeches and go to schools to teach the public about what we've learned.

What we assumed was a one in 100 year event may now occur every three to 20 years by the end of the century.

Joining Toms River and their Norwegian counterparts are other U.S. regions such as:

- St. Petersburg, FL, where the elevation is only one foot above sea level.
- Whittier, CA which has a severe water shortage, due to the lack of snow melt runoff from the Sierra Mountains.
- Tucson, AZ which suffers drought conditions, which impact the raising of cattle. Excessive heat also puts a strain on their existing electric system.
- Great Lakes Region where the lowering water level of the Great Lakes makes it difficult to fully load freighters because of the shallow draft.

During the week-long voyage in the Arctic, attendees will engage in debates, caucuses, zodiac trips and informal discussions. I feel honored to have been chosen to participate in such a worthwhile endeavor. 🍷

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Q and A with the
New League President

Making Our Presence Felt

Brian C. Wahler, NJLM President,
Mayor, Piscataway



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

As a teenager I spent my last two years of high school working in Washington, D.C. in the House of Representatives Page Program as a page to New Jersey Congressman Edward J. Patten. Ultimately I became a page to the then Speaker of the House, Thomas "Tip" O'Neill. I had a very unique opportunity to see government up close at a very early age.

As a Rutgers University student I continued to be involved in government issues. All of these events whetted and sustained my interest in becoming involved in local government. After college, I served on the local Traffic Commission, then as a member of the Zoning Board and in 1992 I ran and won a council seat. I was elected mayor in 2000 and reelected in 2004, 2008 and 2012.

What are the most significant challenges facing local government?

There are many, many significant challenges facing local government today. Certainly trying to sustain the commitments made to residents to improve and enhance services, whether it's senior services or youth programs, under the restrictive 2 percent cap, is challenging and very difficult.

Our community, founded in 1666, and with 19 square miles of infrastructure requires our daily attention. And since our motto has always been to provide for our residents the best possible services at the least possible cost, finding the funds to keep our roadways in safe condition for our walking, riding and biking citizens is an ongoing struggle. Our infrastructure is on life support. I know most local municipalities are facing the same reality.

How would you describe your style of leadership?

Like every other mayor, I'm available around the clock. I'm fortunate to have competent department heads and dedicated employees who are used to the fact that I'm in touch with each

department on a daily basis—it's important to me as the mayor that I'm in the loop. I also have an open door policy so that any resident or employee can feel free to meet with me to discuss whatever issues they may have.

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

There may have been some subtle changes over time but I think overall citizens have always demanded, and expected, honesty and responsibility from their elected officials. They want an open, transparent and efficient government working on their behalf and they want to be able to trust the person they have elected to represent them. Citizens want to know that government officials are not only listening but hearing what they are saying.

What advice would you give to newly elected officials?

I would advise newly elected officials to read all the material given to them well before any meeting they attend. I've been told that some officials read their material 15 minutes before a

meeting—certainly not a good idea. I would also advise them to listen and observe their more experienced colleagues but not be reticent to offer their opinion on a given subject. There is no copyright on how to run government—suggesting doing things in a different way can be good.

They should also take advantage of networking opportunities and attend classes, meetings or sessions that will broaden their knowledge of government issues at the local, county and state level. For example, the New Jersey League of Municipalities offers a wide array of important topics at their annual conference—and throughout the year—that will be of significant help to a newly elected official.

What are the biggest legislative challenges facing municipalities?

Some of the biggest legislative challenges facing all municipalities are property tax reform, the diminishing Transportation Trust Fund, and finding a fair and equitable solution to the COAH issue. If we were ranking these issues, they would all be ranked number one. It is our sworn duty as elected officials to be sure that our voices are heard in the State House and beyond—loud and clear. Our citizens deserve no less.

What are your goals as NJLM President?

Many of the problems that mayors face every day are generated in Trenton, so one of my goals as League President will be to be proactive and present a unified voice on issues that are common to all municipalities. We must make certain that our presence is felt up and down the corridors of the State House.

It is critical that we work together with the Administration and the Legislature and they understand that the need for change is coming directly from their own constituents. New Jersey is a great state, but we know we have many serious problems that must be decisively addressed. If we keep the lines of communication open and our voices are heard, at the end of the day, change will happen. 🍀

Remarks of the Honorable Brian C. Wahler President, New Jersey State League of Municipalities; Mayor, Piscataway

President Wahler gave the following address at the League's Business meeting on November 20, 2014 during the 99th Annual League Conference in Atlantic City.

I am very grateful to all of you for this opportunity to serve as president of your League of Municipalities. It is an honor to be called to this office and I gladly accept it. I am proud to be your colleague. I am proud to be your President.

As concerned public servants, we all work to protect the interests of our fellow citizens. Municipal officials are generous people. We give up our evenings and weekends. We give of our time and talents. We give up the expectation that others will respect our limitations and privacy. Local officials rarely get the thanks they merit. In fact, we often get the blame for things we can't control. But we keep at it, doing what good we can in what time we have. And that is why I am proud to be your colleague.

We become active in the League of Municipalities so that we can work together to protect our neighbors' interests, also. And we are able to do that because of the often invisible efforts of the officers and the members of the Executive Board. They are the reason for my pride in being your president.

I hope that this year I am able to continue the standard of service set by my predecessor and friend, Mayor Suzanne Walters of Stone Harbor. Mayor Walters recognized the diversity of municipalities in this state and what can be the diversity of our interests, but she always emphasized the need for unity in action on key public policies. She knew that unity in action, and the active participation of more and more League members, were the main tools that the League can use to build a better New Jersey.

I regret that my friend, Eatontown Mayor Gerry Tarantolo, was denied the opportunity to serve as League President. He has been a dynamic advocate for the municipalities of our state and a giant in the struggle to reform our outmoded and onerous over-reliance on the property tax. I want you to know, Gerry, that your work has not been in vain. We intend to continue your good efforts to provide lasting relief to the people we all represent.

The League has been blessed by a series of great leaders and I salute all of our past presidents for their leadership, integrity, intelligence and skill. Whether they realized it or not, those that I have been associated with while a member of the League were true role models, and I will emulate their leadership to the best of my ability. I also want to thank all the members of our Executive Board with whom I have served and on whom I will continue to rely for support and wise counsel.

What is now my Township of Piscataway was settled in 1666 by Quakers and Baptists who had left the puritan colony in New Hampshire. The township was formed on December 18, 1666, and officially incorporated by an act of the New Jersey Legislature on February 21, 1798, as part of the state's initial group of 104 townships. The community, the fifth-oldest municipality in New Jersey, has grown from a Native American territory, through a colonial period and is one of the links in the earliest settlement of the Atlantic seacoast that ultimately led to the formation of the United States.

I am proud to be the Mayor of Piscataway, because of our history, because of our diversity, because of the challenges that we have had to face and overcome and, most of all, I am proud of our resilient people.

I am very thankful to have been given the opportunity to serve those people and most especially for the opportunity to try to encourage the children of Piscataway to develop all their talents and abilities. During my tenure, Piscataway was chosen Sportstown New Jersey, by Sports Illustrated magazine. And in 2014, *MONEY* magazine ranked Piscataway 27th out of the top 50 places to live in America.

I thank you, again, for calling me to this office. And I urge all of you to continue to support the league and to get more involved, so that you can help us shape a better future for all the people of our Garden State. 🍀

Combating the Enterovirus

Jackson took a proactive approach to educate and protect citizens

By Michael Reina, Mayor, Jackson Township



With the recent headlines of the Ebola outbreak and now the Enterovirus threatening our children, it's no wonder that everyone is in a heightened state of awareness. The headlines are scary and unnerving. After an Enterovirus infection claimed the life of a four-year-old boy in Hamilton (Mercer) (25 miles away from our town), it was clear that we needed to take immediate action to ensure our residents' safety.

I'm sure you share my commitment to public safety. In the aftermath to the Enterovirus outbreak, I directed my Public Works Department to take immediate actions. As of the start of business on October 8 DPW workers started performing additionally sanitizing in all township operated buildings. Next, the effort was expanded to playground equipment in our public recreational areas.

Procedures The playgrounds and recreational areas, including public restrooms at our sports fields, and gathering places such as bleachers and picnic tables, are being cleaned and disinfected three days a week—everything from the ramps to the railings. And all municipal buildings are done twice daily. All surfaces are treated with a light bleach solution as prescribed by the Center for Disease Control. Nobody knows how to control these viruses, but we will take whatever safety precautions we can to limit and reduce the exposure and transfer of all viruses. It is a proactive approach to protecting both Jackson Township employees and our residents that we take very seriously each and every day.



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Combating the Enterovirus

The Enterovirus isn't something that can be taken lightly. More than 40 states have confirmed respiratory illness caused by the EV-D68. The increase in sanitizing is something I think every township should do because they owe it to the people they care about.

All surfaces are treated with a light bleach solution as prescribed by the Center for Disease Control.

As an extra precaution, we have also instructed employees on how to keep their work areas clean and sanitary. We offer them sanitary surface wipes and anti-bacterial hand soap throughout the buildings. All this extra disinfecting does not cost us anything but a few extra cleaning sup-

plies. I'd rather be safe than sorry.

Community Education It's important that the public understand that this is not to scare them, it's all about being prepared. As a father and grandfather, I completely understand that during cold and flu season, parents are generally a little more cautious of their child's surroundings. Whether it's due to their age, their increased exposure during school, or to their weaker immune systems, children seem to be more susceptible to picking up germs. Among the current cases of EV-D68, Children with asthma seemed especially vulnerable to having EV-D68 exposure result in severe respiratory illness. Our sanitizing efforts not only reinforce Jackson's commitment to keeping residents safe, it also offers parents a little more peace of mind when allowing their children to play.

Jackson Township was among the first to increase sanitizing in the midst of these health concerns. I am hopeful that by lead-

ing the way and getting the word out to all the surrounding townships, our neighboring municipalities, as well as local businesses will take similar precautions. By working together, we can prevent this viral outbreak from becoming widespread.

In a meeting with the Jackson Township Board of Education, I discussed the additional sanitizing that the township will be doing for the safety of its residents. They have decided to increase their disinfecting procedures as well.

This is not the first time that Jackson Township has increased their sanitizing efforts under my direction. In 2009, the H1N1 virus caused the death of a Jackson Township second grader. The Department of Public Works staff was instructed to take the same precautionary measures, which included the increased sanitizing of municipal buildings and playground equipment, and now with flu season upon us, there are no plans to stop our extra sanitizing efforts. ♣

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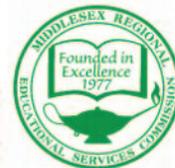
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100 years OF LOCAL GOVERNMENT COOPERATION

Your League Celebrates Its 100th Year

By Suzanne Walters, Chair,
NJLM 100th Anniversary Committee



However, beginning in 1911, prominent mayors of the day, who were working together to resolve a problem with the Public Service Corporation of New Jersey, held a series of meetings to consider a more formal alliance. During these sessions, the group realized the need for a permanent centralized organization for municipalities in New Jersey.

From these early meetings emerged a spirit of cooperation and a dedication to good government that enabled the League to grow significantly over the next century.

New Jersey was not the first state to create such an organization, and after examining the success of other states over the next several years, the groundwork for creating the League was laid in February 1915, when a League Committee on organization was formed. In April 1915, a bill was passed by the New Jersey State Legislature authorizing the creation of an organization of municipalities for joint municipal action (Chapter 163, Laws of 1915), and on June 16, 1915, the League Organization Committee adopted a Constitution officially creating the New Jersey State League of Municipalities.

In 2015 the New Jersey State League of Municipalities is celebrating its 100th anniversary. In the early 1900s, municipalities in New Jersey were left to solve their problems alone. At best, they may have garnered support through makeshift alliances with neighboring communities that faced similar challenges.





From these early meetings emerged a spirit of cooperation and a dedication to good government that enabled the League to grow significantly over the

next century. At the time of the League's creation, 51 municipalities were active members; today all 565 municipalities are members of the League.

Web Info Activities and events to commemorate the League's anniversary

will be held throughout the year. Visit njslom.org/100years to learn more. The webpage will be expanded throughout 2015, to include a detailed history of the organization.

100th Anniversary Banquet In May, the League will be hosting a 100th Anniversary and William G. Dressel, Jr. Retirement Banquet; details can be found at njslom.org/100banquet. The event will also serve as the retirement dinner for Bill Dressel, the League's Executive Director. Other highlights currently planned include: a special section on the League's history in the May issue of *New Jersey Municipalities* and ongoing photos and facts posted to social media (facebook.com/njleague and twitter.com/nj_league); to follow the celebration use #njlm100. 🍷

@ Visit njslom.org/100years for information on NJLM's history and upcoming events.

Follow the celebration using #njlm100 on Facebook and Twitter.



White Level Mayors' Hall of Fame Inductees (30+ years)



(L-R) Port Republic City Mayor Gary B. Giberson; Presenter: then League President Mayor Suzanne Walters, Stone Harbor.; Plainsboro Township Mayor and League Past President, Peter Cantu.

Gold Level Mayors' Hall of Fame Inductee (20—30 years)



(L-R) Presenter: then League President Suzanne Walters; Southampton Township Mayor James F. Young, Sr.

Silver Level Mayors' Hall of Fame Inductees (11-19 years)



(L-R) Presenter: then League President Suzanne Walters; Palisades Park Borough Mayor James M. Rotundo; Voorhees Township Mayor Michael Mignogna; Swedesboro Borough Mayor Thomas W. Fromm; Monroe Township Mayor Michael F. Gabbianelli; Independence Township Mayor Robert M. Giordano; Tenafly Borough Mayor Peter S. Rustin.

99th Annual Mayors' Hall of Fame

At the 99th Annual New Jersey League of Municipalities Conference in Atlantic City, then League president Suzanne Walters and officials from throughout New Jersey honored the most recent inductees to the Mayors' Hall of Fame.

The League established the Mayors' Hall of Fame to recognize mayors who have served for over 10, 20 or 30 years.

“Serving as mayor for decades is a commitment of time and energy over the long haul. These mayors have obviously made a long-term commitment as leaders to better their communities. They have had a chance to see their communities grow and change over the years and to work to make a difference” said League Executive Director Bill Dressel. “They deserve to be recognized.”

In 2014 for the first time, a new level was established, the White Level, for mayors currently serving more than 30 years in office as mayor.

The members of the 20th induction class of the Mayor's Hall of Fame were honored during a special ceremony during the Mayors Box Luncheon on Wednesday November 19 in Atlantic City.

List of Inductees:

Gold Level

- Southampton Township Honorable James F. Young, Sr.
- Surf City Borough Honorable Leonard T. Connors, Jr.

Silver Level

- Independence Township Honorable Robert M. Giordano
- Monroe Township Honorable Michael F. Gabbianelli
- North Brunswick Township Honorable Francis M. Womack, III
- Palisades Park Borough Honorable James M. Rotundo
- Swedesboro Borough Honorable Thomas W. Fromm
- Tenafly Borough Honorable Peter S. Rustin
- Voorhees Township Honorable Michael Mignogna

White Level

- Haworth Borough Honorable John Dean DeRienzo
- Plainsboro Township Honorable Peter Cantu
- Port Republic City Honorable Gary B. Giberson

Meet Your New Board Members



Susan Howard
Mayor, Monmouth Beach Borough



Liz Lempert
Mayor, Princeton



Thomas F. Kelaher
Mayor, Toms River



Janice Kovach
Mayor, Clinton Town



Paul H. Tomasko
Mayor, Alpine Borough

The Narcan Police

In response to an epidemic of heroin overdoses and a new law, Wayne takes action to save lives.

Chris Vergano Mayor, Wayne and James Clarke, Chief, Wayne Police Department

On May 22, 2014 at 5:00 p.m., a husband and wife returned to their Wayne Township home to find their 38 year old daughter lying on the bathroom floor not breathing. Beside her were a syringe and a tourniquet and fresh puncture marks were visible on her arm. It was evident to the officers who responded that she had overdosed on heroin.



Wayne Police Chief James Clarke, Officer Rick Hess and Mayor Chris Vergano. Officer Hess was the first officer in Passaic County to successfully use Narcan to revive a heroin overdose victim.

One officer went out to stand at the curb to await the paramedics. When they arrived the officer told them that the victim was in cardiac arrest, most likely due to a heroin overdose. The paramedics immediately administered Narcan to the victim. Within minutes she was breathing on her own. By the time she arrived at the hospital emergency room the victim was awake and talking. However, the outcome could have been very different. Had the paramedics been delayed—even by a couple of minutes—the woman would have suffered irreversible brain damage.

On September 3, 2014 at 6:00 p.m., our patrol officers working the night shift were the first officers in the department's history to be issued Narcan kits to carry while on patrol. These officers had completed training in the proper use of the Narcan Kits for opiate overdoses.

The very next day a patrol officer used his kit to save the life of a man who was barely able to breath and surrounded with drug paraphernalia. It was the first time in Passaic County that

a police officer used Narcan.

Initially, many thought that this rescue, coming so quickly after the start of the Narcan program was a fluke. That thought process was proven wrong when on September 7 officers once again saved a man with two more doses of Narcan in motel room. He, too, was quickly resuscitated. Sadly, overdose is becoming common.

From 2010 through 2013, New Jersey saw close to 4,300 drug-related deaths. According to the Center for Disease Control, deaths from overdoses have been rising over the past two decades to become the leading cause of injury death in the United States. Injury death is caused by an act carried out on purpose by oneself or by another person(s), with the goal of injuring or killing. Every day in the United States, 113 people die from overdoses, and another 6,748 are treated in emergency departments for the misuse or abuse of drugs. Nearly nine out of 10 poisoning deaths are caused by drugs.



Narcan Works Narcan is the brand name for Nalaxone, which is an opiate antagonist. Simply, it works by reversing the effects of opiate-based drugs and medications. Once the opiate effects are reversed a person will experience improved breathing and responsiveness. Narcan works only on opiate-based drug overdoses.

Narcan will not stop an individual from using drugs or becoming an addict.

Narcan is administered by spraying the solution in the overdose victim's nose. A small nasal atomizer is attached to the Narcan syringe which creates the mist that is sprayed into the nasal passage. Once the Narcan is absorbed into the blood stream it disconnects the opiates from the receptors that they attach to within the body. This separation reverses the opiate effects on the person.

Depending on the vendor and the type of kit purchased (single dose or double dose), the cost of the drug varies from \$25 to \$50.

Liability Considerations Immunity is granted under New Jersey Public Law 2013, Chapter 46, which is also known as the "Overdose Prevention Act" (the Act). The act provides immunity for civil and criminal liability for non-health care professionals who administer in an emergency, naloxone hydrochloride, or any other similarly-acting drug approved by the United States Food and Drug Admin-

istration, to a person believed in good faith to be experiencing an opioid overdose. The Act also provides civil, criminal, and professional disciplinary immunity for health care professionals and pharmacists involved in prescribing or dispensing the opioid antidote in accordance with the Act.

The Value of a Life There have been many arguments on whether or not police officers should be carrying and administering Narcan for opiate overdoses. Opponents have expressed concerns that taxpayers should not be asked to fund a program that caters to those who

are addicted to drugs. Proponents of the program say that it is the duty of police officers to render aid and preserve life.

Is administering Narcan any different than giving oxygen to an asthma victim or using a defibrillator on a cardiac arrest victim? The real question is what if the overdose victim were one of our own family members? Would we want police officers to administer Narcan and do everything possible to save his or her life?

My co-author Wayne Police Chief James Clarke said that "after spending seven years assigned to the Narcotics Bureau as an undercover detective I am fully aware of the pitfalls with drug abuse. The Narcan program will provide lifesaving measures for first responders attending to those caught up in the heroin epidemic."

The Passaic County Prosecutor, Camelia M. Valdes, said "I am proud that the partnership and efforts amongst the Passaic County Prosecutor's Office and Chiefs of Police have saved lives almost lost to heroin use. To date, the use of Narcan has saved five lives in Passaic County; three in Wayne, one in Bloomingtondale, one in Ringwood and one in West Milford. We look forward to future saves and continued cooperation."

As Mayor of Wayne, I feel our residents expect us to do everything we can to serve and protect. Narcan is another tool that allows us to fulfill that obligation. 🚔

Dear Officers...

On September 13, 2014, the Wayne Police Department received a thank you letter from the mother of the male who received the first dose of Narcan in the restaurant bathroom. She started her letter by saying "Thank you for saving my son's life." She went on to express her gratitude and appreciation for the police officer's rescue efforts and for implementing the Narcan program. The mother also wrote that as a result of her son's near death experience, he has entered into a rehab program. She concluded her letter by saying "I am so thankful that he still has a chance to succeed in life." Regardless of anyone's stance on the matter, we can all agree that to this mother, \$25 is a small price to pay.

Mental Health First Aid

Brick employees learn how to identify and provide compassionate assistance to those struggling with mental health issues

John Ducey, Mayor, Brick Township



When I received a phone call from an instructor with the Mental Health Association in Ocean County presenting a proposal to provide Mental Health First Aid training to our employees, I immediately said “yes.” With more than 76,000 residents, our community needs are nothing short of overwhelming. We are still reeling from Hurricane Sandy, the stress of rebuilding, recovering and making a new norm after an event of that magnitude shook us to the core. Helping each other is the only way we will truly recover.

No sales pitch was needed—the necessity and benefits of Mental Health First Aid (MHFA) training for our employees was clear. Many departments—police, EMS, building (construction code officials, sub code officials and engineering), tax collector, tax assessor, municipal court, administration, public works, recreation staff—work on the front lines with the public every day.

Empowering our employees with the skills to identify a person in crisis and how to best assist is in our best interests. It also helps us be more empathetic, understanding and effective.

The statistics are compelling—1 out of every 5 people will experience a mental health issue at some point in their lives—this includes depression and anxiety as well as substance abuse, bipolar disorder and psychosis.

In Brick, 25 employees signed up to attend the two, four-hour sessions of voluntary training. The response to the training

was so positive that the course will be offered again for employees who could not attend the first session.

MFHA training helped our employees understand the behaviors that indicate when someone is in crisis and also how to best approach the situation. They learned what to say or do and when to seek professional support. The training taught us the signs of addictions and mental illness. We were empowered with a simple, easy to remember plan to assess a situation and how to help. We learned the impact of mental and substance abuse disorders and have developed a list of local resources that is available to all township employees.

As Mayor, I have encountered people who are in need of assistance who don’t know where to turn for help. Thanks to this program, when that happens, I am better equipped to recognize that someone is in crisis. More importantly, I feel much more comfortable working with that person to provide assis-



Brick Township Mayor John Ducey (center) poses with municipal employees who volunteered to attend Mental Health First Aid training. A second group of employees, from the municipal utility authority, recently completed the course as well.



What is Mental Health First Aid?

Though not as well known as CPR or First Aid, mental health first aid courses have been offered throughout New Jersey by certified trainers since 2013.

The course was offered in response to the devastating toll and emotional impact of Hurricane Sandy as well as the increase of gun violence in U.S. schools.

Across the nation, the campaign is aimed at a variety of professions including: first responders, police, recovery workers, college leadership and students, clergy, librarians, public health employees and disaster volunteers.

With a training that incorporates role-playing, video, simulations, activities and an easy-to-recall acronym for a five-step action plan to assess a situation and help, it is closely modeled after the widely successful First Aid and CPR training.

“Statistically, the average person is more likely to encounter someone who has experienced trauma, crisis or substance abuse than an individual who is having a heart attack,” said Bob Kley, Vice President and COO of the Mental Health Association in New Jersey. “For most people, that fact makes them stop and think.”

The Mental Health First Aid course teaches participants how to recognize the signs and symptoms of mental illness, provide support, deescalate a crisis and, if appropriate, refer individuals to services.

“We hope that everyone who takes the training can better understand the impact mental illnesses have on a person, their family and communities,” said Kley. “I applaud Mayor Ducey for taking the lead and bringing this training to Brick. His progressive thinking is part of the solution needed in this country.”

Research shows individuals dealing with mental illness and substance use often don’t seek care because they don’t know where to start or stigma prevents them from taking action. Having more people certified in MHFA who are comfortable and knowledgeable will result in an increased number of community members who can recognize a problem and help. It is important to note how high success rates are for mental health conditions.

MHFA is currently in 20 countries. The original program was created in Australia in 2001. In 2008, the United States adopted MHFA. In addition to Mental Health First Aid, Youth Mental Health First Aid classes are available. The curriculum includes risk factors and warning signs of a variety of mental health challenges common to adolescents including anxiety, depression, psychosis, eating disorders, ADHD, disruptive behavior disorders and substance abuse.

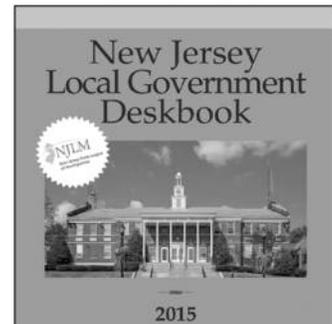
Some agencies are able to offer MHFA at no cost through grants funds; others charge for the course.

 To learn more contact the Mental Health Association in New Jersey at 973 571-4100 ext. 123 or MHANJ.org.

tance in an appropriate way and to turn to the resources available within our community. This helps make sure people are aware of, and can access, the exceptional programs and services available to keep them safe and healthy.

Mental illness affects all communities. The public health campaign for MHFA has helped township employees to support the health and wellbeing of our residents. All towns should consider equipping their employees to make a positive difference in the lives of those in crisis. It’s a gift that has far-reaching impact and we are all better for it. 

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WASHINGTON



Wishing You a Happy and Bipartisan New Year

By Leonard Lance, Congressman, Seventh District

January is a natural time to take stock of the accomplishments of the past year, recall its highlights and set new goals for the coming year. In city halls and county seats across our state this scene plays out at reorganizational meetings where local office holders, mayors and freeholders outline new projects, set budget expectations and announce new partnerships.

In Washington, we are beginning our work in the 114th Congress focusing on issues that make a difference in the everyday lives of many. These issues include job creation, spurring growth and opportunity, reducing the tax burden, driving down our national deficit, affirming patient-centered health care and harnessing American-made energy to help consumers across the country. I await the President's State of the Union Address where he will outline his priorities, and I will listen for ways we can work together.

The new year needs to be a year of governance, not politics. The nation has voted. The President will now be looking for legacy issues in his final two years in office and the people elected a Republican House and Senate to work on the great issues of the day. There are many good policies that cut across the political spectrum, but the President must have the will to see that these measures become law. We must resist the political urge to punt issues to the next Administration and instead tackle important items that will strengthen our economy and prepare our children for the challenges and opportunities they will face in the future.

Reforming our tax code by closing special-interest loopholes and enacting a simpler, fairer and flatter system would benefit individuals, businesses and working families alike. The Republican House and Senate will likely deliver tax reform to the President after years of hearing the call from Main Streets across America. Growth and innovation are being stifled by oppressive taxation. The President cannot let the perfect be the enemy of the good. He needs to work with Congress to ensure as many Americans as possible get tax relief.

We must enact smart spending restraints, including a balanced budget amendment, to address the record debt and deficit that are harmful to the economy. Late last year, with little media attention, our national debt surpassed \$18 trillion. This is a dramatic weight on our economy and compromises our national security, as potential adversaries as well as allies purchase our debt. The House has voted for trillions of dollars

in cuts over the next generation and voted for a balanced budget amendment. We must find common ground on reining in this red ink menace before it is too late.

Embracing an "all-of-the-above" energy plan will put America's energy abundance to work and create jobs and lower energy prices. We are already realizing the benefits of cheaper gasoline thanks to smart moves on the energy front. Every day motorists, home owners and shoppers are realizing the benefits of lower energy costs. We must move to protect our economy from a price surge and ensure that good, vetted projects are approved in a timely manner. The President's six year delay of the Keystone Pipeline is stalling at its worst. Keystone and other projects Congress has overwhelmingly supported should commence as soon as possible.

There are many good policies that cut across the political spectrum but the President must have the will to see that these measures become law.

Fixing our schooling system is not only a priority for families and students, but an essential move in our ongoing race to compete abroad. From kindergarten through college we need to work together to make education more affordable and accessible for middle-class families. When the President mentioned the high cost of college education in his State of the Union Address three years ago, I was one of the Republicans who stood on my side of the aisle to show my support for fixing the student loan mess. But there has been no follow through. The President should work with Congress and sign educational reforms into law.

These bipartisan ideas are just a start, but if enacted into law they would lead to greater job creation, reduced energy prices and more take-home pay for middle-class working families—exactly what our economy needs right now.

We all must expect the unexpected. Who would have predicted our nation's challenges in 2014: Vladimir Putin on the march, the horrible success of ISIS or the great concern over Ebola? But through collaboration and teamwork local officials throughout New Jersey manage challenges and deliver high quality services that reflect well on your ability to govern. I am sure you will make 2015 a year of good governance locally as we try to do the same in Washington. Happy New Year to all municipal and county officials from Sussex to Cape May. 🍷

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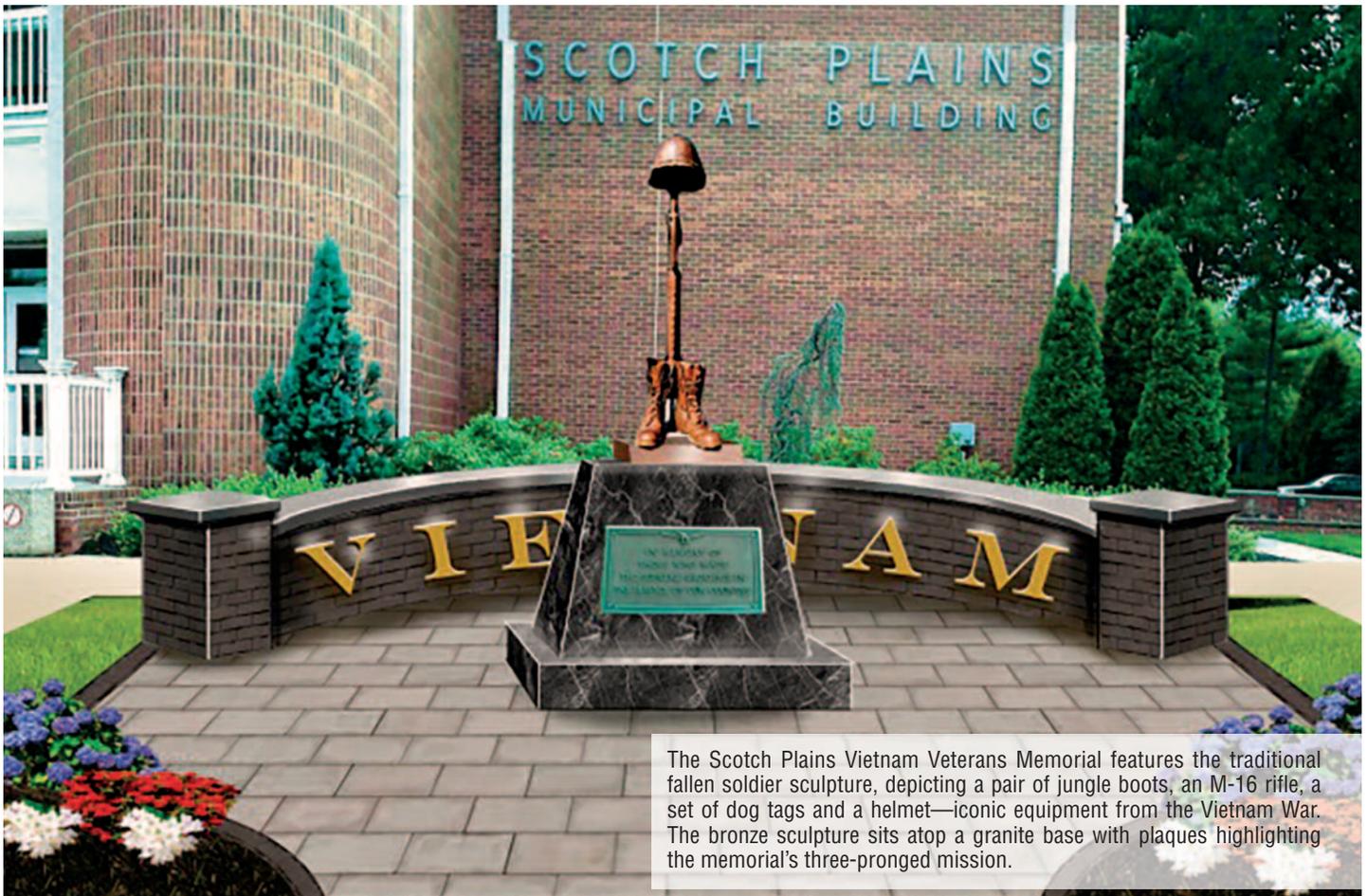


EXCLUSIVELY FOR ADULTS

Scotch Plains Honors Vietnam Vets

The memorial will serve as an instrument of healing for those impacted by the Vietnam War

Kevin Glover, Mayor, Township of Scotch Plains



The Scotch Plains Vietnam Veterans Memorial features the traditional fallen soldier sculpture, depicting a pair of jungle boots, an M-16 rifle, a set of dog tags and a helmet—iconic equipment from the Vietnam War. The bronze sculpture sits atop a granite base with plaques highlighting the memorial's three-pronged mission.

On Sunday, November 10, 2013, the Scotch Plains Vietnam Veterans Memorial was dedicated in the front of the township's municipal building.

Almost 40 years after the end of the Vietnam War, a small group of Scotch Plains veterans decided it was time, at last, to honor the veterans of that divisive war. A design concept was developed by one of these veterans in 2012. The memorial is intended to:

- recognize the dedication, commitment and sacrifice of the men and women of the armed forces of the United States who served during the Vietnam War;
- pay tribute to local residents who gave their lives in service to America during the Vietnam War; and

- honor all American prisoners of war and those missing in action from all wars and conflicts.

The memorial was constructed and is maintained by private funds through the generosity of township residents and other benefactors.

The centerpiece of the memorial is the traditional fallen soldier sculpture, depicting a pair of jungle boots, an M-16 rifle, a set of dog tags and a helmet—

iconic equipment from the Vietnam War. The bronze sculpture sits atop a granite base with plaques highlighting the memorial’s three-pronged mission. The backdrop for the statue is an arched wall marked with the letters, VIETNAM. Seasonal flowers and plantings complement the memorial, creating a park-like setting.

The memorial committee launched a fundraising campaign in August 2013 at which time ground was broken for the memorial. Within three months, the entire memorial had been completed and was set for its dedication in time for Veterans Day. Several organizations and individuals donated labor and materials to the project on a pro bono basis.

The memorial was constructed and is maintained by private funds through the generosity of township residents and other benefactors. Major donors are listed on engraved pavers on the floor of

the memorial in recognition to their significant contributions. No tax dollars were spent on the project.

The dedication ceremony, a moving and emotional event, was attended by over 300 citizens. Speakers included several veterans who shared personal reflections on the Vietnam War. The program was enhanced with musical performances, including a soloist who sang The Star-Spangled Banner and God Bless America and a bagpiper who performed the military service hymns. Two high school trumpet players touched the hearts of the crowd with their rendition of Echo Taps, which followed a rifle salute by American Legion Post 209’s Color Guard.

It is hoped that the Scotch Plains Vietnam Veterans Memorial will serve as an instrument of healing for all those who were impacted by the consequences of the war. 🇺🇸

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Is Your Town Senior Friendly?

A new report measures New Jersey towns based how easy life is for those who are elderly

By Rebecca Feldman, Councilwoman, Morristown & Tim Evans, Director of Research, New Jersey Future

New Jersey is growing older. As of 2012, more than 2.3 million New Jersey residents—26.6 percent of the state’s population—was at least 55 years old, and more than half of that total was over 65. Nearly 200,000 were 85 or older. These numbers are only going to grow with the aging of the Baby Boomers.

Are we ready, from a land-use perspective, for the swelling tide of gray? For older people, getting out of the house, running errands, and interacting with others is a major determinant of quality of life. As getting around becomes harder, having a variety of activities close to home, and in a place that fosters social connections, becomes more important. What can local officials do to attract and keep residents (and their assets) in place even after they retire from work?

A report by New Jersey Future, *Creating Places To Age in New Jersey*, measures our towns based on four key development characteristics: density of destinations, presence of a mixed-use downtown, street network connectivity, and access to public transportation, particularly local buses. The report finds a significant mismatch between the municipalities that have the most “aging-friendly” development patterns and the ones where large numbers of older residents actually live. Look and see where your town falls on the spectrum—there may be room or improvement.

What Causes “Grey Flight?” The last 50 years’ worth of low-density suburban development has precipitated a slow-motion crisis in which many of us (or our parents)—more than two-thirds of New Jersey’s older residents, in fact—will be stranded to some degree in a car-dependent landscape as our ability and inclination to drive diminish. The 109 municipalities that score poorly on all four metrics are home to approximately 13 percent of the state’s older residents. In this group are some municipalities that host notably large 55+ populations.

once jobs and kids are out of the picture, we need to provide new opportunities for connection—and not just with other seniors in age-restricted zones

What can towns do to retain older residents? Officials and developers could create new pedestrian-friendly downtowns where they don’t currently exist, either by retrofitting existing development, like the Echelon Mall’s rebirth as the Voorhees Town Center, or the idea for a new “lifestyle center” on the old BASF property in Mount Olive; or by building a new town center from the ground up, like those in Robbinsville and Plainsboro. More incrementally, implementing form-based codes, as the town of Morristown is doing and the town of Newton has already done, can help focus development decisions on creating a sense of place and community, rather than on the specific uses of each building.

Meeting the Needs of Baby Boomers

Even in some of our older, more walkable cities and suburbs, the housing stock may not match the needs of the growing population of Boomers. For example, Englewood Cliffs, Fair Lawn and Totowa all have aging-friendly development patterns but a marked shortage of apartments and condominiums for people who need to minimize yard work, maintenance projects, and stair climbing. Despite having good infrastructure, these places have half as much multi-family housing as the state average. Because adding new housing options in many of these older places will frequently be achieved via redevelopment of existing properties (since these towns lack undeveloped land), local officials should be making sure their zoning codes allow for mixed-use development and higher-density housing, and should be looking proactively for redevelopment opportunities. Housing costs, too, can affect whether current residents, especially retirees on fixed incomes, can afford to stay in town when they downsize. Allowing supply to keep pace with demand for the kinds of housing desired by older residents will help keep prices within reach.

Opportunities to Connect Maintaining social connections is a big reason older people give for wanting to stay in their communities as they age. However, once jobs and kids are out of the picture, we need to provide new opportunities for connection—and not just with other seniors in age-restricted zones. Destinations within walking distance promote these connections naturally, and also make for good exercise, especially if other recreational opportunities, both indoor (like the YMCA) and outdoor (like public parks), are located downtown. Local officials also need to make sure streets are safe and inviting, with ample tree-shaded sidewalks and outdoor seating, usable crosswalks, pedestrian-activated traffic signals, and safe median strips for older people who need extra time to cross.

In general, the more elements of life you can put within walking distance, the better your town will be for older people—and for anyone else who wants to enjoy a more connected lifestyle. 📍

Tim Evans is director of research for New Jersey Future, a non-partisan, non-profit land-use policy institute. He is the author of the report *Creating Places To Age in New Jersey*.



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GOLD DOME

Tackling Low Voter Turnout

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

If there was one frustrating thing about November's election results, it was the dramatically low turnout. Less than one third of New Jersey's voters bothered to cast a ballot, despite tens of millions of dollars being spent to get them to do just that. This challenge to democracy isn't going away. In November 2015, when the state Assembly races will be at the top of the ticket, that turnout number may drop even lower.

Of course, there are many factors that impact voter turnout, including that in 2014, as the sixth year of the Barack Obama presidency, Republicans were poised to do well. This would be consistent with other "sixth year elections" throughout American history.

Polls in 2014 consistently showed Democrats were less enthusiastic to vote than Republicans. Consider what happened in the Third Congressional District, encompassing Burlington and Ocean counties. With an opening caused by the retirement of two-term congressman Jon Runyan, national Democrats sensed an opportunity and spent over \$5 million on behalf of their candidate, Burlington County Freeholder Aimee Belgard. Not to be out-gunned, GOP candidate Tom MacArthur, a former insurance executive, put in nearly \$3 million of his own money. The campaign spending made it competitive, but the final result was not close—MacArthur won with 56 percent of the vote.

The lack of Democratic enthusiasm contributed to the size of the loss. In Willingboro, a Democratic bastion, Belgard produced a margin of a little over 7,000 votes. But in 2010, also a very Republican year, the Democrat candidate won Willingboro with a margin of more than 9,500 votes. Certainly, an extra 2,500 votes doesn't make much of a difference when you lose by more than 9,000. However, it reflects a larger problem: millions of dollars were spent visiting homes, making phone calls, airing commercials, sending wave after wave of targeted mail, and yet the Democratic base stayed home.

It's not that the Belgard campaign did not anticipate the lack of enthusiasm among its base. This is why they tried to energize the successful Obama coalition of African Americans, young voters and single women. However, as in many places around the country this election cycle, they were unable to duplicate it. Indeed, many Democrats are questioning whether

the Obama formula can ever be replicated without President Obama on the ticket.

Bergen County saw the biggest upset of New Jersey's election night 2014. Democratic Freeholder Jim Tedesco, the former Mayor of Paramus, handily defeated the favorite, incumbent Republican County Executive Kathe Donovan—an icon within the county's political scene for three decades.

Less than one third of New Jersey's voters bothered to cast a ballot, despite tens of millions of dollars being spent to get them to do just that.

Bergen County, with over 925,000 residents, is a huge electoral prize for whichever party can control it. With one exception, no Republican (in the entire 239-year history of New Jersey) has ever won a statewide election without carrying Bergen. What Ohio is to a GOP presidential candidate, Bergen County is to a New Jersey Republican with his or her eye on the governor's office. You don't win without it. Thus, Democratic control of the county will make for a much tougher fight for the 2017 GOP nominee.

While low-voter turnout across the nation resulted in an electorate dominated by voters angry at President Obama, Tedesco won in part because he was able to focus his race on local issues. Donovan was squabbling with the Sheriff's department (run by a fellow Republican) as well as with the Democratic-controlled freeholders and others over politics and policy. Among the small percentage of people who were going to vote, the race seemed to be less about Obama than it was about Kathe Donovan. And that's part of the reason why we saw a result contrary to the Republican trend everywhere else.

Increasing voter turnout is a challenge to everyone involved with government. In the upcoming legislative year, it would not be surprising to see new ideas debated in Trenton about how to expand participation, including online voter registration and expanded voting periods, perhaps starting as much as a week or two prior to election day. In this challenge to democracy, New Jersey is behind many other states, and that is not where anyone should want to be. 🍌

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Redeveloping a Former Lake Resort

Five years in planning, the project illustrates what can happen when state, county and municipal agencies, along with private enterprises, work together to realize a vision

Sylvia Petillo, Mayor, Borough of Hopatcong



By the mid-1970s, our summer resort days were over and more and more homes became year-round residences. The businesses that made River Styx attractive disappeared.

The small town of Hopatcong recently marked a milestone in its quest to rejuvenate the River Styx section with a groundbreaking ceremony.

Five years in planning, the project illustrates what can happen when state, county and municipal agencies, along with private enterprises, work together to realize a vision. Town officials hope the redeveloped area will restore some of the popularity the community enjoyed before the 1960s, when the completion of Interstate 80 and other roads put an end to the borough's popularity as a summer destination.

The borough includes the western shore of Lake Hopatcong in Sussex County. The history of Hopatcong parallels the history of the lake. Our town has gone from a resort town, to a

summer community similar to the Jersey Shore, to its current form, as a quiet, pleasant year-round community of 15,000.

Hopatcong's Heyday Following World War II, Lake Hopatcong flourished as a popular summer spot. It evolved into a middle-class bungalow and second-home community. The center of social life at "The Lake" was The River Styx Business District. On any given summer weekend during the late 1940s or 1950s, the area was a blaze of activity. Perhaps the best remembered place was the Mad House Bar and Grill, located at the River Styx Bridge. The Mad House opened in the 1920s during Prohibition.

With the completion of Interstate 80 in the 1960s, however, the lake's story took a new turn. With people traveling longer distances at higher speeds, small communities that once offered interesting places to stop and stay were bypassed. It was easier to travel further. By the mid-1970s, our summer resort days were over and more and more homes became year-round residences. The businesses that made River Styx attractive disappeared. The Mad House, for instance, burned



Mayor Sylvia Petillo officiates at the groundbreaking held to kick off construction of a 20,432-square-foot mixed-use building with 4,660 square feet of retail space and 15 condominiums above the shops at the Log Cabin site.

down in 1970. Since then the area has remained neglected and underutilized.

A Vision for Change Five years ago, Mayor Sylvia Petillo and the Borough Council announced their vision for change at River Styx. Their intent was to foster a reconstruction project that

would revitalize the entire area and spur much-needed redevelopment.

The plan is to bring new homes and businesses to the area. The redevelopment would leverage its close location to the Interstate, as well as other good roads and nearby rail transportation, to become a place where commuters could live and enjoy their leisure time, but still get to regional work centers easily. At the same time, it would create jobs, rentals and make the area more attractive. That, in turn, could raise property values throughout town.

Our town council has spent the past five years making the vision a reality by confronting all the state and local issues raised by the plan. Perhaps the biggest issue has been the impact of the Highlands Act. Because of the Highlands designation, the River Styx area was the only section that Hopatcong could redevelop.

Requirements of the Highlands Act With the passage of the Highlands Water

Our town council has spent the past five years making the vision a reality by confronting all the state and local issues raised by the plan.

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A Former Lake Resort

Project and Planning Act in August 2004, the Highlands Council became the primary regional planning, land-use and water resource-management body. Working in collaboration with local agencies, it is required to develop a regional master plan for the entire Highlands area. It

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must approve, reject or continually approve developments in the Highlands Preservation and Planning areas.

The River Styx project is a good example of how the council staff can advise and cooperate with local officials. Hopatcong officials worked closely with the Highlands Council, its planners and staff, addressing water-preservation and development issues. The council staff guided Hopatcong throughout the entire planning and development process. Members provided comments and recommendations to assure consistency with the provisions of the act, such as the protection and preservation of open space and natural resources.

The Highlands Council, however, was just one entity with which the borough had to establish a close working relationship.

Combined Planning and Zoning Boards By public referendum, Hopatcong's Planning and Zoning boards were combined into a committed "Land Use Board," which shared its vision and aspirations for the borough's future. Borough officials partnered with state Legislators, the Sussex County Board of Freeholders, the Sussex County administrator, county planner, the staff of the Economic Development Partnership and other county officials.

That team developed the first concept plan. It was introduced to the public for comments in July 2013. Numerous public meetings were held, along with many hours of planning, engineering, site visits, and revisions to plans.

The Land Use Board and Municipal Council adopted "form-based code zoning" for River Styx. This was significant since it allowed mixed-use development.

Form-based Code Form-based code is a pre-designed and pre-engineered "form" of development, which was included in the master plan re-examination. By predetermining many of the design and engineering issues, it eliminated the need for numerous variances to come before the land-use board. These included such things as building heights, side and front setbacks, and mixing commercial and residential use. The developer and land-use board would focus on site plan issues only.

Parking was also a major concern.

Borough officials approached the Board of Education, which has a school and adjacent parking in River Styx. They successfully crafted a plan to accommodate the development and maintain school parking by reaching an agreement between the Hopatcong Board of Education and the Borough of Hopatcong that granted a perpetual easement to construct and operate a public parking facility. The agreement allows the school to use the parking during school hours and the general public to use it during other hours.

A Development Partner Greentree Development Group of Pompton Plains began the revitalization by purchasing property formally known as the Log Cabin Tavern. Greentree Development is the outgrowth of a real estate investment group that focuses on working with municipalities with unfinished projects and unrealized visions. The company's plan was to replace the rundown and vacant buildings with shops, restaurants, offices and homes. Working with the Land Use Board, Greentree was able to produce a final plan suitable to the borough, existing property owners, residents, and all other stakeholders.

On August 18, 2014, a groundbreaking ceremony was held to kick off construction of a 20,432-square-foot, mixed-use building with 4,660 square feet of retail space and 15 condominiums above the shops at the Log Cabin site. Greentree will also be starting construction on 10 luxury lakefront condominium homes just down the street by the River Styx Bridge at the former Mad House location.

The new section of town will be called Brookland at Lakepointe. It will be the keystone in Hopatcong's strategic plan to bring new year-round revenue, businesses, jobs and residents to the community.

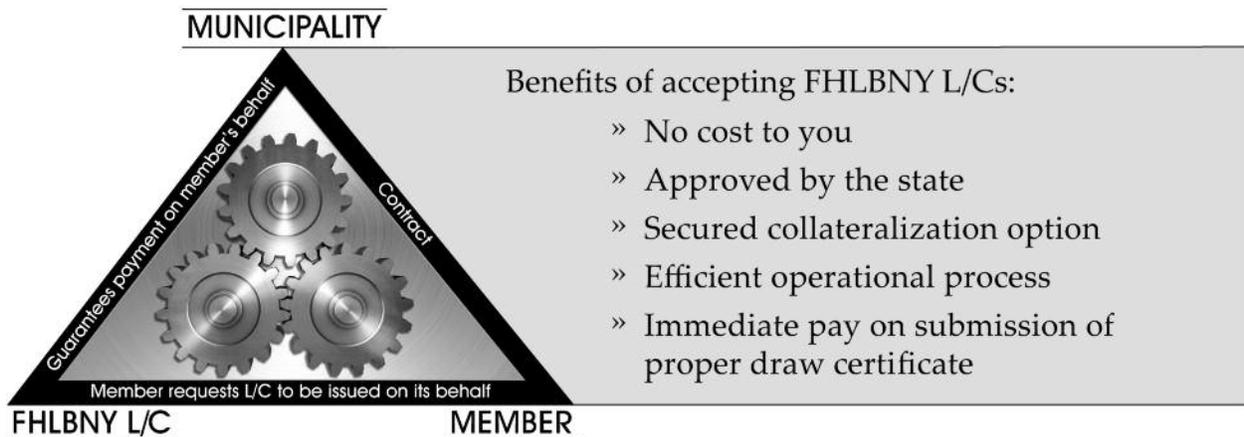
More to Come The Lakepointe master plan envisions additional development that will create a scenic, walkable community with space for pedestrians, bicycles and cars. There will be benches, sidewalk cafes, and shop windows. It is an innovative and environmentally sound concept that exemplifies today's planning standards, improves an area in much need of redevelopment and makes Hopatcong a better place to live, work and visit. ♻️



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2014 NJLM ANNUAL CONFERENCE



Sustainable Jersey & Exhibits...

(From top left) NJLM President and Mayor of Stone Harbor Suzanne Walters and Sustainable Jersey Co-Director Donna Drews; Cape May Mayor Edward J. Mahaney, Jr. accepts an award; League 1st Vice President Gerald J. Tarantolo speaks as Sustainable Jersey Board of Trustees Chair Pam Mount and Sustainable Jersey Board Member and Mayor of Woodbine William Pikolycky look on.



2014 NJLM ANNUAL CONFERENCE



Learning and asking questions...

(From top) Plainsboro and West Windsor Municipal Attorney Michael W. Herbert, Springfield Township (Union) Committeeman Ziad Andrew Shehady, Lake Como Council President Brian Wilton, Pittsgrove Committeewoman Linda Dubois, Trenton Councilwoman-at-Large Phyllis Holly-Ward, NJLM Interlocal Cooperation and Management Advisory Coordinator Gregory C. Fehrenbach, Little Ferry Councilman Tom Sarlo; Demarest Borough Mayor Raymond Cywinski attends the Consulting Period.



Partnerships for Prosperity



2014 NJLM ANNUAL CONFERENCE

League Luncheon...

The League Luncheon speaker was Lt. Governor Kim Guadagno. (Clockwise from top left) The Color Guard; Weehawken Mayor Richard Turner and Former NJLM President Paul Matacera; Assemblyman Gary S. Schaer and Lt. Gov. Kim Guadagno; Senate President Stephen M. Sweeney and Assembly Speaker Vincent Pietro; NJLM President Walters presents the 2014 Distinguished Public Service award to Thomas Edison University President George Pruitt and Edward J. Bloustein School Dean James Hughes.



2014 NJLM ANNUAL CONFERENCE



Meetings and Elections...

(Clockwise from top left) NJLM President Brian Wahler and Immediate Past President Suzanne Walters; Newark Mayor Ras Baraka, Hope Mayor Timothy McDounough and Governor McGreevey; BPU Comm. Joseph L. Fiordaliso, DOT Comm. Jamie Fox, DEP Comm. Bob Martin, Suzanne Walters, DCA Comm. Richard E. Constable III; Assemblywomen Holly Schepisi and Nancy Pinkin, Suzanne Walters; NJLM 1st Vice President Joseph Tempesta, Jr. of West Caldwell, 3rd Vice President James Cassella of East Rutherford and 2nd Vice President Albert B. Kelly of Bridgeton.



LEGISLATIVE UPDATE

By Michael F. Cerra, NJLM Director of Government Affairs;
Lori Buckelew & Jon R. Moran, NJLM Senior Legislative Analysts
& Edward Purcell, Esq., Staff Attorney-NJLM Associate Counsel

A-3605 (with amendments)



Emergency Demolition Fund

Status: Assembly State and Local Government
Committee

A-3605 would require municipalities to deposit payments from recovered demolition costs into a municipal “Emergency Demolition Fund.” Specifically A-3605 would require any cost of the demolition of a structure, recovered by a municipality, to be placed in a separate revolving fund. The funds from this account would be solely for demolition related activities.

As a matter of good public policy and planning, the municipality may have adopted an ordinance regarding unsafe buildings which are unfit for human habitation or occupancy or use. However, the need and frequency for a municipality to demolish a structure varies. By mandating the creation of an Emergency Demolition Fund, a municipality could be forced to create the fund due to the need to demolish one or two structures, and not have a need for the funds for another ten years.

Therefore, we respectfully requested that the creation of the “Emergency Demolition Fund” be permissive. A municipality would be permitted to create the revolving fund based on their need.

Assemblyman Dancer has agreed to amend the bill to make the creation of the “Emergency Demolition Fund” permissive as that was the intent of his legislation.—LB

ACR-176/SCR-131; A-1021/S-268; A-1012



Restoration of Energy Tax Receipts Property Tax Relief Funding

Status: Assembly State and Local Government
Committee; Senate Community and Urban
Affairs Committee

The restoration of our municipal energy receipts by the state must remain a top priority of the League and municipal officials during this legislative term. Toward that end, our Energy Receipts Restoration Committee has voted to support Assembly Concurrent Resolution (ACR) 176 / Senate Concurrent Resolution (SCR) 131.

Sponsored by Assemblyman Wayne DeAngelo and Senator Linda Greenstein, ACR-176/SCR-131 mirrors 2012’s A-2921/S-1900, which had been sponsored by Assemblyman Troy Singleton and Senator Paul Sarlo. However, instead of providing statutory protection to municipalities—which can be negated in future years—ACR-176/SCR-131 is structured as a proposed Amendment to the New Jersey Constitution.

In 2012, A-2921/S-1900 passed both Houses of the Legislature on bi-partisan votes, but was vetoed by the Governor. A Constitutional Amendment proposal bypasses the Governor, going directly to the voters at a November general election, after it has been approved by either: 1) three-fifths majorities in both Houses of the Legislature in the same calendar year; or 2) by simple majorities in two successive years.

Like A-2921, ACR-176/S-131 provides that the \$331 million in energy tax receipts would be restored incrementally over five years. Specifically, the amendment would require that, commencing in state fiscal year 2016, municipalities receive an incremental 20 percent restoration of the amount of municipal aid reductions using fiscal year 2008 as the base, plus the annual increment. In each of the next four state fiscal years, an additional 20 percent of this amount would be distributed to municipalities, for full restoration of the diverted funds.

Having not advanced last year, the earliest it could go to the voters is November 2015. As a result, ACR-176/S-131 will need to be amended to push the first 20 percent payment back to the State FY2017.

The League also continues to support the following Energy Tax Receipts restoration legislation, which also could restore energy receipts to FY2008 levels.

A-1021/ S-268 (companion bills), are sponsored by Assemblyman Daniel Benson and Senator Linda Greenstein. These bills would, over five years, phase-in the \$331 million restoration, then direct future tax payments to the host municipalities.

An additional bill, sponsored by Assemblyman Daniel Benson, A-1012, would restore funding to fiscal year 2010 levels.

Please contact your state Legislators on these property tax relief proposals.—JRM

S-1811/A-3059



Requires Use of U.S. Made Goods and Disclosure of Job Exportation

Status: Passed Senate 36-1, Assembly Budget
Committee

S-1811/A-3059 would significantly amend the “Buy American” provision of the Local Public Contracts law by requiring the use of goods made in the United States for public contracts. The measure would also require businesses that receive public contracts or development assistance to disclose job exportation information.

The bill would require that only manufactured or farm products of the United States, whenever available in reasonable quantity, to be purchased or used for any contract above the municipalities bid threshold. The bill defines “manufactured product” as a product that has been processed into a specific form and shape or combined with other raw material to create a material that has different properties than the properties of the individual raw materials.

The bill differentiates the definition of “products of the United States” between manufactured products which are, and are not, comprised predominantly of iron or steel. For products that are comprised predominately of iron or steel, all manufacturing processes of the product, from the initial melting through the application of coatings, occurred in the United States. For manufactured product that is not comprised predominately of iron or steel “products of the United States” means the product has been mined, produced or manufactured in the United States and the cost of the product’s components mined, produced or manufactured in the United States exceeds 50 percent of the cost of all its components.

If the municipality finds that United States manufactured or farm products are not available in reasonable quantities or cost 20 percent above the fair market value the municipality may issue a waiver. At least 30 days prior to providing the waiver the municipality would be required to provide public notice summarizing the reasons for the proposed waiver and provide an opportunity for the public to comment. The notice must be posted prominently on the municipality’s website and provided to any person, firm or corporation that

makes a written request for notification.

If after the public notice and comment period, the municipality determines to issue a waiver, the municipality must provide a detailed justification for the waiver that must be posted prominently on their website and provided to any person, firm or corporation that makes a written request for notification. The waiver shall include responses to any public comments received and be published before the waiver takes effect.

The bill would bar a contractor who knowingly uses or supplies procured products that are not manufactured or farmed in the United States for three years.

Finally, the bill establishes a joint legislative task force that is charged with conducting a study and creating and maintaining a comprehensive database of contract awards and development assistance provided by all state agencies that includes, but is not limited to, the information on the certifications.

While some of the amendments to the initial bill addressed some of the objections raised by interested parties, including the League we still have concerns, including the very tight time restrictions in the waiver process.—LB

S-2320



Parking Privileges for Emergency Workers

Status: Senate Law and Public Safety Committee

The League of Municipalities supports S-2320, which provides that emergency medical technicians may be issued identification cards by the Chief Administrator of the Motor Vehicle Commission, allowing for the mounting of emergency warning lights on motor vehicles used to respond to an emergency.

The bill also provides that a member of a volunteer fire company, a volunteer first aid or rescue squad, a volunteer Office of Emergency Management or an emergency medical technician may apply for a placard to hang in the rearview mirror of a vehicle owned or leased by the individual for use during the course of administering emergency services. A vehicle displaying this placard shall not be issued a parking ticket for parking in a non-parking zone, unless such parking creates a danger to

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Legislative Update

the public, if the driver or the vehicle is responding to an emergency.

Significantly, the bill defines “Emergency medical technician” to mean “ a person trained in basic life support services as defined in section 1 of P.L.1985, c.351 (C.26:2K-21), and who is certified by the Department of Health to provide that level of care, including but not limited to Hatzolah emergency medical technicians.”

Hatzolah is a volunteer EMS organization, established in predominately Jewish communities, but providing services

to all in need, around the world. Several Hatzolah chapters serve communities throughout the Garden State.

Language, religion and cultural barriers can create challenges for an emergency medical technician. Hatzolah is built to consider these challenges, especially with regard to halakah (Jewish law) and communities that speak only Yiddish or Hebrew. A Jew reluctant to violate Sabbath rules when receiving medical attention may be more at ease and easily convinced of the medical urgency when the EMT or paramedic is a fellow Orthodox Jew. A female worried about modesty is helped by knowing that a Jewish provider is aware of the details of her concerns, and will act to reduce the problem as much as possible.

We commend the sponsor for his leadership on this matter and we support S-2320.—JRM

part, they operate outside of the regulatory framework that assures the safety of passengers and other motorists.

The common-sense requirements of this act are needed to ensure that these transportation network companies employ safe drivers who operate safe vehicles, and who carry adequate insurance to indemnify any injured parties, should accidents occur.

Accordingly, we support S-2274/A-3586, and we commend the sponsors. S-2274, sponsored by Senators Stack and Pennacchio, awaits action in the Senate Transportation Committee. A-3586, sponsored by Assemblymen Singleton, Mukherji, Garcia and Lagana, has been referred to the Assembly Transportation and Independent Authorities Committee.—JRM

S-2202/A-277



Establishes County Tourism Incentive Grant Fund

Respectfully, the League of Municipalities opposes S-2202/A-2776. This proposal would establish a “County Tourism Incentive Grant Fund” to provide funding to support county-based tourism advertising and promotion campaigns.

We appreciate the sponsors’ effort to return some locally generated funding to host counties. The funding for this program would be derived, however, from “excess” revenue, in a single line-item of the state’s budget. If State budget makers comply with the provisions of this initiative, these “excess” revenues would not be available to plug other state funding needs. Given the continued use of municipal property tax relief resources to address the state’s ongoing budget deficiencies, we cannot support this proposal, at this time.

Though well intended, the League of Municipalities opposes S-2202/A-2776. S-2202 is before the Senate State Government, Wagering, Tourism and Historic Preservation Committee. A-2776 awaits consideration by the Assembly Tourism, Gaming and the Arts Committee.—JRM

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S-2274/A-3586



Regulation of Companies Using Technology to Match Passengers with Drivers

The League of Municipalities supports S-2274/A-3586, which would require the state’s Motor Vehicles Commission (MVC), in consultation with the Division of State Police in the Department of Law and Public Safety and the Department of Banking and Insurance, to promulgate rules and regulations concerning safety and insurance requirements for a transportation network company that conducts business in this state.

The bill defines “transportation network company” to mean an individual, corporation, partnership, sole proprietorship, or other entity that uses an online application program to connect passengers to a transportation network driver for the purpose of providing a pre-arranged transportation network trip.

These companies provide transportation services identical to, and in competition with, taxi cab companies and drivers. However, unlike taxi drivers, for the most

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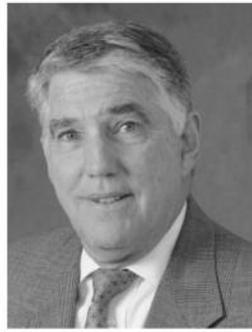
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2015 Legislative Priorities

League President Brian Wahler has identified a number of key legislative priorities for 2015, and asks for your assistance in advancing the priorities. Your assistance can take many forms, from a simple e-mail or phone call to your state Legislators, to an op-ed submitted to your local paper or highlighting issues in your communications to your residents.

Transportation Funding The League will advocate for the reauthorization of the Transportation Trust Fund to ensure adequate and reliable funding to meet state and local transportation infrastructure funding needs for the next ten years.

We also champion increases in Local Aid funding to meet all local transportation infrastructure needs. The NJDOT reports New Jersey municipalities are responsible for 64 percent of road miles and, along with county governments, 39 percent of bridges in New Jersey.

Finally, your League seeks support for an increase in the municipal share of Local Aid funding and fair funding for all municipalities. Please add your voice to ours.

Affordable Housing In October 2014 the Council on Affordable Housing (COAH) deadlocked on a motion to approve new third round regulations. Such events underscore the need for significant reforms to the Fair Housing Act (FHA.) The FHA was passed in the mid-1980s. The regulatory structure under which COAH is operated was developed in the 1990s. As the state's development patterns have evolved, our laws and regulations governing affordable housing are a generation behind. The time has come to modernize and reform the Fair Housing Act.

Please join with the League's Legislative staff in urging the Governor and the state Legislature to partner with municipalities and enact legislation to implement a reasonable and rational state affordable housing policy which promotes rational planning, seeks to achieve results with available housing funding and incentives, encourages partnerships, and protects the interests of taxpayers.

Local Health and Pension Benefit Funding A final priority is the preservation of the local health and pension benefit

funding. In the fall, the League's Officers submitted a statement to Governor Christie's Blue Ribbon Pension and Health Benefit Study Commission.

While the League commends the Governor and the Commission for their attention to the problems underlying the state's funding crisis, we wanted the Commission to acknowledge the fact that the experts have always made a distinction between local commitments for local employees and retirees, and the commitments for those for whom the state is responsible.

According to the latest valuation reports, the local government Public Employees Retirement System (local PERS) and the local Police and Fire Retirement System (local PFRS) are actuarially sound, in large part due to the fact that municipalities and counties have made full employer contributions as required under the law for over a decade. The Final Report and Recommendations of the Study Commission should not address state government funding gaps by, in any way, weakening the vitality of the local plans.

We will continue our strong advocacy that the New Jersey Pension and Health Benefit Study Commission recognizes that the local pension systems are healthy, and that municipalities and counties have met their obligations as employers.

In addition, the League remains committed to advocating for legislation, regulations and policy directives that empower local governments to operate more effectively and efficiently. NJLM continues to advance innovative programs and initiatives that enhance the level of service provided and save valuable taxpayer dollars.

We understand the state's budget problems and we are anxious to help in any way we can. But we cannot help in any way that shifts new burdens to our property taxpayers and our dedicated public servants. **J**

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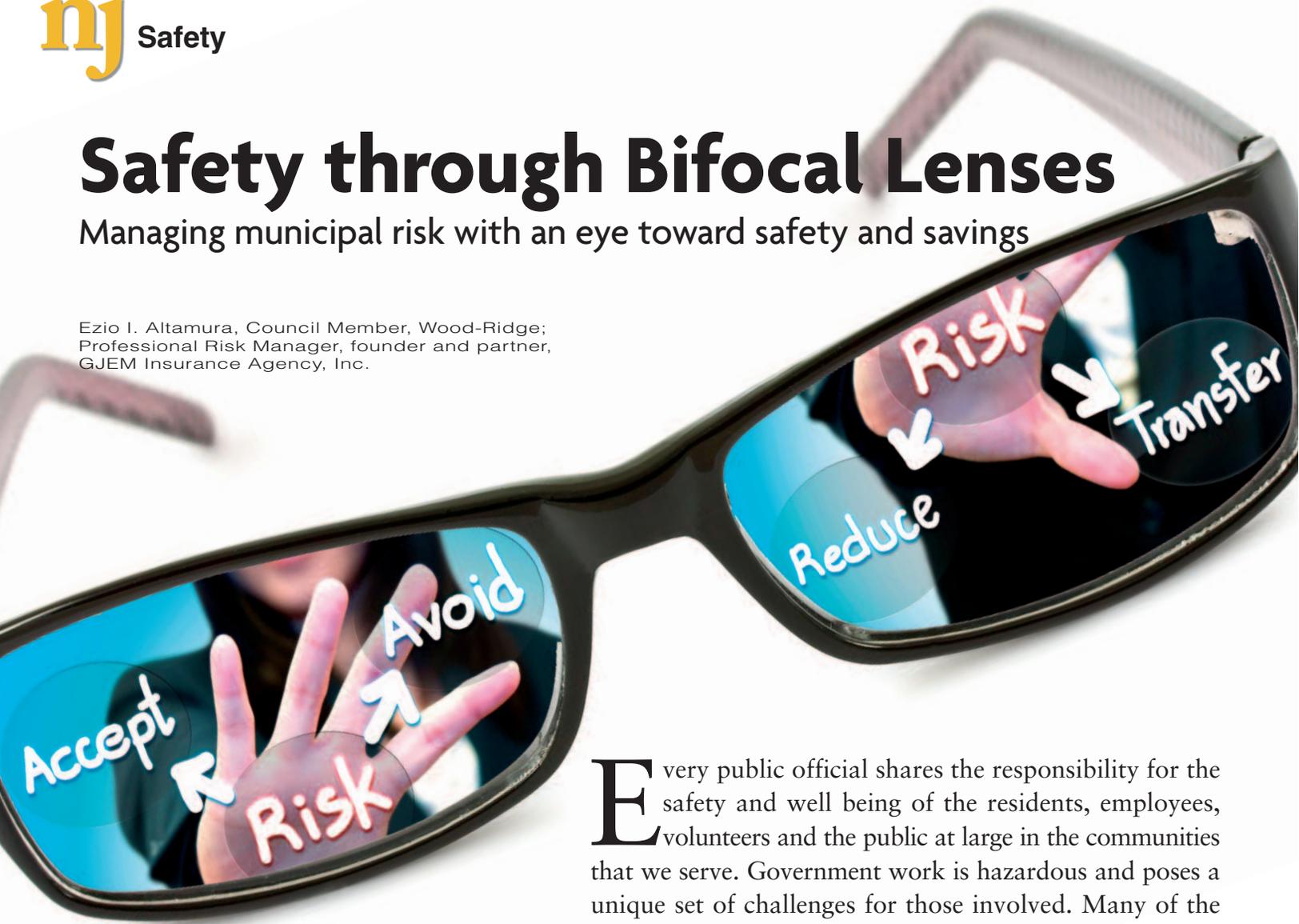
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Every public official shares the responsibility for the safety and well being of the residents, employees, volunteers and the public at large in the communities that we serve. Government work is hazardous and poses a unique set of challenges for those involved. Many of the people who work or volunteer their time are our neighbors.

No public official wants to deliver bad news to a family member that an accident occurred and that their loved one is in the hospital, or worse! Those of us who are successful in serving in public office have a firm understanding of our community at large. We are familiar with the hazards that may exist on roadways (including dangerous intersections), bodies of water, construction sites and hazardous materials facilities.

However, no matter how well informed most municipal public officials lack a clear understanding of risk management. They also lack the time and resources to manage the day-to-day risks their community's face. Despite this, with a little knowledge and by taking on a bit of responsibility, elected officials can make a real difference in community safety.

Put Safety on the Agenda A good start would be keeping the topic of insurance and safety on the agenda on a monthly basis. We all have a responsibility to communicate to department heads that it is imperative to provide our employees and volunteers with a safe place to work. A safety coordinator, together with a safety committee that represents all depart-

ments, should meet on a regular basis to discuss safety initiatives which are then discussed with elected officials.

Be Proactive When Accidents Happen In the unfortunate event of an accident, report it in a timely manner, adhering to special circumstances for work related injuries. The department supervisor should investigate the cause of the accident and take steps to prevent future losses. Safety courses for drivers of municipal vehicles should be offered. Emergency service departments (police, fire and EMS) have Standard Operating Procedures (SOP) that each department must adhere to, which should be distributed to all appropriate personnel. Having your police department accredited is another way to protect your municipality; it can help ensure professional standards are in place.

Insurance for Contractors and Special Events Any party performing work for or on behalf of the municipality or using municipal property shall keep in force insurance policies underwritten by a company licensed to do business in New Jersey. This should include contractual indemnification, carry-

ing the proper licenses, and complying with state and federal laws. Special events, that include (but are not limited to) fireworks displays, amusement rides, use of the pistol range and parades, shall also be subject to special insurance requirements.

The purchase of insurance is one way to address the exposures that governmental agencies face. The concept of indemnity (compensation for loss) is the heart of insurance. Contrary to what some may believe; insurance provides our municipalities (and society) with benefits such as financial security, promoting healthy budgets not subject to drastic change, the freeing of funds for acquisition and indemnification for losses when they do happen.

street or parking lot. Another avoidance technique would be to consider the use of smaller vehicles.

Controlling loss may involve implementing password protections and back up systems within the municipality's computer systems. This action can help reduce your exposure to cyber risks.

Another risk avoidance technique to consider is to make a non-insurance transfer of risk. This might involve the municipality leasing or loaning out public space or buildings and requesting that outside parties contractually be responsible for their own actions or damages caused.

A way to retain some risk while lowering your exposure is to choose a higher deductible, for certain lines of insurance coverage. Risk is not handled or managed by insurance, only financed. Insurance may be the first choice or the last choice but it may not always be the best choice. Finding more efficient and cost effective alternatives to insurance is one of the major goals of the Risk Manager.

JIFs Pool Risks and Provide Savings If your municipality is one of the many New Jersey municipalities that belong to a Joint Insurance Fund (JIF) such as the

Municipal Excess Liability Joint Insurance Fund (MEL), many of the tasks involved in safety have already been well established and tested. These funds pool homogeneous risks together, provide financial, loss control and loss prevention support, underwriting of risks, claims management, lawful compliance (PEOSHA, state and federal regulations), risk management and of course the purchase of insurance. JIFs also endeavor to insure that all employees are provided with a safe and healthy work environment free from any recognized hazards.

So if you would like more control over your municipalities' costs, then encourage employees to practice a little risk management in their day-to-day activities. Our residents and taxpayers deserve nothing less! 🍀

Ezio I. Altamura is a Council Member serving Wood-Ridge since January 1, 2000, he is a Professional Risk Manager, founder and partner of GJEM Insurance Agency, Inc. Division of the Otterstedt Agency and holds the following professional designations; Accredited Adviser in Insurance (AAI), Certified Insurance Counselor (CIC), Certified Workers Compensation Professional (CWCP) and New Jersey Workers Compensation Professional (NJWCP).

Finding more efficient and cost effective alternatives to insurance is one of the major goals of the risk manager.

Role of the Risk Manager Your municipal Risk Manager should be responsible for the following:

- identification and analysis of loss exposures;
- the examination of alternatives for dealing with these exposures;
- the selection of techniques to deal with these exposures; and
- implementation of the decisions and a constant monitoring of these decisions and results.

A Risk Manager may recommend in addition to or in the place of insurance for you to avoid, control, make a non-insurance transfer or retain part of the risk.

Avoidance eliminates the chance of a particular loss from happening. For example, accidents can be prevented by having large vehicles avoid backing up whenever possible. This means seeking out routes that allow a pass through

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A Treasury of Resources for Local Governments

The Department of Treasury announces a “one-stop shop” for everything from RFP notification to contract payment

By Andrew Sidamon-Eristoff,
New Jersey State Treasurer



Providing services to local governments is one of the Department of the Treasury’s core missions. To support this mission, we are deploying two initiatives this year that may be of interest to you.

NJSTART One major project, a web portal that is managed by the State Division of Purchase and Property, is called NJSTART. NJSTART is the acronym for State of the Art Requisition Technology—an online “one-stop shop” for everything from RFP notification to contract payment.

The E-procurement system, which launched in November at NJSTART.gov, will make it easier for suppliers to compete for contracts with state agencies and local governments.

Since the vendor portal opened on May 2, more than 4,200 vendors have registered. The list is available to purchasing agents in all state departments as well as municipalities, school districts and county governments. By increasing the choice among vendors, we hope to save money for taxpayers because of heightened competition.

You can visit the site at www.njstart.gov to access active contracts and search by commodity to find out if the state has a

cooperative contract for a particular item. Towns can then piggyback onto the state contract without issuing an RFP. Some of the portal's features include:

- A “registered vendor search” function that will allow municipal procurement officials to locate suppliers that offer a particular product or service—regard-

The division also continues to provide basic records management assistance to local agencies.

less of whether they are involved in contracts with New Jersey.

- An “active contracts” capability that will make it easy to identify cooperative contracts and provide increased transparency because users will be able to see how much has been spent on certain contracts.
- An interface so all local governments have access to NJSTART. We also plan to facilitate local government efforts to reduce overall operating costs in the future, via a shared service, so towns and cities can post their own RFPs on NJSTART.

Your vendors will find it easy to use NJSTART because the portal contains a “document vault,” which will be part of each vendor's profile to save them time so they do not have to repeatedly fill out the same paperwork.

The state requires various forms and certifications from all bidders and contract holders. NJSTART will enable those forms to be managed online by

vendors so they are viewable by state and local agencies for faster review and compliance.

Last June, the Division of Purchase and Property's Cooperative Purchasing Outreach Team visited Ocean County to present useful procurement information to various municipalities and boards of education in that county.

This outreach program is intended to demonstrate how to navigate the procurement website and provide pertinent information on available state cooperative contracts to our local agency partners in government.

The presentation was not merely a one-way conversation. It allowed us to elicit new ideas, facilitate the distribution of new information and help our government partners in achieving further cost savings that are in the interests of all New Jersey taxpayers. We expect to have outreach sessions in other counties as well.



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Managing Electronic Records Our second initiative involves a services program to support E-government—the transition of government processes to the internet and other electronic service channels. The Division of Revenue and Enterprise Services (DORES) manages the program, which aims to make it easier for government agencies to elimi-

nate expensive and labor-intensive paper-based systems in favor of streamlined, efficient and responsive electronic services. More information about the services can be found at nj.gov/treasury/revenue/rms/index.shtml.

The division recently published guidelines for state, county and local government agencies to use in managing elec-

tronic records, including e-mail, and will work with agencies to find legally permissible pathways to minimize or eliminate the use of paper and micro-film storage. The latter consideration involves providing more flexible approaches to certifying image processing systems that store records for 10 years or longer.

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NJSTART will enable those forms to be managed online by vendors so they are viewable by state and local agencies for faster review and compliance.

The division also continues to provide basic records management assistance to local agencies and authorities in the areas of records inventory, retention scheduling and authorized records disposal. Our staff will provide consultations on planning for the implementation of automated records systems, structuring records storage platforms and developing specifications and cost estimates for image processing services. All of this is done as part of an effort to control records entrusted to the government's care by using tools to solve record-keeping challenges, increase efficiency, improve services and save money.

So, as you can see, the Department of the Treasury has many resources available to assist local and county officials in managing day-to-day operations in a more efficient and cost-effective manner. Whether it involves procurement of products and services or records management, Treasury Department employees have the expertise and the tools to help you better serve your constituents.



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Are Your Minutes 'Reasonably Comprehensive?'

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

Keeping the minutes of a local governing body's meetings is one of the most important duties of a municipal clerk. This task is important because courts will invalidate any formal actions taken by a local governing body at a meeting which violates the Open Public Meetings Act (OPMA).

There are two questions which generally come up in this area: 1) whether executive session minutes are different than regular session minutes; and 2) how detailed must the minutes be?

Executive Session v. Regular Session Minutes The OPMA doesn't make any distinction between the types of minutes which must be taken at executive versus open session. Indeed, the New Jersey Supreme Court has held that, in regards to executive session minutes, "OPMA does not ... state what must go into the minutes or how much thereof of a public body must disclose." *Atlantic City Convention Center v. South Jersey Publishing*, 135 N.J. 53, 62 (N.J. 1994). Both types of minutes are substantively the same, the only difference being that executive session minutes are not subject to disclosure.

Level of Detail Required Regarding the level of detail, N.J.S.A. 10:4-14 simply states that "each public body shall keep reasonably comprehensive minutes of all its meeting showing the time and place, the members present, the subject considered, the actions taken, the vote of each member, and any other information required to be show in the minutes by law..." New Jersey courts have determined the definition of "reasonably comprehensive minutes" simply means that the minutes must contain the elements laid out by statute. *Township of Bernards v. State, Dep't of Community Affairs*, 233 N.J. Super. 1, 28 (N.J. App. Div. 1989).

Additionally, the Appellate Division has held that "a reasonably comprehensive minutes... does not mean word for word recitation of every event or a verbatim detailing of every public comment or objection." *Liebeskind v. Mayor and Municipal Council of Bayonne*, 265 N.J. Super. 389, 401 (N.J. App. Div. 1993). Rather, "minutes are intended to recite and disclose any official decision or action taken by a public body, and necessarily must contain sufficient facts and information to permit the

public to understand and appraise the reasonableness of the public body's determination." *Id.* Simply put, the law "requires that what took place at the meeting and what final action was taken should be reflected in the minutes." *Id.* However, nothing is ever that simple.

Courts will invalidate any formal actions taken by a local governing body at a meeting which violates the Open Public Meetings Act (OPMA).

Discretion There is some language from an Appellate decision which gives the impression that public entities can, as a policy decision, make the executive session minutes broader than those from an open session. In *O'Shea v. West Milford Board of Education*, the Appellate Division held that a school board secretary's hand written notes of an executive session meeting were not subject to OPRA. 391 N.J. Super. 534 (N.J. App. Div. 2007). In what could be construed as extraneous language (*dicta*), the court stated, "with respect to minutes of a closed session, the Board's determination as to what information to include in the minutes is itself a policy decision... the minutes of executive sessions are typically general enough to avoid disclosure of the kind of "free and frank exchange of views among the members" that OPMA intended to protect. *Id.* at 541.

The act of taking down meeting minutes is crucially important. It is important to remember the two issues outlined above. First, that the minutes of an executive session and a regular session have no substantive difference. Second, that minutes must be "reasonably comprehensive." This means that the law only "requires that what took place at the meeting and what final action was taken should be reflected in the minutes." *Ibid. Liebeskind.* ❧

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

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Assembly Committee Meets at League Conference



On Thursday, November 20, in Atlantic City, the Members of the Assembly Transportation and Independent Authorities Committee heard from a good number of Mayors regarding the importance of renewing the state's Transportation Trust Fund (TTF). The TTF has been a major source of funding for local transportation projects for almost 30 years. Now, with the Fund just months away from insolvency, New Jersey Mayors need to impress on their own state Legislators the importance of decisive action.

We want to thank Assembly Transportation Committee Chairman John Wisniewski for bringing the Committee to our Conference. And we want to thank all Committee members for their obvious interest in hearing from local leaders. Finally, we want to thank all the local officials who presented their testimony and shared their ideas at the hearing.

The League's testimony was presented by incoming President, Mayor Brian Wahler of Piscataway, and League Past President, Mayor Tim McDonough of Hope, who also chairs our Transportation Trust Fund Review Task Force.

Mayor McDonough welcomed the Committee to our Conference, saying: "When we appeared before you, on Wednesday, September 24, in Montclair, we thanked you for your efforts to prioritize New Jersey's transportation funding crisis, and to put our state's economic future on solid footing. We want to reiterate that today. The League of Municipalities, on behalf of all our

members, appreciates your leadership and your willingness to involve local officials in the policy development process.

With the Fund just months away from insolvency, New Jersey Mayors need to impress on their own state Legislators the importance of decisive action.

"The League of Municipalities has lasted for 99 years because New Jersey municipal officials, whether they knew it or not, have always taken to heart that old Irish proverb, 'Only the one who isn't rowing has time to rock the boat.' At that September hearing, you gave us the opportunity to get an oar in the water, when you asked the League to survey its membership on transportation funding options and report back to you with the results. Here they are."

The survey results, which were presented to the Committee, are posted on our website at njslom.org/TTF/index.

Local officials know that investments in our infrastructure must be made. Failure to do so can compromise the safety of the public, the economic vitality of our communities and the security of our neighborhoods. The Transportation Trust Fund needs to be replenished, so that it can provide adequate and reliable capital to meet state and local needs, now and in the future. 🍀

League Committee Approves 20 Resolutions

On Thursday, November 20, 20 resolutions, articulating new legislative and policy priorities for the League of Municipalities, were adopted at the Annual Business meeting held to conclude the League’s 99th Annual Conference.

On Tuesday, November 18 the League Resolutions Committee screened the resolutions and made its recommendations. The Committee chaired by newly elected League First Vice President Joseph Tempesta, Mayor of West Caldwell, screened twenty-one resolutions, recommending 20.

Below is a summary of the resolutions. The full text of each is available on the League’s website, www.njslom.org.

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

Approved 2014 Resolutions:

NJLM Resolution No. 2014—01

Resolution Urging Governor and Legislature to Recognize and Preserve Strength of Local Pension Funding When Considering the Recommendations of the Pension and Health Benefit Study Commission

NJLM Resolution No. 2014—2

Permitting Limited Inter-Municipality Transfers of Retail Liquor Licenses

NJLM Resolution No. 2014—03

Resolution Regarding the Best Practices Survey

NJLM Resolution No. 2014—04

Resolution Urging the Governor and the New Jersey Legislature to Enact Changes to the Open Public Records Act (OPRA)

NJLM Resolution No. 2014—05

Resolution Calling upon the Federal and State Governments to Clarify Volunteer Position Do Not Impact Retirement Benefits for Public Employees

NJLM Resolution No. 2014—06

Calling for the Adoption of Legislation to Authorize the Payment of a portion of the New Jersey Realty Transfer Fee to the Municipality in Which the Real Property Subject to the Realty Transfer Fee is Located

NJLM Resolution No. 2014—07

Was not acted on.

NJLM Resolution No. 2014—08

Calling for an Amendment to N.J.S.A.18A:12-5 et seq., Regarding the Appointment of Members to Local School Boards.

NJLM Resolution No. 2014—09

Resolution Requesting Schools Confer with Local EMS Regarding CPR Training



Members of the League Resolutions committee consider resolutions at their meeting on Tuesday, November 18 in Atlantic City.

NJLM Resolution No. 2014—10

Resolution Urging the Legislature to Make Enrollment in the Defined Contribution Retirement Program Optional

NJLM Resolution No. 2014—11

Resolution Seeking Assistance for Municipalities with Significant Property Tax-Exempt Land

NJLM Resolution No. 2014—12

Supporting Public Health Accreditation Readiness

NJLM Resolution No. 2014—13

Resolution Supporting New Jersey State Funding for Tobacco-Control Cessation and Prevention Programs

NJLM Resolution No. 2014—14

Calls for Federal Support for Water and Wastewater Utility Maintenance and Upgrades

NJLM Resolution No. 2014—15

Calling for the Modernization of the Laws Regarding Fire District Mergers

NJLM Resolution No. 2014—16

Resolution Urging the Governor and the New Jersey Legislature To Clarify the Immunities arising out of the administration of NARCAN and To Include Immunity for Police, EMT’s and Other First Responders for the Administration of or for the Failure to Administer NARCAN

NJLM Conference Resolution No. 2014—17

In Appreciation of League First Vice President, Mayor Gerald J. Tarantolo.

NJLM Conference Resolution No. 2014—18

In Appreciation of League President Suzanne M. Walters, Mayor of Stone Harbor Borough

NJLM Resolution No. 2014—19

Calling for a New, More Sensible Approach to Affordable Housing

NJLM Resolution No. 2014—20

Resolution Calling for Legislation to Restore the Income Eligibility Limits for the Senior Tax Fees Property Tax Reimbursement Program

NJLM Resolution No. 2014—21

Resolution Supporting Restoration of Energy Taxes to Municipal Government

Reverse Property Tax Appeals

A little known but long established principal allows municipalities to contest property tax assessments that may be erroneous

By Robert Blau, Esq., Blau & Blau



Everyone knows that a property owner has the right to file a property tax appeal to the county board of taxation or the New Jersey Tax Court. Very few know that the same statute that gives the property owner the right to contest an assessor's opinion of value gives the same right to the municipality. The Appellate Division has noted that the statute, N.J.S.A. 54: 3-21, "clearly and unequivocally accords both the taxpayer and the taxing district an independent right to appeal from a property tax assessment¹."

How can this be? How can a municipality contest its own assessment? The answer lies in a little known but long established principal of New Jersey law. The assessor is a creature of the Legislature, independent of control by the municipal governing body². Both the Courts and the Legislature have recognized the need of the assessor to be free from municipal interference in making an assessment and in carrying out the responsibilities of the assessor. Municipalities have a limited role with respect to assessors so that assessors can carry out their responsibilities free from political pressure³. But because the Legislature has mandated that an assessor cannot be pressured to increase an assessment, it has also provided that the assessor's independent judgment can be appealed.

Everyone should recognize that even the best assessors occasionally make a mistake. Reasonable minds may differ as to the value of a property. Value after all is never a fact but merely a matter of opinion⁴. Even after a revaluation many assessments can be wide of the mark.

Municipal tax appeals are governed by the same standard as taxpayer appeals. N.J.S.A. 54:51A-6, commonly known as "Chapter 123," establishes a presumptive common level of ratio of assessed value to true value in non-revaluation years. If the "true value" of the property, as found by the county board of taxation or New Jersey Tax Court, is more than 15 percent above the common level then the county board or Tax Court will increase the assessment by multiplying the common level

ratio by the true value. If the “true value” of the property, as found by the county board of taxation or New Jersey Tax Court, is more than 15 percent below the common level then the county board or Tax Court will decrease the assessment by multiplying the common level ratio by the true value.

As in a conventional appeal, the original assessment is presumed to be correct. The strength of the presumption is exemplified by the nature of the evidence that is required to overcome it. That evidence must be “definite, positive and certain in quality and quantity to overcome the presumption⁵.”

to N.J.S.A. 54:4-34, (i.e. Chapter 91 requests), and property record cards. Interestingly, although New Jersey Court’s consider it to be illegal “spot assessing” for an assessor to increase an assessment merely because of the sale of a subject property⁷, a municipality may appeal an assessment even if the sale of the property played a role in the decision to appeal⁸. Although the assessor may be consulted for his expertise or data, the assessor should not determine which assessments should be appealed.

Larger municipalities can take advantage of their larger data set, but only if the review team has the sophistication and computer skills for effective cross-referencing. When one class of property, whether that class consists of industrial, vacant land, retail, multi-family or even a particular neighborhood, has been found to have a significant number of under-assessed properties, other properties in the same class should be examined in greater detail.

Political considerations can be avoided by isolating the governing body from the team that recommends appeals. While appeals are filed in the name of the governing body, the governing body need not, and may not want to, authorize each individual appeal. Rather, the governing body may prefer to authorize its municipal attorney to investigate properties that are significantly under assessed and to appeal to the county

board of taxation or Tax Court of New Jersey as warranted. The municipal attorney should, in most cases, retain special counsel for that task.

To insure that the appeals have a positive fiscal impact, the municipality may want special tax counsel to take the case on a contingent fee basis⁹. For the same reason, the municipality may ask its attorneys to advance court costs and expenses of litigation (appraisal fees), the repayment of which may be contingent upon the outcome of the matter¹⁰. Retention of counsel with appraisal expertise may, in many cases, avoid the expense of appraisal fees altogether. *✎*

Political considerations can be avoided by isolating the governing body from the team that recommends appeals.

The New Jersey Supreme Court has noted that the government’s primary obligation is to comport itself with com-punction and integrity and that, therefore, a municipality should not file a tax appeal absent independent grounds for believing in good faith that its assessment is erroneous⁶. For that reason, and because an attorney’s signature on a complaint certifies that to the best of his or her knowledge, information and belief that the factual allegations have evidentiary support, a municipality should not file appeals in a scattershot approach hoping that something sticks. Besides, no plaintiff wants to pay for litigation and not win.

It is imperative that the municipal team consisting of knowledgeable attorneys and appraisers review all available data available to them before recommending properties to appeal. Sources of data include sales, assessor’s requests for income and expense statements pursuant

- 1 F.M.C. Stores v. Borough of Morris Plains, 195 N.J. Super. 373, 380 (App. Div.), aff’d, 100 N.J. 418, 425 (1985). “
- 2 Arace v. Irvington, 75 N.J. Super. 258 (L. Div. 1962); Mitchell v. Somers Point, 281 N.J. Super 492 (App. Div. 1994).
- 3 Association of Municipal Assessors v. Mullica Twp. 225 N.J. Super 475, 481-482 (L. Div. 1988).
- 4 Garden Realty Corp. v. Hadley, 110 N.J. Eq. 474 (E&A. 1932; Litton Bus. Systems, Inc. v. Borough of Morris Plains, 8 N.J. Tax 520, 531 (Tax 1986)
- 5 Pantasote Co. v. City of Passaic, 100 N.J. 408, 413 (1985), citing Aetna Life Ins. Co. v. Newark, 10 N.J. 99, 105 (1952).
- 6 FMC Stores v. Borough of Morris Plains, 100 N.J. 418, 426-427 (1985)
- 7 Township of West Milford v. Van Decker, 120 N.J. 354 (1990).
- 8 Freehold Borough v. WNY Properties, 20 N.J. Tax 588 (Tax 2003).
- 9 N.J. Rule of Professional Conduct 1:21-7.
- 10 N.J. Rule of Professional Conduct 1-8(e)(1)

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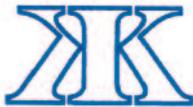
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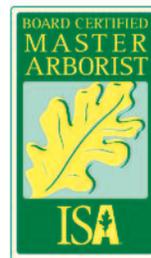
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Events

JANUARY

January 10

**Orientation for Newly Elected,
Re-elected, and Experienced
Municipal Officials**
Sheraton, Eatontown

FEBRUARY

February 4

**23rd Annual
Mayors Legislative Day**
State House, Trenton

February 7

**Orientation for Newly Elected,
Re-elected, and Experienced
Municipal Officials**
Renaissance Meadowlands Hotel,
Rutherford

February 25

**The Heroin Addiction Epidemic:
What It Is and How to Address It**
Doubletree Hotel, Tinton Falls

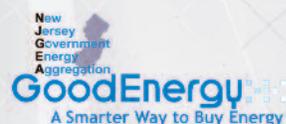
February 28

Budgeting for Elected Officials
Conference Center at Mercer,
West Windsor

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