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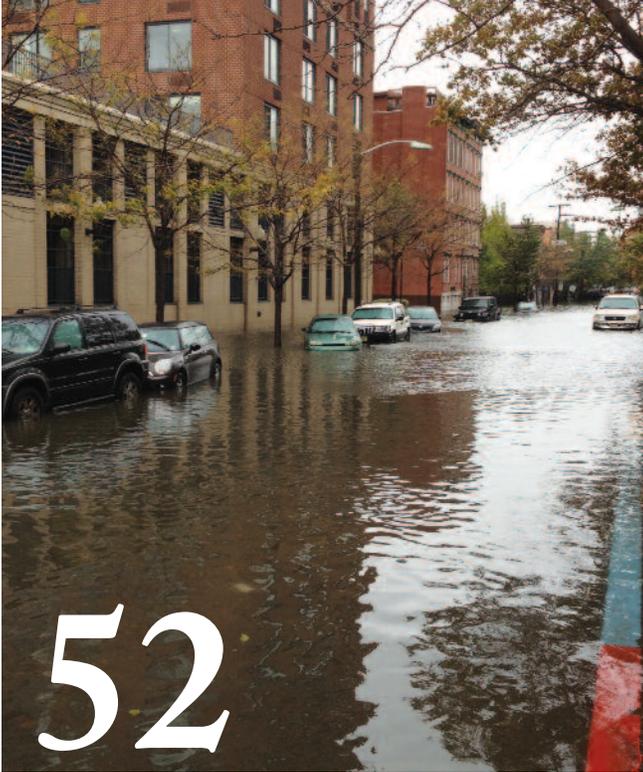
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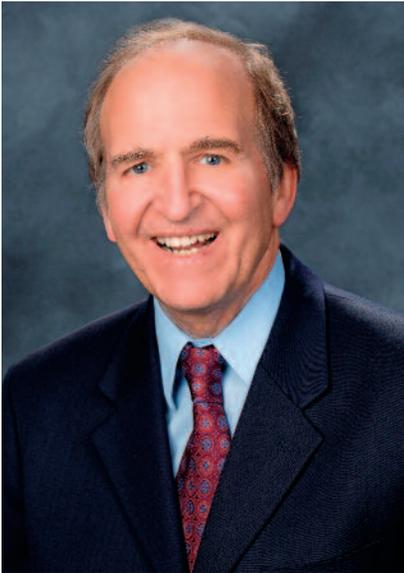
Interest rates are leaving the station. And the next ride isn't going to be so smooth.

The currently low interest rates on long-term bonds present a welcome opportunity for municipalities and counties to lock in their debt service. But interest rates are on track to increase. While one year notes were a good vehicle in the past, now is the time to make sure you don't get left behind.

For advice about accessing long-term financing, contact a Phoenix Advisors professional at 609-291-0130, or phoenix@muniadvisors.com.



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“As the stewards of the property taxpayer’s contribution to the common good, local elected officials have a responsibility to object to any proposal to divert those resources to any other purpose.”

All Taxes are Not the Same

Different taxes can change different lives. And so can relief from different taxes.

The Governor’s Pension and Benefit Commission “Roadmap to Resolution” aims to lay a solid foundation for state-funded public employee pensions and health benefits. To do that, it recommends diverting local health benefit savings to address state pension funding shortfalls. Proponents don’t see that as a problem. “We are all both state taxpayers and municipal taxpayers,” they say. “And it doesn’t matter if the money comes out of your right pocket or your left.”

That sounds logical, in theory. But in the real world, different taxes impose different burdens on different groups of people. Income taxes are based on an individual’s ability to pay. Sales and property taxes are not.

For the widow, relying on a pension and social security to make ends meet, who may be struggling to hold on to her home, in a community she knows and loves, near her children and grandchildren, rising property taxes can cause considerable stress.

Likewise, for a young couple that wants to start a family in a safe and friendly New Jersey municipality, higher property

taxes could be a huge obstacle. When this tax rises it can become a roadblock to hopes and dreams.

An uptick in property taxes can also turn a setback into a crisis. Consider the case of a middle-aged couple, who built their family and financial plans on the assumption that both would earn a decent income, when one is the victim of downsizing or the other suffers a serious illness or injury. Even level property taxes can force them to make desperate sacrifices.

So while it’s true that we’re all taxpayers, it is overly simplistic and inaccurate to tell the people of New Jersey that all taxes affect all equally. For those with a little less, property taxes hurt a little more. For those with a little more, property taxes hurt a little less. And for those with a lot less . . . well, you get the idea.

Local savings should be used to deliver local property tax relief. As the stewards of the property taxpayer’s contribution to the common good, local elected officials have a responsibility to object to any proposal to divert those resources to any other purpose. ❧

Bill Dressel



Stutz award winner and NJLM Administrative Assistant Dee Kotch and NJLM Executive Director Bill Dressel

Kotch Recognized for 25 Years of Service

The National League of Cities' Stutz Award recognizes individuals who have served 25 years or more with a state municipal league. The League commends Dee Kotch for her contributions and dedication to the League and New Jersey's municipalities.

Dee joined the League on February 6, 1989 and has served in various capacities during her 25 years. For nearly 17 years, Dee has served as Administrative Assistant. From 1989 to 1996 she was Communications Assistant and from 1996 to 1998 she was Communications Specialist.

Her major projects have included the expansion of the Seminar Programs.

She also handled all of the registrations of attendees along with the bookkeeping duties that coincided (i.e. billing and payments of registrations) with the seminar programs.

She is currently responsible for coordinating each year's publication and distribution of sales of the Municipal Directory. She also coordinates and distributes certificates and checks to the Louis Bay 2nd Scholarship Competition Semi-Finalists, Finalists and Winners.

She also plays an active role in making the Annual League Conference a success by coordinating conference Program Speakers, Moderators and Affiliate Groups. In addition, she assists with the compilation and proofing of the League Conference Program Session Book and staffs the League Information Booth. ❧

Help for Returning Veterans

By Raymond Lesniak, Senator (District 20)

When I was discharged from the U.S. Army in 1969, the landmark legislation relied upon by veterans was the G.I. Bill. It enabled me to finish my education at Rutgers University and to get a law degree from St. John's Law School. The G.I. Bill still remains an important benefit earned by veterans, but recently enacted legislation fills a need that was not available until President Obama signed The Clay Hunt Suicide Prevention for American Veterans Act.

Although data was not well gathered at the time, evidence suggests that mental health issues and suicide were significant problems for veterans returning from Vietnam. For veterans returning from Iraq and Afghanistan, the evidence more than suggests a problem. Many of these vets need mental health services not previously available to enjoy a healthy and productive return to civilian life.

The recently signed Clay Hunt Act was named after Clay Hunt, a 28 year old Marine veteran who served in both Iraq and Afghanistan, and suffered from post-traumatic stress. Hunt was wounded in Anbar Province and also witnessed the deaths of close friends.

The Clay Hunt Act will help to provide assistance to our veterans in need of mental health care and extend the free medical treatment for discharged soldiers period by one year. It is an important step to ensure our soldiers receive the benefits they have earned while serving this great country.

While this was an important and necessary step, more must be done to help our returning veterans. In 2012, the Township of Nutley started the first municipal Veteran Affairs Bureau in the state, which serves as a clearinghouse for veterans to receive assistance in returning to civilian life. In addition to a number of services they are entitled to through the Veterans Administration, which include basic health care assessments, employment assistance, legal guidance, and counseling, a key benefit is the ability for Nutley veterans to walk into Township Hall and talk face to face with a trained veteran service officer. This is especially important because it allows veterans to know that there are professionals specifically available to help them with any issues they may be experiencing.

Nutley's program has been a success over the past few years. They are to be commended for going above and beyond in offering help to our returning veterans. Our veterans have been on the front lines facing dangers that most of us can't begin to imagine. It is only right that when they return from serving and protecting our freedom, they be welcomed with a helping hand, and not bureaucratic red tape. ❧



Call 2-1-1 for Help

Need emergency financial service, food or housing? Call 2-1-1 to speak with a caring operator to guide you in the right direction. In need of mental health or counseling information, transportation, health, medical or legal services? Call 2-1-1. Since 2005, the NJ211 Partnership has provided a critical connection between individuals and families seeking health or human services and community groups.

Last year, NJ211 Partnership handled over 200,000 calls and their website had over 200,000 visits.

The NJ211 Partnership of New Jersey is a non-profit organization with a team of caring professionals committed to helping people at their most vulnerable times. NJ211 handles eight phone lines: NJ211, SEPA 211, Addictions Hotline, LIHEAP Energy Assistance Information Line, Suspicious Activity Reporting Line, Disaster Services, Supportive Services for Veteran's Families and the Homeless Hotline.

Its website, www.NJ211.org, provides the same helpful information as well as additional resources and links for those needing assistance or information pertaining to the aforementioned topics. It works closely with the New Jersey State Office of Emergency Management (NJOEM) as well as with county and local OEM's in disaster preparedness, planning, response and recovery initiatives. Other key stakeholders and partners include the New Jersey departments of Human Services and Community Affairs, New Jersey Housing and Mortgage Finance Agency, New Jersey Division of Children and Families, New Jersey Voluntary Organizations Active in Disasters (NJVOAD), FEMA, Long Term Recovery Groups, 211 US and numerous others.

Last year, NJ211 Partnership handled over 200,000 calls and their website had over 200,000 visits. The organization was recently accredited by AIRS (Alliance of Information and Referral Systems) due to its high standards and professionalism. Community and organization leaders should be aware of NJ211 Partnership's ability to

provide real time data about the needs and referrals reported statewide. During times of disaster, these reports can reflect trends in impacted areas and allow the appropriate agency to assist where needed.

Please share the number and website, www.nj211.org, with your constituents and print out the resources available to share with members of your municipality.

Call 2-1-1 to get connected. Visit www.nj211.org to review or download important information. The NJ211 staff stands ready to assist and provide you the necessary guidance and connections. 📞

Comics in Carteret

In October the Carteret Library joined with the Central Jersey Arts Council to host its first Comic Book Workshop. The free workshop featured graphic novelist Kevin Pyle, whose work has been featured in the New York Times, the Wall Street Journal and numerous other publications. The two-hour event included games, contests and a movie screening. Pyle gave a presentation on the visual story-telling tools of comics. Participation was limited to those ages 12 and older. 📖



Bayonne Benefits from Firefighters Grant

The Bayonne Fire Department received a \$295,291 federal grant last July, to fund critical safety gear for their department; including helmets, coats and boots. The Assistance to Firefighters Grant Program, administered by the Department of Homeland Security, allowed the department to replace gear which was in need of repair. Grant funds also enabled the department to train and purchase high-angle rescue gear, which will assist the department in rescuing individuals in high-rise buildings. This equipment is also useful for rescues that involve containment tanks or are near docks or bridges. ↴



High Schoolers Videotape Council Meetings

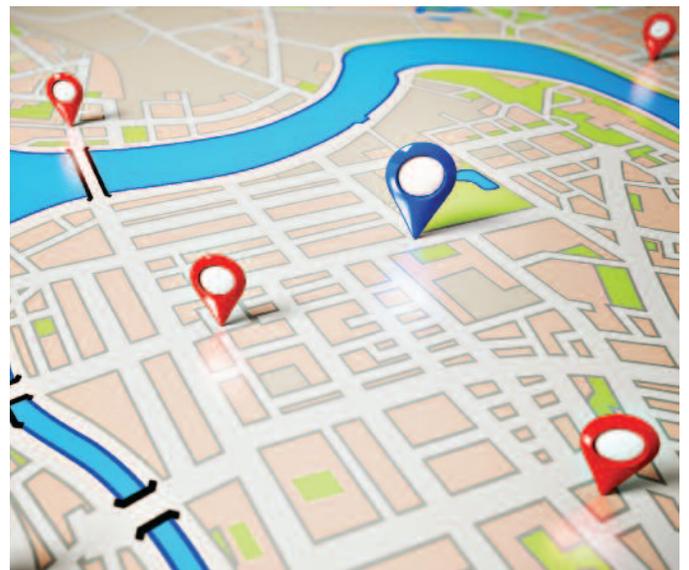
Garfield has begun videoing its council meetings with the help of high school volunteers. Volunteers film for one hour, after which the recording is stopped. Because of this time restraint, the City Manager enforces a five minute speaking limit in an attempt to include more residents' comments on the recording.

The videos are produced through the high school media center and the finished product is broadcast on the town's cable access channel. This program benefits the city as it makes council meetings more accessible to residents and allows students interested in the film industry to gain practical experience. ↴

Ocean County Monitors Internet Communications

In an attempt to prevent crime, the Ocean County Sheriff's Office, using Geofeedia software, is able to monitor and collect all public and geo-tagged tweets and social media posts sent from devices inside Ocean County.

The software makes it possible for the Sheriff's Office to determine if any threatening posts were made that could potentially put the public in danger. They can also monitor particular areas in the county, allowing them to respond more quickly to emergency situations, such as school violence or a threat to the Oyster Creek Nuclear Power Plant. The Sheriff's Office is able to use this software to search posts based on keywords and know instantaneously if someone has made a threat of physical violence. ↴



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Planning Grants

Towns Share a Total of \$1M

A total \$1 million in planning grants was awarded to towns last fall as part of the Delaware Valley Regional Planning Commission's Transportation and Community Development Initiative.

This initiative seeks to coordinate local transportation improvements with land-use planning.

Camden received \$60,000 in grants to study the feasibility of converting three streets from one-way to two-way traffic. The study will review traffic efficiency, as well as pedestrian and bicycle safety, and the effect of traffic direction on local businesses.

Other municipalities receiving grants included:

- Bordentown, to develop a plan for redeveloping a former plant;
- New Hanover and Merchantville, to develop redevelopment plans;
- Pemberton Township, to develop a complete streets policy;
- Audubon, to plan transportation improvements that would aid in revitalization;
- Gloucester Township, to plan for future development;
- Woodbury, to analyze development of a transportation hub;
- Woolwich, to update land-use and transportation plans;
- Trenton, to develop a downtown parking plan; and,
- Monroe Township (Gloucester), to create a master plan connecting schools, transit and recreation with the regional pedestrian and bicycle system. 🚲



Please Note 2015 Municipal Directory Updates

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Englewood City Municipal Engineer:	Frantz Volcy
Folsom Borough Mayor:	Louis "Skip" DeStefano
High Bridge Borough Municipal Clerk:	Vacancy
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Municipal Attorney:	Kraig Dowd 1409 Liberty Avenue Hillside NJ 07205
Holmdel Township Mayor:	Eric Hinds
Administrator:	Donna Vieiro
Lakewood Township Manager:	Thomas Henshaw
Linden City Municipal Attorney:	Daniel Antonelli
Roselle Borough New Mayor:	Christine Dansereau
Saddle Brook Township Municipal Engineer:	Thomas R. Lemanowicz
Stratford Borough Municipal Engineer:	Christopher Knoll
Union Township (Hunterdon) Municipal Clerk Email:	clerk@uniontwp-hcnj.org
Woodland Township Municipal Attorney Zip Code:	08608

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League Involvement Provides Key Perspective

Experiences from my time as mayor and my involvement in the New Jersey League of Municipalities inform my work in Washington

By Albio Sires, Congressman; former Mayor, West New York;
former Assembly speaker

As a former mayor and state legislator, I uniquely understand the importance of the New Jersey League of Municipalities and the invaluable role its members play in affecting policies on the local, state and federal levels. My experience as Mayor of West New York, followed by time as Speaker of the New Jersey State Assembly has shaped my work in Washington, D.C. as a Member of the House of Representatives serving the 8th District of New Jersey.

During my time in Congress, I have focused on legislation that embodies the vision of the true American dream; including access to affordable housing, education, health care, quality jobs and viable transportation options. Without my experience at the local and state level, I would not be able to adequately address the needs of communities in New Jersey. Washington can produce funding and policies with the best intentions, but without feedback from local organizations like the League, the results of such policies can be unrealized.

My first venture into government was when I became Mayor of West New York. Throughout my time as mayor I learned the importance of direct interaction with residents and community leaders. As a result, I was able to create more affordable housing units than any municipality in the State of New Jersey by fostering public-private partnerships and using targeted tax incentives. Serving as mayor also afforded me the opportunity to understand and operate on a limited budget. I was able to balance 12 consecutive municipal budgets while maintaining and enhancing vital municipal services.

Experiences from my time as mayor and my involvement in the New Jersey League of Municipalities directly impacted my role as a member of the New Jersey State Assembly, where I was honored to serve two terms as Speaker. I led the effort to create the Office of Lieutenant Governor and the Assembly Committee on Homeland Security and State Preparedness. I also raised the minimum wage, expanded job training, and funded valuable cancer research. I also created the STARS I and STARS II program, which offered full county and state college tuition scholarships to thousands of students. One of my greatest achievements during my time as Speaker was to increase funding for public education by \$760 million and help to fund after-school programs to get kids off the streets and away from gangs.

Today, as a member of Congress, I have carried with me the experiences and lessons I learned as both a local and state official. Through continued input from local municipalities, I have been able to develop policies that create safe and more livable communities in which families have equal access to education, economic, housing and transportation opportunities. Specifically, as a member of the House Committee on Transportation and Infrastructure, I have been an advocate for the local perspective when it comes to long-term transportation planning. Members in Washington do not know which bridges or roads need to be fixed without direct feedback from local leaders. Congress cannot determine which projects are “shovel-ready” without local input. Nor do we actually know if a federal program is effective unless we hear from communities directly.

Over the past several years, Washington has been overwhelmed with political grid-lock and strife. Now more than ever, it is imperative that local municipalities have constant

Today, as a member of Congress,
I have carried with me the
experiences and lessons
I learned as both a local
and state official.

contact with their respective members of Congress. Even when Washington has difficulty coming to a consensus, I know that bipartisanship eludes the challenges that municipalities face every day. As I begin another term in the 114th Congress, I will continue to use the invaluable perspectives from the New Jersey League of Municipalities to work on policies that benefit New Jersey. 🇺🇸

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Looking Back Over this Century and Ahead to the Next

By Jack Trafford,
former NJLM Executive Director



When that small group of mayors convened in Trenton in 1915, little did they realize that they were sowing the seeds of a movement which over the years, decades and finally a century has earned the recognition and respect of both municipal officials and the public.

I have had the pleasure of being associated with the League for 37 years, parts of which span five decades. I carry with me a range of memories, two of which stand out as the most important of the League's many assets.

The first of these is our local officials, from the beginning, have been committed to the principle that the League is a non-partisan, non-political spokesman in its representation of our municipal interests.

The second resource which

has sustained the League is that municipalities with different demographics and local issues have joined together in the common cause of Home Rule. The League's membership stands at 565, 100 percent of our potential membership. This is a living testament to our ever growing diversity.

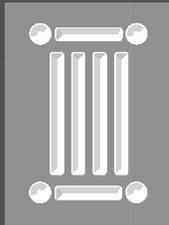
As we pause to look back over this century we should also look forward to the new century, with anticipation and excitement. The League has come a long way over the years and its future is bright.

The League has come
a long way over the years
and its future is bright.

In conclusion, I want to pay tribute to my colleague, successor and good friend Bill Dressel; whose tireless leadership, enthusiastic dedication, and hard work, has made the League what it is today. We also cannot forget his talented staff whose endless hours of work support the cause. 🍷



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The League Supports Our City

The support, services and advocacy of the League serves as an incredible tool for local government

By Jim Cahill, Mayor, New Brunswick



The New Jersey League of Municipalities has served as a valuable resource for all 565 of New Jersey's municipal governments. The support, services and advocacy of the League serves as an incredible tool for local government each and every day in the fields of legislation, research, policy planning and budgeting.

The League has been a longtime supporter of the work we have done in New Brunswick to create a model, progressive city for our residents, students, visitors and workforce. It has aided us being an additional advocate for the city in state discussions of policy and government. With this assistance, we are better able to move forward with projects and programs to improve the lives of our citizens and run a more efficient city.

At a time of tightening municipal budgets, the League is there to support its members with services, legal consultation and research and its staff is knowledgeable and always willing to help.

Through the League's comprehensive information gathering and analysis, municipalities are kept abreast of funding opportunities for state initiatives, training opportunities for our

employees, and changes to state law and new policies coming from Trenton. Because of this, we can do our jobs more effectively and better serve the people of our municipalities.

The League magazine provides practical examples of good government and innovative plans from around the state. We in New Brunswick are appreciative and proud to have been featured several times for the work we're doing in the fields of economic development, safe streets and health and wellness.

New Brunswick is a better place as a result of our relationship with the New Jersey League of Municipalities. On behalf of the city, I warmly congratulate the League on its 100th anniversary and look forward to working together in the years to come. 🍷

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Towering achievements through collaboration

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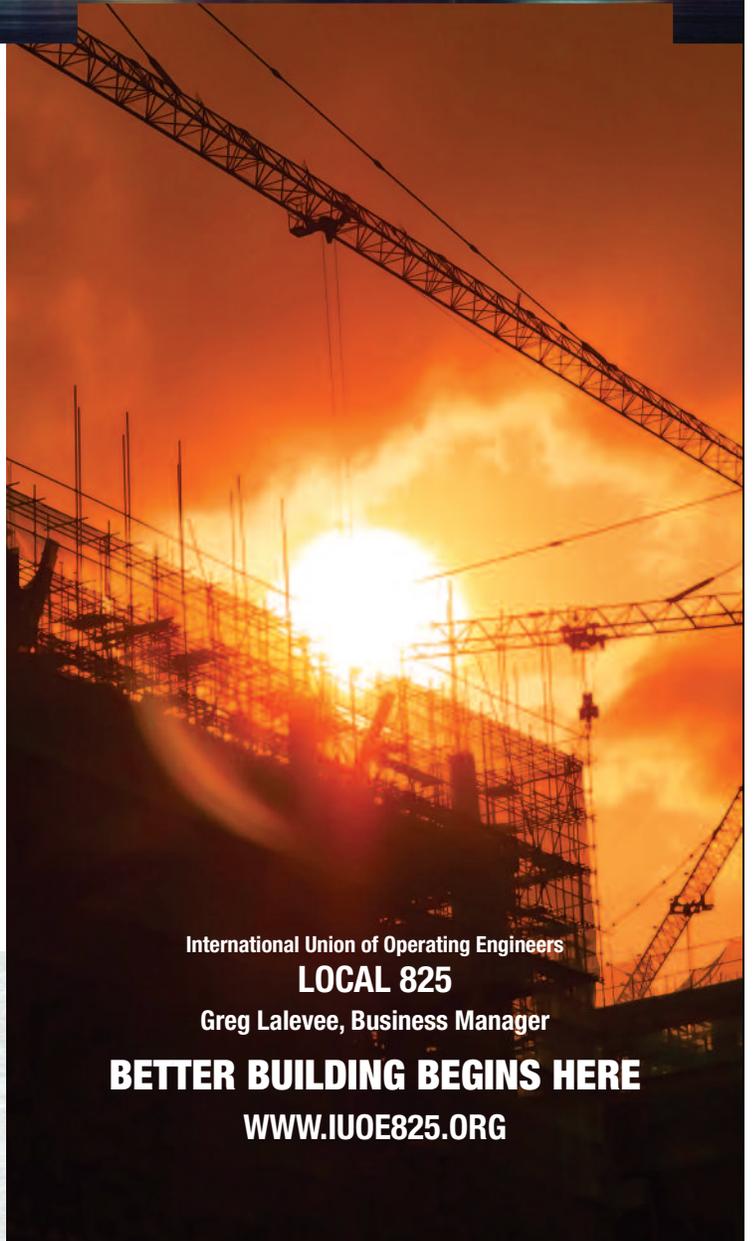
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We can help lift your productivity ... and your bottom line. Let's reach new heights together.

Local 825 Operating Engineers work together to build better communities.



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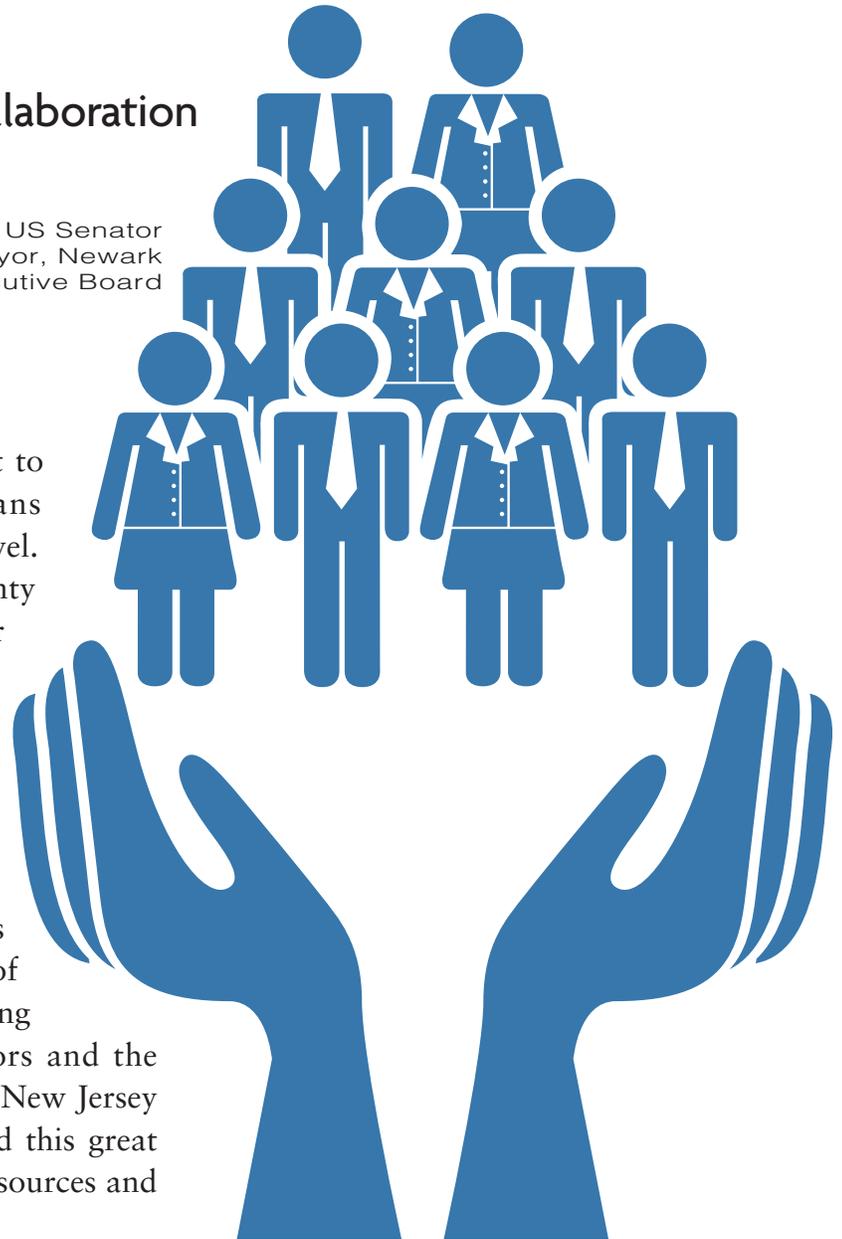
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An Asset to Every Municipality in New Jersey

The NJLM is a key vehicle for collaboration

By Cory Booker, US Senator
former Mayor, Newark
former Member, League Executive Board

There are few citizens more important to the everyday lives of New Jerseyans than those who serve at the local level. Every day, mayors, council members, county officials, and the brave members of our police and fire departments are asked to answer the daily needs of municipalities across our state. These men and women carry the great weight of providing the essential services that our residents depend upon. Since receiving the great honor of representing New Jersey in the United States Senate, I have regularly stated that the role of state and federal officials is to do everything possible to support the needs of our mayors and the municipalities they serve. For 100 years, the New Jersey League of Municipalities (NJLM) has served this great mission, assisting communities by pooling resources and sharing brain power across the state.



The daily schedule of a local elected official is demanding, and without the NJLM, it would be impossible to stay abreast of all of the important issues being taken up in the State House or to learn best practices from all 565 municipalities. The NJLM provides municipalities of all sizes, from Newark to Teterboro, the ability to leverage legislative staff and resources to better govern, to raise their voices in support of or in opposition to pending state or federal legislation, and to connect with municipal officials across our great state to take on chal-

lenges. During my time as Mayor and Councilman, the League was invaluable. By pooling information resources, the NJLM helps municipalities of every size work through codes and ordinances, provides legislative news and analysis, and hosts forums and briefings.

The NJLM continues to be a great asset to me here in the U.S. Senate. The magazine and seminars offered at the annual conference provide insight and critical analysis on the issues our municipalities face. In a little over a year and a half as your

The work of the Executive Board and dedication of its staff is invaluable to me, my colleagues in the delegation, and the thousands of elected and appointed officials throughout the state.

senator, I have worked hard to introduce legislation that benefits localities, such as the Innovation in Surface Transporta-

tion Act, a bill that will give local officials more control over the transportation planning process in their states and communities. With the counsel of the League, I have joined with colleagues to fight for enhanced resources for our fire and police officers.

The League adds nonpartisan amplification to the voices of municipalities and their constituents, and is a vital resource to those of us serving New Jersey down in Washington, D.C. I can confidently speak for the entire federal delegation when I say that our mission, regardless of party affiliation, is to work tirelessly to improve the wellbeing of our citizens and the cities in which they live. The NJLM provides a key vehicle for collaboration and information sharing to that end. Just recently, for example, when Senator Menendez, Congress-

man Pallone and I raised our opposition to a plan to drill in the Atlantic Ocean – a plan that could endanger our beloved shore – we didn’t have to stand alone. We went to the League President and Executive Director and were quickly joined by a bipartisan group of Mayors.

Just as you have had our backs – and more importantly, the backs of your member mayors and the nearly nine million New Jerseyans they represent – we will continue to have yours. It is my honor to join in celebrating your 100th Anniversary, and to commemorate the continued importance of this institution. The work of the Executive Board and dedication of its staff is invaluable to me, my colleagues in the delegation, and the thousands of elected and appointed officials throughout the state. Thank you for all you do. 🇺🇸



Mayors' Primer on Important Energy Issues

(The same event runs in three locations for your convenience. Register for just one location.)

Wednesday, May 13, 2015
6:00p.m.-8:00p.m.

Bergen County Community College
Technology Education Center
400 County Road 62
Paramus, NJ 07652

Wednesday, May 20, 2015
6:00p.m.-8:00p.m.

The Bloustein School,
Rutgers University
Special Events Forum
33 Livingston Avenue
New Brunswick, NJ 08901

Wednesday, May 27, 2015
6:00p.m.-8:00p.m.

Rowan University
Engineering Building
201 Mullica Hill Road
Glassboro, NJ 08028

This program is intended give mayors, elected officials, emergency coordinators and other municipal officials a practical understanding of energy issues. This includes a basic understanding of how the electrical grid works, what new technologies can be incorporated to make municipalities more resilient, vegetative management and how to engage in effective communications with utilities during outages and street openings.

The New Jersey State League of Municipalities Educational Foundation is proud to partner with the New Jersey Board of Public Utilities, Rowan University's College of Engineering and Rutgers University's Center for Advanced Infrastructure and Transportation in presenting these seminars.

Seminar Schedule:

- 5:30 p.m. - 6:00 p.m. Registration, Networking
- 6:00 p.m. - 6:20 p.m. Grid Today, Grid Tomorrow- an overview what where the electrical grid is today and where it is going tomorrow.
- 6:20 p.m. - 6:40 p.m. Distributed Energy Resources (DER) Technologies that municipalities can take advantage of to be more resilient.
- 6:40 p.m. - 7:00 p.m. An Update on Vegetative Management.
- 7:00 p.m. - 7:20 p.m. Communications with Utilities- During Outages and During Street Openings.
- 7:20 p.m. - 8:00 p.m. Question and Answer Session.

To Register: Please go to www.njlmef.org/



A Valentine for the City

By Ras J. Baraka, Mayor, Newark
Member, League Executive Board

The need to replace urban blight with affordable housing is one of the greatest issues any municipality in New Jersey – or this nation – faces. Our large cities have been battered by a weak economy that, as Franklin D. Roosevelt said 82 years ago, “paralyzes needed efforts to convert retreat into advance.”

The result is that we have many abandoned and foreclosed properties, often the result of predatory and underwater mortgages. Too often, these properties become dangerous eyesores in our communities. At the same time, we have the tragedy of new families and couples who are unable to achieve the American dream of purchasing their own homes. They are the victims of an intractable economy.

We do not believe this should be the case in Newark. Our city is transforming itself to create prosperity and strong neighborhoods for all. We can eliminate urban blight. We can provide affordable housing for families and couples. We can be the change we want to see in the world.

We are happy to see these properties back on the tax rolls and the couples following their dreams of homeownership.

That is why I am proud that our Department of Economic and Housing Development held a sale of city-owned land on Saturday, February 14, at City Hall. We offered these lots to couples – straight or LGBT – at \$1,000 a lot, with the requirement that they live in these homes for a minimum of five years.

Buyers were required to make a \$500 down payment and pay an additional \$500 at closing. They are responsible for all closing costs, and must submit a City Planning Board-approved site plan to close on the property. They also must have a commitment letter from a financial institution and/or proof of cash to cover the cost of the infill new construction. The construction must be completed within 18 months of closing and live on the property for five years after issuance of the Certificate of Occupancy.

The couples did not need to be from Newark and all sales had to be approved by the Municipal Council.

According to the New York Post, over 500 people showed up on Valentine’s Day in response to the offer. Ninety-nine lots were sold, netting the city \$49,500. This is a considerable achievement for the city and the couples involved. We are happy to see these properties back on the tax rolls and the couples empowered to follow their dreams of homeownership. But there are other victories gained from this program.

First, the purchasers are required to complete their construction within 18 months of closing. That provision will provide Newark’s construction companies, contractors and construction workers with jobs and opportunities.

Second, we are strengthening neighborhoods, as this program is open to anyone who resides in the United States. The couple must live in the house for a minimum of five years, which will make them stakeholders in Newark’s growth and transformation. They will become part of the change we are seeking and making.

Third, we have made this program open to straight and LGBT couples, which speaks to our commitment to diversity and human rights. The City of Newark has a long history of standing up against bigotry and for human rights, and we are warriors in the struggle for LGBT rights.

Fourth, we have come up with creative and innovative solutions to address our issues. This land sale, like our Model Neighborhood Initiative, our information technology initiatives, our Police Civilian Complaint Review Board, our efforts to reduce our budget deficit, our Neighborhood Walks, and our Town Halls are examples of how we are setting the agenda, pace, and example for our entire nation. As my great predecessor, Kenneth A. Gibson said: “Wherever America’s cities are going, Newark will get there first.” We are determined that Newark will be America’s leading city – in public safety, housing, economic development, government transparency, and commitment to community.

So in observing Valentine’s Day with creativity and a commitment to Newark’s couples, we are stepping “outside of the box” to lead our nation and transform Newark into a city that we – and all of America – can believe in. 🍷



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Restaurant, Camden County

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Land Purchase/Development Loan

Real Estate Developer, Gloucester County

\$1,300,000

Line of Credit

Specialty Trade Contractor, Burlington County

\$1,620,000

Construction/Permanent Mortgage

Benefit & Financial Planning Co., Burlington Co.

\$1,200,000

Commercial Mortgage

Retail & Fast Food Franchise, Camden County

\$5,000,000

Commercial Mortgage & Line of Credit

Sporting Goods Wholesaler, Gloucester County

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Commercial Mortgage

Ophthalmologist, Camden County

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Construction/Permanent Mortgage

Residential Apartment Complex, Camden County

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Preventing Addiction-related Crimes

Gloucester Township Police are adding drug prevention and treatment intervention to their efforts to “serve and protect”

By Harry Earle, Chief of Police, Gloucester Township Police Department and David Mayer, Mayor, Gloucester Township



Though it often begins with shoplifting, addicts' crimes often escalate to support their growing habits. Project SAVE seeks to get addicts into treatment early to prevent future crimes and prevent overdoses.

“Jenny” was 23 when she appeared in municipal court in early 2009 following her arrest for shoplifting. This was just the first of numerous municipal court appearances over three years, and all were related to shoplifting. Jenny was not a kleptomaniac or stealing to feed her hungry child, but she was “starving.”

Her hunger, however, was not for food. She craved the effects of opiates; which for those like Jenny can create a need even more powerful than the basic need to eat. Jenny’s quest to feed her drug habit didn’t end with shoplifting. She was soon forging family checks, and then committed an armed robbery. She was sentenced to eight years in prison in 2014.

Jenny likely dreamed of having a successful career and perhaps of raising a family. But, sadly, her addiction may have forever altered her dreams. Some may say that Jenny should have asked for help. In actuality, she did. In court and to our

officers, she admitted her addiction with an honest hopelessness. Yet we had no treatment or early intervention program available at the time of her initial shoplifting arrests. This missed opportunity was a tragedy for Jenny and her family, and also for the members of the public we strive to protect.

Battling an Epidemic The illicit use of prescription drugs has created an epidemic throughout the United States and even more significantly in the Philadelphia Metropolitan Area. Heroin and opiate addiction is no longer just an inner city problem; it is rampant in suburban communities everywhere. The consequences of this epidemic are many. Crime, family dysfunction, and physical/emotional abuse are just a few of the many tragic results of untreated addiction. Drug addiction and abuse greatly con-

Project SAVE In the summer of 2014 the Gloucester Township Police Department developed its own community policing response to addiction, entitled Project SAVE (Substance Abuse Victimization Effort). Project SAVE focuses police efforts and practices far beyond the traditional first gear response of arrest. We have adopted unique and far reaching prevention measures and bold law enforcement intervention strategies. This multi-gear community policing response is designed to combat this epidemic both now and for generations to come.

I believe that arrest alone will not stop this epidemic. If we wish to end the crime and prevent overdose deaths, law enforcement must work in collaboration with community partners to employ measures that go beyond arresting drug addicts.

The components of Project SAVE support many of the recommended action steps in the New Jersey Governor’s Council on Alcoholism and Drug Abuse 2014 Report entitled *Confronting New Jersey’s Drug Problem*.

SAVE Cards One of Project SAVE’s the most significant initiatives is the “SAVE Advocate,” who helps to represent the interests of addicts during their municipal court appearances. The advocate also provides information on treatment.

Our SAVE advocate is employed by a private contractor though a professional service Request for Qualifications (RFQ). The provider is Genesis Counseling Center of Collingswood, NJ. She is not considered an employee of the police department but more of a professional consultant. The position is funded through the current fund/general operating expenses. The award through the RFQ allows for a total of 920 hours per year at a cost of \$45.00 an hour. We have full day court at least one day a week. I point this out because smaller communities may have to commit less hours and funding to a similar program.

Breaking the Cycle of Addiction and Crime It is well understood that those suffering from addiction often commit crimes to support their addiction. Just as Jenny did, they steal merchandise from stores, jewelry and money from family and friends, and even resort to more serious crimes such as robbery or burglary. Drug addicted offenders who are arrested for serious crimes often have the ability to enter a formal “drug court” program at the superior court level. However, this option is often not available to those charged with less serious offenses that are heard at the municipal level. This is a missed opportunity to intervene and break the cycle of addiction, violence and crime.

Law enforcement must redefine how we fight crime if we are to successfully battle this epidemic.

tribute to criminal activity of all types. Desperation for illicit substances leads many to commit acts which they would otherwise have never engaged in. Sadly, crime and dysfunction are not the only dire consequence of heroin/opiate addiction. According to the Centers for Disease Control and Prevention (March 2015), drug poisoning (overdoses) became the number one cause of injury-related death in the United States in 2013. That same year there were 143 overdose deaths in Camden County, approximately nine of those occurred in Gloucester Township (source: Philly.com).

Law enforcement must redefine how we fight crime if we are to successfully battle this epidemic. The traditional “one gear” law enforcement response of arrest, also known as suppression, must give way to a more comprehensive three gear model that includes prevention and professional intervention.



Police Chief Harry Earle, Municipal Court Judge Nicholas Trabosh, and Gloucester Township Mayor David Mayer work together to implement SAVE.

Preventing Addiction-related Crimes

The absence of a drug court program in municipal court often leaves defendants, their family members, and even the judge with few options regarding treatment or assistance. In the Gloucester Township Municipal Court, our SAVE Advocate provides information regarding treatment programs and funding options. The goal of Project SAVE is to offer intervention services to low level offenders before they commit more serious crime. This effort is truly a new dimension in how police can work differently to prevent crime.

Measuring the Results It is clear that our new approach is working. A total of 44 defendants met with the SAVE Advocate during the first six months of Project SAVE. Of those, thirteen enrolled in out-patient treatment and eight enrolled in residential treatment. An additional 20 defendants met with the advocate and were informed of available treatment options and funding. It is important to note that participation with the SAVE Advocate or any treatment is not mandated by the judge. The SAVE Advocate is simply there to offer services. However, even when they were not required to do so, nearly 50 percent of the defendants enrolled in some type of treatment.

One defendant, whom we'll call "Richie," serves as a powerful example of the success of the SAVE Advocate. Richie had a long history of arrests and appearances in municipal court. He often left municipal court ordered to pay a fine, but was given no specific assistance to help him with his addiction, which was driving his criminal behavior. In June of 2014, he appeared in Gloucester Township Municipal Court and spoke with the SAVE Advocate. Richie then enrolled in and completed a residential treatment program. We haven't arrested him since. We may never know what crimes may have been prevented had Richie had the benefit of a SAVE Advocate and gotten the help he needed sooner.

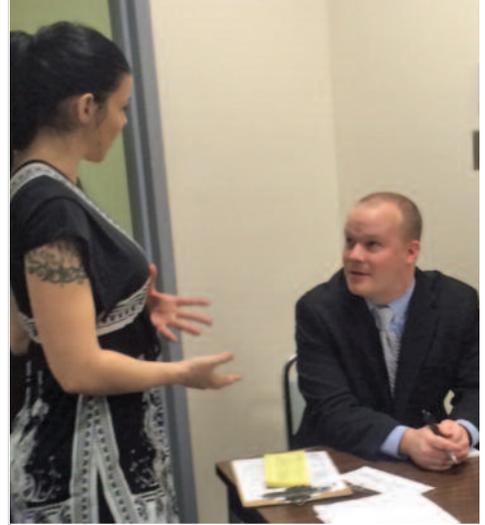
SAVE Cards Officers carry "SAVE Cards," which they give out as needed at homes, hospitals, and even after a person is administered Naloxone (a drug used to counter the effects of opioid

drug overdoses.) The SAVE Card provides information about our "SAVE Information Line" where anyone can call for advice or information regarding treatment.

The SAVE Advocate also serves as a resource for the Gloucester Township Police Department by providing information about treatment programs to those who need assistance or information for a friend or family member.

Project SAVE involves many other initiatives including numerous actions steps tailored to educate the community about the dangers of addiction and how they can help prevent abuse. For example, the department emails a Drug Impact Bulletin to pharmacists and doctors in the community informing them of current fraudulent script trends and drug overdoses.

Project SAVE serves as an outstanding example of how we can effectively battle addiction and fight crime when we are



SAVE Advocate Aubrey Johnson speaks with Gloucester Township Municipal Prosecutor Dan Long.

willing to move beyond first gear and engage in a holistic community approach. The success of the program has re-defined how we define "protect and serve" in Gloucester Township. 🚔

@ Visit www.glotwp.com/police or contact Chief Harry Earle at hearle@gtpolice.com for more information about Project SAVE.



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Partnerships Bring Growth Potential

Bridgewater profits from excellent partnerships with county and local governments and the commercial sector

Dan Hayes, Mayor, Bridgewater Township



An essential element of continued economic growth is our excellent partnerships with county and local governments and the commercial sector. Our economic success supports not only our residents. It improves the quality of life we enjoy and contributes to the entire Somerset County area, providing excellent job opportunities and an array of retail options. We work closely with the county Administration on planning and are an active participant in the Somerset County Regional Center. The Center is an interlocal planning organization that is a collabo-

Bridgewater Township has seen sustained economic activity in recent years that can be directly attributed to the township's extensive land use planning and outstanding working relationships with both public and private partners. As Mayor I am blessed with hard working professionals, and numerous talented volunteers who embrace our vision and incorporate our land use objectives and fiscal goals in their daily actions and planning for future success. While this planning is not a guarantee of future economic growth, it provides us with a plan for growth that is beneficial and sustainable for our community and the surrounding region.

ration of county government, Bridgewater Township, and our neighbors Raritan Borough and Somerville Borough. The Regional Center's main objective is to coordinate area planning initiatives to our mutual benefit.

A good example of how coordinated planning produces economic benefits is the recent publication of *Investment Somerset, a Collaborative Blueprint for Economic Growth*, a Comprehensive Economic Development Strategy (CEDS) to drive job creation and private sector investment. This plan, an 18-



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ELEC is a labor-management organization built on collaboration between Local 825 Operating Engineers and its union contractors. We continually invest in workforce credentialing and training that ensure greater skills, a superb record of safety and a more profitable bottom line.

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- ▶ Construction Industry Council of Westchester & Hudson Valley
- ▶ Construction Contractors Labor Employers of New Jersey

Building On Common Ground

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ELEC is the labor-management fund for IUOE Local 825

Partnerships Bring Growth Potential

month long effort of the Somerset County Freeholders, Somerset County Business Partnership (SCBP) and the municipal members of the Regional Center, identifies areas of strong potential for economic growth and directs appropriate planning resources to foster that growth.

Bridgewater is maximizing its growth potential by collaborating with interested commercial businesses and introduc-

The Somerset County Regional Center's main objective is to coordinate area planning initiatives to our mutual benefit.

ing them to areas of the township that are well positioned for increased economic activity. Thanks to the advantages offered us as part of the Regional Center, and focusing on the Priority Growth Investment Areas defined by the County Planning Division with input from the municipalities, we are able to leverage our own planning efforts to achieve sustained economic growth.

According to the U.S. Department of Commerce - Economic Development Administration, the purpose of the CEDS is to "bring together the public and private sectors in the creation of an economic roadmap to diversify and strengthen regional economies." By analyzing the county economy and inventorying assets, the CEDS serves as a guide for "establishing regional goals and objectives, developing and implementing a regional plan of action, and identifying investment priorities and funding sources." The resulting economic development planning provides the opportunity to adapt to global economic conditions and "maximize economic opportunity for its residents by attracting the private investment that creates

jobs for the region's residents."

Developed through detailed input and surveys among both the public and private sectors across Somerset County, the report identifies and prioritizes economic development strategies that will further job creation and private sector investment. The CEDS defines nine Priority Focus Areas, within which there are 33 goals supported by nearly 200 discrete projects, programs, and activities. As the second largest by land area and second most populated municipality in the county, as well as the largest taxable base, Bridgewater is uniquely positioned to be a leader and a model for CEDS implementation projects.

Investment Somerset identifies three priority areas to support job creation initiatives and attract private sector investment – business resources, re-use of properties, and reducing the regulatory burden. Key to that effort is assurance that public resources are targeted to areas where the greatest positive economic impact will be realized and leveraged by private sector investment.

The defined Priority Growth Investment Areas located in Bridgewater include the AT&T Campus on Route

202/206; the New Jersey Transit Spur on Route 202; the Route 206 Corporate Node (NJ Center for Excellence); the Chimney Rock Interchange; and the Somerset County Regional Center.

These properties offer the potential for major redevelopment aligned with our planning efforts, and will provide sustainable growth supporting the township for decades to come. The high priority of "Re-use of Significant Properties" is a key factor in the initiatives surrounding the proposed New Jersey Center for Excellence project at the former Sanofi research and development site and the AT&T Campus location. The Chimney Rock interchange development will be a major employment generator. The NJ Transit rail-spur and passenger station off Route 202 at Milltown Road will enhance public transportation and improve quality of life for Bridgewater residents in the northwest area of the Township commuting eastbound.

As we look to the future of Bridgewater Township we are optimistic that well thought out planning will result in projects that will form the basis of smart development. The collaboration with



Bridgewater Crossing is a new eight-story building located adjacent to the Marriott Hotel and Bridgewater Commons Mall.

The over-riding purpose of the CEDS is to “bring together the public and private sectors in the creation of an economic roadmap to diversify and strengthen regional economies.”

our public and private partners provides us with a strong foundation in this area and enables us to compete for much sought after corporate growth. The

completion of the CEDS report and the benefits of being part of the Somerset County Regional Center only enhance our opportunity for success in this regard.

Effective use of the CEDS Report and the Regional Center designation can help us achieve policy and planning objectives in two important ways. First, it will provide an advantage to prospective commercial investors, decreasing the uncertainty of the planning process by formally outlining the location and description of the desired growth by the municipality. Second, these projects will receive preference over others in the competition for available county, state, and federal assistance. The CEDS provides the opportunity to apply for investment assistance under EDA’s Public Works or Economic Adjustment Assistance Programs.

Bridgewater remains strongly positioned, both internally and externally, for continued economic development. Internally we have staff and volunteers with a vision for the future of our community and a pragmatic approach to accomplishing goals. Externally, we maintain strong partnerships with Somerset County, our municipal neighbors, and the private sector, making sure our investment priorities for long term sustainable growth are included in CEDS listings and receive the essential support at the regional and county levels. 📍



Investment Somerset is available online at <http://www.scbp.org/economic-development/ceds>



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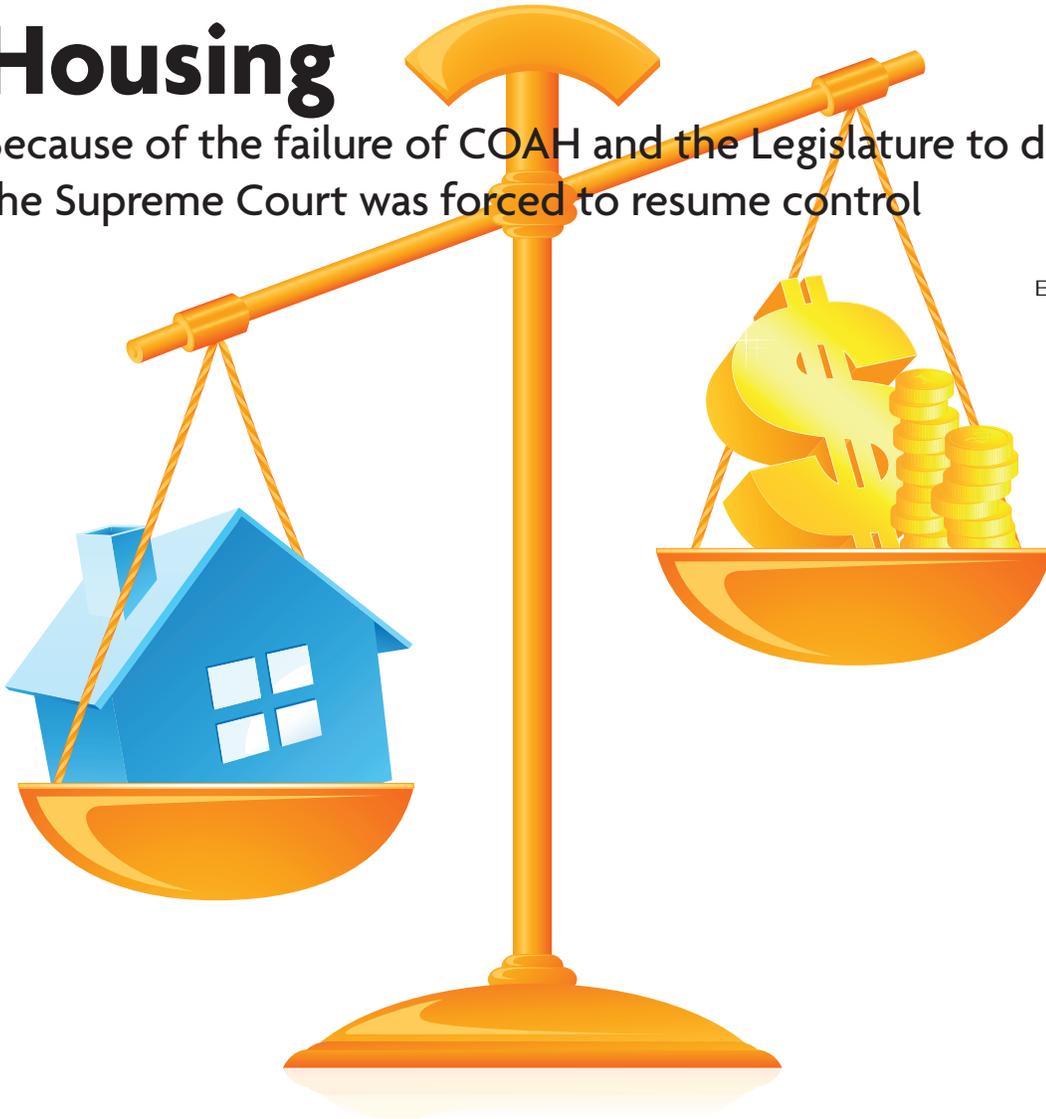
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COAH Relinquishes Responsibilities for Affordable Housing

Because of the failure of COAH and the Legislature to deal with the issue, the Supreme Court was forced to resume control

By Edward J. Buzak, Esq.,
NJLM Assistant Counsel



By its inability to reach a consensus on October 20, 2014 and by its subsequent inaction for months thereafter, the New Jersey Council on Affordable Housing (COAH) has surrendered its right and obligation to administer affordable housing matters and left the Supreme Court with little choice but to resume control over that process until COAH can get its act together. In a March 10, 2015 unanimous 6-0 decision (Chief Justice Rabner recused himself), the Supreme Court once again asserted primary jurisdiction over affordable housing matters. Despite the inability of COAH and the Legislature to deal with the issue, the Supreme Court still declared its desire to return jurisdiction to the place where it belongs--the executive branch and the legislative branch, as soon as they act to establish the constitutional obligation that municipalities have in exercising their zoning power.

Thankfully, the Supreme Court recognized the effort and good faith displayed by almost 400 municipalities that affirmatively sought to voluntarily discharge their constitutional obligations by establishing a procedure which, if implemented, will leave the municipalities in a substantially similar place as they would

This decision was not as much a seizure of the affordable housing field by the Supreme Court as it was a reluctant assumption of the duties.

have been had they proceeded through the COAH process. Unfortunately, the Supreme Court declined to provide the missing link between the procedure they established and the substance of what has to be done. That missing link--the establishment of a methodology to calculate the affordable housing obligations of the municipalities--was left to the 15 *Mount Laurel* Judges to develop on either a case by case basis or some other global process yet to be established. All parties who participated in the litigation agreed that a procedure and uniform methodology should be developed by the Supreme Court but it declined to do so.

The Basics—Transitioning from COAH to the Court In nearly a 50 page decision, the Supreme Court spelled out its rationale for taking the action that it did. What literally screams out in the decision is that the Court would like nothing better than to have COAH do its job so that they once again can extricate themselves from this area. This decision was not as much a seizure of the affordable housing field by the Supreme Court as it was a reluctant assumption of the duties because no one else was doing it. As former Chief Justice Robert Wilentz said in his landmark 1983 *Mount Laurel II* decision, the

Supreme Court does not build housing, but it does enforce the Constitution.

Accompanying its written decision was a four page Order, a copy of which is available on the League’s website at njs-lom.org/legislation/0315COAH.pdf. It details the basic transitional steps to shift matters from COAH to the Courts. That process begins with the deferral of the effective date of their Order until

June 8, 2015 to allow sufficient time for the 15 *Mount Laurel* Judges to establish a program to handle the almost 400 Declaratory Judgments (DJ Actions) that the municipalities will have to file in order to initiate the transfer to the Courts. More specifically, municipalities with either Third Round Substantive Certification under earlier iterations of the Third Round Regulations before

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Affordable Housing

they were invalidated, or those with pending Petitions for Substantive Certification before COAH (dubbed “Participating Municipalities”) will have up to 30 days from the effective date of the Order—up to July 8, 2015—to file their DJ Actions seeking effectively a Judgment of Compliance and Repose, the judicial equivalent to substantive certification under the administrative process. The Supreme Court also gave the Participating Municipalities (and by implication, those with Third Round Substantive Certification) five months to develop their new Housing Element & Fair Share Plan (HE&FSP) since all of the previous plans in both categories of municipalities were based upon the now invalid growth share methodology. Unfortunately, the four page Order of the Court does not reflect this five month period and the decision only mentions it in the section dealing with the approximately 315 Participating

Municipalities, raising the possibility that those municipalities that have already received Third Round Substantive Certification will not be able to take advantage of that five month period. Nevertheless, it is difficult to understand why municipalities that actually received substantive certification under the now invalidated growth share regulations should not have a similar period of time to develop their compliant plan as those that have plans pending before COAH.

Notice of the filing and an opportunity to be heard in each of these DJ Actions is to be given to Fair Share Housing Center (FSHC); the New Jersey Builders’ Association (NJBA); the New Jersey State League of Municipalities (NJLM); COAH, and presumptively to every other entity involved in the motion before the Supreme Court that resulted in this decision, which would add to the list five individual municipalities and a developer. While the Court required that

“notice” be given, they did not go on to explain the form of that notice. Thus, it is unclear as to whether copies of the DJ Actions are to be sent to these parties or whether simply a short notification of the filing needs to be sent. Those issues may have to be sorted out by the 15 *Mount Laurel* Judges who have been tasked with handling these cases. Municipalities can simultaneously or thereafter apply for temporary immunity from any third party action for a defined period of time. The Supreme Court cautioned trial judges that they should be circumspect about granting unlimited immunity or elongating the process to ultimately achieve compliance.

Consequence of Ignoring the Process If municipalities in either of these two categories (those that received Third Round Substantive Certification, or those that have pending Petitions for Certification before COAH) decline to file their DJ Actions within the 30 day



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window after the effective date of the Order, i.e. by July 8, 2015, the window opens further to allow third parties to bring lawsuits against those municipalities. Interestingly, however, irrespective of the relief sought by those third parties (i.e. FSHC, NJBA, or other organiza-

What the Supreme Court declined to do is to provide the methodology that a municipality must follow to develop a constitutionally compliant HE&FSP.

tional entity with standing, or any private developer) the litigation can only proceed with regard to the constitutional compliance prong, termed in the Order “a constitutional compliance challenge,” setting up a kind of involuntary DJ Action. A municipality subject to that involuntary DJ Action could then apply with notice and an opportunity to be heard to the interested parties above-mentioned, for temporary periods of immunity prohibiting exclusionary zoning actions from proceeding.

Thus, it would appear that there is little difference between a municipality filing its DJ Action within the 30 day window or declining to do so and then having a third party initiate an action against it. In both instances, the municipality can apply for temporary immunity and the focus of the litigation is to develop a constitutionally compliant plan, not to grant a builders’ remedy. While the explanation of a builders’ remedy action is beyond the scope of this article, suffice it to say, that if the developer succeeds in its builders’ remedy action, the municipality is required to include the developer’s property in its

compliance plan, provided that the property is suitable and the developer is providing a substantial number of affordable units in its project. In the case of a municipality that is subject to an involuntary DJ Action, it appears that it would also not be exposed to that builders’ remedy, provided that it can come up with a plan that complies with and fulfills its constitutional obligation without the use of that developer’s property. Only if the Court ultimately finds its constitutional compliance “wanting,” shall it permit the builders’ remedy to proceed.

The Missing Link What the Supreme Court declined to do is to provide the missing link--the methodology that a municipality must follow to develop a constitutionally compliant HE&FSP. While perhaps in filing the DJ Action the municipality can refer to its intention to propose a constitutionally compliant plan within the five month window, the challenge that the municipalities will face is to create the methodology by which its compliance will be measured. In other words, before a municipality can propose a compliant plan, it must know the standards that it must meet and the criteria with which it

must comply. That methodology had in the past been created by COAH in the First and Second Rounds and in three iterations of the Third Round Regulations. In each case, municipalities knew the goal that they had to achieve in order to have a compliant plan. While there may have been legitimate argument regarding the practicality of the plan or its realism, there was a measuring stick against which the proposed plan could be compared. Currently, there is no such measuring stick and the municipality will first have to figure out its destination before it can evaluate the various routes to that destination.

One possibility is that the 15 *Mount Laurel* Judges, either individually or collectively, will initiate some type of common process to develop a uniform and consistent methodology which would then be applied statewide by all the Judges and, of course, regionally to establish affordable housing obligations for the 565 municipalities thereby establishing the destination that each of those municipalities needs to reach. In that case, the municipalities can then figure out the various routes to their individual destinations in developing their HE&FSPs.



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COAH Relinquishes Responsibilities For Affordable Housing

The Unadopted COAH Rules Barring the 15 Judges coming up with such a scheme, municipalities will be left to their own devices. One starting point may be the unadopted COAH Rules, which had proposed a comprehensive methodology that established destinations for each of the 565 municipalities. Despite the fact that COAH did not actually adopt the regulations, but for one vote, those would have been the regulations that municipalities would be working with to establish their compliant plans. Second, those regulations allegedly comply with the Supreme Court's September 26, 2013 decision which outlined the parameters of a valid methodology. Third, much of the criticism of the Third Round Rules focused on the myriad of other components of the Rules in the form of types of housing, bonuses, credits for past activities, and so forth. While clearly FSHC and others challenged the actual underlying methodology completely, many other criticisms focused only on various aspects of it. Finally, it must be recognized that there is no perfect methodology and there is no singular way to either establish the parameters of the constitutional obligation or the manner in which it should be implemented.

If a municipality chooses to not use the COAH methodology, it will have to develop some alternate one in order to establish the destination it has to reach in order to satisfy its constitutional obligation and subject that methodology to scrutiny in its DJ Action, remembering, that in all of these cases, FSHC and the NJBA, among others, will have the proverbial "seat at the table" to critically examine it. It is likely that in all of the cases FSHC and the NJBA will proffer the methodology they espoused in the motion before the Supreme Court that resulted in the Supreme Court's March 10, 2015 decision which established numbers for each of the 565 municipalities well in excess of the numbers that were produced in the COAH methodology.

The creation of the link will in itself likely result in further litigation and judicial appeals, which will continue for years to come. Perhaps the Supreme

Court anticipated that and intentionally created that result to illustrate just how chaotic the process will become if COAH does not get its act together or the Legislature does not step up to the plate to modify the FHA to reflect New Jersey and its housing demands in 2015, as opposed to that which existed 30 years ago in 1985 when the FHA was first adopted.

The Supreme Court Guidelines

While the Supreme Court left municipalities and trial courts to deal with the 800 pound gorilla, they thankfully offered some advice and guidelines derived from their earlier 2013 decision invalidating growth share and the related Appellate Division decisions on the various iterations of the Third Round Regulations as previously adopted by COAH. First, the Court broadly reiterated its endorsement of the previous methodologies employed in the First and Second Round Rules as the template to establish present and prospective Third Round statewide and regional needs. Second, the Supreme Court advised that the trial court Judges may confidently use discretion when assessing the techniques used by the municipality to achieve constitutional compliances, provided that the Judges are persuaded that those techniques will promote for that municipality and the region, the constitutional goal. The Supreme Court identified six specific principals that the trial court (and the municipalities in developing their plans) should follow:

1. Prior round obligations must be fulfilled.
2. Reallocation of excess present need (housing in need of rehabilitation) can be eliminated in any calculation.
3. Credits and/or bonus credits can be given for each low and moderate for sales housing unit whose expiring affordability controls are extended and bonus credits can be given for affordable units available to the very poor (earning 30 percent or less of median income).
4. Bonus credits of 1.33 for affordable housing in smart growth areas (transit oriented development in Planning Areas 1 or 2 or a designated center)



- and
bonus credits of
1.33 for affordable
housing in redevelopment areas
and areas in need of rehabilitation
can be provided.
5. Cost burdened families are properly excluded from the constitutional obligation which is confined to low and moderate income families.
 6. Fewer surrogates can be used to determine substandard housing (3 versus 7 as previously utilized).

These examples were cited by the Supreme Court to guide Mount Laurel designated Judges and municipalities. The Supreme Court urged the trial courts to employ flexibility in assessing a municipality's compliance plan and to just make sure that they do not sanction any expressly disapproved practices from COAH's invalidated Third Round Rules.

Given the limited options that the Supreme Court had as a result of COAH's inaction, the proactive municipalities, comprising almost 70 percent of the municipalities in the state, were awarded with a procedure in which they can obtain substantially similar results as they would have obtained through the administrative process while continuing to be protected from a builders' remedy lawsuit, provided that they proceed in good faith. The Supreme Court's decision to keep the 800 pound gorilla in the room, however, significantly dilutes the effectiveness and efficiency of their solution and, unless the Legislature and/or executive branch steps up to the plate to deal quickly with the 800 pound gorilla, it is possible that it will consume the process itself. Time will tell. 🦍

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A Century of Knowledge – The Bureau of Municipal Information

By Suzanne Walters, Chair,
NJLM 100th Anniversary Committee
NJLM Immediate Past President
Mayor, Stone Harbor

The League's first office - a small room in a wing of the ivy-covered Princeton University Library.



Elvira Tucci, then Bureau of Municipal Information, answers an official's questions, 1965.

High on the League's list of organizational objectives in 1915 was the creation of a research and information service. This service would provide authoritative and factual answers to members' questions on all aspects of municipal governance and management. The result was the creation of the Bureau of Municipal Information, a service that was soon functioning out of the League's first office – a small room in a wing of the ivy-covered Princeton University Library.

Answering your questions Over the years the Bureau has been one of the most valuable and popular League services. Municipal officials have relied on the Bureau's reference facilities to provide critical information and guidance. The Bureau's files are recognized as the most comprehensive single source of municipal information in the State of New Jersey. Municipal officials rely on the League for prompt responses; more than 2,000 questions are researched each year.

Municipal officials rely on the League for prompt responses; more than 2,000 questions are researched each year.

Over the decades some of the Bureau's longstanding services have been altered to better serve its membership's changing needs. One such example is the Arbitration Reporter, a longstanding printed summary of Interest Arbitration Awards published quarterly. In 2014 the format of this resource was changed dramatically to improve its value. Now referred to as the Arbitration Newsletter, this quarterly newsletter is emailed to subscribers and contains brief award summaries, analyses of new legislation and information on legislative changes.



In 2015 Taran B. Samhammer, Bureau Services and Research Coordinator, and Edward Purcell, Esq., Staff Attorney, are at the ready to assist you with inquiries.

Publications Additionally, the Bureau's staff members publish periodic special reports. Recent studies have included a survey of municipal salaries, license fees and building, zoning and subdivision fees. Other publications include informational handbooks and an analysis of the Optional Municipal Charter Law. The Bureau currently maintains over 25 publications, a full list may be found at njslom.org/publications/Publications.pdf.

Consultants Another staple of the Bureau is accessibility to several outside consultants, who are retained because of their extensive knowledge and expertise in their individual fields. The League currently has relationships with a Grant, Interlocal and Legal Consultant to better assist its membership with more complicated and detailed inquiries.

Online services For decades the League staff has been available to answer inquiries via telephone. However, after the League's first website was launched in 1996, members now have 24-hour access to much of the Bureau's resources and information. In 2015, League members will find valuable resource centers relating to grants, shared services and legal issues online. The Ordinance and Shared Service Libraries feature an online database searchable by topic or municipality. Web links to information on affordable housing, ethics and emergency management, just to name a few, are also provided at njslom.org/bureau. And if members cannot find what they are looking for online, League staff is at the ready to assist them via telephone or email. 📧

@ Visit njslom.org/100years for information on NJLM's history and upcoming events. Follow the celebration using #njlm100on Facebook and Twitter.



Jeanne Helmstetter, then Chief League Bureau of Municipal Information, looks through the League's Ordinance Library, c1979.

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Supporting Veterans in Trouble

The Parole Board is connecting New Jersey veterans who are incarcerated and on probation or parole with the services of the US Veterans Administration

By James Plousis, Chairman, State Parole Board



State Parole Board Chairman James Plousis (Right), NJ First District Assemblyman Robert Andrzejczak (center), and NJ Department of Labor Assistant Commissioner Robert Stoller spoke at the South Jersey Regional Veterans Resource & Opportunity Fair, held at the Naval Air Station Wildwood Aviation Museum in Rio Grande, Cape May County.

The most recent national data continues to show that between 9 and 10 percent of those incarcerated in the United States have served in the US military. There is a significant cost involved with the approximately 21,000 New Jersey veterans incarcerated and on probation or parole. This cost could be significantly reduced by connecting justice-involved veterans with the services of the US Veterans Administration for which they have earned eligibility from their military service.

That was the idea behind the New Jersey State Parole Board Criminal Justice Veteran's Initiative (CJVI) which began in 2011. The initiative is a partnership between myself and the governor of New Jersey, in cooperation with the American Legion, The New Jersey Department of Military and Veteran's Affairs, and state and federal law enforcement agencies. The CJVI continues to seek ways to improve the safety of law enforcement and the public, while reducing recidivism and containing the costs for the increasing number of military service veterans in the criminal justice system.

The fiscal impact of veteran offenders on the 565 municipalities in New Jersey is substantial. Of the 140,000 inmates pass through our county jails each year, approximately 11,000 to 14,000 are veterans. This estimate, based on the national findings of 10 percent, may be a bit high due to the fact that some

Supporting Veterans in Trouble

offenders pass through the county jail system multiple times in a given year. In any case, even a conservative estimate of 10,000 military veterans spending time in county correctional facilities each year is cause for sheriffs, wardens, and county jail administrators to review veteran offender correctional and reentry service issues. A proactive approach to veteran service needs on the county and municipal level may have a significant fiscal impact on the county jail population and related costs.

The CJVI seeks to connect these veterans with the housing, employment, mental health, education, legal, and veteran benefits they have earned based on their military service. The goal is to make veterans services available for veterans who encounter not only the issues of a return to the community from military service, but also upon their return from incarceration or criminal justice involvement. Veteran offenders have an impact on municipal police, social services, municipal courts, and the community, due to disorderly and “quality of life” offenses particular to the veteran offender group.

Criminal Veteran’s Information Network The State Parole Board, which is responsible for offender reentry services, has shown a spotlight on the veteran offender population in need of services. The CJVI created a criminal justice veterans information network, known as Veteran Reentry, for use by the business community, state, federal, county, non-profit, and veteran support organizations. The network’s 380 members receive periodic emails about events and services specific to criminal-justice involved veterans.

Veteran’s Reentry Hotline The Veteran Offender Reentry Hotline number (609-777-0181) and email address (veteranreentry@spb.state.nj.us) were created and are featured on posters which we’ve provided to law enforcement agencies and correctional facilities throughout the state. The hotline has received over 250 requests as of the end of 2014 for assistance from veterans under probation or parole supervision, or veterans with new criminal charges.

The CJVI has brought awareness of veteran offender reentry issues to the law enforcement community, the correctional services community, parole and probation supervision agencies, veteran service organizations, and the existing network of veteran’s services agencies. The increased awareness of veteran offender needs, and the services available, has opened doors for transitional housing and mental health, legal, education, and medical services not previously available to veteran offenders.

Working with Veterans Justice Officers By creating the CJVI, opportunities for veterans in the New Jersey criminal justice system to access veteran’s service programs are greatly increased. Additionally, veteran service efforts may be adapted to the specifics of individual counties and regions of the state as needed. New Jersey does not presently have a formal veteran’s court program, and two of the three USVA Hospitals are located in Philadelphia and Delaware, limiting the outreach ability of the assigned USVA region to assist our incarcerated veterans. The CJVI works closely with each of the Veterans Justice Officers assigned to help them connect New Jersey veteran offender with valuable services.

Hiring Our Heroes By participating and sponsoring the American Legion and the US Chamber of Commerce “Hiring our Heroes” employment fairs, the State Parole Board has helped these

events to grow in number to more than a dozen per year. The CJVI assisted the New Jersey American Legion with five Resource and Opportunity Fairs in 2014. They’ve expanded the traditional employment fair concept to include service providers, such as the criminal justice service providers who provide legal, housing, educational, veteran’s benefits and counseling.

Savings By using federally-funded veteran transitional housing programs between 2012 and 2014, it’s estimated that the CJVI saved the State of New Jersey an estimated \$250,000.

In response to the program, I was honored with the New Jersey Employer Support for the Guard and Reserve (ESGR) 2014 Employer of the Year Award. I also received the New Jersey Department of the American Legion Economics and Employment Committee Outstanding Service Award for 2014. The CJVI is also a nominee for the 2014 Innovation Award from the Harvard Kennedy Ash Center for Democratic Governance and Innovation at Harvard University.

The initiative has shown that by addressing veteran’s service needs while they are under the authority and direction of the criminal justice system, veterans will take advantage of the opportunities offered to readjust to the community. The result is reduced recidivism, increased safety for law enforcement and the public; and lower costs to state, county and municipal governments. ♣



New Jersey State Police Recruitment Unit at South Jersey Veterans Resource & Opportunity Fair, sponsored by the State Parole Board and the NJ American Legion, at Richard Stockton College, Pomona.

More Winning Wellness Campaign Ideas

Among the record number of applicants for Healthy Town designation were many outstanding program ideas

By Janan Dave, Coordinator of the Mayors Wellness Campaign
New Jersey Health Care Quality Institute



Last month, I shared some tips for having a successful Mayors Wellness Campaign. The inspiration came from the creative and wildly successful campaigns in this year’s “Mayors Wellness Campaign Healthy Towns,” Englewood and Franklin Lakes, and the “Healthy Towns to Watch,” Beachwood and Morristown. But the winning towns weren’t the only ones with winning ideas. This year, the Mayors Wellness Campaign (MWC) had a record number of applicants for its Healthy Town designation, and all of the applicants showed high levels of originality and skill in their programming.

As many municipal officials know, the Mayors Wellness Campaign is a program of the New Jersey Health Care Quality Institute in partnership with the New Jersey State League of Municipalities that empowers mayors to champion health and wellness in their own communities. Since its official launch in the fall of 2005, the MWC has grown to include two thirds of the Garden State’s mayors. (You can enroll your town by clicking on the Mayors Wellness Campaign at www.njhcqi.org.)

1. You don’t need to start from scratch.

When getting your Mayors Wellness Campaign off the ground—or even when working to revamp it—you don’t have to start from scratch. For example, in Chatham, the local MWC took advantage of the weekly Chatham Borough Farmers Market by staffing a booth there. The shoppers were already interested in healthy living and with the help of the St. Barnabas Medical Center, they used the booth to host an “Ask

the Doctor” series, where residents could get questions answered by physicians in a casual setting. Chatham’s “Health and Wellness Fair” evolved from this simple program. It has become an annual event with a bloodmobile, health screenings, and health and wellness demonstrations.

Your MWC can also look to the countless organizations that are working to

host “Wellness Sessions” for the community. They had weekly seminars on topics ranging from self-defense to healthy holiday cooking, which helped them reach different segments of the community.

In Secaucus, the MWC honored the diversity of the city by hosting a “Veggie Fest,” featuring samples of vegetarian cuisine from all over the world. Local

residents and MWC committee members inspired by National Food Day decided to host a Secaucus Food Day featuring health-related art projects, healthy food vendors, health screenings, arts and crafts and a healthy dessert-making contest. The event drew families and engaged various local partners, ultimately reaching over 500 people from Secaucus and surrounding neighborhoods.

In many towns, the most creative, well-received programs were born from the Mayor’s own passions.

improve community health throughout the state. Jersey City partnered with Garden State Urban Farms to launch Jersey City’s first Urban Agriculture Earth Box Farming Initiative. The Jersey City Department of Health and Human Services identified three Public and Senior Housing Sites to provide earth boxes and vegetable plants. The “farms” were cultivated by residents with the help of the Jersey City Parks Coalition’s “Master Gardeners.”

2. Creativity goes a long way.

Being imaginative can sometimes be more productive than having a wealth of funds.

In many towns, the most creative, well-received programs were born from the Mayor’s own passions. If you spent your youth on a basketball court, why not organize a ‘hoops tournament’ for the community? Similarly, if you’ve always fancied yourself a great home cook, what better way to demonstrate that skill than with your residents at a local restaurant cooking class? Or, better yet, look to your residents for inspiration.

In Rutherford, the MWC committee reached out to local professionals; such as trainers, chefs, and other experts; to

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3. It's all about the metrics.

It's no secret that metrics are important—they measure our success. We live in a very data-driven world. Being able to prove your impact will help you secure partnerships, funding, and media attention, which can all help further elevate your program. Recording vital statistics of participants during programs like weight-loss or walking challenges is a relatively easy way to demonstrate the impact of your MWC on your residents' health.

While not all MWC programming lends itself well to quantitative data, even tracking the number of people attending events, the number of events, the kinds of events, and other relevant data can reveal helpful trends that will enable you to better reach constituents. For example, recording this information may reveal that events hosted on week-nights are better attended than on week-days, or that cooking events are more popular than walking events.

In Maplewood, the local MWC "Maplewood Loves Wellness," recognized the value of taking the time to record metrics during their Fall Walking Program. They kept track of participation and collective steps walked. They also collected narratives from each participant. Narratives convey the details that numbers cannot, and these testimonials are now serving as instruction for the wellness committee to further improve next year's programming.

When building your MWC, harness your creativity or the creative energy of your residents and build off of existing programs to put health at the forefront of community culture in a fun, engaging, and inclusive way. Furthermore, with the aid of metrics and evaluation, you can articulate your success and continuously improve the program. While the Healthy Town applicants and winners certainly demonstrate there is no set path to success, they show that there are key components to getting there. 📌

@ If you would like to learn more about the Mayors Wellness Campaign and how you can better promote health and wellness in your community, you can find information online at www.njhqci.org, or reach out to me directly at jdave@njhqi.org.

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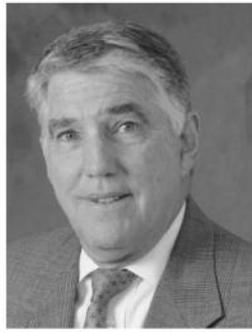
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Get Street Smart

All New Jersey towns are welcome to use NJTPA resources to start a Street Smart NJ campaign to improve pedestrian safety

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



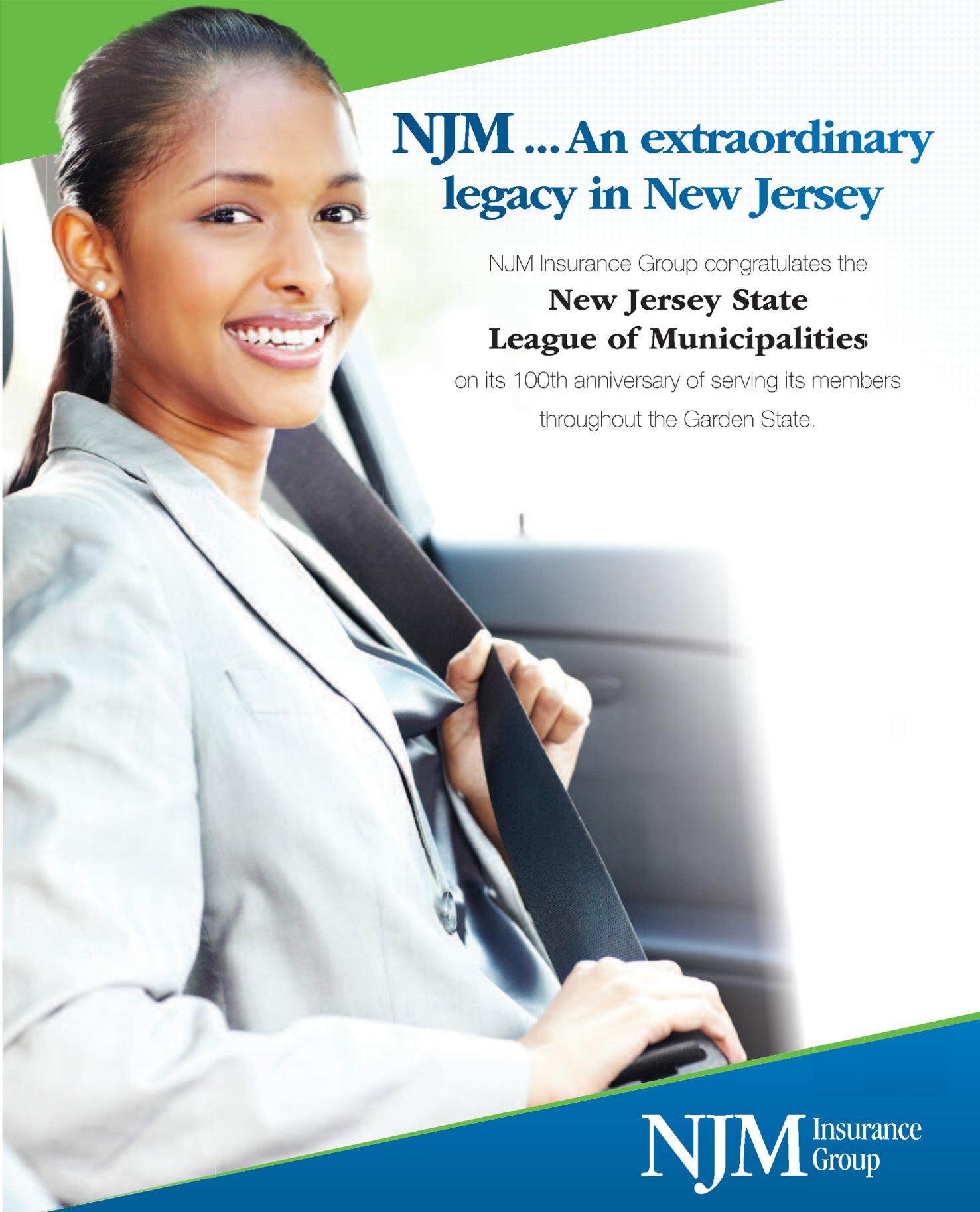
Street Smart NJ's campaign slogan, "Check Your Vital Signs" made the crucial connection between personal safety and obeying traffic signs and signals.

Last summer, a committed group of community volunteers, law enforcement personnel and local merchants took to the streets of Long Beach Island (LBI) for an important cause: pedestrian safety. Some greeted beachgoers at crosswalks and educated them on the rules of the road. Others hung posters containing safety tips in store windows, or gave away safety tip cards to guests as they checked in to their hotels for the weekend.

LBI was the fifth pilot community for Street Smart NJ, a pedestrian safety education campaign funded and organized by the North Jersey Transportation Planning Authority (NJTPA) in cooperation with the New Jersey Department of Transportation (NJDOT), the New Jersey Division of Highway Traffic Safety and the Federal Highway Administration (FHWA). If you spent a beach day on LBI last summer, or passed through any of the original pilot locations (Newark, Jersey City, Woodbridge and Hackettstown) in November 2013, you may have encountered materials showing a heart rate meter, street sign

network and our campaign slogan, "Check Your Vital Signs." Together, the words and symbols – along with coordinated, targeted law enforcement efforts – made the crucial connection between personal safety and obeying traffic signs and signals.

What is Street Smart NJ? The program is part of a coordinated effort to improve pedestrian safety, an ongoing challenge for New Jersey, which was designated a "focus state" by FHWA due to the large number of injuries and fatal motor vehicle accidents involving pedestrians. Between 2009 and 2011, 402 pedestrians were killed and more than 13,000



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injured on New Jersey's roadways, one death every 2.5 days and 14 injuries daily. Seventy-two percent of these fatalities and 81 percent of these injuries occurred in the 13-county NJTPA region. These sobering statistics led the Federal Highway Administration to provide funding for Street Smart NJ.

The campaign represents two of the "Three E's" of safety – engineering, education and enforcement. In many ways,

Pedestrians were observed jaywalking and crossing against traffic signals 24 percent of the time before Street Smart NJ and 11 percent post-campaign.

this is new territory for the NJTPA, which has traditionally focused on engineering. One notable success in that area is our Local Safety Program that funds cost-effective, high-impact safety improvements by our county and city members.

While each of the three E's can help improve safety individually, the greatest gains are made when you employ all three. No doubt, Street Smart NJ's multipronged approach was a key factor in its effectiveness.

While each pilot community's campaign was unique, each had outstanding local buy-in. Street Smart NJ is very much a grassroots effort, and without question, the high levels of community involvement helped it exceed expectations.

Measuring success How successful was it? The statistics tell the story. Data was gathered from field observations before and after Street Smart NJ efforts at key intersections in the first four pilot communities. Pedestrians were observed jaywalking and crossing against traffic signals 24 percent of the time before Street Smart NJ and 11 percent post-campaign. The rate of turning motorists

who failed to yield to pedestrians at intersections dropped from 6 percent to 2 percent post-campaign.

These numbers are more impressive when you consider Street Smart NJ's effectiveness across such diverse settings. In 2013, we targeted New Jersey's two largest cities, Newark and Jersey City; a rural town, Hackettstown; and one of the state's largest suburbs, Woodbridge. What they had in common were high vehicle-pedestrian crash rates and the determination to attack the problem.

We're hoping they won't be the only ones. To help municipalities throughout the state lead Street Smart NJ campaigns of their own, the NJTPA and its partners have made a trove of useful materials available on the campaign website, BeStreetSmartNJ.org. These include copies of Street Smart NJ signs and campaign materials in multiple languages, sample press releases and PowerPoints, radio spots, police forms and much more. Most importantly, users can find a copy of our instructional guidebook, "How to Implement the Street Smart NJ Pedestrian Safety Campaign in Your Community."

Focus on local needs There's no one-size-fits-all approach to Street Smart NJ. We encourage every town to consider its local needs and culture during the planning stages and address them creatively. Here are some examples of unique tactics that worked in each of the pilot sites:

- **Newark** A large number of campaign materials were printed in Portuguese to help get the word out to the Ironbound neighborhood's Brazilian and Portuguese populations.
- **Woodbridge** The Board of Education and high schools pitched in, making public service announcements about the campaign at sporting events and during the school day.
- **Hackettstown** Mars Chocolate became a valuable corporate partner, creating colorful Street Smart NJ road signs featuring M&M characters.
- **Jersey City** In recognition of the city's commuter culture, Street Smart NJ messages were broadcast on monitors and placed on walls inside PATH stations.

- **Long Beach Island** The quintessential Jersey Shore advertising vehicle – the airplane towing a banner – was used in 20 flyovers.

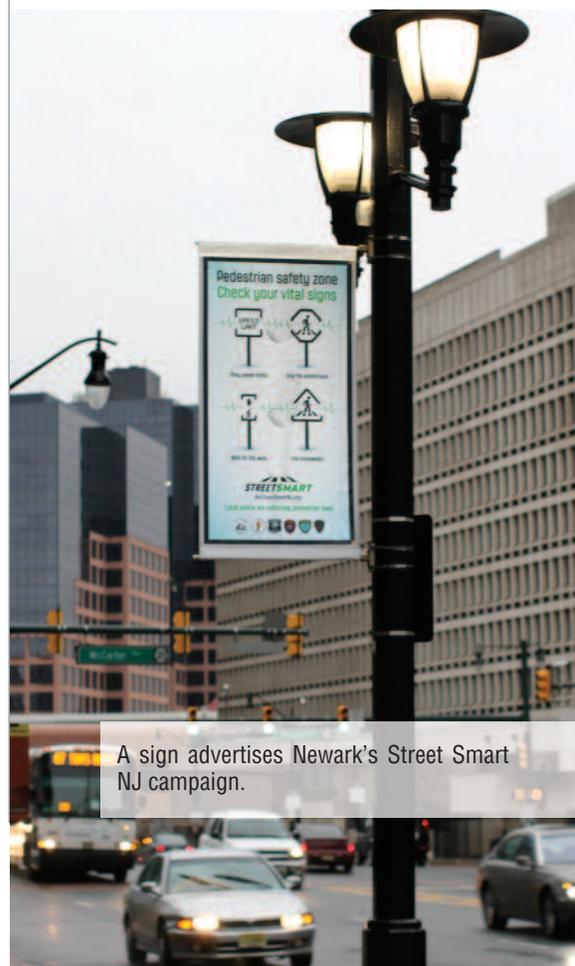
In each town, the NJTPA forged new partnerships that allowed us to get more involved on the education and enforcement fronts than ever before. Looking forward, we hope that many of you reading this will carry the Street Smart NJ banner in your own towns. The state needs your help.

Please take advantage of the resources at your disposal. You are free to use them to launch a campaign on your own. Of course, we at the NJTPA stand ready to assist you in any way possible. ♣



For more on implementing a Street Smart NJ campaign in your area, please visit BeStreetSmartNJ.org.

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



A sign advertises Newark's Street Smart NJ campaign.



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Connecting Tourists with New Jersey

We can transform New Jersey with a cohesive tourism policy that connects residents and visitors with their passions

By Jim Kirkos, President and CEO, Meadowlands Regional Chamber and the Meadowlands Liberty Convention and Visitors Bureau



To achieve the greatest economic development benefits from tourism, New Jersey must embrace a tourism promotion plan that complements and enriches its inherent qualities as a destination for both travelers and businesses. With job outflow from core industries a persistent and threatening issue, New Jersey would benefit from an economy whose growth is supported by the revenue from a high-performing tourism effort. Similar efforts around the world have revived economies. Thanks to our proximity to New York and Philadelphia, New Jersey is perfectly positioned to replicate this kind of success.

According to a recent Oxford Business Study, an active and ongoing Tourism Promotion plan is directly correlated with success in overall Economic Development efforts. They found that cities and states that prioritize destination promotion, and coordinate these efforts with economic development initiatives, are better positioned to compete for investments, corporate relocations, and a talented workforce. The more visitors a place received, the more likely it is that new jobs and tax revenue will flow in. Specifically, the study found that the activities of destination marketing organizations (DMOs) drive broader economic growth by sustaining air service, creating familiarity, attracting decision makers, and improving the quality of life for residents.

Building on our success Recently, Lt. Governor Guadagno released a report by the New Jersey Office of Travel & Tourism that found that, despite casino closures, New Jersey's travel economy grew in 2014. Specifically, tourism grew 3.8

percent in 2014 to reach \$42.1 billion, and visitation expanded 4.4 percent with the leisure segment out-performing the overall market. In fact, the tourism sector generated \$36.4 billion of state GDP in 2014, representing 6.6 percent of the entire state economy.

An expanded tourism plan can help us to turn occasional visitors into annual visitors and increase the economic impact.

This shows that people are coming here and spending money. An expanded tourism plan can only help us to turn them into annual visitors and increase the economic impact.

According to the Economic Impact of Tourism Report, without the tourism industry, New Jersey households would pay \$1,460 more each in order to maintain the current level of state and local government services. By making a concerted effort to grow this segment of the state's economy, our citizen's will enjoy lower taxes, less unemployment and a better quality of life.

Destination marketing Investments in destination marketing and promotion have been shown to consistently generate dividends by attracting group and leisure visitors. However, destination promotion also raises the quality of life, builds transportation networks, raises a place's profile, and draws economic development decision makers through conventions and trade shows.

The Meadowlands Regional Chamber developed and advocated a Vision Plan for the Meadowlands Sports Complex. The plan draws on New Jersey's demographic qualities, location and existing infrastructure to promote a world-class sports and entertainment district that

will drive tourism and fund economic development throughout the Garden State. From a practical point of view, creating a core of tourist-related businesses is our first job, followed by fostering economic policy that generates investment radiating from that core.

The plan includes transforming the Meadowlands Complex into a multi-venue destination with a convention center, casino, several hotels, additional parking, a people mover to connect existing entertainment options at the complex (MetLife Stadium, Meadowlands Racetrack, and the soon-to-open American Dream Meadowlands) which will attract visitors and residents that are currently driving through New Jersey to get to New York, Connecticut, Pennsylvania and Delaware for similar, but not as diverse, entertainment options.

Many benefits By transforming the Meadowlands Complex into a diverse Sports and Entertainment District we can: (1) provide income for infrastructure repairs throughout the state that we are unable to perform currently because of the depleted Transportation Trust Fund; (2) make New Jersey more attractive to out-of-state businesses and discourage current businesses from leaving; (3) provide employment opportunities; (4) decrease taxes and make the state more appealing to current residents; and (5) fund additional tourism activities throughout the state, including in Atlantic City.

Not only do we have the acreage to house all the entertainment elements here, we have a community of operators and developers with long-term commitments to the region, who would welcome a revived Meadowlands Sports Complex. It's now our job to help facilitate access and interest in our natural travel and tourism resources. The approach is similar to how Disney World grew a substantial tourism economy in Central Florida.

Statewide opportunities While we have used Meadowlands Sports and Entertainment District as an example of a potential economic driver, we know that there are many other parts of the state that have the potential to create economic development through tourism. We just need to provide Destination Marketing Organizations (DMOs) with the seed money.

The Meadowlands Sports and Entertainment District, would provide another component of funding for the continued revitalization of Atlantic City where casinos fulfilled a short-term need but where the past strategy of long-term engagement of visitors has failed.

Once we generate the funding, we can transform New Jersey from a scattered set of attractions with a cohesive tourism policy that connects residents and visitors with their passions—sports, history, entertainment, arts, music, The Shore, wine tasting, dining and gambling—which are all available right here in the Garden State. ♣



Fans enjoy a Tailgate Party, sponsored by the Meadowlands Sports Complex, prior to last year's Super Bowl in East Rutherford.



Open Space Resource Envy

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

It's often been said that politics is about the allocation of scarce resources. The current fights over open space funding in New Jersey – where resources are scarcer than ever – is a great example.

In the past, open space and other related projects would be supported by money from state bonds. Frequently, New Jersey would have upwards of \$200 million annually to spend.

However – despite widespread public support for open space preservation – tight state budgets and decreased political support for incurring additional state debt made the constant appeal for new funding more difficult. The Keep It Green Coalition, a group of 180 pro-environment groups, responded by building statewide support for a permanent, dedicated, funding source for open space causes.

Not everyone agreed with this approach. Dedicated funding restricts the options available to budget makers. Indeed, this is why dedicated funds are prohibited under the 1947 state constitution. Nonetheless, in November 2014, a constitutional amendment creating permanent, dedicated open space funding passed with 65 percent of the vote.

The amendment took 4 percent of the Corporate Business Tax (CBT) and dedicated it towards open space projects. After five years, the percentage moves to 6 percent. The irony was that this portion of the CBT was already dedicated to environmental uses, including upgrades to underground storage tanks, site remediation, water monitoring, etc.

The amount generated by the CBT dedication will probably be \$100 million. In a non-controversial move, the Christie administration proposed allocating about \$15 million to pay for capital improvements for state parks.

Maintenance of state parks (\$25 million) used to be paid for by money from the general fund. Governor Christie is now proposing that it be funded by the CBT funds. At the same time, those projects that were paid for previously by the CBT (water monitoring, underground storage tank upgrades, and site remediation) will now be primarily paid for by the general fund, with the remainder – about \$29 million – allocated from the CBT money.

The \$25 million for park maintenance qualifies for funding under the amendment's suddenly controversial provision to cover "park stewardship." The Christie administration believes stewardship includes the salaries of parks employees, while many in the environmental community think that maintenance

should continue to be paid for out of the general fund.

The bottom line is that there is just \$31 million from the original \$100 million for all other open space projects, a number that has surprised even the amendment's strongest supporters.

“Open space funding might be permanent, but the controversies about how much is in the pot and how it gets divided, are very fluid.”

With a much smaller pie, many are now scrambling for their share, including:

1. farmers who want to sell the development rights to their properties;
2. open space advocates who want to buy open space that is not currently farmland;
3. non-profit environmental groups who receive funding to help them manage different environmental resources;
4. those, like Essex County Executive Joseph DiVincenzo, who believe that cities deserve a bigger slice of the pie for urban parkland;
5. counties and municipalities who want state matching money for purchasing, building, and upgrading their own soccer fields, trails, parks, and other lands; and
6. preservationists who are looking to ensure that they receive additional support for the protection and refurbishing of historic buildings and properties.

Open space funding might be permanent, but the controversies about how much is in the pot and how it gets divided, are very fluid.

The leading Assembly bill to allocate the money is sponsored by Assemblywomen L. Grace Spenser and Eliana Pintor Marin and Assemblyman Ronald L. Dancer. It is currently competing with the Senate allocation bill, sponsored by Senator Bob Smith and Senator Christopher “Kip” Bateman. Both are competing with the Governor's proposal included in his budget.

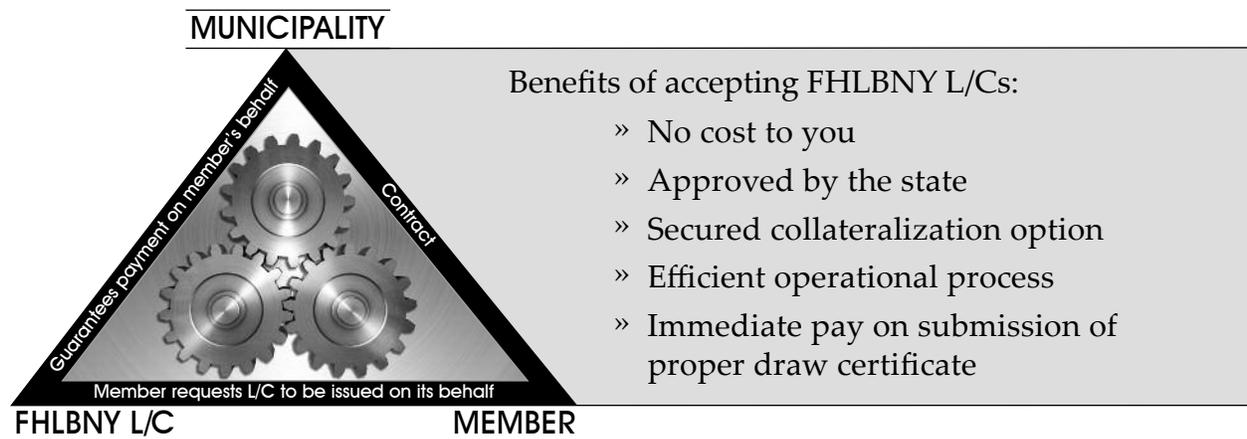
If politics is truly about the allocation of scarce resources, then these fights over how to fund open space and which projects should be a priority will be among the most pitched political battles New Jersey has seen in years. ♣



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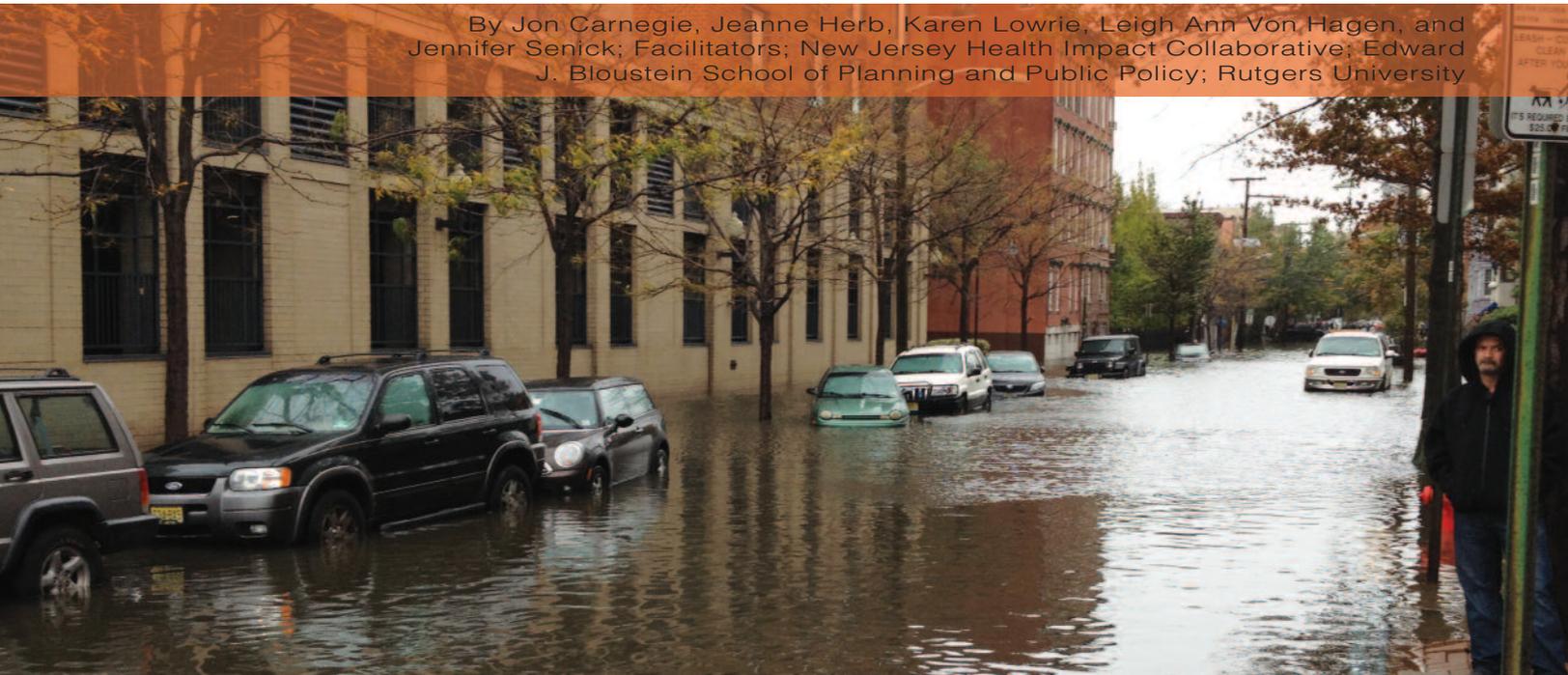
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Consider Health When Making Decisions

A new assessment tool can help leaders to consider all the possible health outcomes of local decision-making

By Jon Carnegie, Jeanne Herb, Karen Lowrie, Leigh Ann Von Hagen, and Jennifer Senick; Facilitators; New Jersey Health Impact Collaborative; Edward J. Bloustein School of Planning and Public Policy; Rutgers University



Flooding in Hoboken following Superstorm Sandy. In partnership with New Jersey Future and the Sustainability Institute at The College of New Jersey, Rutgers University is leading an HIA to assess the potential health impacts of proposed amendments to Hoboken's stormwater management plan and associated ordinances. (Photo credit: Stephen Marks)

This article is based on the white paper “Integrating Health into Community Design and Decision-making: Opportunities for New Jersey Municipalities,” prepared for the New Jersey State League of Municipalities “Friends of Local Government” series. The complete paper is available at njslom.org/letters/2014-1229-FriendsofLocalGovernment.html.

According to the United Health Foundation’s *America Health Rankings* 2014 annual report, New Jersey ranks 11th in the nation for overall good health. Relative to other states, New Jersey has a low and decreasing prevalence of smoking (down by more than 12 percent since 1990), low and decreasing rate of infant mortality (down 50 percent since 1990), low incidence of most infectious disease and high numbers of dentists and physicians. This is good news for the Garden State.

The bad news, however, is that New Jersey faces certain health challenges as well, particularly in the areas of physical inactivity, cardiovascular disease, overdose deaths, environmental contamination and the negative health effects of poverty. Opportunities abound for local elected and appointed officials,

along with residents and professional staff, to consider possible health outcomes of local decision-making, including those of decisions that don’t seem health related at first glance. Considering health impacts can reveal opportunities for us to improve community wellness.

The concept of considering possible health outcomes of every decision is referred to nationally as taking a “*Health in All Policies*” approach. A Health in All Policies (HiAP) approach engages diverse government partners and stakeholders to work together to improve health and simultaneously advance other goals, such as job creation and economic stability, transportation access and mobility, environmental sustainability and educational attainment.

The Health Impact Assessment One exciting new area of practice is emerging in the United States is the Health Impact Assessment (HIA), which uses data and engages affected residents in identifying the positive and negative outcomes of a decision. This information can be used to modify decisions to enhance positive health outcomes.

Our state’s large disparity in health status by educational attainment compared to other states is troubling.

Although more prevalent outside the U.S., almost 400 Health Impact Assessments have been conducted in the U.S. since 2007, with only one in the State of New Jersey prior to 2014. As a result of a new partnership in New Jersey, the number New Jersey HIA’s has increased to five, including:

- **Bloomfield Avenue Complete Corridor Plan** The HIA focused on elements of a plan that would remove one lane of motor vehicle traffic along the four-lane avenue and reconfigure the remaining lanes for improved safety.

- **Middlesex Greenway Access Plan** The HIA focused on predicting the potential health impacts that would result from increased Greenway use including impacts to mental health, physical activity and environmental exposures.
- **Hoboken Stormwater Management Plan** Over the past several years, flooding in Hoboken has caused major disruptions, such as street closures and sewage problems. In partnership with New Jersey Future and the Sustainability Institute at The College of New Jersey, Rutgers University is leading an HIA to assess the potential health impacts of proposed amendments to Hoboken’s stormwater management plan and associated ordinances.
- **Little Egg Harbor Voluntary Residential Buyout Program** Mystic Island in Little Egg Harbor Township was devastated by Hurricane Sandy. The homeowners are suffering from allergic reactions due to mold growth and the stress from repairing damaged housing. The HIA will seek to better understand the health impacts of a voluntary buy-out program for Mystic Island.

Opportunities for New Jersey Municipalities Many New Jersey municipalities have taken steps to enhance the health of their communities. These ongoing programs provide an opportunity for municipalities to undertake Health Impact Assessment and Health in All Policies approaches. For example, for a decade now, the Mayor’s Wellness Campaign, a program of the New Jersey Health Care Quality Institute in partnership with the New Jersey State League of Municipalities, has provided opportunities and resources for local Mayors to champion healthy community initiatives.

With the introduction of the New Jersey Health Impact Collaborative,

interest in HIA is quickly growing. Resources now exist for New Jersey municipalities to learn how HIA can provide a new tool to build and steward healthy communities.

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Sustainable Jersey As part of this partnership, Sustainable Jersey will be integrating HIA elements into several of its existing actions. Additionally, a new Sustainable Jersey action is under development that will award points for efforts such as participating in HIA training or continuing education. Stay tuned by joining the Sustainable Jersey email list.

Considering health impacts can reveal opportunities for us to improve community wellness.

Training Opportunities The New Jersey Health Impact Collaborative is working in partnership with the New Jersey State League of Municipalities to determine the most effective forum to offer HIA training to municipalities. In addition, The New Jersey Health Impact Collaborative is hosting its inaugural conference on HIA on May 7, 2015 at Rutgers University in New Brunswick. Register for the conference at: <http://njhic.rutgers.edu/conference2015/>.

The New Jersey Health Impact Collaborative also provides technical assistance, training and mentoring to local governments, state agencies, non-profit and community organizations and others that want to implement an HIA or better understand HIA. 📧



Contact the Collaborative for assistance or to sign up for the Collaborative's email list at www.njhc.rutgers.edu.



Flooding on Mystic Island, Little Egg Harbor, following Superstorm Sandy. The HIA will seek to better understand the health impacts of a voluntary buy-out program for Mystic Island.

Steps to Take

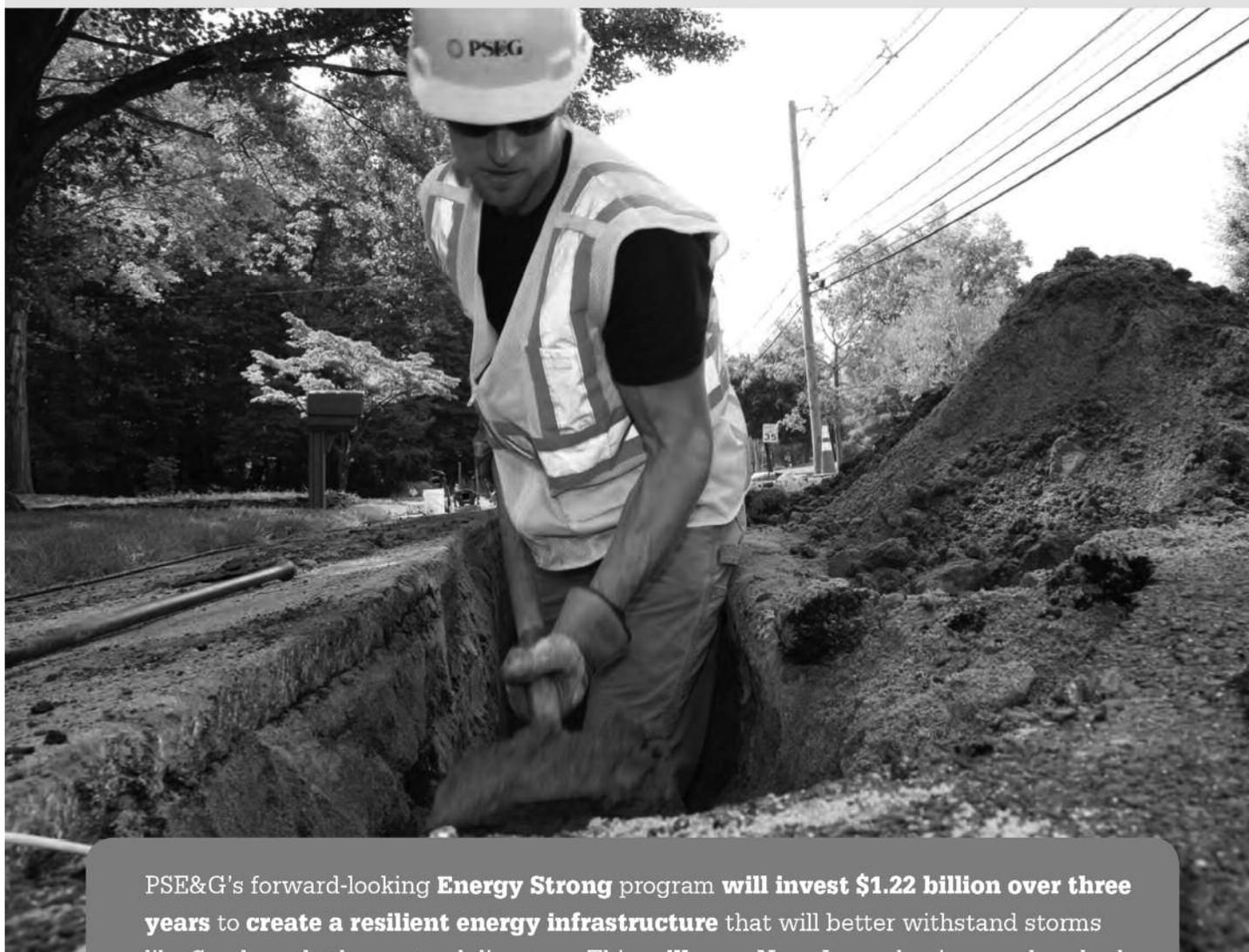
Some immediate steps that local elected and appointed officials, administrators and professional staff can take to fully integrate health considerations into local decisions include:

- Participate in an upcoming training on HIA and HiAP.
- Work with community leaders, local hospitals, health care providers and the public to identify what health challenges are facing your community and to set goals for the future. Then use those goals to guide municipal decisions.
- Convene a HiAP task force to bring together your municipal health official and other municipal departments to discuss HiAP, HIA and how local decisions can be used to improve health conditions in your community.
- Set aside resources in your next budget to conduct one or more HIAs on pending local decisions.
- Direct your municipal planning board to include health considerations in the next update or reexamination of your community's Master Plan.
- Identify five key decisions and consider whether there is an opportunity to improve the health of your residents based on how the decision is made or implemented.

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Raising Animal Welfare Revenue

It's time to start collecting the millions of dollars that are lost through low compliance with animal registration

By Dianna Lachman, President New Jersey Local Board of Health Association



According to the US Census Bureau, roughly one of every two homes in your community has a dog or cat.

We are all looking for ways to painlessly generate additional revenues to provide essential services to our communities. The most overlooked sources of revenue exist in our animal control and welfare programs.

The New Jersey Local Boards of Health Association participates in Sustainable Jersey's Animals in the Community Task Force. One issue addressed was the creation of a sustainable animal control and welfare program which allows you to meet your legal obligations through enhanced compliance with existing statutes and municipal ordinances without increasing the tax burden. Additional revenues can also be generated by insuring that Animal Control Officers servicing your community are certified and appointed as Animal Cruelty Investigators.

Based partially on the findings of that Task Force, this article will suggest ways your municipality can do just that. Millions of dollars in revenue are lost throughout the state through low compliance with animal registration.

The problem According to the U.S. Census Bureau, there are approximately 8.9 million people in New Jersey living in 3.2 million households with 2.70 residents per household (US Census Bureau). According to the American Veterinary Medical Association (AVMA), one of every two homes in your community has a dog or cat. In addition, several recognized formulas indicate that between 600,000 to 1.4 million feral/free roaming cats also exist in the state.

Does this pose an issue/challenge for each municipality? The answer is a resounding yes!

These challenges include rabies control, environmental impacts, car accidents, neighborhood nuisance calls, animal cruelty issues and the need to rescue animals in emergencies.

Municipal animal control is based upon fundamental public health issues relating to the control of diseases such as rabies that can be transmitted to humans. The State of New Jersey mandates licensing of all dogs. The majority of municipalities require the licensing of cats through municipal ordinances. The revenue generated from the licensing of dogs is shared between the state and the municipality. In contrast, the revenues from cat licenses are completely reserved for the municipality. It's estimated that despite these requirements, less than 20 percent of domestic animals in our communities that are required to be licensed are actually licensed; causing both a major loss of revenue and threat to public safety.

Less than 20 percent of domestic animals in our communities that are required to be licensed are actually licensed.

Counting the animals According to a New Jersey Department of Health document issued in May 2013 titled; *Estimating Dog and Cat Populations Based on Human Populations*, you can estimate the number of dogs and cats in your municipality based on the number of households. To estimate number of households, divide the population by 2.7 persons per household.

To estimate the dog population, multiply the number of households by .584. For example, if the population of a municipality is 10,000 residents, there are approximately 3,700 households. 3,700 households multiplied by .584 = 2,163 owned dogs in that municipality.

To estimate the cat population: multiply the number of households by .641. For example, if the population of the municipality is 10,000 residents, there are approximately 3,700 households. 3,700 households multiplied by .641 = 2,371 owned cats in that municipality.

Determine how much revenue you are losing Each of our municipalities has a unique population. Results may be impacted by socio-economic and cultural variances. Nonetheless, these formulas are a valuable guide.

Now find out how many are actually registered. By multiplying your licensing fees by the difference, you'll learn how much revenue you are losing! While that

figure represents full compliance, consider how much revenue even a 50, 60 or 70 percent licensing rate would generate. Remember that if you have a cat licensing ordinance, every dollar stays right in your town.

While some of these new funds are discretionary, ideally all funds should be used to offset animal welfare costs in your community.



The Power of Collaboration

We congratulate the NJ League of Municipalities on its centennial and Bill Dressel for his many years of outstanding service.

Thirty years ago, the League worked diligently with the MEL to win state approval for development of joint insurance funds (JIFs) and sponsored numerous seminars to introduce the concept.

Since then, the MEL and its 19 member local JIFs have saved tax payers over \$1 billion. The League and Bill Dressel can rightly claim they played a critical role in that accomplishment.

The League and the MEL also have jointly addressed legislation on risk management issues and with seven other organizations created the non-profit New Jersey Safety Institute.

We are proud to convene our annual budget hearing each year in conjunction with the Annual League Conference and provide a risk management seminar for over 600 elected officials.

The League: an advocate for local communities, a reliable resource, and a valued ally addressing risk management issues.

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Raising Animal Welfare Revenue

Sustainable Jersey's animals in the community enhanced compliance program

Many of these simple concepts have proved successful in Calgary Canada and are easily adopted in our municipalities. Increase the perceived value of the license.

Increase revenues by encouraging pet owners to voluntarily comply, through incentives, with state laws and ordinances that already exist. Increased fees would be complemented by decreased expenditure for such items as shelter holding and euthanasia costs. Stress the value to a pet owner to have his animal licensed. This program helps educate owners in your community about the values of voluntary compliance for their animal's safety. In order to accomplish this, the Task Force recommended a three-pronged approach.

1. Educate Reach out to the community. Explain the value and legal requirements of licensing as part of an ongoing educational process to increase awareness of animal welfare. Use the *Community Animal Welfare Education Press Release Kit* available at www.njlbha.org. Included in that kit are sample press releases on a variety of subjects relating to animal welfare designed for use in your municipality.

2. Incentivize Pet owners need to see the value of compliance with registration and license requirements. "Free Ride Home" programs for licensed animals stress the advantage of having your wandering licensed pet literally driven home rather than brought to a shelter for adoption. The municipality works with local businesses to create a mutually beneficial program whereby people who license pets are given a coupon book that provides discounts from designated businesses including veterinarians, pet supply stores, hotels, restaurants, entertainment, automotive, etc. The discounts given by local vendors would far outweigh the small cost of licensing.

3. Enforce You have an obligation to enforce state law and municipal ordinances. Not to do so puts an undue burden on the community that must make up the lost revenue in property taxes.

Part of obtaining compliance is enforcement. While the hope is that the primary carrot approach of education and incentives will be effective in increased licensing, your municipality has to recommit to enforcing laws and ordinances. An animal census should be an ongoing responsibility of the municipality. When an ani-

mal is noted to be on a property and there is no record of its registration, a compliance letter should be sent explaining the advantages of voluntary compliance, also noting the potential fines involved in noncompliance. There will be occasions where you may have to take an individual to court to force compliance. Fines generated will further assist in your animal welfare programs.

Ordinances limiting the number of pets in the home are often counter-productive in regard to licensing.

Additional actions to consider Many towns require that the resident contact the municipal clerk's office to request an application. This is a barrier to licensing. Expand the locations where applications are available to pet owners. In addition to all local municipal buildings, pet owners should be able to pick up license applications at libraries, pet shops, veterinary offices, supermarkets and other local businesses. Postage paid addressed envelopes can be valuable in assisting in compliance.

Veterinarians should be asked to inform patient's owners of the requirement and advantages of licensing their pet, as well as having a registration form available to give to them. Municipalities should consider online registration as an option.

Another possibility is to create a Pet License Amnesty Month where pet owners could license their pets without fear of penalty, late fees or summons.

Additionally, there should be a graduated scale of licensing fees to encourage owners to license all animals in their home. Ordinances limiting the number of pets in the home are often counter-productive in regard to licensing and repeal should be considered.



Insure that all Animal Control Officers are also Animal Cruelty Investigators This is another sure revenue producer. An Animal Cruelty Investigator (ACI) is a Certified Animal Control Officer who has completed the New Jersey Police Training Commission and the New Jersey Dept. of Health approved Basic Animal Cruelty Investigators Course.

Similar to regular police, they must be appointed by a municipality as an ACI

before they can exercise law enforcement authority. Powers include issuing summonses and making arrests as it relates to violations of the Animal Cruelty Statutes in NJSA Title 4 (NJSA 4:19-15.16b). They are part of your municipal team with a 24/7 quick community response.

Under existing statutes, if a police officer issues a summons for an animal cruelty offense, all fine money goes to either the state or county chapter of the SPCA

which is a private volunteer based corporation. However, if an Animal Cruelty Investigator issues a summons for a violation relating to the animal cruelty statutes, half the fine money at least stays in your municipality, (NJSA 4:19-15.16b and NJSA 4:22-55b). It's in your best interest to insure that all animal control officers servicing your community are trained and appointed as ACI's. 🐾

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Lock It Up

By encouraging everyone in your organization to be “technologically proficient,” you can lower your risk of a cyber attack or data breach

By Marc Pfeiffer, Assistant Director, Bloustein Local Government Research Center; Senior Advisor, NJ-GMIS



All government organizations face technology risks; some more than others. Generally speaking, risks are problems that individuals cause either by taking, or not taking action in a given situation. They can come from people inside or outside of your organization. The actions can be inadvertent (usually by insiders) or deliberate (by insiders or outsiders); they can also be caused by inaction (generally by insiders).

Technology risks are also caused by elements beyond an individual’s actions (though their actions can contribute). These include system and technology failures, failed internal processes and external events.

More specifically, these risks break down into several categories: cybersecurity (threats to your networked computer systems), legal (litigation and claims when your technology fails or is misused), operational (inability to deliver services because

your technology isn’t working), financial (costs of responding to failures), reputational (loss of public confidence and trust), and societal (failure to keep up with public expectations of your technology). The challenge is to develop procedures and policies that manage those risks.

An ongoing challenge The biggest of these risks is cybersecurity. Knowing where your data is and who has access to it is the biggest challenge in today’s networked world. Keep in mind

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Lock It Up

that cybersecurity is an ongoing challenge, that will require your ongoing attention.

Simply because your organization uses the internet, you and your users are targeted and threatened by people who want to get into any system to see how they can exploit or use your system as a way to hack into other ones. The good news is that a specific local government is not usually targeted for attack. That said, a disgruntled citizen or hacker could target your systems or you personally if something goes wrong. For example, local officials in Ferguson, Missouri had their personal information disclosed online following the shooting last year.

The bottom line when it comes to computer security is this: bad guys are constantly trying to manipulate people into divulging personal or business information; they trick users in order to defraud them. When data is divulged, it is known as a data breach.

In the world of cyber security the maxim is: “it’s not a matter of if you will have a breach; it’s a matter of when.”

Knowing where your data is and who has access to it is the biggest challenge in today’s networked world.

Types of data breaches Keeping that in mind, there are four types of data breaches. The first are those that are deflected by your protection technologies (that’s good). The second are those that get through your technologies, but are picked up by actively managing your network activities (which needs to be done). The third are the ones that are successful. They result in a data breach or compromised activities that may then hit the media; these are the ones you read about almost every week. Fourth, are those that get through, but you don’t

catch them. These active breaches either currently compromise your systems or will at some future point; these are the most dangerous.

The ongoing nature of these threats makes cybersecurity a never-ending battle against changing adversaries with evolving techniques. However, there are steps you can take. Agencies can adopt policies and practices that improve their

security. You can protect your data by effectively using cybersecurity information and developing greater expertise in protection and resilience.

Research-based lists Technologists like lists. Accompanying this article are two lists that almost every organization can use. The first lists the responsibilities of “humans;” what people need know to be cyber-safe at work and personally.

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The second is a list of standards that should be implemented by the technology specialists in your organization. They are responsible for keeping your systems and humans safe. Organizations have to do both, and do them in a way that is consistent with the technology the organization uses. Municipal leaders should review these lists and implement their recommendations.



These lists are based on research done by the Bloustein Local Government Research Center and underwritten by the Municipal Excess Liability Joint Insurance Fund. The project was commissioned to study how government organizations can minimize their technology risks. A full report on this research will be published soon.

The study concludes that these risks can be managed by being “technologically proficient.” This involves implementing technology governance practices, having a technology planning process tied to the budget, and making sure all computer users act securely and competently. Bloustein Local Government Research Center and the MEL will make the report available to all government agencies.

Join NJ-GMIS One way in which government agencies can help manage their technology is to make sure that their technology specialists are up-to-date in their field. They can support them by joining NJ-GMIS, the state’s association of local government technology leaders. NJ-GMIS is also the League’s technology resource organization. Information on joining the association and registering for TEC events is online at www.njgmis.org.

Basic Practices of Secure Humans

- Only use business-related websites
- Check with the sender if they are not expecting an attachment to an email
- Cooperate with IT’s instructions regarding security patches
- Never open suspicious attachments or unexpected emails
- Never install hardware or software without IT’s approval
- Never download any programs without IT’s approval
- Never use a USB drive from an uncertain source
- Understand and apply your organization’s technology policies
- Use strong passwords. Such passwords:
 - use a phrase relevant to the user;
 - contain at least eight characters and a minimum of two numbers;
 - are never written down or divulged; and,
 - are changed every 30 to 90 days.

Minimum Technical Actions for Secure IT Systems

- Run and maintain anti-virus, firewalls, anti-spam, anti-malware software on all desktops and laptops.
- Backup! Store data on and off site as appropriate.
- Restrict user installation of applications Use only approved “whitelist” applications.
- Ensure that operating systems and applications are patched with current updates.
- Restrict administrative privileges and regularly review them.
- Protect online financial transactions: dedicate a computer to make financial transactions that prohibits email and general web browsing.
- Require a strong password/phrase, and force periodic changes.
- Join MS-ISAC, the free cybersecurity clearinghouse for local government agencies (www.msisac.org). There is no reason not to join MS-ISAC; they are an invaluable resource. 🚧



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New Manual and Video Promote Safety

Learn about the many safety-related issues on your agenda

David Grubb, Executive Director, Municipal
Excess Liability Joint Insurance Fund



Two years ago, the League joined with a number of other organizations to create the New Jersey Safety Institute. The mission of this non profit organization is to:

- build a safety culture in New Jersey through increasing public awareness of safety issues by providing information and safety education to both citizens and governmental officials; and to
- encourage a dialogue between all levels of government on safety issues and implement safety campaigns requiring coordination between government and the public.

The Institute recently launched a website to update officials on the latest information pertaining to safety issues (njsafetyinstitute.org). Any New Jersey public official may ask the Institute's volunteer safety professionals to research a safety topic. Directions on how to submit a request are on the

website and the results of any research will be posted on the webpage.

The Institute just published "Community Safety Leadership, A tool box for public officials to organize a successful safety program" and will send a copy to every elected official in the

state. Almost everything a public leader decides touches on safety. This publication discusses where you can get information to address the many safety related issues on your agenda.

According to the latest statistics, almost 123,000 Americans suffer accidental deaths annually. In purely economic terms, accidents cost over \$750

This publication discusses where you can get information to address the many safety related issues on your agenda.

billion per year, or 5.7 percent of the gross national product (almost \$2,500 for every man, woman and child). While we have made tremendous strides reducing some types of accidents in the past four decades, the overall rate of accidental fatalities in the United States has actually increased since 2000.

Workplace Safety One of the success stories has been the long term reduction of employee accidents. This reflects the great emphasis that has been placed on job safety programs over the last 50 years. However, governmental work is still dangerous. In every state including New Jersey, government has the highest accident rate of any employer classification. It is sobering to realize that the typical law enforcement officer, fire fighter or DPW worker has a higher accident frequency than either construction or underground mining.

Auto Safety Another success story is the continuing reduction in fatal auto accidents. In the past 40 years, the per capita death rate has dropped over 50 percent. This is a direct result of improvements in vehicle design and better enforcement of DWI laws. However, the improvement would have been even more significant had it not been for the increase in distracted driving.

At any given time, 11 percent of drivers are on the phone. We now know that the use of a phone, even a so called hands free phone, quadruples the risk of a crash. Further, here in New Jersey we have a particularly serious problem with pedestrian accidents. The state's pedestrian fatality rate is 15 percent higher than the national average – the 12th highest in the country.

Unfortunately, the overall accident rate has increased because of the dramatic jump in accidents at home and in the



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New Manual and Video Promote Safety

community. In fact, over the last 20 years the home and community fatality rate has increased 77 percent. This explains the significant increase in calls to emergency responders.

This publication discusses where you can get information to address the many safety related issues on your agenda.

Oxycodone Poisoning Since the year 2000, poisonings have increased 174 percent. Almost 30 percent of all accidental deaths are now poisonings. The Center for Disease Control (CDC) reports that overdose deaths involving opioid pain relievers have increased proportional to sales and now exceed deaths involving heroin and cocaine combined. In 1998, 11.5 tons of oxycodone were manufactured worldwide. By 2007, this figure had grown to 75.2 tons with the United States accounting for 82 percent of consumption. During the same period, fatalities due to falls more than doubled, due in part to the increase in number of senior citizens, but also because of their increased use of prescription medication.

Therefore, the manual has twelve sections: Impact of Accidents on our Communities, Employee Safety, Pedestrian Safety, Traffic Safety, Playground Safety, Organized Sports, Bicycle Safety, Abuse of Prescription Drugs, Safety for Seniors, Changing Weather Patterns, Forming a Community Safety Advisory Committee, and Links.

Video The Institute also just completed a new video, “Smart Moves” to address the epidemic of slips and falls. This is also being distributed at no cost to New Jersey public entities.

More than one third of adults 65 or older fall each year, and falls are the



The state's pedestrian fatality rate is 15 percent higher than the national average – the 12th highest in the country.

leading cause of injury deaths among seniors. Falls are also a major cause of disabling injuries that permanently restrict the mobility of seniors. Each year, almost 2 million seniors are treated in emergency departments for nonfatal injuries from falls, and more than 400,000 are hospitalized. Rates of fall related deaths have increased significantly over the past decade.

This video is designed for Senior Citizen groups and other non-profit service organizations within the community who are concerned about senior citizen issues. It should also be shown to various departments within your municipality.

The League is proud to be among the founders of the Institute. Contact the Institute if you are interested in becoming involved in the Institute's activities. 📌

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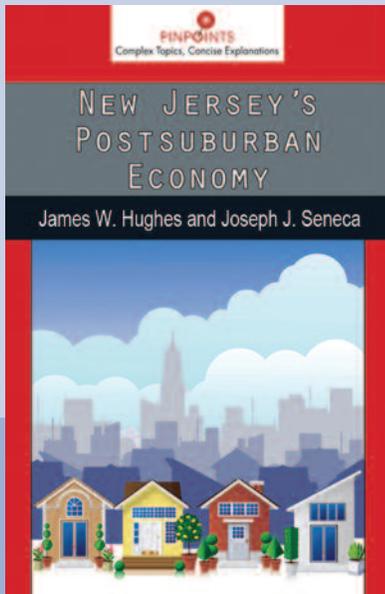
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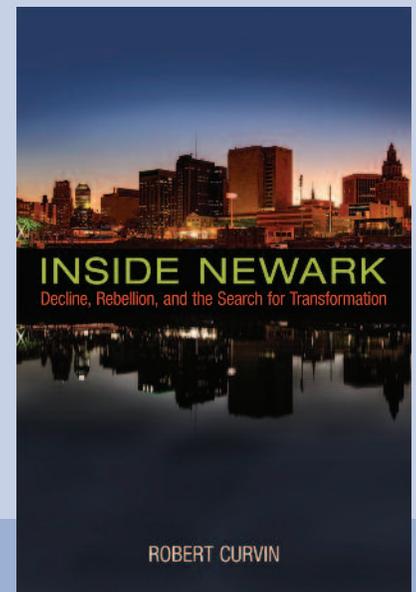
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Recycling and the Local Public Contracts Law

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

The reason that many people find public procurement such a complicated area of the law is not only that the Local Public Contracts Law (LPCL) is so complex; but, also, that there are a myriad of goods and services that municipalities must purchase on a regular basis that the purchasing agent should be familiar with. One example of the complicated nature of procurement is recycling.

That is, if your municipality provides recycling services. Some counties provide a county-wide recycling program. If your county provides such a program, and your municipality participates, the procurement issue is on the county, not you. However, if your municipality has its own program, please read on.

A municipality's recycling program consists of two parts: 1) curbside pickup; and 2) the marketing of recyclables. Oftentimes, there is some confusion as to how to procure both of these parts.

By way of background, all contracts for goods and services valued above \$36,000 or, if there is no Qualified Purchasing Agent, valued above \$17,500, must be procured through a public bidding process. LFN 2010-13. Ultimately, under public bidding, the governing body must award the contract by resolution to the "lowest responsible bidder." *N.J.S.A. 40A:11-24*. There are, however, limited exceptions to this requirement. One such exception allows for contracts to be negotiated, rather than bid. *N.J.S.A. 40A:11-5*.

Negotiated contracts allow for a back and forth type of negotiation between the municipality and the vendor. In a market where there is little to no competition, negotiation can be a more effective way to procure goods or service

Now, back to the recycling issue... can a municipality negotiate, rather than bid, a contract for recycling pickup *and* the marketing of recyclables?

Let's take a closer look at the LPCL. Pursuant to *N.J.S.A. 40A:11-5*, there are three instances where negotiation can be used: 1) under one of the 34 exceptions listed; 2) for a contract

entered into with another government entity; or 3) when public bidding, after two occasions, has not provided an acceptable bid. One of the 34 exceptions is:

(s) the marketing of recyclable materials recovered through a recycling program, or the marketing of any product intentionally produced or derived from solid waste received at a resource recovery facility or recovered through a resource recovery program, including, but not limited to, refuse-derived fuel, compost materials, methane gas, and other similar products. *N.J.S.A. 40A:11-5*

There is some rational sense to the LPCL's allowance of negotiated contracting for the marketing of recyclable materials, but not for curbside pickup.

So, the municipalities may negotiate a contract for the marketing of recyclables, but can that include curbside pickup? Let's start with the basics. New Jersey municipalities, not participating in county programs, are required to implement a "municipal recycling program" *N.J.S.A. 13:1E-99.16*. A major component of that program is, not surprisingly, what to do with all that recycling. The LPCL defines "marketing" as:

... the sale, disposition, assignment, or placement of designated recyclable materials with, or the granting of a concession to, a reseller, processor, materials recovery facility, or end-user of recyclable material, in accordance with a district solid waste management plan adopted pursuant to P.L.1970, c. 39 (C.13:1E-1 et seq.) and *shall not include the collection of such recyclable material when collected through a system of routes by local government unit employees or under a contract administered by a local government unit.* *N.J.S.A. 40A:11-2(13)*.

In other words, marketing means the sale or disposal of recyclable materials, not the collection of said materials. So, while municipalities can negotiate contracts for the marketing of recyclables, contracts for curbside pickup must be put to bid.

Beyond the plain language of the LPCL, there also is a reported case that proves that point. The New Jersey Supreme Court has held that the marketing exception to public bidding does not include the curbside pickup of recyclable materials. *National Waste Recycling, Inc. v. Middlesex County Improvement Authority*, 150 N.J. 209 (1997). In *National Waste*, the authority negotiated a contract with a vendor for curbside pickup and marketing. The

Court concluded that the exemption did not include curbside pickup, rather “the [exemption] should be construed as referring only to those aspects of a recycling contract necessarily relating to the sale of recovered recyclable materials.” *Id.* at 230.

There is some rational sense to the LPCL’s allowance of negotiated contracting for the marketing of recyclable materials, but not for curbside pickup. From what I have read, the market for

recyclable materials is notoriously fickle. Price swings are common and, public bidding would not function well in such a market. In contrast, public bidding does make sense for curbside pickup. Here, vendors can calculate their costs relatively well, and the market for their services is much more diverse and stable.



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

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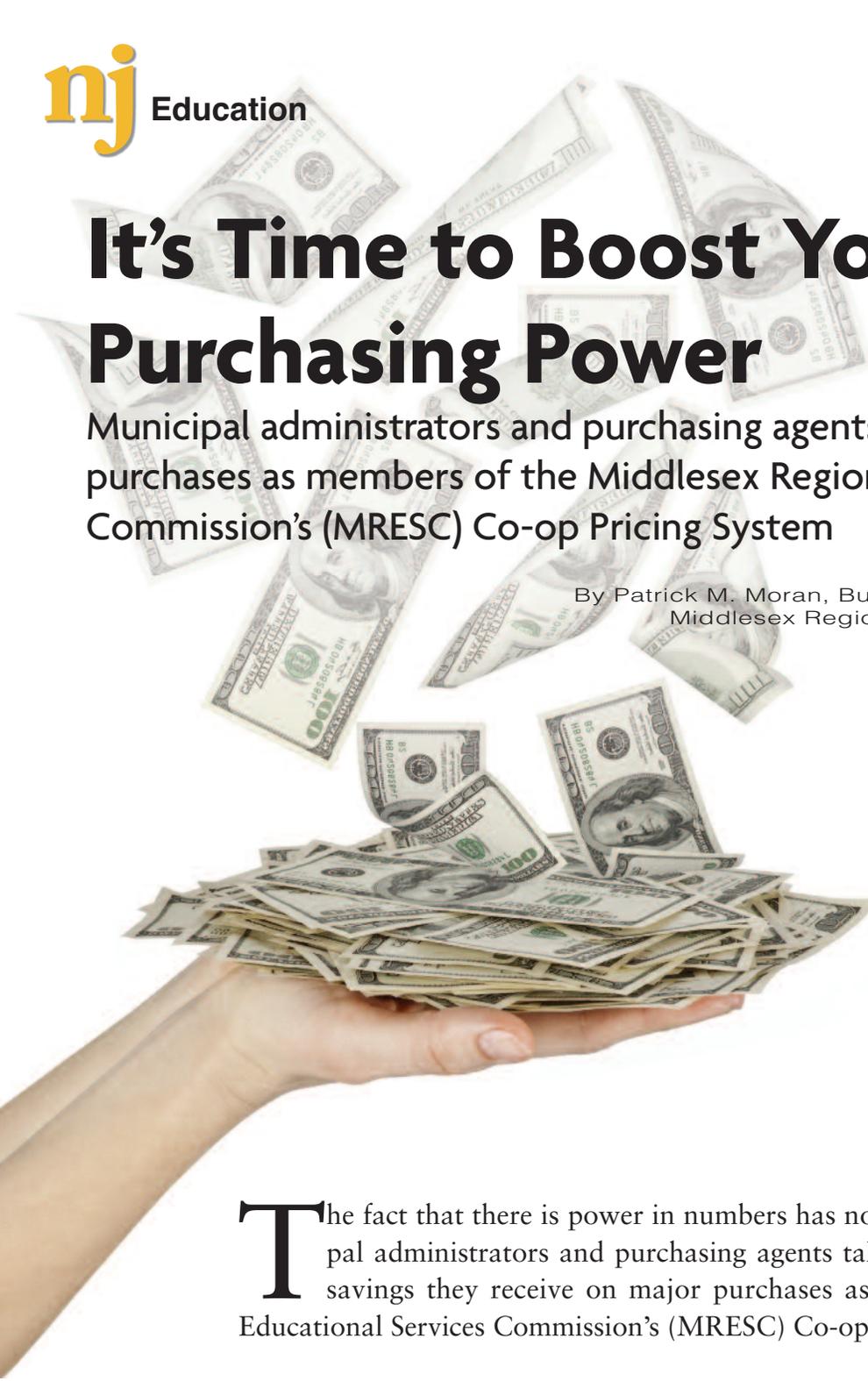
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It's Time to Boost Your Purchasing Power

Municipal administrators and purchasing agents are saving on major purchases as members of the Middlesex Regional Educational Services Commission's (MRESC) Co-op Pricing System

By Patrick M. Moran, Business Administrator/Board Secretary,
Middlesex Regional Educational Services Commission



The fact that there is power in numbers has not been lost on the hundreds of municipal administrators and purchasing agents taking advantage of the significant price savings they receive on major purchases as members of the Middlesex Regional Educational Services Commission's (MRESC) Co-op Pricing System.

With over 850 members, MRESC's Co-op Pricing System is the largest state approved cooperative. The products and services available include: grounds and maintenance equipment, furniture, technology products, security cameras and card access systems, carpet and flooring, custodial supplies, electricity, and natural gas. According to Tyler Tribelhorn, an MRESC Co-op Pricing System member who serves as the Warren Township Certified Educational Facilities Manager, "The Co-op Membership is a great way to meet people, test equipment, and learn about different services available."

While educational institutions make up a significant number of Co-op Pricing System members, a growing number of municipalities and county agencies join once they become aware of the savings.

Municipalities are increasingly realizing that with free membership and no obligation to purchase anything, there is no downside to joining the Co-op Pricing System and potentially reducing expenditures and saving money for taxpayers.

Among the municipalities who are already members of the Co-op Pricing System are: Brick, Rockaway, Marlboro, Edison, East & West Windsor, Edgewater, Somerville, Bridgewater, Scotch Plains, Sparta, Monroe, Woodbridge and Verona.

The MRESC Co-op Pricing System members are regularly surveyed to help identify and updating the products and services based on demand.

Bulk buying adds up to savings State laws permits, and encourages cooperative purchasing since bulk buying contracts serve to reduce prices, translating into savings for taxpayers. The free membership is a lifetime benefit, available after completing a Co-op Pricing System application and submitting it to the New Jersey Department of Community Affairs for approval.

With over 850 members, MRESC's Co-op Pricing System is the largest state approved cooperative.

Vendor Screening The products and services offered to Co-op Pricing System members are from reliable vendors with established reputations and a track record of success. Vendors are scrutinized through completion of a "bid checklist" requiring an assortment of registration forms, certificates and documents including a New Jersey Business Registration, Non-Collusion Affidavit, and an Affirmative Action Certificate of Employer Information. Additional research and face-to-face meetings with vendors are also part of the screening process.



The MRESC's Co-op Pricing System is holding a Vendor Fair on May 8th where participants will have an opportunity to learn more about numerous equipment and services offered at reduced prices.

Free Vendor Fair Members and interested administrators can learn first-hand about the Co-op Pricing System by attending this year's free Vendor Fair from 9:00 a.m. 3:00 p.m. on Friday, May 8th, at MRESC's Piscataway Campus at 1690 Stelton Road. The Vendor Fair also provides workshops of interest to members who receive New Jersey State approved continuing education credits for QPA's, CMFO/CCFO's, CTC's, CPWN's and RMC's.

Membership in national purchasing association Also contributing to MRESC's Co-op Pricing System's ability to secure lower prices is being selected to serve as the New Jersey representative to The Association of Educational Purchasing Agencies (AEP). The AEP is a national purchasing association consisting of 26 states, providing the Co-op

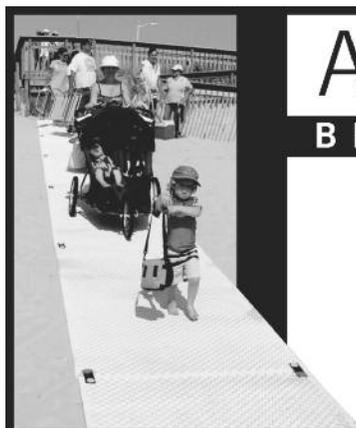
Pricing System with a choice of products at reduced prices from across the country.

Tax-exempt Lease Purchase Membership also entitles participants access to MRESC's Tax-Exempt Lease Purchase Financing Program. This program provides a competitive process for acquiring financing for police cars, fire trucks, buses, copiers, sophisticated security equipment, office supplies and other items. While interest rates vary, they are consistently below the 4.5 to 18 percent vendor-offered financing rates, resulting in minimal tax impact to homeowners. Due to the constraints faced by most governmental entities, lease purchase financing are becoming increasingly popular.

@ For additional information about MRESC's Co-op Pricing System, please visit www.mresc.k12.nj.us, or contact the author at 732-777-9848, Ext. 3120, or pmoran@mresc.k12.nj.us.



The Vendor Fair also offers a range of workshops on relevant subjects for participants to attend and earn New Jersey State approved continual education credits.



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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

S-2829 / A-4317



Court Imposed Rescue Costs

Status: Introduced and referred to Senate Judiciary Committee

Introduced and referred to Assembly Law and Public Safety Committee

S-2829/A-4317 would permit the court, in addition to any penalties imposed by a court, to assess a person found guilty for any cost or expense incurred by a public entity, including but not limited to, law enforcement and emergency medical services arising from or associated with the recovery or rescue of person, their pet or property. A court would be able to impose this penalty only if the individual was found guilty of criminal mischief pursuant to N.J.S.A. 2C:17-3 and Reckless driving (N.J.S.A. 39:4-96) or Careless driving (N.J.S.A. 39:4-97) or Driving or operating a motor vehicle in an unsafe manner (N.J.S.A. 39:4-97.2).

The League supports this commonsense legislation that provides municipalities with a mechanism to fund certain public safety expenses.—LB

A-3495



Maternity Policies for Law Enforcement; Correctional Facilities

Status: Introduced and referred to Assembly Law and Public Safety Committee

The League respectfully opposes this bill. Although we are supportive of the purposes of this legislation, these protections already exist under the Federal Pregnancy Discrimination Act (PDA). Therefore, this bill is duplicative.

Indeed, on March 25, 2015, in *Young v. United Parcel Service*, the United States Supreme Court held that under the Pregnancy Discrimination Act (PDA), a pregnant employee alleging that an employer failed to provide her with a reasonable accommodation due to her pregnancy could establish a *prima facie* claim of intentional discrimination under Title VII of the Civil Rights Act. In this case the employee introduced circumstantial evidence that

"employer's policies impose a significant burden on pregnant workers" and that the employer's "proffered legitimate, non-discriminatory reasons" for its policy were not sufficiently strong to justify that burden.

In light of the PDA and recent ruling by the U.S. Supreme Court, we believe that this bill is unnecessary and therefore, we oppose it.—EP

A-3949



Compensation for Quarantined Health Care and Public Safety Workers

Status: Reported out of Assembly Labor Committee and referred to Assembly Appropriations Committee

A-3949 would require an employer, including a municipality, to pay any first responder or health care worker who has been placed in isolation or quarantine and is unable to work their regular compensation for the entire period of time that the employee is held in isolation or quarantine. In addition, the employer could not require the first responder or health care worker to use any sick, personal, or other leave provided by the employer, whether paid or unpaid, for any time the employee is unable to work due to the isolation or quarantine.

A first responder is defined as any police officer, firefighter, or other person trained to provide emergency medical first response services or other medical services who is employed by a public safety agency.

A-3949 defines "isolation" as the physical separation and confinement of an individual or groups of individuals who are infected or reasonably believed to be infected, on the basis of signs, symptoms or laboratory analysis, with a contagious or possibly contagious disease from non-isolated individuals, to prevent or limit the transmission of the disease to non-isolated individuals. While "quarantine" is defined as the physical separation and confinement of an individual or groups of individuals, who are or may have been exposed to a contagious or possibly contagious disease and who do not show signs or symptoms of a contagious disease, from non-quarantined individuals, to prevent or limit the transmission of the disease to non-quarantined individuals.

An employer would be prohibited from taking any adverse

action against the first responder or health care worker with respect to compensation, terms, conditions, or other privileges of employment because the health care worker or first responder is not actively working and performing all regular duties due to the fact that the health care worker or first responder is placed in isolation or quarantine.

Any employer who violates any provision of this bill would be subject to a civil penalty in an amount not to exceed \$5,000 for first violation and \$10,000 for each subsequent violation. The fines would be collected by Commissioner of Labor.

Our opposition to A-3949 is twofold. First, we strongly believe that existing Labor Laws provide employees with the protections sought in A-3949. Secondly, we believe that A-3949 is an unfunded mandate.—LB

S-2824



Fire Barriers in Certain New Residential Buildings

Status: Senate Community and Urban Affairs Committee Introduced and referred to Assembly Law and Public Safety Committee

S-2824 is proposed legislation that is in response to the January fire in Edgewater. Specifically, S-2824 would:

- require that certain new residential buildings have cockloft fire barriers, concrete or steel frames, and fire stops;
- require that walls with a fire-resistance rating of not less than three hours be installed in any common area lofts, attics,

and cocklofts between adjoining dwelling units or building sections in new residential buildings with multiple adjoining units or sections, such as apartment buildings, condominiums, and townhomes;

- require the frames be made of concrete or steel of such residential buildings with more than three stories;
- require fire stops be installed on masonry walls at least every 30 feet; and,
- provide that the residential buildings subject to these fire safety requirements would be inspected for compliance with these requirements at least once every five years (as part of the Department of Community Affairs's five-year inspection cycle.)

The League Legislative Committee appreciates the underlying legislative intent of S-2824, and do find some of the provisions worthwhile. However, as a whole, the League opposes the legislation as introduced for the reasons described below.

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The three-hour rating, as we understand, would effectively require the use of concrete, which is a significant change to the current construction codes.

We are unsure as to exactly how this would impact development. It is the League's opinion that any such requirements on new construction should be vetted through the administrative process and addressed through the Uniform Construction Code (UCC.)—MFC

ACS for A-3765, et al.



Preempts Local Authority to Regulate Taxi Services

Assembly, Second Reading

It appears that the Assembly Committee Substitute for A-3765, et al. would preempt municipal regulation of certain entities engaged in the sale of passenger transportation services, via motor vehicle. On that basis, the League of Municipalities opposes this initiative.

This bill is intended to regulate companies and drivers that provide ride-for-hire services, which are, for all intents and purposes, identical to those provided by taxi and limousine services. These companies are referred to as “transportation network companies” (TNCs) and their drivers as “transportation network drivers.” A TNC is defined as an individual, corporation, partnership, sole proprietorship, or other entity that uses a digital network or software application to connect a passenger to a transportation network driver for the purpose of providing transportation to the passenger for profit by the TNC. A “transportation network driver” is a person who operates a private passenger automobile to provide transportation to a passenger who requests transportation through a TNC's digital network or software application which results in a fare being owed by the passenger.

The substitute requires a TNC to obtain a permit from the New Jersey Motor Vehi-

cle Commission to operate in New Jersey. To obtain the permit, the TNC is required to provide proof of required insurance, proof that the TNC is licensed to conduct business in this state, and any other information the commission may require. The commission is prohibited from disclosing to any person a transportation network driver's personal information.

The commission is required to establish a driver's license endorsement for drivers and to issue the endorsement: 1) upon receipt of proof from the TNC that it has completed the required verifications, checks, inspections, and searches; and 2) upon the successful completion of a criminal history record background check performed by the Division of State Police in the Department of Law and Public Safety. The commission is also required to issue an identifying marker in a design determined by the chief administrator to any person who receives a driver's license endorsement.

These companies seek to compete for the same customers, in order to provide the same service that taxis have provided for decades.

Since 1917, in order to protect prospective passengers, the general public and civic order, municipalities have been empowered by statute to license ride-for-hire businesses. While no level of regulation is perfect, municipalities have clearly demonstrated their effectiveness in this area for close to 100 years.

Throughout that period, local governing bodies have established reasonable standards for companies and contractors. Local government has been responsive to concerns raised by passengers, pedestrians, local merchants and other drivers. Local first responders have attended to accidents.

This bill would create a new class of taxis, exempt from local oversight. The manner in which the service is dispatched and provided does not materially alter the responsibilities that local governments will bear. Nor will the manner of dispatch obviate the concerns of local elected officials in ensuring the public's legitimate interests.

Accordingly, as currently drafted, we oppose the ACS for A-3765, et al. —JRM

A-4265



Five-year Residency Requirement for Police and Firefighters

Status: Approved by Assembly Judiciary Committee; 2nd reading in Assembly.

The League of Municipalities is pleased to support A-4265. This permissive legislation would authorize municipalities, at their discretion, to adopt ordinances implementing a five-year residency requirement for police and fire appointees. Specifically, A-4265 would allow the municipality to require new police and fire (paid and part-paid departments) hires to begin residing in the municipality within six months of their appointment.

New Jersey's municipalities have a long-standing tradition and the right, in our view, to establish and enforce residency requirements. Municipalities are exploring all possible avenues to strengthen their tax bases and job opportunities, stabilize neighborhoods and enhance community engagement—objectives that may be advanced through residency requirements.

In 2012, the state passed a state residency requirement, with some exceptions, for all public employees. If indeed there is value in the state residency requirement, then we believe municipalities should be provided this discretionary authority. — MFC

A-4175



Safeguards for Anonymous Tip Lines

Status: Introduced and referred to Assembly Law and Public Safety Committee

This bill would require that safeguards be implemented for anonymity and confiden-

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tiality with respect to communications presented through phone lines, electronic communication systems, or websites dedicated to accepting anonymous tips for use by law enforcement in criminal investigations.

While the League supports the purpose behind the bill, we must oppose it as written. Tip lines are critical, whether operated by local police departments or by third party contractors. The League is concerned that this requirement, which includes a \$25,000 penalty, would restrain the willingness of local police departments to create these tip lines. And, as a consequence, this bill would inhibit their use throughout the state. Therefore, the League opposes A-4175 as written. — EP

A-4195/S-2772



Safety Evaluation of Light Frame Construction

Status: Referenced to Assembly Housing and Community Development Committee and the Senate Community and Urban Affairs Committee respectively.

Companion legislation has been introduced in response to the January 21, 2015 five-alarm fire in Edgewater, NJ which destroyed a 408-unit apartment complex. This legislation would require the Department of Community Affairs (DCA) to evaluate whether light frame construction is an appropriately safe method of constructing multiple dwellings. Provided that the Commissioner determines that light frame construction is safe for multiple dwellings, the department must establish adequate and appropriate standards for multiple dwellings containing three or more dwelling units designed using light frame construction.

If the Commissioner determines that light frame construction is not safe for multiple dwellings, DCA must adopt a rule prohibiting the use of light frame construction for multiple dwellings. The legislation gives

the Commissioner up to two years to make his determination. In addition, the bills call for a moratorium on the approval and construction of multiple dwellings that use light frame construction until the commissioner makes his determination and, if appropriate, adopts standards for light frame construction. Projects approved, but not constructed because of the moratorium, will be subject to an expedited re-approval process once the commissioner makes a determination and adopts appropriate changes.

Because of the underlying legislative intent here, the League appreciates the sponsors' intentions. However, the League Legislative Committee has a number of concerns with the bill as introduced and opposes the legislation.

First, the Committee is concerned about a moratorium on construction, particularly in how it would impact projects that are underway or are already in the pipeline. After the staggering impacts of the 2008 recession, every effort should be made to advance worthwhile projects.

Second, while the January Edgewater fire was horrific (and the good news is that there were no fatalities), it is our understanding that the fire resulted from on-site work and there was a delay in calling 9-1-1.

Thus, we do not object to an evaluation of light weight construction, but believe it is an administrative issue that can and should be addressed through the Uniform Construction Code.— MFC

A-3564



Highway Safety Act Amendments

Status: Assembly Homeland Security and State Preparedness Committee

The League of Municipalities supports A-3564, which revises the standards and requirements for volunteer and non-volunteer first aid, rescue, and ambulance squads under the New Jersey Highway Traffic Safety Act of 1987.

The League sees this legislation as advancing two important public policies. First, it will help to ensure that citizens and visitors will be able to count on effective, responsible and professional care from trained and able EMTs. Second, it will do so without imposing any unnecessary burdens on the time and resources of our highly valued and highly motivated volunteers.



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This legislation would require any applicant for EMT-Basic certification to meet requirements promulgated by the Commissioner of Health. Those requirements would, in turn, comply with the uniform standards promulgated by the United States Secretary of Transportation in accordance with the "U.S. Highway Safety Act of 1966," as amended and supplemented. The bill would require that the officers of a local EMS squad notify the governing body of the training certifications and certification expiration dates for each member, along with proofs of inspection for all equipment. The bill additionally specifies that no first aid, rescue, or ambulance squad may provide basic life support services unless that squad is inspected and certified or otherwise authorized to do so by the Office of Emergency Medical Services in the Department of Health, or is inspected and certified as a member in good standing of the New Jersey State First Aid Council.

The bill would also revise the definitions of a "volunteer first aid, rescue, and ambulance squad," and "non-volunteer first aid, rescue, and ambulance squad," to bring the meaning of those terms into conformance with current New Jersey practice. And the bill would, for the first time, provide a definition of "basic life support," which is not currently defined in the New Jersey Highway Traffic Safety Act of 1987, to mean a basic level of pre-hospital care which includes patient stabilization, airway clearance, cardiopulmonary resuscitation, hemorrhage control, initial wound care, fracture stabilization and other techniques and procedures authorized by the Commissioner of Health. The bill provides further requirements regarding the staffing of vehicles transporting patients and the drivers of such vehicles.

Volunteerism and local flexibility have allowed numerous New Jersey municipalities to meet the need for efficient and effective emergency medical services for decades. And they have never been more important than they are now, in the

midst of unprecedented fiscal challenges and constraints. We believe that this bill will improve the prospects for the future of local emergency response volunteerism and promote better training for

both volunteer and non-volunteer first responders. We salute the sponsors for their leadership on this matter and we strongly support A-3564. — JRM

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