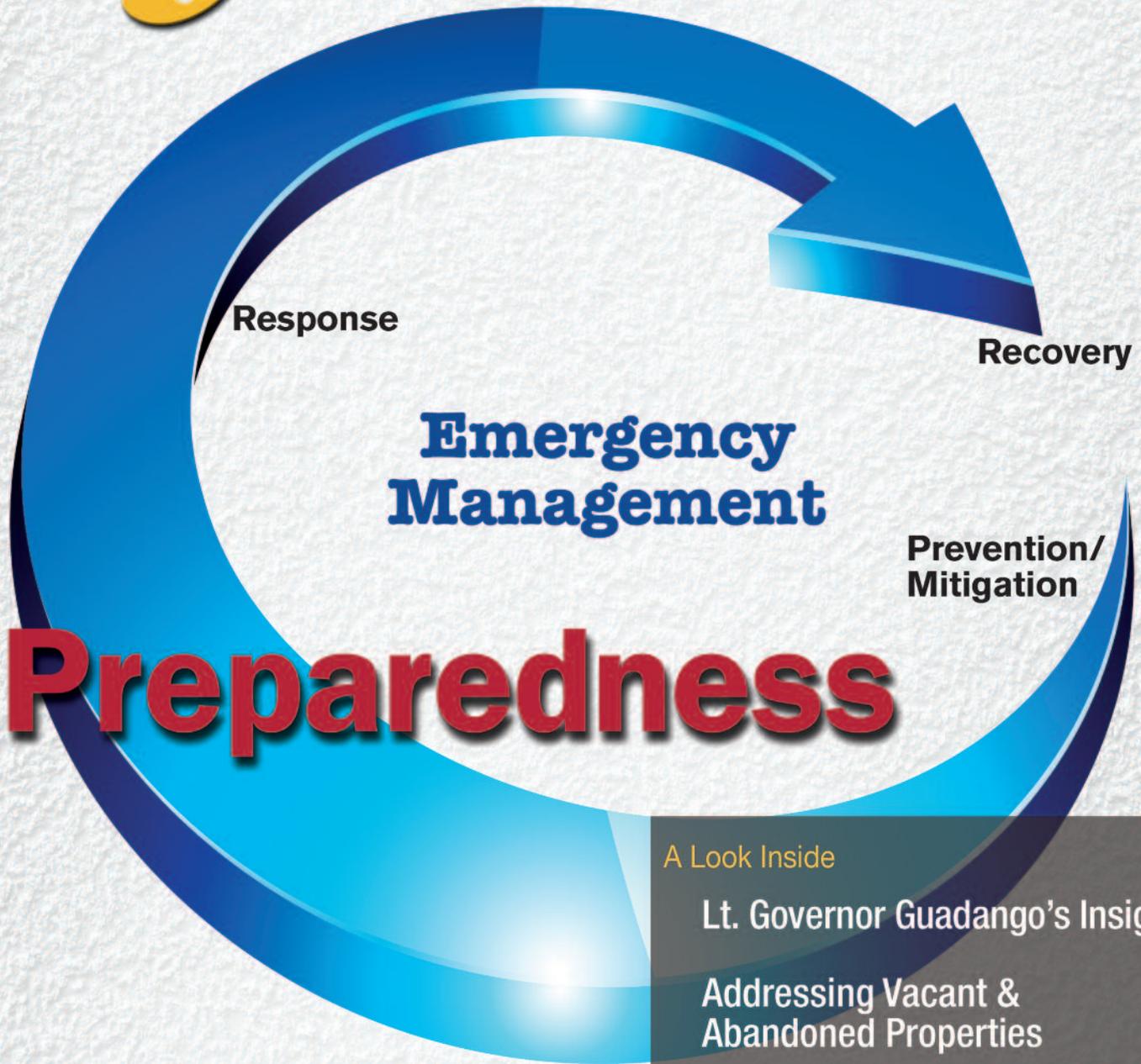


nj municipalities

Official Publication of the New Jersey State League of Municipalities

March 2016



A Look Inside

Lt. Governor Guadagno's Insights

Addressing Vacant & Abandoned Properties

Longport's Green Leading Single-Use Bag Fee

nj Focus **Emergency Management**

EMEX™ Reverse Auctions: A Leader in Saving Money on Energy Costs for New Jersey's Municipalities, Schools and Utility Authorities

For New Jersey Government Agencies, EMEX has:

- Helped Save Tens of Millions of Dollars
- Facilitated Over 350 Electricity & Natural Gas Contracts
- Served More Than 1.5 Billion kWh



Start a free consultation today and see how much EMEX can reduce your local government's electricity and natural gas bills.

1 877 459 4728
EnergyMarketExchange.com/njgov



EMEX
Power Savings, Simplified.

Officers



Joseph Tempesta, Jr.
President
Mayor, West Caldwell



Albert Kelly
1st Vice President
Mayor, Bridgeton



James Cassella
2nd Vice President
Mayor, East Rutherford



Colleen Mahr
3rd Vice President
Mayor, Fanwood

Executive Board

- Ras Baraka** Mayor, Newark
- Randy Brown** Mayor, Evesham
- William J. Chegvidden** Mayor, Wharton
- Frank J. Druetzler** Mayor, Morris Plains
- Jonathan Dunleavy** Mayor, Bloomingdale
- Sean Elwell** Mayor, Elsinboro Township
- Steven Fulop** Mayor, Jersey City
- Raymond S. Heck** Mayor, Millstone Borough
- Susan Howard** Mayor, Monmouth Beach
- Thomas F. Kelaher** Mayor, Toms River
- Janice Kovach** Mayor, Clinton Town
- Liz Lempert** Mayor, Princeton
- Edward J. Mahaney, Jr.** Mayor, Cape May City
- Leo McCabe** Mayor, Glassboro
- Gary Passanante** Mayor, Somerdale
- James Perry** Mayor, Hardwick
- Sylvia Petillo** Mayor, Hopatcong
- Paul H. Tomasko** Mayor, Alpine
- Janet W. Tucci** Mayor, West Long Branch
- Jesse Tweedle, Sr.** Mayor, Pleasantville City
- Brian C. Wahler** Mayor, Piscataway

Executive Staff

- Michael J. Darcy, CAE** Executive Director
- Michael F. Cerra** Assistant Executive Director
- William J. Kearns, Jr., Esq.** League General Counsel



New Jersey Municipalities Magazine

Volume 93 | Issue 3

EDITOR
Michael J. Darcy, CAE

MANAGING EDITOR
Amy Spiezio

ADVERTISING MANAGER
Taran B. Samhammer

CONTRIBUTING EDITORS
Lori Buckelew
Michael F. Cerra
Jon R. Moran
Edward Purcell, Esq.
Taran B. Samhammer

CREATIVE DIRECTOR
Dawn Becan
White Eagle Printing Company

SUBSCRIPTION MANAGER
Thomas Fratticcioli

Have an idea, project or opinion to share?

NJ Municipalities welcomes member articles, information, and op eds. Contact Managing Editor Amy Spiezio at aspiezio@njslom.org or go to njslom.org/magazine if you've got a story to tell.

Want to reach local decision makers?

NJ Municipalities can help you get your message out to New Jersey's 6,000+ municipal officials. Contact Advertising Manager Taran B. Samhammer at tsamhammer@njslom.org or go to njslom.org/advertise.



@njleague



@nj_league



@New Jersey League of Municipalities



<http://bit.ly/1P7GsVR>

NEW JERSEY MUNICIPALITIES (ISSN 0028-5846) is published monthly (except July, August and September) by the **New Jersey State League of Municipalities, 222 West State St., Trenton, NJ 08608. Telephone: (609) 695-3481, FAX: (609) 695-0151, Website: njslom.org, Email: njm@njslom.org.** Periodicals postage paid at Trenton, NJ 08608. Postmaster send address changes to *NEW JERSEY MUNICIPALITIES*, 222 West State St., Trenton, NJ 08608. Print subscription rates (nine months) \$25.00; League members \$20.00; foreign \$41.00. Single copies League member officials, \$6.00; others, \$8.00; foreign, \$27.00. For additional subscription information visit njslom.org/subscriptions. Publication No. 380460.

***NEW JERSEY MUNICIPALITIES* serves as a forum for the exchange of ideas and information on municipal affairs for the public officials of New Jersey. The views expressed and the data presented by contributors and advertisers are theirs and are not shared by the League, unless specifically stated.**

The New Jersey State League of Municipalities is dedicated to environmentally and socially responsible operations. We are proud to print this magazine on Sappi McCoy Gloss 100lb Text (cover) and Sappi Flo Gloss 70lb Text, industry leading environmentally responsible papers. The wood fiber used to make this paper is independently certified to come from responsibly managed forests. Proudly printed in the state of New Jersey, USA.



nj



14



34

nj Focus **Emergency Management**

14 Initiation by Fire

The destructive results of lightweight wood construction inspire a call for preventative changes in fire codes
Michael McPartland, Mayor, Edgewater

18 Ready to Respond

Pre-establishing your relationships and communications for emergency management
Howard Butt, Emergency Response Specialist, & Tpr I Thomas Walsh #6484, New Jersey State Police, Office of Emergency Management, Support Services Unit

22 Lending a Comforting Hand

Dealing with the deeper issues of disaster recovery
Adrienne Fessler-Belli, Ph.D., LCSW, State Director, New Jersey Department of Human Services Division of Mental Health and Addiction Services Disaster & Terrorism Branch

FEATURES

30 Getting Out from Underwater

A new tool for addressing foreclosures and preventing vacancies
J. Christian Bollwage, Mayor, Elizabeth

34 Tune In

Municipalities can reach out to senior residents and their families with the "Aging Insights Show"
Grace Egan, Executive Director, NJ Foundation for Aging

38 Breaking Bag

Leading the way in raising awareness of single-use bags
Nick Russo, Ed.D, Mayor, Longport

contents

Volume 93 | Issue 3, March 2016



42 Part of the Solution

Working together to rebuild trust in the government
This article is based on remarks made by Lt. Governor Kim Guadagno at the 100th League of Municipalities Conference.

50 Conference Connections:

Addressing Vacant & Abandoned Properties

Understanding how to strategize and meet your town's needs
Michael Zumpino, Chairman/CEO Triad Associates, NJLM Consultant

DEPARTMENTS

4 From 222 West State

Michael J. Darcy, CAE

6 Now & Then

Amy Spiezio

8 NJ NOW

Taran B. Samhammer & Amy Spiezio

26 Member OpEd

James R. Barberio, Mayor, Township of Parsippany-Troy Hills

28 Washington Watch

Leonard Lance, U.S. Representative, District 7

54 Legislative Update

Michael F. Cerra

58 Legal

Edward Purcell, Esq.

60 Gold Dome

Dr. Benjamin Dworkin

62 Business Card Directory

64 NJLM Events & Supporters



Be Ready, Willing, and Able When the Next Disaster Strikes

“This issue of our magazine includes articles that focus on all three emergency essentials—preparation, response, and management.”

Emergency planning and preparations need to be a priority right up until the time when emergency response and emergency management become necessities. If there was ever any doubt about that, it has been entirely erased by the recent experiences of New Jersey local officials and their citizens, who have endured a rising tide of unusually distressing events that could never have been exactly foreseen.

Consider the January snow storm. While it was known for days that a storm was coming from across the country, the exact magnitude of the tide and snowfall could not have been exactly known. The result was destruction from record storm tides and snowfalls. How do you prepare for that?

This issue of our magazine includes articles that focus on all three emergency essentials—preparation, response, and management. Those articles also serve as reminders that emergencies need to be dealt with, not only by public safety and public works departments, but by every aspect of municipal administration, including your League of Municipalities. It follows that every part of every public agency needs to prepare. And the crucial component of preparation is the development of a plan.

The League assists municipal emergency

management by communicating information. Creation of dedicated web pages makes a central point to retrieve documents related to an emergency event. Email communication pushes information out as it develops. Afterwards, communication to the State and Federal authorities helps keep municipal needs as a priority to be addressed.

The dictionary defines emergency as “an unforeseen combination of circumstances or the resulting state that calls for immediate action” or “a usually distressing event or condition that can often be anticipated or prepared for but seldom exactly foreseen.” It defines preparation as “the action or process of making something ready for use or service or of getting ready for some occasion, test, or duty.” Response “implies the satisfying of a question, demand, call, or need.” And management, the dictionary tells us, includes the “judicious use of means to accomplish an end.”

Whenever you define something, you limit it. Emergencies need to be limited. But we need more than a dictionary for that. We hope these articles help you to think about those unforeseen events that can still be anticipated and prepared for. And we hope that they will enable you to expand your definition of preparation, response, and management. ♣

Michael Darcy



LEAD.
INSPIRE.
CHANGE.

RUTGERS
Graduate School | Camden

Department of Public Policy
and Administration
Rutgers—Camden
401 Cooper Street
Camden, NJ 08102

Isn't it time you made a change? Earn your Executive MPA degree!

Rutgers—Camden's **Executive Master of Public Administration** program can give you the skills and knowledge to meet the demands of public management and move your career forward.

Offered conveniently in West Windsor, NJ

Apply now for Fall 2016 Admission

- The **only Rutgers EMPA in South Jersey.**
- Attend Saturday morning classes supplemented with online instruction
- Earn your degree in **2 years**
- **Receive up to 12 credits** for work experience

Learn more at an Information Session:

March 19, 1pm

May 11, 6pm

Register for an Information Session: visit empa.rutgers.edu

What our graduates say:

"Being in a cohort, made us supportive of one another and assisted us with staying on top of key assignments. We became a family! We encouraged each other during the rough times, family incidents, tough assignments, and ensured we all graduated on time."

– Chante', 2015 graduate

"In addition to the knowledge and skills attained from the challenging coursework, I was able to approach my transition into a leadership role in government with greater confidence and a more informed perspective."

– Mike, 2013 graduate



NOW & THEN



Timeless Responses

Long before storms were named—or labelled with catchy tags like stormageddon—municipalities dealt with recovering from major emergencies, natural and man-made. In 1939 New Jersey was among the states getting back to normal after the New England Hurricane of 1938, which destroyed much of the Atlantic City boardwalk and left Wildwood’s streets in three feet of water at its height.

In the 1939 spotlight, however, was the ongoing recovery from a bigger storm, The Depression. Helping people grow

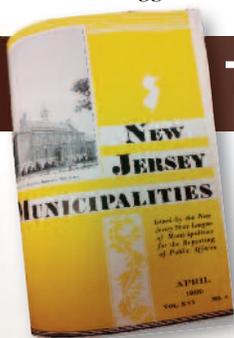
their own food in municipal gardens became an ongoing bridge to stability in a challenging time.

Long-term stability has great importance in the March 2016 issue of *New Jersey Municipalities*, which focuses on the preparedness portion of emergency management. Communication through emergency technology such as websites is encouraged today, just as citizens were encouraged to use their telephones to report forest fires in 1939.

Mayor Michael McPartland also discusses his experience with the Edgewater Apartment fire and the importance of safety-oriented construction codes, just as the focus turned to building highways utilizing “Safety with Light” 77 years ago. 🚧



Amy Spiezio
Managing Editor



Time Capsule: April 1939

Gardens—An Important Municipal Project

The supervision of municipally operated gardens in many cases is directly responsible for the success or failure of a garden project...There are usually retired farmers available in every community who could qualify. However, anyone chosen to act as a supervisor must be tolerant, firm, quiet of manner, and must at all times be willing to help, and show inexperienced growers how to overcome problems which may present themselves.

—C.H. Nissley, *Extension Horticulturist, Rutgers University*



Forestall Forest Fires

Many a meal will be missed and many a night of sleep lost by loyal, courageous firewardens all because of someone’s carelessness. You can help. Prevent forest fires by being careful. If you see a fire burning, go to the telephone and the operator will connect you with the nearest warden.

—William J. Seidel, *Deputy State Firewarden*

New “Safety With Light” Program Launched

The “Death Trap Removal Program” conceived and put into effect by Highway Commissioner E. Donald Serner, and which stresses as one of its major phases the reduction of high night accident zones through safety lighting, has given ample proof not only to New Jersey but to the entire country that a “Safety With Light” program returns a big premium to any municipality that participates. This premium is paid in lives and dollars.

—Lawrence B. Tipton, *Safety Chairman, New Jersey Junior Chamber of Commerce*



NEED MUNI PLOWS & SPREADERS?

WE'VE GOT THEM IN STOCK!

Call 440-974-7766 x.1220 Today



PLOW HITCHES | PLOW LIGHT KITS | CUTTING EDGES | POWER UNITS | GUARDS | PLOW SHOES | BLADE GUIDES

Call 440.974.7766 x.1220



Nothing Works Like A Dogg™

24th Annual Mayors' Legislative Day Educates, Opens Communications

Mayors from all around New Jersey gathered for the League's 24th Annual Mayors' Legislative Day held at the Statehouse Annex Feb. 3. League President Joseph Tempesta, Mayor of West Caldwell, began the day by welcoming Lt. Governor Kim Guadagno. The Lt. Governor highlighted the importance and need to work with local businesses to continue economic growth.

Lt. Governor Guadagno also noted that she was heading down to Cape May the following day to assist municipalities recovering from Jonas.

CABINET OUTLOOK After the Lt. Governor spoke, League President Mayor Tempesta asked key Christie Administration leaders to discuss their priorities for the coming year.

Department of Transportation (DOT) Acting Commissioner Richard Hammer spoke about need to reauthorize the State's Transportation Trust Fund. He emphasized the costs we all pay for inadequate maintenance of our roads, bridges, and railways.

Department of Environmental Protection (DEP) Commissioner Bob Martin focused on DEP's efforts to expedite reviews and to streamline processes in order to assist municipalities in navigating DEP. He also discussed the Department's continuing response to Super Storm Sandy, including efforts to assist municipalities that were devastated.

Department of Community Affairs (DCA) Commissioner Chuck Richman discussed the status of affordable housing, electronic submission of documents, and new housing initiatives. He listed resources that the DCA has made available to help meet the needs of municipalities and of individuals impacted by Hurricane Sandy. He also discussed the Department's continuing efforts to develop reasonable Affordable Housing policies and procedures, again asking Mayors to urge their Legislators to address Fair Housing Act reforms. In addition, Commissioner Richman brought Mayors up-to-date on the Department's efforts to address homelessness, particularly regarding initiatives to end homelessness for veterans.



Kicking off the 24th Annual Mayors' Legislative Day (l to r) NJLM Executive Director Michael Darcy, CAE; Lt. Governor Kim Guadagno; NJLM President and West Caldwell Mayor Joseph Tempesta; and NJLM Assistant Executive Director Michael Cerra.



Assembly Speaker Vincent Prieto (center) speaks, also shown (right) Assembly Republican Leader Jon Bramnick and moderator John Reitmeyer from NJ Spotlight.

Board of Public Utilities (BPU) President Rick Mroz spoke about the need to hold utilities accountable for unacceptable maintenance and timely repair of equipment, conduits, and rights of way, and of the need to modernize utility operations.

LEGISLATIVE POLICY ROUNDTABLE A lively legislative policy roundtable discussion, moderated by NJ Spotlight writer John Reitmeyer followed the Cabinet Outlook. The panel included Senate President Steve Sweeney, Senate Republican Leader Tom Kean, Assembly Speaker Vince Prieto, and Assembly Republican Leader Jon Bramnick. These State-level leaders were joined by League Second Vice President, Mayor Jim Cassella of East Rutherford, and League Third Vice President, Mayor Colleen Mahr of Fanwood covering a variety of topics.

- **Transportation Trust Fund** One topic that generated enthusiastic support from State Legislators and Mayors alike was the need to reinvigorate the Transportation Trust Fund and to supply a greater level of aid to local governments.
- **Diversion of Energy Tax Funding** Agreement was expressed to end the State diversion of Energy Tax funding. Legislators stated their agreement that the Energy Taxes do belong in local

coffers and their hope to begin to address the problem, soon.

- **Pensions** The need to protect the integrity of local pension systems, to provide municipalities with predictability regarding affordable housing requirements, and the need to promote economic recovery also received favorable comment. Of particular note was Senate President Sweeney’s strongly worded assurance that he would not support comingling of local and State pension system assets.



Senate President Steve Sweeney speaks at the legislative panel with Senate Republican Minority Leader Thomas H. Kean Jr. (left) and NJLM President Mayor Tempesta.



NJLM Executive Director Darcy joins legislative panel participants (from left) NJLM President Mayor Tempesta, League Third Vice President Mayor Colleen Mahr of Fanwood, League Second Vice President Mayor Jim Cassella of East Rutherford, Assembly Speaker Vincent Prieto, Senate Republican Minority Leader Thomas H. Kean Jr., and Assembly Republican Leader Jon Bramnick.



Mayors filled the Statehouse Annex meeting space for the 24th Annual Mayors’ Legislative Day.



Mayors took the opportunity to share their concerns and issues with legislative leaders.

HALL OF FAME The program also included the presentation of certificates to the new class of inductees into the League’s Elected Officials’ Hall of Fame. These dedicated men and women have completed at least two decades of service to their fellow citizens in elected local office. (See story next page)

Mayors’ Legislative Day is an annual highlight of the League’s continuous efforts to keep local elected officials informed on what’s happening in the State Capital and how that can affect you and your constituents. 🗣️

Welcome 2016 Hall of Fame Inductees

The League inducted 18 new members into the Elected Officials Hall of Fame during the 24th Annual Mayors' Legislative Day held Feb. 3 at the State House Annex in Trenton.

This honor is reserved for those governing body members, active and retired, who have served 20 years in elected municipal office.



NJLM President Mayor Joseph Tempesta welcomes the 2016 Elected Officials Hall of Fame members and their representatives at a ceremony held at the 2016 Mayor's Legislative Day.

The 2016 Elected Officials Hall of Fame inductees are as follows:

- Councilman John C. Archibald, Jr., Atlantic Highlands Borough
- Councilman Peter C. Eagler, Clifton City
- Councilman William Holt, East Orange City
- Deputy Mayor Daniel Coranoto, Hampton Township
- Councilman Michael Dolaghan, Harrison Town
- Councilman Raymond Kerwin, Lincoln Park Borough
- Mayor Derek Armstead, Linden City
- Councilman Elliot C. Beinfest, Linwood City
- Council at Large Frank Perri, Jr., Northfield City
- Mayor Donald J. Ruschman, Park Ridge Borough
- Councilwoman Doris Bugdon, Port Republic
- Councilwoman Shirl Ewald, Rockleigh Borough
- Mayor John E. Ekdahl, Rumson Borough
- Council Earl Gage, Salem City
- Council James Waddington, Salem City
- Councilman Chris F. McIntyre, Wayne Township
- Councilmember Peter Grefrath, Westwood Borough
- Council President Brian J. Sperling, Wrightstown Borough

Congratulations to our most recent members! 🎉

@ For a full list of the current members of the Elected Officials Hall of Fame, visit njslom.org.



Hall of Fame inductee Mayor Derek Armstead, Linden City, with (from left) 3rd Vice President Mayor Colleen Mahr of Fanwood, 2nd Vice President Mayor James Cassella of East Rutherford, and NJLM President Mayor Joseph Tempesta of West Caldwell.



From left: NJLM Executive Director Michael Darcy, CAE, with East Orange Mayor Lester E. Taylor, III, NJLM President Mayor Joseph Tempesta, Honoree Councilman William Holt, and East Orange Council Members, Ted R. Green, Quilla E. Talmadge, and Christopher D. James.

WE MOVE MOUNTAINS

PROVIDING PEAK PERFORMANCE TO OUR CONTRACTORS

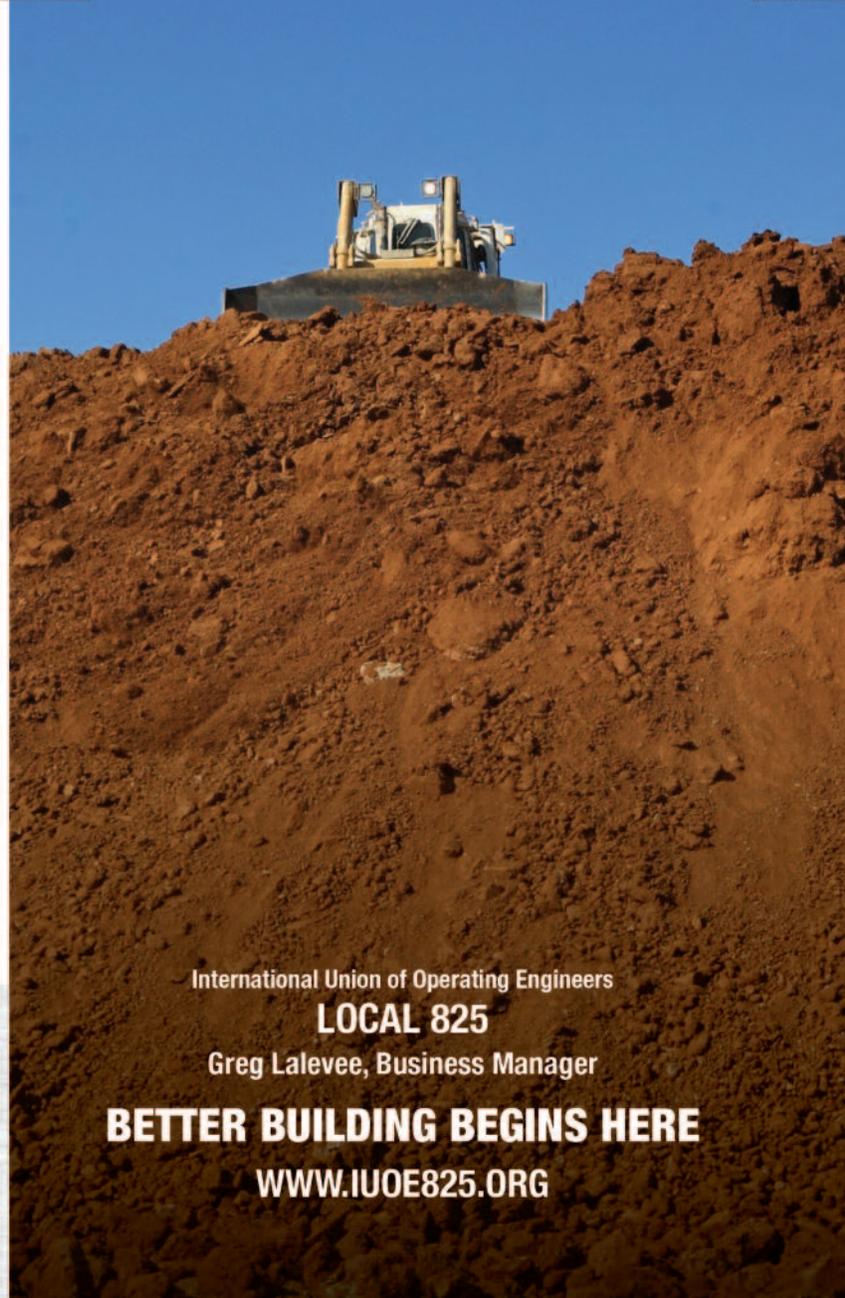


Local 825 Operating Engineers collaborate with contractors to move mountains and help them reach the pinnacle of success.

From raising the Bayonne Bridge, to expanding major highways, building highrises and transforming the Xanadu eyesore into an American Dream, we change the landscape with monumental contributions to the world we live in.

Local 825 Operating Engineers are the best trained and most experienced on any construction site. Fully licensed and credentialed, we're ready to work, day one. Developers and contractors turn to us to get big things done safely, on time and on budget.

Moving mountains. Local 825 Operating Engineers work together to build better communities.



International Union of Operating Engineers

LOCAL 825

Greg Lavee, Business Manager

BETTER BUILDING BEGINS HERE

WWW.IUOE825.ORG

League Announces Retirement of Two Longtime Staff

Two longtime staff members at the League of Municipalities have announced their retirements.



Becky Wright, who has worked for the League of Municipalities for 15 years and previously worked at NJ School Boards for 10 years, is retiring at the beginning of September. She came to work at the League in 2000, doing publications sales and data entry and worked her way up to the position of Executive Secretary after five years on staff.

She would like to sincerely thank all of her co-workers for the privilege of working with them over the years. She would also like to thank Michael Darcy, Executive Director, Mike Cerra, Assistant Executive Director, and William Dressel, Former League Executive Director, for all their support and encouragement through the years and during the transition of Executive Staff in 2015.

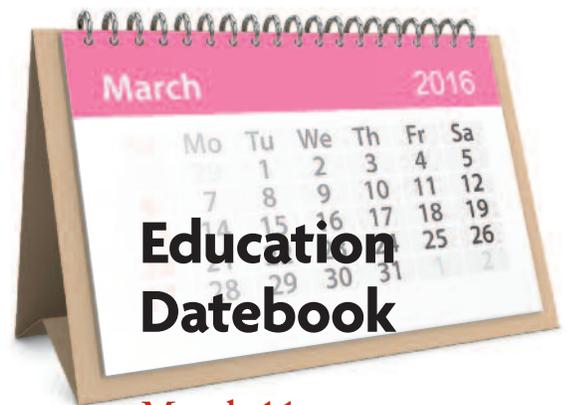
Becky shared her thoughts about retiring, saying “I feel really sentimental about leaving the League, and for having had so many opportunities to meet and get to know many of you on West State Street and beyond,

especially in Atlantic City at our Annual Conference.

“I am also excited to begin a new chapter in my life, being able to do a little traveling and volunteer for some good organizations that are important in my life. My career with the League has been fulfilling, even exciting at times, making me much more aware of the workings of municipal government and its officials. It has been a sincere pleasure to work with each and every one of you.”



Gayle Krygier, Assistant Financial Administrator, announced her retirement in January 2016 after 11 years with the League. Executive Director Michael Darcy commented on the announcement saying, “Gayle’s dedication and attention to detail has contributed greatly to making the League’s financial system the envy of many organizations and, more importantly, well respected by our Executive Board and member. Her willingness to give extra effort and solve challenges will be missed especially on site at the Annual Conference where she was an energetic presence at the registration area for 11 years.”



March 11

New Jersey Future’s annual **Redevelopment Forum** at the Hyatt Regency in New Brunswick. Sessions will include an overview of coming demographic trends and the nexus of redevelopment and public health.

@ forum.njfuture.org.

April 7

NJ-GMIS’s annual **Technology Education Conference** at the The Palace, in Somerset. The TEC is for New Jersey municipal, county, K-12 school, and local authority technology managers and others involved in municipal technology.

@ njgmis.org/2016-tec-conference/

May 7

The **Rutgers Center for Government Services Elected Officials** course for new and veteran elected officials at 303 George Street in New Brunswick. The redesigned one-day seminar is taught by municipal government/management expert Reagan Burkholder, providing the essentials of governing at the local level.

@ cgs.rutgers.edu – under programs click on, Elected Officials, or call Louis Demian at 732-932-3640, Ext. 644

Be Featured in nj NOW

If your community has a unique program or story, write to Amy Spiezio c/o The League of Municipalities, 222 West State Street, Trenton, New Jersey 08608 or via email at aspiezio@njslom.org.

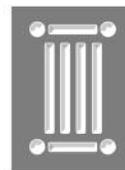
Welcome to the intersection of law, government and business.



Founded twenty-five years ago, Genova Burns works with many of the premier companies and business interests spanning the region between Wall Street and Center City, Philadelphia.

Our commitment is to provide our clients with representation at the highest standard of excellence but in a mid-sized regional setting. Our continued growth is based upon our consistent emphasis on responsiveness to the needs of our clients and our community.

Above all, Genova Burns values direct candor with our clients, the highest principles in judgment, and personal business integrity.



**GENOVA
BURNS**
ATTORNEYS-AT-LAW

www.genovaburns.com

Newark, NJ | New York, NY | Red Bank, NJ | Camden, NJ | Philadelphia, PA | Jersey City, NJ | Washington, D.C.
973.533.0777 | 212.566.7188 | 732.758.6595 | 856.968.0680 | 215.564.0444 | 201.469.0100 | 202.441.0072

Genova Burns LLC | 494 Broad Street • Newark, NJ 07102

Initiation by Fire

The destructive results of lightweight wood construction inspire a call for preventative changes in fire codes

By Michael McPartland,
Mayor, Edgewater



In January 2015, just 21 days into my appointment as Mayor, I was in my office conducting interviews for local boards and committees when the first alarm went off. Not knowing what was about to transpire, I continued with my interview process. A few minutes later my daughter called me and in a tone I'll never forget said, "Dad, something serious is happening across the street." Across the street from our home was the Avalon complex in Edgewater.

I halted the interviews and headed home. It didn't seem as if the complex was in danger of going entirely up in flames, there was a lot of smoke and confusion about the location of the fire. Checking in with Edgewater fire Chief Tom Jacobson—I've known Tommy my entire life—it was apparent he knew we had a major problem.

We would find out later the fire was caused by workers using a blow torch under a sink when a spark from the torch entered the space between the walls, starting the fire. But at that point we only knew that we were facing a dangerous situation.

The chief had multiple search and rescue teams inside the buildings with men risking their lives getting people out and still trying to locate the fire. The smoke grew more and more intense and after about an hour the first flames appeared. We still had teams of men inside when the chief made the call to

get his men out and attack the fire. The fight to contain and save the structure, as well as the surrounding homes, was on.

RISING FROM THE ASHES One year ago, 240 families lost their homes and all their belongings. I believe we should learn from the experience. We should accept the fact that the current fire codes in a lightweight wood construction environment are unacceptable. Common sense dictates that having a system in place which does not address the main reason why Avalon burned down is irresponsible. I'm not talking about draconian measures, either. I believe by tweaking the current NFPA 13R code we can prevent another Avalon from happening.

First, we require sprinkler heads in the spaces between walls and ceilings, those spaces allowed the fire to hide and spread throughout the entire complex. That single measure would have stopped the fire in its tracks, period!



The timing of the fire, gaining traction while residents were still at work, helped prevent serious injuries and deaths from the conflagration that consumed more than 240 homes.

Secondly, we add masonry fire walls every so many feet to compartmentalize a fire that allows firefighters a chance to locate and extinguish a potential disaster.

MADE TO CODE The Avalon Bay Edgewater complex was built out of a lightweight wood construction method. It's cheaper and easier to build and, therefore, yields a better return for the developer. One would think that by not carrying the expense of traditional building methods, the state building codes would adjust appropriately.

While saving building costs with lightweight wood construction, our fire

codes should be upgraded. The savings from the construction method could be used to offset the cost of a better fire suppression system.

Avalon Bay Edgewater was built with a National Fire Protection Association (NFPA) 13R code. This 13R code requires sprinklers for low-rise buildings in rooms and hallways but not closets, many bathrooms, and unoccupied spaces between walls and ceilings. The spaces between walls and ceilings in a lightweight wood construction environment without a fire suppression system in place are a recipe for disaster.

Not only have you jeopardized the lives of the occupants of the building, but also the lives of your first responders. A sprinkler system with an adjustment of requiring sprinkler heads in those spaces would have certainly saved the Avalon complex in Edgewater from burning to the ground.

CONSTRUCTION UPGRADE REQUIRED

The Avalon fire in Edgewater is a prime example of why the use of the more extensive straight NFPA 13 code should be required in that type of construction. In addition to the NFPA 13 system, masonry fire walls every so many feet should be required to compartmentalize a fire.

Making the Difference

Many factors played a part in such a successful response to the fire.

1. Time of day.

The fire began at approximately 4:30 on a Wednesday afternoon. Most of the residents were hard-working families. Many were not home or just getting home from work when they were ordered to evacuate.

2. The quick response by our local firefighters and police.

They cleared and led the residents quickly out of the building—no easy task. That complex was as large as a city block with many hallways and floors to navigate.

3. The wind was never an impactful factor.

It was a cold, relatively calm night.



Mayor Michael McPartland and Governor Chris Christie talk about the recovery from the major fire.

Initiation by Fire

By requiring those two relatively small adjustments, first responders will be in a much better position to find and stop another destructive fire like the Avalon from happening. Using the less stringent R13 system makes no sense at all.

I believe we need to start looking at how to protect the lives of firefighters



Mayor Michael McPartland of Edgewater, County Executive Jim Tedesco, and fire chief Tom Jacobson speak to the media after the Avalon apartment building fire.

Working Together

During the Avalon fire, we had over 500 first responders from more than 35 municipalities respond to the call. I learned a lot about emergency response and how critical cooperation between agencies is during an event of that magnitude.

I'd like to mention how well everyone conducted themselves in a precise and professional manner, from Edgewater's fire Chief Tom Jacobson and all his men, to each and every fire company and emergency response team that showed up.

Although I was a newly appointed Mayor, with good people surrounding us, the Borough of Edgewater came through with flying colors. Edgewater's entire administration, councilman, and councilwomen manned the community and relief centers throughout the entire ordeal.

Our County Executive Jim Tedesco and his team of professionals stayed with us for days to ensure that every last detail was taken care of. Jim's expertise of being a former Mayor and fire chief was invaluable during those first few days.

Call

New Jersey One Call

3 Business Days Before Digging.

It's the Law.



Dial 811

or **1-800-272-1000**

Online > www.nj1-call.org



**Know what's below
Call before you dig**

and first responders, as well as property. The cost and adjustments are minor in comparison to the benefits of the stricter code. In addition, developers and property owners will surely benefit from more favorable insurance rates based on upgraded fire suppression systems.

Furthermore, we should encourage retrofitting existing multi-family, multi-story buildings that have the R13 system with sprinklers in the spaces between floors and ceilings.

A GOLD STANDARD Upon the one-year anniversary of the Avalon fire in Edgewater, a reporter asked me in retrospect if I would have done anything differently. Short of re-doing and upgrading the current fire code, I responded "no." I feel terrible for the residents who lost everything in the fire, but I am extremely proud of the way our town handled the situation.

Not only did the first responders do an incredible job, but the entire community came together and took care of their neighbors in need. Relief centers were mobilized almost immediately, food and supplies poured in from local businesses who wanted to help. Clothing, toiletries, utensils, you name it—the entire community came out to help their brothers and sisters.

I believe Senator Cory Booker said it best when describing the response from the community volunteers, "Edgewater has set the Gold Standard going forward on how a community should react in an emergency." 🍷

Does This Look Familiar?



We Can Help!

Frustrated with not finding the file or record you need?

NJ DORES requires certain municipal records to be kept permanently unless scanned. AccuScan will get your municipality registered and compliant with all NJ DORES and SRC requirements.

This permits destruction of the paper records. Microfilm is no longer required as a backup to scanning. This will reduce the cost of your project.

Benefits of Using AccuScan

- Instant retrieval, no more lost or misfiled documents
- Access control to all records based on user rights
- Compliance with state and federal regulations
- Cloud based storage available or store on your computer

ACCU SCAN

digital archival solutions

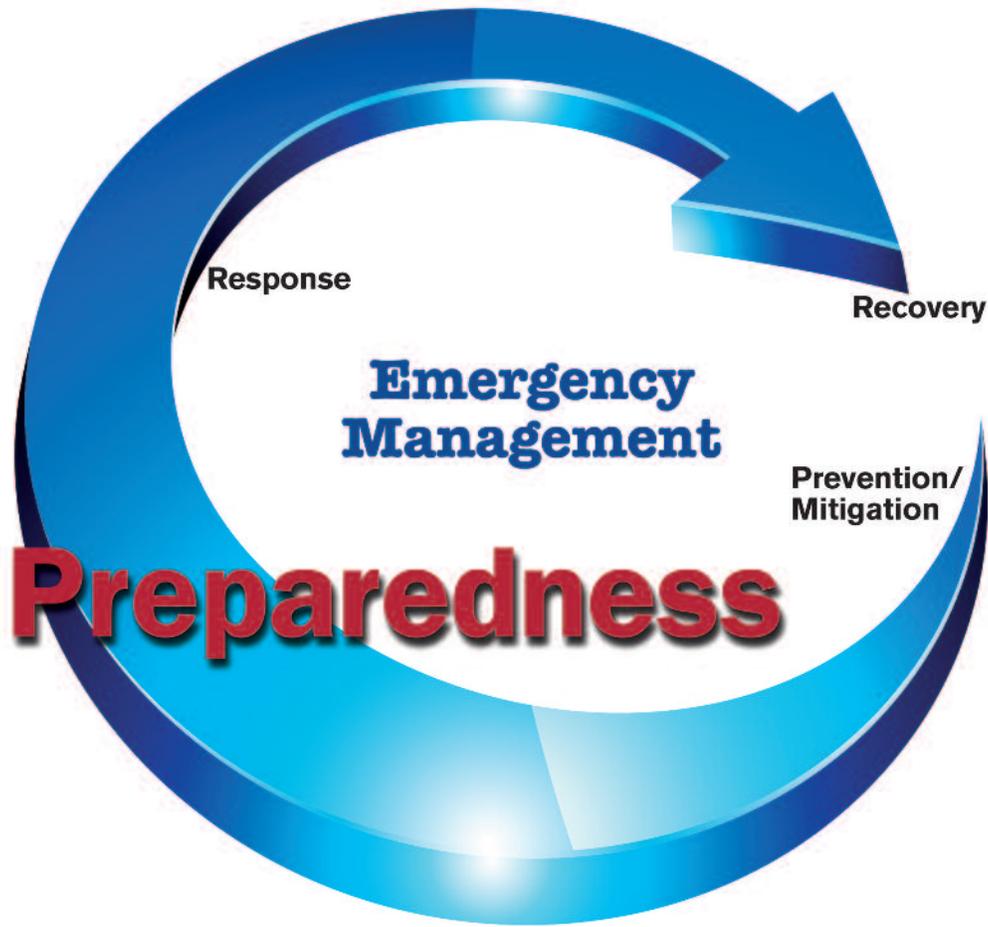
Experts in Scanning & Document Management

Personnel • Payroll • Police Records • Board Meeting Records
• Blueprints • Tax Maps • Building Permit Applications

609-386-6795 • www.GetAccuScan.com



MRESC State Approved Coop # 65MCESCPCS
Co-op # 65MCESCPCS RFP # MRESC 12/13-22
Bid Term: 7/1/12 - 6/30/17



Ready to Respond

Pre-establishing your relationships and communications for emergency management

By Howard Butt, Emergency Response Specialist, & Tpr I Thomas Walsh #6484, New Jersey State Police, Office of Emergency Management, Support Services Unit

In today's world, we have almost instant access to an expansive variety of news and information from around the world continuously available through our smartphones and other devices. We have up-to-the-minute updates and alerts about global hazards, emergencies, and disasters. Before information overload sets in, take a deep breath and take a look at your community at the local level. Consider that all disasters, no matter the size, begin and end at the local level, so now may be the perfect

time to make contact with the local individuals that will likely be most involved when the hazard occurs.

As you know, if the scope of the hazard is too great for your municipality to handle, methods are in place for you to receive assistance from the county, state, and eventually federal level. Now let's consider the large-scale event; the necessary outside resources will respond and give assistance, but eventually they will move on. When outside help is gone, the members of your community will still be there, and they will be the ones that will continue with the Recovery and Mitigation Phases of the Emergency Management Cycle.

PREPARING FOR THE CYCLE One of the most important things for a community leader to have is pre-established relationships with those individuals and organizations in your community playing key roles in the Emergency Management Process. When you are in the midst of a hectic experience, consider the benefit of calling a friend who is the fire chief by a cell phone number that you already have saved in your phone rather than returning to your office and looking up a number in your Emergency Operations Plan.

Next, consider how the residents of your community will receive emergency information. Consider beginning or improving a social media “relationship” with your community members.

The importance of relationships in Emergency Management is often an unrecognized essential aspect of the Preparedness Cycle. Use of relationships formed before the hazard and effective use of social media to assist you in getting proper information and alerts to your community members will benefit your community greatly. If you make the effort now, when your disaster occurs the citizens of your community will go directly to your social media sources rather than getting potentially wrong information elsewhere.

We encourage you to educate your residents to tune in, log-on, opt-in, like or follow local, county, state, and federal agencies for credible disaster-related information such as alerts and

warnings, situational awareness updates, and where to find help. Before the emergency occurs is the time to upgrade and improve your local municipality’s social media capabilities, applications, and alert systems.

The importance of relationships in Emergency Management is often an unrecognized essential aspect of the Preparedness Cycle.

A list of New Jersey’s County Offices of Emergency Management with social media and local alert systems links can be found on the New Jersey Office of Emergency Management website: ready.nj.gov.

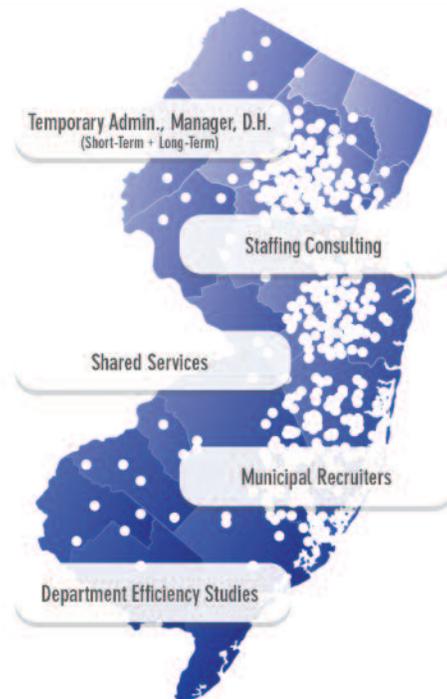
As community leaders, you may also want to express to your local residents that their personal connections and relationships do matter. Once residents complete household preparedness activities, encourage them to lend a hand to someone who may need assistance. One way to pitch in is to complete the

28 YEARS
300 TOWNS 1988-2016

JPM Jersey Professional Management

TOWN TEMPS N. JERSEY | **TOWN TEMPS S. JERSEY**

www.jerseyprofessionalmgt.com • 908-276-2777
email: dmason@jerseyprofessionalmgt.com



PLEASE SEND YOUR RESUME TO JPM@JERSEYPROFESSIONALMGT.COM TO JOIN THE JPM TEAM



Quick Reference Sheet: **EMERGENCY INFORMATION**

The New Jersey Office of Emergency Management recommends the following ways to stay informed about emergencies:

On the Web: Use credible websites to get information about natural hazards and emergency preparedness. The NJOEM works closely with the National Weather Service, the Federal Emergency Management Agency regarding forecasts and other important disaster news.

- National Weather Service NJ is covered by two different weather stations: Mount Holly, NJ, for most of the State and Upton, NY, for the NE part of the State. For Northeast NJ residents and commuters to/from New York City, please visit: weather.gov/okx/ For the rest of New Jersey please visit: weather.gov/phi/
- National Hurricane Center: nhc.noaa.gov/
- NJOEM: ready.nj.gov
- ReadyNJ Alerts & Updates Blog: readynj.wordpress.com
- NJ OHSP: njhomelandsecurity.gov
- Centers for Disease Control and Prevention (CDC) Emergency Preparedness Page: emergency.cdc.gov/
- Federal Emergency Management Agency: fema.gov

Social Media: Social media and other advanced communications technologies are used by NJOEM and by emergency managers statewide.

- NJOEM on Facebook: facebook.com/READYNEWJERSEY
- NJOEM on Instagram: instagram/ReadyNJ
- NJOEM on Twitter: twitter.com/ReadyNJ
- NJ State Police on Facebook: facebook.com/NewJerseyStatePolice
- NJ State Police on Instagram: instagram.com/NewJerseyStatePolice
- NJ State Police on Twitter: twitter.com/NJSP

Alerts: Mobile / Text (SMS) & Email

- **NIXLE:** Subscribe to the NJ State Police on Nixle Connect at local.nixle.com/new-jersey-state-police/ New Jersey residents can register to receive messages by sending a text message with their zip code to 888777 (data rates may apply depending on your plan). @ Online registration is also available at nixle.com
- **NJ Alert:** NJ Alert is a free, voluntary and confidential emergency alerting system that allows NJ Office of Emergency Management officials to send email or text messages to cell phones, and other email enabled devices during an emergency event. @ Sign up for NJ Alert by logging on to: njalert.gov
- **The Community Mobile Alert System (CMAS):** this nationwide system is now being used by the National Weather Service to transmit urgent weather info to your cell phone. A warning means the hazard is imminent; a watch means conditions are favorable for the hazard to occur. Your cell phone must be WEA (Wireless Emergency Alert) enabled to receive these messages.
- **NOAA Weather Radio:** is a nationwide network of radio stations broadcasting continuous weather information directly from the nearest National Weather Service Office. NOAA Weather Radio broadcasts official Weather Service warnings, watches, forecasts, and other hazard information 24 hours a day, 7 days a week. NOAA Weather Radios are typically inexpensive, readily available in stores and can often be programmed for your specific area. @ nws.noaa.gov/nwr/

Lending a Comforting Hand

Dealing with the deeper issues of disaster recovery

By Adrienne Fessler-Belli, Ph.D., LCSW, State Director,
New Jersey Department of Human Services
Division of Mental Health and Addiction Services
Disaster & Terrorism Branch

When disaster strikes, communities not only struggle with the impact of the physical damages left by the event, but also the corresponding emotional issues that surface. The extent of emotional consequences is often related to the scope and proximity of the disaster to the individuals affected. Loss of life, directly witnessing or experiencing the event, as well as loss of property, livelihoods, and routines may affect an individual's emotional response to the disaster as well as his or her ability to cope.

PSYCHOLOGICAL FIRST AID The Division of Mental Health and Addiction Services (DMHAS) within the New Jersey Department of Human Services, houses a highly specialized mental health Disaster and Terrorism Branch (DTB). The branch is responsible for administering as well as directly providing emergency response behavioral health programs to assist the citizens of New Jersey. The DTB is the federally recognized behavioral health authority designated to coordinate the behavioral health response to those individuals who are affected by the disaster, in collaboration with the NJ Office of Emergency Management (NJOEM).

Services available through the DTB include crisis counseling, psychological first aid, psycho-educational information focusing on disaster stress management, consultation, training and information and referral services

The branch oversees the Disaster Response Crisis Counselor (DRCC) program throughout the state providing ongoing, as well as on-demand, training for behavioral health and other human services professionals.

WHO IS HELPING?

The Disaster Response Crisis Counselor (DRCC) certification and training program furthers the state's capacity to address the psychosocial needs of communities in response to overwhelming emergencies. Through the DRCC program, the development of a trained workforce—more than 600 people—based on federally endorsed best practices enhances the capability of activating a timely and effective behavioral response.

The credentialing process consists of a series of steps including the application, the submission of references, and possible interviews. Participants are also required to attend designated training and to undergo fingerprinting and background checks.

For more information about the credentialing program, go to the DHS website:

state.nj.us/humanservices/dmhs/disaster/credentialing/

ENSURING AID DTB works closely with its federal partners following a declared disaster to help secure funding for disaster behavioral health services. The Substance Abuse Mental Health Services Administration (SAMHSA) and the Federal Emergency Management Agency (FEMA) provide states grant funding to help establish crisis counseling programs to support the behavioral health needs of communities affected by disasters.

An array of programs was developed to address the needs of populations affected by the Super Storm Sandy disasters, including a First Responder Resiliency Support Program to focus on the first responders and an outreach and community-based program, NJ Hope and Healing—a crisis counseling

program that focused on helping survivors understand their emotional reactions to disaster, develop coping skills, and get connected with needed community resources.

The NJ Hope and Healing crisis counseling program is a Neighbor Helping Neighbor model of outreach

In the years before Superstorm Sandy, the Disaster and Terrorism Branch responded to the emotional impact of numerous New Jersey events.

AFTER SANDY

The branch in conjunction with NJOEM, coordinated statewide efforts to help communities manage the emotional impact of Superstorm Sandy. Disaster Response Crisis Counselors (DRCCs) were deployed statewide to provide crisis counseling, concrete assistance, emotional support, activities for shelter occupants, (including young children and adolescents) as well as information and referral to other services.

As Disaster Recovery Centers were opened by FEMA, counselors were also sent to those locations to support the survivors and to provide information about the Crisis Counseling Program (CCP) and its helpline.

Once the storm passed and as roads became passable, counselors were deployed to the communities where residents were permitted to return to their homes.

The Power of Collaboration

**CYBER SECURITY:
A Major Challenge...A Major Opportunity**

Computers are powerful tools that provide us with essential information, but recent events demonstrate they are a target for cyber criminals and terrorists. All governments face this risk and must develop approaches to ensure the security of information they collect.

To address this challenge, MEL commissioned Rutgers University Bloustein Local Government Research Center to assess the risks facing local governments and develop tools to ensure the security of their information systems.

Marc Pfeiffer, Assistant Director of the Center, produced three essential documents now available on the Mel website – njmel.org:

- A **Leadership Summary** that provides an overview of the risks and the tools that should be developed – ideal for briefing elected officials regarding actions that should be taken to ensure the safety of their information systems
- A major study – **Managing Technology Risks Through Technological Proficiency** – that provides guidance on how to assess technology risk and apply the elements of technological proficiency.
- A **Supplemental Workbook** including a detailed examination of major risk areas, action plans to address them and a selection of best practices – essential guidance for governments to achieve technological proficiency and security.

These resources are the first step in an effort to provide the best tools, training and coverages for our members. Our plans include developing and offering a broad selection of online training, model policies and expert risk support.

The power of collaboration: working together to ensure the security of our communities.

**THE MUNICIPAL EXCESS LIABILITY
JOINT INSURANCE FUND**

Committed to safety as a way of life at the workplace and in your community

NJMEL.ORG

Lending a Comforting Hand

and emotional support. Clinical services are not provided, but linkages to these services are arranged when another level of help is needed. Four providers focusing on the 10 most impacted counties of Cape May, Atlantic, Ocean, Monmouth, Middlesex, Somerset, Union, Essex, Hudson, and Bergen were contracted through the NJ Division of Mental Health and Addiction Services.

These providers included Barnabas Institute for Prevention, Family Services in Newark, Family Association in Atlantic and Mental Health Association in NJ—over 200 counselors were hired. The referral process for NJ Hope and Healing was supported by a toll-free Mental Health helpline that provides warm transfers and direct linkages to services statewide.

HIT THE GROUND HELPING During the NJ Hope and Healing program, counselors became immersed in the communities they served and provided services that included: door-to-door canvassing, resource tables at different community locations such as shopping centers and churches, individual/group crisis counseling, educational presentations, and information and referral services.

Emphasis was placed on partnering



with local businesses such as restaurants displaying the NJ Hope & Healing phone number on customer receipts; going to diners and having tables where customers could meet with counselors for coffee and to chat. Walk-and-talk groups gave survivors a chance to meet new friends and be connected with neighbors while counselors provided stress management, problem solving, and referrals as appropriate.

Information tables were also set up at hardware stores and local supermarkets. Support groups were provided for families, children/adolescents, elderly, homeless, unemployed survivors, and persons receiving transitional sheltering assistance. Public education sessions were

presented at senior citizen centers, civic groups, and faith-based centers, town meetings and housing projects. Psycho-educational resources were provided at public locations such as libraries, hospitals, businesses and community events and gatherings. The NJ Hope & Healing program began October 2012 and ended February 2014, reaching out to more than 400,000 impacted NJ residents.

BEYOND SANDY In the years before Superstorm Sandy, the Disaster and Terrorism Branch responded to the emotional impact of numerous New Jersey events, such as Tropical Storm Irene, the Haitian Earthquake, and more local events such as a neighborhood gas explosion. Most recently, DTB partnered with the Emergency Medical Service and the American Red Cross to send counselors into South Jersey for any needs that arose during the Papal visit.

Prior to a disaster, the Branch can assist municipalities with building internal response capacities through its various training and technical assistance programs. The DTB offers training in Psychological First Aid and continuity of operations planning to interested community groups. 📍

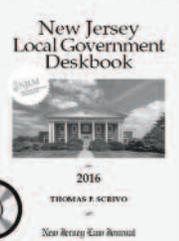
@ When a behavioral health need in response to a crisis or disaster is identified, municipal officials can access services through their County Mental Health Administrator or the State Director of the Disaster & Terrorism Branch, Adrienne Fessler-Belli at 609-777-0728 and via email at: Adrienne.fessler-belli@dhs.state.nj.us

NEW 2016 EDITION AVAILABLE NOW!

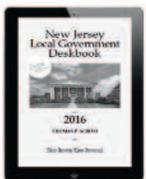
2016 New Jersey Local Government Deskbook

PUBLISHED IN COOPERATION WITH THE
NEW JERSEY LEAGUE OF MUNICIPALITIES

Thomas P Scrivo, Editor
Beth Hinsdale-Pillar and
Steven H Sholk, Contributors



2016
THOMAS P. SCRIVO
OF
New Jersey Law Journal



PAY to PLAY RULES on CD!

This year's edition includes extensive charts describing the pay-to-play rules at the state, county, and municipal levels.

New eBook!

Adobe® Digital Editions (pc and mac). The digital edition is in e-pub format, with thousands of hyperlinks to the full text of cases, statutes and other authoritative content. Your purchase today also includes this title in ePub format. The e-Book is viewable on Apple iPad or iPhone, SONY Reader, Barnes & Noble NOOK.

As a member benefit, save \$40.00 off our most current edition of the *New Jersey Local Government Deskbook*
Order online at www.lawcatalog.com/locgov
(Enter promotion code 466846 at checkout to receive your discount)

Phone: 1-800-756-8993
Email: regionaltitles@alm.com

New Jersey Law Journal
An ALM Publication

Groundbreaking projects.

We help make them happen.



McManimon, Scotland and Baumann, LLC is a law firm focused on New Jersey — serving both government and private sector clients — with an extensive history in public and structured finance and redevelopment law. Founded in 1971, the firm brings a unique ability to bridge the public and private sectors in order to realize groundbreaking projects.

MS&B McMANIMON • SCOTLAND • BAUMANN

Newark • Roseland • Trenton — (973) 622-1800 — www.msbnj.com



Helping End Human Trafficking

By James R. Barberio, Mayor, Township of Parsippany-Troy Hills

Human trafficking is a topic that is close to my heart, and one in which I hold personal interest. As the father of a 21 year-old daughter, and like most fathers, I worry about her safety. And as Mayor of Parsippany, I feel responsible for each and every child—and each and every person—within my municipality. Not being an authority on human trafficking, I have reached out to those who are experts in the field and using my position to spread awareness.

My position enables me to be regarded as a catalyst for change, and with my support, I hope to be able to partake in ending the horrific practice of human trafficking. I am also encouraging all mayors to play a leadership role in supporting opportunities for awareness of this crime. My goal may be considered ambitious, but I know there are things we can do to alert the public.

First of all, I think it is important to realize that human trafficking does not only occur in other parts of the world. It exists among us everywhere and the sooner we acknowledge that, the sooner we can start to make a difference.

I am grateful to the NJ Coalition Against Human Trafficking for bringing this important issue to my attention and for providing me the opportunity to support a much needed resolution. I also want to recognize the New Jersey State League of Municipalities for providing the platform on this subject.

At the League business meeting in November, a resolution was passed that I co-sponsored with Mayors David Mayer of Gloucester Township, Timothy Dougherty of Morristown, Barry Wright of Winslow Township, Joseph Pannullo of East Hanover, G. Douglas McWilliams of the Borough of Mountain Lakes, and James Dodd of Dover. When you realize that over 40 cases were reported in New Jersey as of March 2015 and that our state is listed as number seven in the country, you can understand our call to action.

Most victims are between the ages of 12 and 16. Usually obtained by kidnapping, they are forced into labor or sexual exploitation. Global human trafficking is equated with modern day slavery and is the second largest, and fastest-growing, organized crime in the world. With these statistics, it is fair to say that we must keep this epidemic from spreading.

I am proud that the State of New Jersey has instituted one of the toughest laws against Human Trafficking and highly

commend the work of the Attorney General's Office and the NJ Commission on Human Trafficking.

As mayors, we all have one thing in common: the need to protect our communities. I am asking you to stand with me and join in this arduous fight.

My position enables me to be regarded as a catalyst for change, and with my support, I hope to be able to partake in ending the horrific practice of human trafficking. I am also encouraging all mayors to play a leadership role in supporting opportunities for awareness of this crime.

Training our local law enforcement is paramount to success. Taking it one step further to educate students on the signs of trafficking and inform the community that we must end the practice of sex with minors will help pass along the idea that our children are not commodities to be toyed with. In addition, hotels and businesses should be trained to recognize the signs and report suspicious behavior. You know your communities well. You know what will work and what needs to be done to join the fight. Just remember that information and awareness are our most powerful tools.

I recommend that you use any means available to you to spread the word, whether by email messaging, Twitter, Facebook, or blogs. Be creative and hang posters in public buildings like post offices, libraries, hospitals, police departments, municipal buildings, and anywhere else you can conceive of. And let us remember the victims who have escaped their lives of horror by helping to provide support.

Individually, we cannot solve this problem, but together we can stand united. We must act now to strike back at this crime against human dignity and the criminals who benefit from it. Let us stand tall and be a shining example to all others by banding together with a full arsenal of ideas and implementation. ♣

The views expressed and the data presented by contributors are theirs and are not necessarily shared by the League.

WASHINGTON



Healthcare Back on the Radar Screen for Election Year

By Leonard Lance, U.S. Representative, District 7

The first order of business for the new session of the House of Representatives that started in January was laying the groundwork for significant improvement to our Nation's health care system. I supported an ObamaCare repeal package, the Restoring Americans' Healthcare Freedom Reconciliation Act, which is the first time a repeal plan has passed both the U.S. House and U.S. Senate and sets the stage for a new President to sign a new health care system into law in 2017.

Too often constituents come into my offices in New Jersey with stories of losing the doctors they know and trust, having plans that meet their personal health care needs cancelled with little explanation or seeing their premiums rise to unaffordable levels.

These many residents and countless other Americans across the country have demanded a plan that creates patient-centric solutions that lower health care costs, protect jobs, and allow patients to keep their doctors and their health care if they like them. And the House action effectively repeals mandates and taxes at the very heart of the law and saves taxpayers nearly one-half trillion dollars over the next decade according to the non-partisan Congressional Budget Office. These are major priorities of the American people and critical for the sustainability of our economy.

This action spurs a conversation. By putting a bill on the House Floor, the issue is back on the radar screen of presidential and federal candidates of both parties: what will each candidate do if elected and how will his or her plans enable people to gain coverage and keep it affordable?

And this discussion is relevant for municipal leaders. Health care costs are a major percentage of municipal budgets and that percentage is growing with no end in sight. With a statutory property tax cap and the political pressure to keep taxes level despite this growing health care cost municipal officials face a difficult annual calculus: raise taxes or cut services. But here is where Congress can play a role in easing the health care cost burden. By working to reverse the upward trend of health care costs we can potentially spare municipalities additional budget pressure by crafting a replacement plan that puts the

patient in charge and reduces health care costs and increases access to affordable, high-quality care.

Some elements for the baseline of a new plan would be the creation of Health Savings Accounts, Independent Health Pools and Association Health Plans that could deliver significant coverage options and economic incentives that will encourage people to purchase coverage—without the government mandated elements that many have found excessive and unaffordable. And this plan would create parity between the individual and large group markets and permit the purchase of insurance across state lines, which boosts competition and drives down costs. Americans should have the freedom to buy health insurance from any provider.

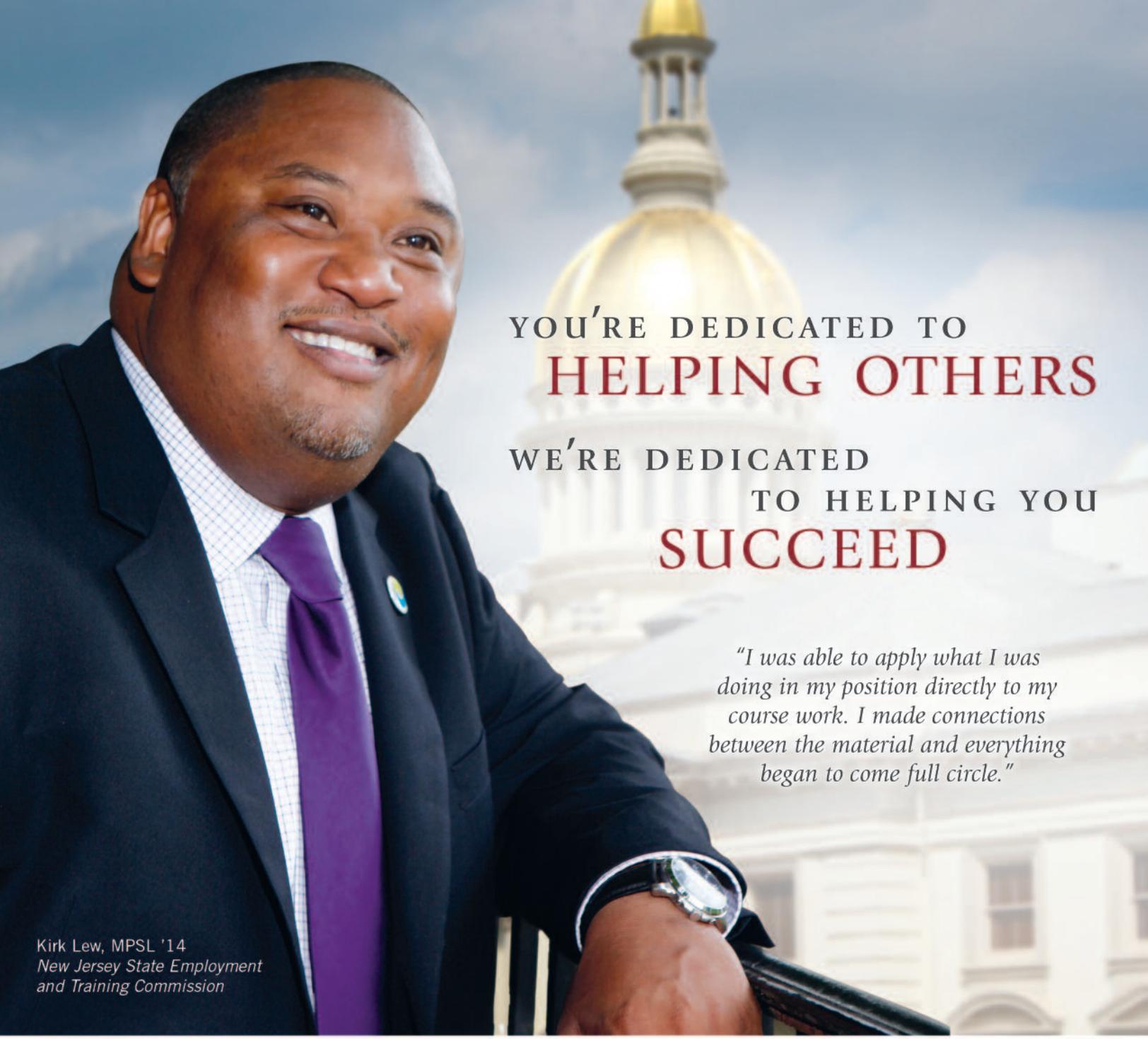
The cost savings for municipalities could be significant. Expanded, competitive markets would drive down costs across the board, resulting in savings for the municipal bottom line. Employees empowered by portable plans might be cheaper to carry on payrolls and some might opt in greater numbers for coverage offered to a spouse by a private employer. And stronger health savings plans could give greater peace-of-mind to retirees.

A meaningful replacement proposal must ensure no one can be denied coverage based on a pre-existing condition and enforce other strong consumer protections such as prohibiting insurance companies from imposing lifetime limits on consumers and ensuring that sick patients can renew their coverage. I also support providing a refundable tax credit for the most vulnerable consumers to buy health coverage or health care services of their choosing, which would encourage competition and steer these customers away from expensive insurance Washington forces them to buy. And dependents up to age 26 should be able to stay on their parents' plan.

To be clear, there is more work that needs to be done to make full repeal and replacement a reality, but our congressional efforts recently provide important momentum to help make that a reality in 2017 and give relief to municipal leaders across New Jersey and the Nation.

Congressman Leonard Lance represents New Jersey's Seventh Congressional District 🗳️

The views expressed and the data presented by contributors are theirs and are not necessarily shared by the League.



YOU'RE DEDICATED TO
HELPING OTHERS
 WE'RE DEDICATED
 TO HELPING YOU
SUCCEED

"I was able to apply what I was doing in my position directly to my course work. I made connections between the material and everything began to come full circle."

Kirk Lew, MPSL '14
 New Jersey State Employment
 and Training Commission

The **John S. Watson School of Public Service and Continuing Studies** offers flexible, online programs designed for working adults who are interested in professional and personal growth.

Undergraduate Degrees

- > Associate of Arts in Human Services
- > Bachelor of Science in Human Services
- > Bachelor of Science in Homeland Security

Continuing Studies

- > Graduate and Professional Certificates
- > Non-credit Courses and Programs

Graduate Degrees

- > Master of Public Service Leadership
- > Master of Science in Management
- > Master of Science in Homeland Security

LEARN MORE:

VISIT www.tesu.edu/watsonschool
 CALL (866) 637-4082



Getting Out from Underwater

A new tool for addressing foreclosures and preventing vacancies

By J. Christian Bollwage, Mayor, Elizabeth



According to the housing firm RealtyTrac, New Jersey became the state with the highest foreclosure rate in the country during the third quarter of 2015; with one out of every 171 housing units filing for foreclosure. New Jersey has consistently ranked among the highest states in distressed mortgages, foreclosures rates, houses left vacant because of foreclosure (“zombie homes”) and properties where more is owed on the home than their current market value (underwater).

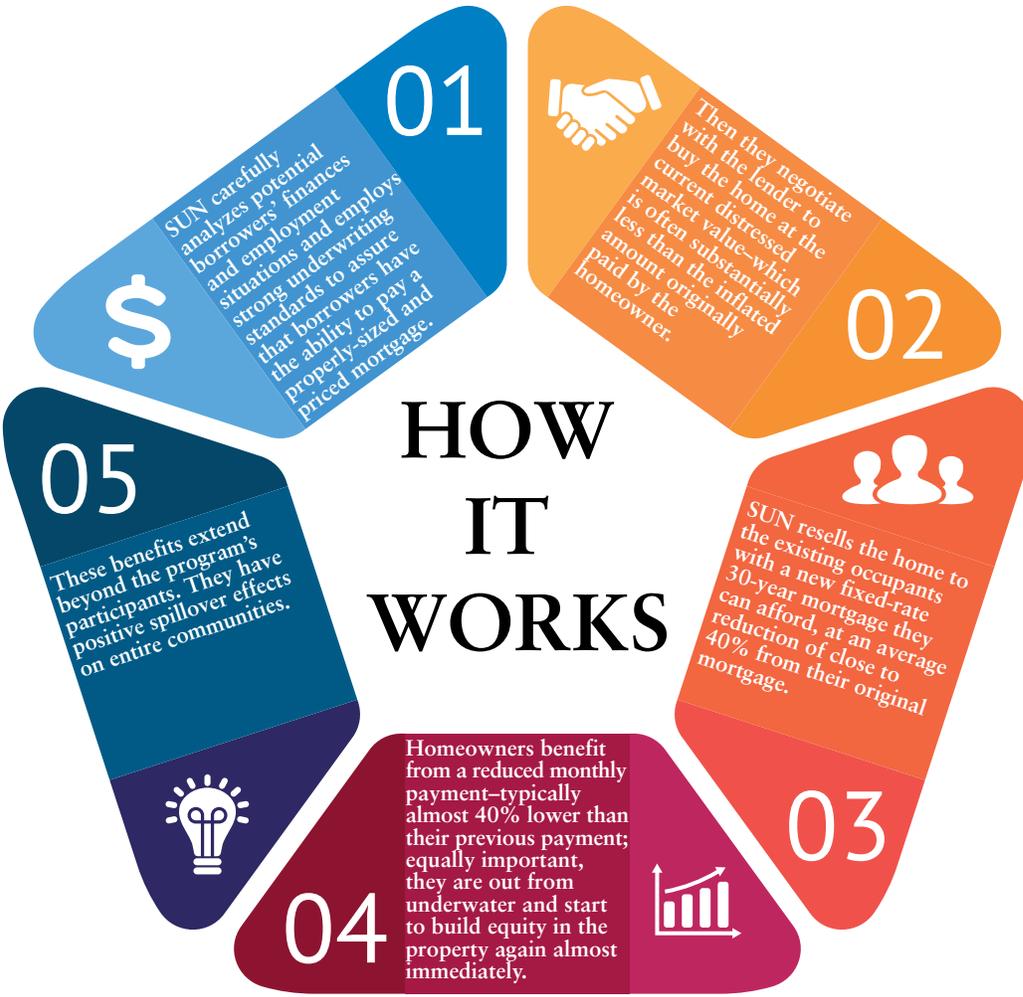
This is not a crisis specific to any one neighborhood, foreclosures and foreclosure-related vacancies impact communities across the Garden State. The effects can be significant, resulting in displaced families and lowered property values—threatening our working-class and middle-income neighborhoods.

Foreclosures—and the toll they take on our communities—matter to municipalities perhaps above all other levels of government. Municipalities’ daily work occurs street by street, block by block, house by house. Substantial amounts of

research indicate that a single foreclosed house can bring down the property values of the entire neighborhood.

Before a foreclosed house is auctioned off, it can sit empty and decaying, tarnishing the surrounding environment. In addition, foreclosed properties increase the supply of homes for sale, lowering the value of all of them. Finally, foreclosed houses are usually sold at significant discounts. All of this depresses property values in the vicinity and makes foreclosure a neighborhood-wide and city-wide problem.

HOW IT WORKS



FINDING SOLUTIONS While state and federal programs like HomeSaver and Making Home Affordable (MHA) offer some New Jersey residents needed relief, these programs have limited resources and/or eligibility requirements that place them out of the reach of many more homeowners facing foreclosure. Solutions must come from outside government, as well.

That is why, as Mayor of Elizabeth, I was interested to learn about Boston Community Capital's (BCC) groundbreaking foreclosure relief effort, the SUN Initiative, and to partner with the national nonprofit organization in bringing this innovative program to homeowners in New Jersey. SUN has the potential to keep vulnerable families all over the Garden State in their homes, getting them out from underwater with a new fixed-rate mortgage at their homes' current market value, helping them

Broad experience, custom tailored to your legal needs



Legal representation isn't one size fits all. Your individual situation deserves personalized attention from the attorney best suited to your case. Call us today for your custom fitting.



DiFrancescoBateman
Tailor-made representation

DIFRANCESCO, BATEMAN, KUNZMAN, DAVIS, LEHRER & FLAUM, P.C.

Attorneys at Law | 15 Mountain Boulevard, Warren, New Jersey 07059

Phone: (908) 757-7800 Fax: (908) 757-8039 Web: www.dbnjlaw.com Blog: www.dbnjlawblog.com

Out from Underwater

maintain the pride of homeownership that is so essential to the American dream.

Without programs like SUN, many families facing foreclosure are stuck. They cannot sell their home because its value has fallen sharply since the housing crisis and it is now worth less than they owe. And yet many homeowners

Before a foreclosed house is auctioned off, it can sit empty and decaying, tarnishing the surrounding environment.

facing foreclosure have stable incomes sufficient to support a mortgage at their home's current value.

BCC gives these homeowners with a second chance—providing homeowners with stable incomes with an opportunity to stay in their home and responsibly pay an affordable mortgage that reflects the current fair market value of their property.

Since launching the program in late 2009, SUN has helped more than 600 families remain in their homes in Massachusetts, Illinois, Maryland, and Rhode Island. It has provided over \$100 million in mortgage financing for over 460 properties. Borrowers' original outstanding mortgage principal has been reduced in the aggregate by nearly \$50 million.

The results can be transformative. SUN prevents families from being displaced and protects neighborhoods from the destabilizing effects of vacancy and abandonment. Already more than 100 New Jersey families have applied to be SUN participants.

NO COST TO MUNICIPALITIES SUN has another feature particularly attractive to mayors working in municipalities with tight budgets: it doesn't cost us—or our constituents—a cent.

The foreclosure crisis is devastating to local governments precisely because it's a downward spiral—the worse the crisis, the less revenue available from property taxes that's available to address the crisis. But SUN is using the traditional tools of the financial world and turning them on their head. It is financed primarily through foundations and private investors, not governments.

SUN does not operate alone. The firm is looking to partner with municipalities across the Garden State to get the word out to homeowners who may be eligible to apply for the program. In Elizabeth, they provided us with templates for homeowner mailings and joined us for a town hall-style meeting to connect homeowners facing foreclosure with housing counseling resources.

They followed up with homeowners, and worked with staff in our housing and economic development departments to keep individuals from falling through the cracks.

This is not a program that can work for everyone, because having a stable income is a prerequisite to being approved for the program. Applicants must also show they fell behind on payments because they had a predatory loan or experienced a demonstrable hardship, such as an illness or job loss. But it can be a powerful part of a municipality's package of options for educating and assisting homeowners in danger of foreclosure.

Every single family that remains in their home is a family that broadens the tax base and eases the burden on our social services. And it's a family that has a better shot at the American dream.

Here in New Jersey, we need to do everything we can to ensure our citizens realize that dream. ♣

J. Christian Bollwage has been mayor of Elizabeth since 1992.



For more information visit bostoncommunitycapital.org/foreclosure-relief

Great News! T.M. Fitzgerald has been awarded a contract with the Middlesex Regional Educational Services Commission (MRESC) - eliminating the need for bids!

This No Cost Membership eliminates the need for bids - the work has already been done for you. Joining ensures that you receive the best possible price and the quality *TRIPLECAN®* you've come to expect from T.M. Fitzgerald.

Municipality advantages for a FREE MRESC membership include:

- Set Contract Pricing
- No need to go out to bid
- Free and simple to join
- Reliable TMF Service

#65MCECCPS NJ State Approved Co-op • Contract #MRESC 15/16-25
Contract term: 8/1/2015 - 7/31/2016 • MRESC website: www.mresc.k12.nj.us



850 WEST CHESTER PIKE, SUITE 200
HAVERTOWN, PA 19083-4442
Toll Free: 888-795-0660 • Direct: 610-853-2008 • Fax: 610-789-5168
Visit Us Online: www.tmfitzgerald.com

The SUN Initiative helps foreclosed homeowners repurchase their homes with fixed-rate mortgages that they can afford.



Operated by a nonprofit organization with a 30 year track record of investing in housing and community development, SUN has provided over **\$100 million** in mortgage financing to prevent the eviction of over **600 families**. *The Washington Post* called SUN **“a model to save foreclosed homes.”** Former Federal Reserve Chairman Ben Bernanke called the program **“an innovative strategy to prevent occupied homes from becoming vacant and creating a strain on the community.”** On average, SUN homeowners have saved over **\$900** per month or over **\$11,000** per year, reducing their principal balances by close to **40%** on average. There's no fee to apply.

SUN is now accepting applications from homeowners in New Jersey. To set up a briefing for your staff on the SUN program or to arrange a workshop for homeowners in your community, contact Sandy Bodner at sbodner@bostoncommunitycapital.org.

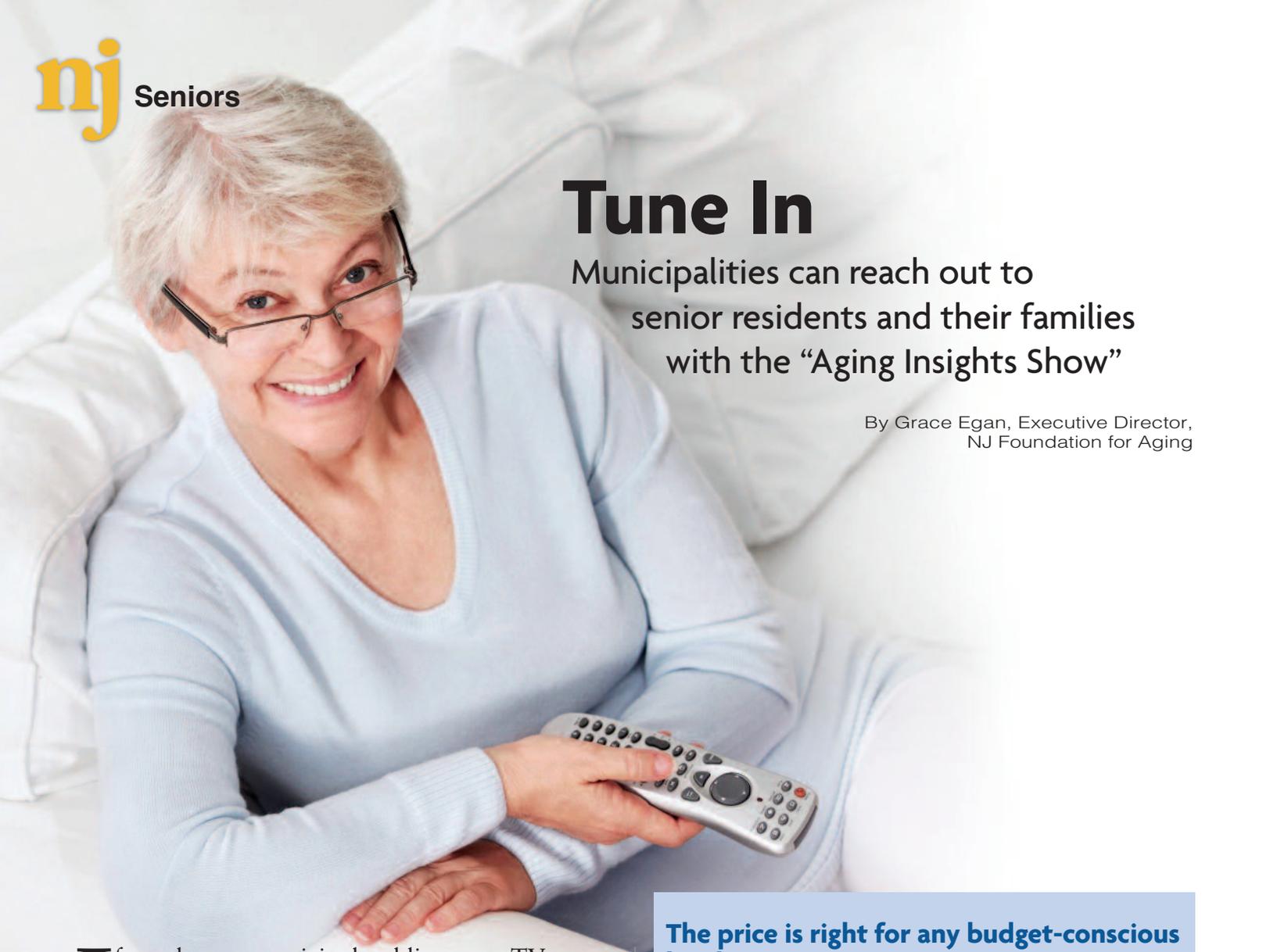
Mortgage loans are made by Aura Mortgage Advisors LLC, an affiliate of Boston Community Capital. Aura is a licensed mortgage lender (NMLS #23467).



Tune In

Municipalities can reach out to senior residents and their families with the “Aging Insights Show”

By Grace Egan, Executive Director,
NJ Foundation for Aging



If you have a municipal public access TV station, the NJ Foundation for Aging has free programming content available for broadcast.

A public charity whose mission is to enable NJ seniors to live with independence and dignity in their communities, the NJ Foundation for Aging (NJFA) focuses on independence and dignity as a universal aspiration that we all want, regardless of age.

In production from 2011, NJFA tapes its programs with the assistance of the crew at the Piscataway Township TV Station. Featuring a 30-minute interview format TV program, the programming goal of the Aging Insights Show is to promote engagement like volunteering, as well as to foster an awareness of public benefit services such as Social Security, prescription, food, and creative arts programs.

NJFA has produced and broadcast over 50 monthly programs since the cameras started rolling. Each Aging Insights program usually features two guests along with NJFA's Executive Director, Grace Egan or the Deputy Director, Melissa Chalker moderating the conversation. The topics covered have included, but are not limited to: fitness, oral health, Medicare, healthy lifestyles, utility assistance, and tax relief.

The price is right for any budget-conscious local government: The Aging Insights Show is free with no commercials and no sales promotions!

The programs are available free by getting the content digitally through Jersey Access Group or PegTV. If municipalities opt for a monthly DVD the charge is \$12/year to cover annual mailing fees.

FREE CONTENT At the moment, Aging Insights has more than 60 broadcast outlets. These include 10 Cablevision channels and 50 other outlets across the Garden State, as towns and institutions like Montclair, Fairlawn, East Brunswick, Stockton University, Long Branch, Paterson, Princeton, Summit, and North Brunswick broadcast the monthly shows.

Local broadcast times for the Aging Insight Show vary—some stations air the program once a day, twice a day, twice a week, or once a week. Over the years, the programs have been a consistent item on municipalities' daily programming, and our records indicate that each program is broadcast more than 300 times a month.

The programs are also available on YouTube and on NJFA's website, njfoundationforaging.org/aging-insights



7th Annual Government Technology Education Conference

Thursday, April 7, 2016



KEYNOTE PRESENTATION:

Libby Spears, "Talkin' Bout My Generation." Libby Spears, educator, management consultant and game changer will talk about one of the most important issues we face today. **Learn about the four generations in the workplace today and the management issues this can cause.** Step away from the finger pointing and trash talking to find common ground. Learn the strengths of each generation, where the similarities are and techniques for working with each other when our differences cause sparks.



NJ GMIS's annual Technology Education Conference is **April 7, 2016 at The Palace, in Somerset, New Jersey.** The TEC is the state's **only conference** for New Jersey municipal, county, K-12 school, and local authority technologists.

ATTEND for the 17 wide-ranging sessions with something for all public sector technology managers and users. This year's programs are expected to include: **IT security, management skills, social media policy, public communications, policing and body-worn cameras, wireless system management,** and most importantly; the opportunity to **network and learn from each other** and a wide range of **specialized IT vendors.**

NJ GMIS is an association of New Jersey public sector technology leaders. We provide technology management networking and professional development activities to enhance coordination among municipal, county K-12 boards of education, and local authorities.

Last year's event saw almost 200 attendees, 17 educational forums and 42 vendors, providing many learning and networking opportunities. This year, we are applying for four contact-hours of IT CEUs approved by the Division of Local Government Services!

To Register & For More Information: WEBSITE: www.njgmis.org | EMAIL: info@njgmis.org



NJFA Executive Director Grace Egan (back) with (left to right) Cathleen Lewis, Regional Director of Public Affairs and Government Relations, AAA New Jersey Automobile Club (and Mayor of Lawrenceville) and Beth Roland, an Occupational Therapist and a Certified Driving Rehabilitation Specialist for an episode about Driver Fitness.

At this point we are interested in building upon the positive feedback that we receive about the show and we are actively seeking more public access outlets.



NJFA Deputy Director Melissa Chalker (back) spoke with (from left to right) Mike Garamella, Executive Director of the NJ Senior Olympics, as well as the co-chairs, Frank St. Marie and Pat Trombetta about the NJ Senior Olympics.

The show does not sell any products, opting instead to offer the contact numbers to public benefit programs featured on the show. 📞

@ To find out how to get in the know with Aging Insights contact us at office@njfoundationforaging.org or call 609-421-0206. You can also sample any of the shows listed below by going to You Tube or to our website.

All these shows may be viewed in their entirety at the NJFA's website, njfoundationforaging.org/aging-insights.

Useful Topics Covered

Program topics have included:

- Investigating Financial Exploitation, January 2015
- Elder Economics and Housing, February 2015
- Assistive Devices & Home Modifications, March 2015
- Driver Fitness, April 2015
- Stay Active- Volunteer!, May 2015
- Defining Senior Services, June 2015
- Stress and Happiness, July 2015
- Senior Olympics, August 2015
- Social Security Boot Camp, September 2015
- Medicare, October 2015
- Open Enrollment & Medicare Fraud, November 2015
- Senior Corps, December 2015

Remember the goal of the TV programs is to connect caregivers, boomers and seniors with community programs that promote aging well.

FIRST
MCO

THE SINGLE SOURCE FOR ALL YOUR MEDICAL MANAGEMENT NEEDS

First MCO directs care in the Workers' Compensation arena. We have developed and maintained our own proprietary network, enabling us to control healthcare costs, without compromising quality patient care.

- Intake and Triage
- Case Management – URAC Certified
- National Medical Bill Review
- Network Access
- Technology Solutions

CORPORATE OFFICE:
119 Littleton Road | Parsippany, NJ 07054
(973) 257-5200 | www.firstmco.com



**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.



Proven. Trusted. Smart.

Breaking Bag

Leading the way in raising awareness of single-use bags

By Nick Russo, Ed.D, Mayor, Longport



Recently, the Borough of Longport, a picturesque seashore town, became the first municipality in New Jersey to enact a carryout bag fee on all single-use bags. The fee applies to both plastic and paper single-use bags, but its primary goal is to raise awareness of single-use, thin plastic film bags.

A seashore community needs to be especially aware of how we safeguard our environment. It is not even debatable that these non-biodegradable bags are often found littering the borough's beaches and clogging our storm drains.

Twice a year, Longport participates in a beach cleanup organized by Clean Ocean Action with volunteers from all over the community. These beach sweeps inventory what is collected. Single-use plastic bags are consistently within the top 10 items collected. Not only are they blowing around as loose trash and ending up in storm drains, but they are also washing up on shore from the ocean. Cleanups are held once in April and October and a similar amount of plastic bags are collected at both events. And the clean up after the stormy winter months is evidence that these bags are ending up in our oceans.

Environmental experts provide evidence, via post mortem results, that plastics are ending up in our food chain as marine life ingests these particles. I believe coastal communities, in

particular, have an increased responsibility to be vigilant stewards of the environment.

Given the problem, we were tasked with a legal question: Can a municipality reduce single-use plastic bag usage through an ordinance?

It had never been done in NJ before.

Raising Awareness Through Education Members of Longport's environmental committee, Sustainable Longport, Sustainable Downbeach, and the Surfrider Foundation South Jersey Chapter suggested several steps. Those included an educational campaign that involved reusable bag pledges, an environmental message encouraging the use of reusable bags is given with the purchase of all beach badges and an outdoor movie screening of the award-winning documentary film *BagIt*.

Finally, members of the combined team approached our local businesses to begin discussions regarding a single-use carryout bag fee ordinance. In general, the local businesses affected by the would-be ordinance were receptive to the idea.

LEADERS IN ENVIRONMENTAL AND REDEVELOPMENT LAW, LITIGATION & NOW *CLIMATE CHANGE RESILIENCY*

Recognizing the ever-increasing challenges that our local government entities face as the result of extreme climate forces affecting public health, safety and the environment, Maraziti Falcon, LLP has developed a practice area devoted to assisting our clients to increase resiliency and strategically plan for a changing climate.

Extreme weather conditions and excessive regional, local and coastal flooding and storm surges threaten infrastructure, transportation and our clients' ability to protect assets, resulting in a need to adapt governance to meet these challenges and revise existing policies and ordinances to better protect against the adverse effects of these life-altering events.

This practice area complements Maraziti Falcon's existing practice devoted to the counseling of public and private entities regarding environmental, redevelopment, land use law, government, construction law and litigation.



*Environmental and Redevelopment Law,
Litigation & Climate Change Resiliency*

150 JOHN F. KENNEDY PARKWAY, SHORT HILLS, NEW JERSEY 07078
(973) 912-9008 • FAX (973) 912-9007 • WWW.MFHLAW.COM

A New Jersey First Our solicitor's research required him to look outside of New Jersey to California, New York City, Washington, DC, Austin, TX, and Boulder, CO. Longport's ordinance places a 10-cent fee on any single-use carryout bag provided by a retailer. The retailer keeps the additional monies charged for the bag. It is simply a charge on bags if you choose to use them. If you choose not to use the bag or bring your own bag, there is no charge.

New Jersey's 565 municipalities all have the ability to raise awareness and reduce the use of single-use carryout bags.

This fee is not meant to be punitive. It is a means of raising awareness.

In addition, since the retailer keeps the fee, it is in no way a tax. Longport felt this was important component to reducing potential litigation from opposition

MEASURING IMPACT

The ordinance also calls for a report to follow a year after implementation to gauge the impact of the new law. Benchmarking tools include: measuring the amount of carryout bags in residential waste and recycling streams, and those identified as litter on streets and sidewalks; the amount of carryout bags found in city storm drains; the number of warnings or notices of violations issued; as well as any estimated cost savings for the city attributed to carryout bag reduction such as reduced contamination of the residential recycling stream or reduction in flooding or combined sewer overflows.

Since raising awareness is the main focus of the ordinance, the new law also establishes an outreach and education program to help inform the community of the need to reduce the use of single-use bags and the need to increase the use of reusable bags. The community needs to understand that single-use bags are a serious problem. When plastic bags clog our storm drains and damage pumping equipment, or jam beach rakes, it costs money. And this repetitive process is funded by tax dollars.

groups. The ordinance was passed unanimously on November 20, 2015.

Opposition to the Ordinance Not all welcomed the change. The NJ Retail Merchants Association and the NJ Food Council voiced concerns over the passage of the ordinance.

In particular the NJ Retail Merchants Association requested that we vote "no" on the ordinance, noting: "Since we do not believe the municipality has the authority to implement such a tax, once

we receive the ordinance our general counsel will be immediately reviewing it."

Borough Solicitor Pat Agnellini opined the municipality had the power to enact the ordinance. Agnellini explained that the ordinance in question was within our right as a municipal governing body to adopt. He cited the Home Rule Act of 1917 (NJSA 40:42 et seq) which provides for New Jersey municipalities the, "fullest and most complete powers possible over the internal affairs of such municipalities for local self-government."

Leading the Way Longport's ordinance alone will not save our oceans, but it can be the spark for other municipalities to take similar steps. According to the US Environmental Protection Agency, an estimated 700,000 tons of plastic bags, sacks and wraps are produced in the U.S. on an annual basis. Of this, less than five percent is recycled.

New Jersey's 565 municipalities all have the ability to raise awareness and reduce the use of single-use carryout bags. We are hoping that by being the first to legislate action on this important issue, other NJ municipalities will be encouraged to do the same since trash accumulation knows no political or geographical boundaries. ♻️

Mayor Russo is a retired NJ Division of Criminal Justice State Investigator and has been a member of the University of Phoenix faculty since 2007.

ENVIRONMENTAL HEALTH SAFETY
CPR DOT EPA OSHA

TRI-STATE SAFETY SOLUTIONS, LLC
CONSULTING | LOSS CONTROL | TRAINING
P: 732-551-3833
www.tsss-nj.com

Heavy Equipment On-site / Hands-on Training

Aerial Lift | Backhoes | Dozers | Excavators | Forklift | Graders | Loaders | Skid Steers

visit our website for a full list of services

Proud Veteran Owned Business

Now available to New Jersey's municipal employees



Discover *extraordinary* value in auto insurance.

NJM has been providing award-winning service, great rates and legendary dividends for nearly 100 years.

Why not join our family of policyholders?

Start your NJM and receive a new customer discount.

**Get a quote now at
NJMmunicipal.com
or call 1-844-804-6897**

Coverages and discounts are subject to policy terms; limits, exclusions and deductibles apply. Applicants must meet membership eligibility requirements, which can be found at www.njm.com. Coverage provided and underwritten by NJM Insurance Company and its affiliates: 301 Sullivan Way, West Trenton, NJ 08628.

NJM Auto
Insurance

Part of the Solution

Working together to rebuild trust in the government

This article is based on remarks made by Lt. Governor Kim Guadagno at the 100th League of Municipalities Conference.



Lt. Governor Kim Guadagno addresses the League Luncheon at the 100th Annual League of Municipalities Conference in Atlantic City on November 19, 2015.

To start, let me congratulate you on your 100th anniversary.

Last year, when I addressed this group, I spoke about the need to work together to confront problems and develop solutions. It would be easy—and predictable—to repeat that message.

THE PROBLEM IS US But I can't in all honesty talk about what needs to happen in Trenton without addressing the cause of inaction this year—and that is us.

Ask New Jersey residents “what problems do you want government to solve?” and you'll get answers all over the map, though you'll also get a general consensus on things that all of us have heard before: property tax relief being number one.

Gallup recently asked a slightly different question, open-ended question, meaning there was no list to choose from. Gallup asked: “What do you think is the biggest problem facing America today?”

Unsurprisingly, terrorism, race relations, immigration, and healthcare made the list, as did jobs and the economy, which tied for second place. But the biggest problem? Us. Americans told Gallup that government is the biggest problem facing America.

If we are honest with ourselves, we know we don't need Gallup to tell us that. And we don't really need anyone to tell us why. Year after year, election cycle after election cycle, when we don't fix the problems we promised to fix, instead, we blame the other side. “They kept us from getting it done.” Finger pointing is NOT what our people want. They want us to lead.

NEW JERSEY DATA BOOK

Get to Know New Jersey.

565 Municipalities. 1 Source of Data.

The most comprehensive online source of official, current statistics and information about New Jersey, the *New Jersey Data Book* is a searchable database, more than just a list of resources or weblinks. The *New Jersey Data Book* includes statistics on New Jersey's 565 municipalities, as well as its counties, schools, elections, and people.

- Search 30+ years of data.
- Compare data within counties and municipalities.
- View data trends across multiple years.
- Create a profile of an individual municipality.
- Download data in spreadsheets for use in research.



Data Sets Include:

Area/Density
Population
Poverty
Crime
Employment

Housing
Fiscal Resources
Government Expenditures
Property Tax Burden

Voters & Turnout
Election Results
Forms of Government
School Data

For more information and to register for a free account, visit

njdatatbook.rutgers.edu

RUTGERS
Continuing Studies

*The New Jersey Data Book is provided
as a free public service by the*

**Rutgers University Center for
Government Services**

*Center for Government Services • Rutgers, the State University of New Jersey • 303 George Street, Suite 604 •
New Brunswick, NJ 08901 • 732-932-3640 ext. 637 • njdatatbook@docs.rutgers.edu*

Part of the Solution

For working families throughout this state, politicians' perceived arrogance is one of the most frustrating things about "us." We not only believe we know what the problems are, we believe that only our own solutions are the right ones. Some of us have come to believe that holding a government office is akin

to being a corporate C-Suite executive. We believe we know better than the people who elected us to do what they wanted us to do.

We have forgotten that a political BOSS is not someone with a Super PAC. Our bosses are those who walk into the voting booth. Our bosses are those who

put us in office to do their work. Our bosses are the working families of New Jersey who, frankly, pay our salaries.

To be blunt, when did public service become self service? A little humility will help us to reframe our mission, and reframe our role. And begin to rebuild the trust of the people who no longer believe in government—in us.

So how do we begin?

A NEW APPROACH While we have done much together on really big, tough issues, we've similarly spent years getting nowhere because of partisan warfare over big, ideologically based solutions. We need a new understanding of what we're up against. And we need a new approach that reflects that understanding.

Rather than continue to fight over things we won't ever see eye to eye on. Let's set those aside those for now. Let's look for those things we DO agree on and fix them—even if that means at first to be nibbling around the edges. Or even if that means some of us have to eat a little humble pie.

You can dismantle a brick wall with a wrecking ball or you can dismantle it brick by brick. A wrecking ball is powerful and dramatic, but our work—the peoples' work—doesn't have to be a demolition derby to be effective... and the importance of our work shouldn't be measured by optics or by whether it is covered above the fold on the front page of the paper. We need to rebuild trust in government, and that takes time and patience.

We tend to think in terms of optics and media coverage because we're focused on ourselves—and our re-elections. Our focus instead should be our boss—those who elected us in the first place.

AN EASY ONE So let's start there, with an issue we know the voters agree on and we can agree on as well: term limits. Let's show the people of NJ we know we work for them.

1. Term Limits. Setting terms limits accomplishes at least two important goals: Term limits create an urgency to get things done quickly, while we still

When researching grants, visit NJLM's *Grant Resource Center* njslom.org/grants



One of the most critical challenges facing municipalities today is finding the resources needed to operate without raising taxes.

There are thousands of funding opportunities in the grant making world, but you need to find them first!

NJLM's online Grants Resource Center provides:

- Direct links to open opportunities
 - Grant News
 - Tips and tools
- New articles featured monthly

NJLM has also teamed up with Triad Associates to provide a free curbside consulting service to members, and GrantStation to offer discounted memberships to access GrantStation's funding databases.



New Jersey State League of Municipalities

Call Taran Samhammer
at (609) 695-3481 extension 124
or visit njslom.org/grants

WARSHAUER

19  54

Electric Supply

STATE OF NJ CONTRACT HOLDER

T-NUMBER: T2732 STATE VENDOR NUMBER: 221821514

GSA CONTRACT HOLDER

CONTRACT NUMBER: GS-07F-179CA DUNS NUMBER: 011691573

QUALIFIED SMALL BUSINESS

Parsippany · New Brunswick · Tinton Falls · Lakewood · Little Egg Harbor

SALES. WARRANTY. MAINTENANCE. SERVICE. PARTS. RENTALS.



  PORTABLE GENERATORS



  RESIDENTIAL, COMMERCIAL & INDUSTRIAL GENERATORS



  MOBILE GENERATOR & LIGHT TOWER SALES/RENTALS



MORE VALUE ADDED SOLUTIONS



COMMERCIAL LIGHTING

- DESIGN / BUILD
- PLANS / SPECS
- INTERIOR LIGHTING
- EXTERIOR LIGHTING
- SITE LIGHTING
- LIGHTING CONTROL



ENERGY AUDITS

- ON-SITE EVALUATIONS
- LIGHTING LAYOUT & DESIGN
- R.O.I. ANALYSIS REPORTS
- TURN-KEY SOLUTIONS
- REBATE PAPERWORK ASSISTANCE



SWITCHGEAR

- METER STACKS
- PANELBOARDS
- SWITCHBOARDS
- MOTOR CONTROL CENTERS
- BUSWAY
- TRANSFER SWITCHES



At the League Conference, Assistant Executive Director Mike Cerra, Executive Director, Michael J. Darcy, CAE, Lt. Governor Kim Guadagno, and NJLM President, Mayor Joseph Tempesta, Jr.

Rather than continue to fight over things we won't ever see eye to eye on. Let's set those aside those for now. Let's look for those things we DO agree on and fix them—even if that means at first to be nibbling around the edges. Or even if that means some of us have to eat a little humble pie.

hold office. (It actually gives us more time to do so because we won't spend so much of our time trying to be re-elected.)

Second, setting terms limits will go a long way to convince the people we

really do recognize that their needs are key. We know the people want us to get things done. No one wants a mayor for life or a senator for life any more than they want a president-for-life or a governor for life.

I know that setting terms limits asks you to vote against your own interests, but we can get this done—the same way we barred dual office holding a few years back, by agreeing that doing something simple and consistent with the public's interest is more important than our own.

We can apply the same “brick by brick” approach to many things. That's the least we could do for the voters. Give them hope that our government can and will be better tomorrow than it is today. And with that, we begin to rebuild their trust.

Pension, sick pay, fair school funding, property taxes, the list is endless. When we start with where we agree and then act, we will quickly send a message that we can find common ground, and, with

that, each successive decision rebuilds the people's trust.

2. Pensions. Another example. The Pension problem is not only enormous, it's incredibly complex. We've been fighting about it for years. And we need to go big to solve the problem once and for all. Part of that means stopping the fighting and doing something we all agree on: put an end to state employees collecting multiple state pensions going forward.

It is the right thing to do—40 of America's 50 states outlaw an office holder from receiving two public pensions. What is so special about New Jersey that we cannot end it?

Paying multiple pensions costs taxpayers millions of dollars per year now. Let's agree not to add any additional burden to the hard-working families of New Jersey going forward. Grandfather and move on. Let's not wait. Let's rebuild trust. Let's lead.

While we are on the subject of pensions, why not at least fix the overall

GEBHARDT & KIEFER, P.C.

LAW OFFICES

~ Founded 1884 ~

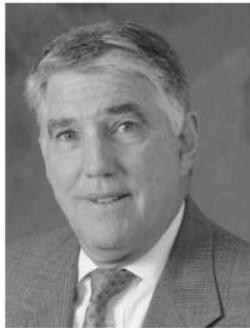
F



**A FIRM WITH OVER 50 YEARS OF
MUNICIPAL LAW EXPERIENCE.**



Richard Dieterly



Richard Cushing



Leslie Parikh



Tara St. Angelo

Representing public entities and public officials as municipal attorneys and special counsel in civil rights discrimination, police, tax appeal, labor, land use and other complex municipal matters.

(908) 735-5161

1318 Route 31, P.O. Box 4001
Clinton, NJ 08809

www.gklegal.com

Somerset County Office
by appointment

problem going forward by moving NEW hires into a sustainable plan? Now.

3. Sick pay. Next. Sick pay. Everyone agrees that the State and you who are responsible for balancing your local budgets, can no longer afford a broken sick pay policy.

Unused sick days shouldn't be part of any public employee's retirement plan.

Today we can bank sick days over a lifetime of service, then get a lump sum for those days at current wage levels—a boat check. There's not a mayor in this room I bet who hasn't shook his head at the retirement of an employee with 100s of 1,000s of dollars in accumulated sick time. That is absolutely unsustainable.

What's wrong with use or lose? That

was good enough for me as a federal prosecutor. Sick days are for when you're sick, not for a taxpayer-funded golden parachute at retirement. The value of not being sick is that and only that—you stayed healthy.

I know we tried to fix it once. But let's not stop. We can fix the problem going forward. (And need I add that when we do fix this particular problem, we begin to nibble at the edges of one of the reasons for high property taxes in this state? A two-fer.)

You think the State is in a hole now? Let's acknowledge that what once made sense, no longer does. Let's be mindful of our obligations to tomorrow's families and fix things as best we can for them. Let's not wait. Give people hope and allow them to trust us again.

Getting more done to secure the promise of educational opportunity remains an important challenge for us today and, more importantly, for future generations of our children. On this we can and must go further—now.

Look, we all share the same values—freedom, family, community, love for our state and our country. You would not be sitting here if you didn't. You would not be the public servants I know you aim to be.

TO SUM IT UP I could go on for any of the problems facing us. But the gist of my comments today are twofold. First, let's put people over politics, and second, let's get the things we fundamentally agree upon done now—looking forward anyway—let's do it now. Not for us, but for the people who gave us these jobs in the first place. That will rebuild trust in government.

Where there are problems, can't we agree to start to chip away at them? Let's fix what we can, no matter the size. Brick by brick by brick. One small victory at a time. Build trust—among ourselves and with the struggling people of this great state. We can do this. We can do better.

In fact, I go so far as to say we must do this and we must do better. Our people want us to fix government. This is how.

Let's not make them wait any longer. 🦄

ACHIEVEMENT: LEAVES AN IMPRESSION



We know that achieving more in the community begins with the people who belong to it. That's why we're proud to support the New Jersey League of Municipalities.

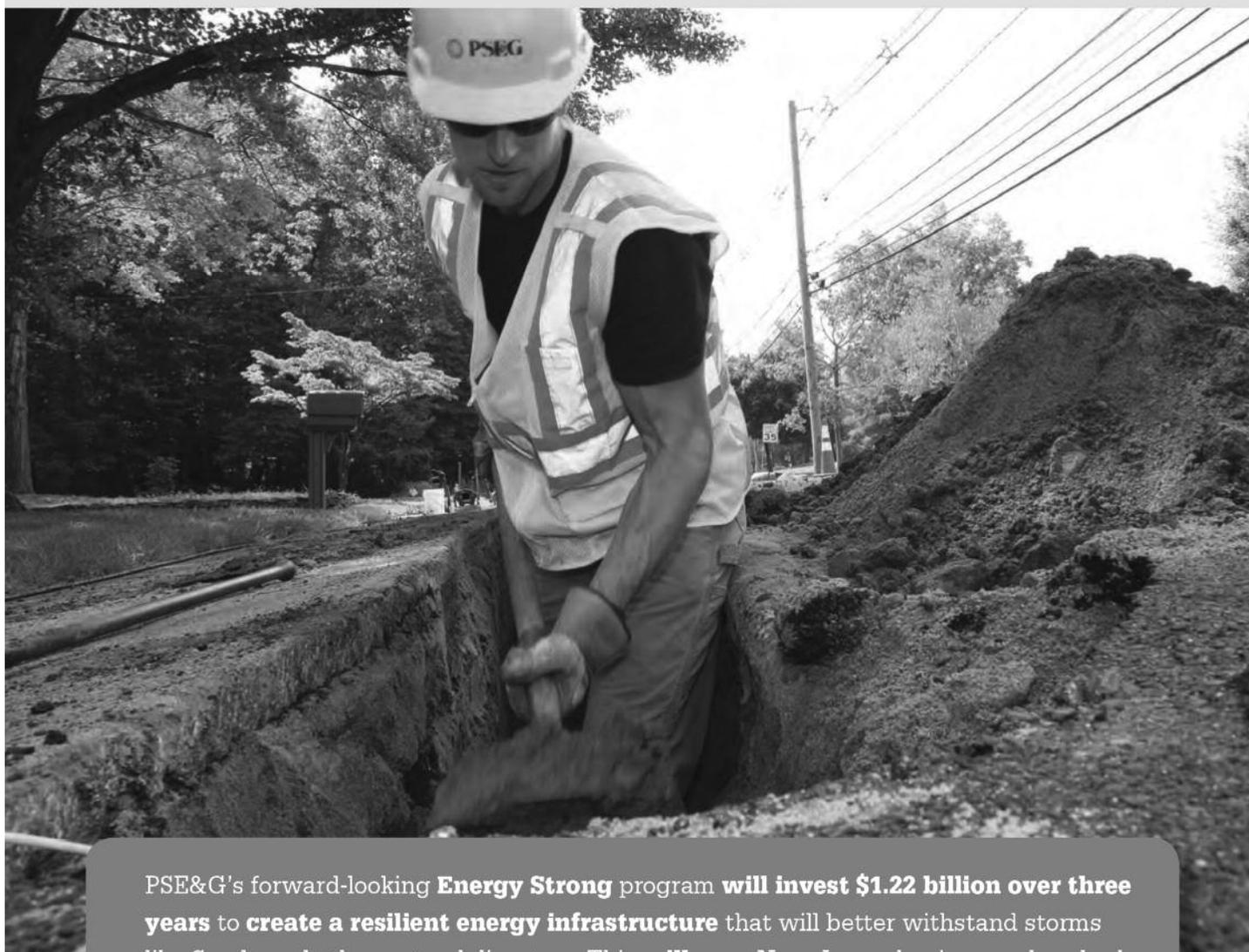
*New Jersey Government
Banking Hotline - 877-861-6649*



Making New Jersey

energy strong

www.pseg.com



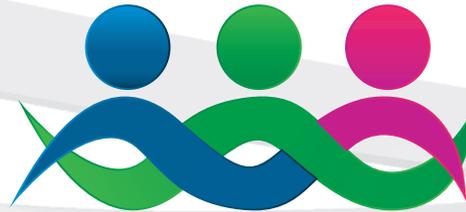
PSE&G's forward-looking **Energy Strong** program **will invest \$1.22 billion over three years to create a resilient energy infrastructure** that will better withstand storms like Sandy and other natural disasters. This **will save** New Jersey businesses hundreds of millions of dollars in lost revenue **and protect** our families **from the devastating impact of extended power outages.**

PSE&G is a subsidiary of Public Service Enterprise Group.



PSE&G

We make things work for you.



Addressing Vacant & Abandoned Properties

Understanding how to strategize and meet your town's needs

By Michael L. Zumpino, Chairman/CEO,
Triad Associates, NJLM Consultant



During the session “Creative Solutions for Vacant Properties” at the League’s annual conference in Atlantic City last November, it quickly became apparent that the standing-room only attendees wanted to know more about how municipalities can deal with the growing problem of vacant and abandoned properties.



It turns out there are steps municipalities can take to address the issue. The problem and its causes are neither simple nor monochromatic. The solutions, then, are neither one-size-fits-all nor quick and total.

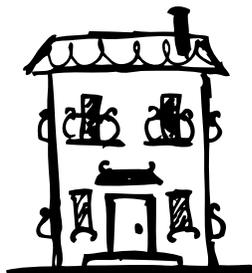


STARTING POINT Among the first steps that municipalities should take is assessing the abandoned and vacant property issue in your community. Ask:

- How many properties are there?
- Where are they?
- Who owns them?
- Why are they stuck in neutral?

Depending on your town’s size, this analysis can be municipality-wide or limited to a target area to make it more manageable. The point is, get a good understanding of the problem in your town. It will help determine which strategies and resources are most appropriate for you.

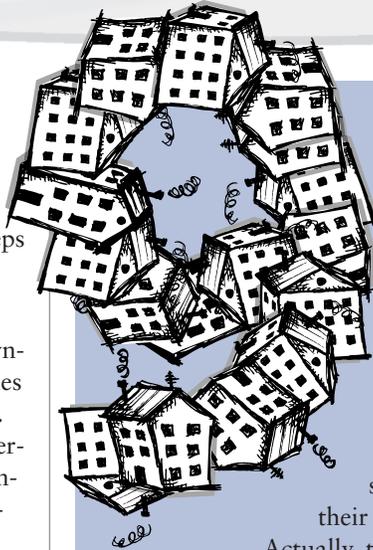
MOVING FORWARD Consider adopting an Abandoned Properties Ordinance that mirrors the State’s Abandoned Properties Rehabilitation Act (N.J.S.A. 55:19-78 through 107). Give your municipality the legal standing to use the tools needed by creating an Abandoned Properties List that can, in turn, be used



to compel action by reluctant owners. Plot these properties in order to create the context and perspective for local action strategies.

Once that foundation is set, other steps that may be appropriate include:

- **Vacant Property Registration Fee.** Municipalities can charge property owners an annual fee for allowing properties to remain vacant for extended periods. The fees can escalate each year a property remains vacant and provide an incentive for owners, be they banks or whoever, to do something with a property other than just let it sit there. The fees collected can help fund more permanent solutions to vacant properties.



Get a good understanding of the problem in your town. It will help determine which strategies and resources are most appropriate for you.

- **Redevelopment Area.** If there is a cluster of vacant/abandoned properties, it may be appropriate to designate an



Plenty of Programs

Strategies and resources are available under a very broad category of housing programs, including the following nine options:

1 Market-to-affordable. Funding is used to “buy down” the cost of a market-rate house to make it affordable to a family that could not afford to pay full price.

2 Parcel consolidation. A municipality takes ownership or site control of contiguous properties, making their redevelopment more attractive to private developers.

Actually, this can be a part of a larger strategy that brings in private developers to see what’s needed from their end to make this work. We know—municipalities and developers are not always on the same side of issues, but here’s one that could end up in a win for both sides, if the issues and resources particular to your set of properties can be made to mesh.

3 Affordable Housing Trust Funds. Locally collected housing development fees are available in some municipalities for use in creating affordable housing units.

4 HOME program. Funding from the U.S. Department of Housing and Urban Development (HUD) is available to some municipalities and counties and to the State of New Jersey for the creation of affordable housing units.

5 CDBG program. Another source of HUD funds, this one can be used on a limited basis for the demolition or rehab of blighted residential or commercial properties.

6 Regional Contribution Agreement (RCA) balances. RCAs were permitted under prior state affordable housing regulations and allowed one municipality to provide funds to another municipality to take on some affordable housing obligations. Current state law does not allow for any new RCAs, but there are balances remaining in some of the accounts established under prior state regulations. These can be used to create affordable housing units.

7 Federal Home Loan Bank. Provides funding for affordable housing programs. New Jersey is within the FHLB of New York’s service area.

8 Choice Program. A program of the NJ Housing Mortgage Finance Agency to help finance construction of market-rate housing in “Emerging Markets,” meaning markets where the cost to build new market-rate housing exceeds the market-rate price.

9 Private capital. A number of banks, foundations, community funds, and others have financing available for a variety of development types. Also, private developers are always ready to participate in deals that make financial sense to them, a status that can be reached with some of the other resources mentioned.

**Government budgets are tight
& competition for their spending dollars is fierce...**

**will you win the race to reach
local government clients?**



Scan to view



advertising website.

njmunicipalities
Official Publication of the New Jersey State League of Municipalities

NJLM's magazine puts your message
directly into the hands of local governments.

Trusted • Effective



New Jersey State League
of Municipalities

njslom.org/advertise
(609) 695-3481 extension 124
Taran B. Samhammer,
Advertising Manager

Area in Need of Redevelopment or an Area in Need of Rehabilitation. Both can be done through the state Local Housing and Redevelopment Act (N.J.S.A. 40A:12A).

• **Housing program.** If residential properties are a part of your town's vacant property problem, you may need to become more active in order to convert problem properties to assets.

The degree of municipal involvement must truly be customized to each municipality and for each situation. It can range from the municipality simply helping developers, to the municipality doing the hands-on development themselves.

There are no cookie-cutter solutions, no quick and easy fixes. Admittedly, some of the strategies are complex and may take municipalities in new, uncharted directions. But, frankly, with conditions likely to worsen, further adversely impacting neighborhoods, we all know the mandate is there to take action. 📌



Triad Associates, the League's consultant, is available for a free initial consultation as a service to League members. You can reach Triad at 856-690-9590, mzumpino@triadincorporated.com or at traidincorporated.com.

**Next month:
2016 Logo &
Theme Reveal**

Conference Connections begins to look toward the 2016 Conference with a reveal of the event's logo, theme, and outlook of things to come in the League's second century of service to municipalities.

Verizon is in your community. *Connect with us.*

Get to know your Verizon New Jersey External Affairs Team



North

Bergen, Hudson, Essex, Passaic,
Morris, Union, Sussex Counties

Mark Bocchieri

mark.a.bocchieri@verizon.com

Office: (201) 996-6610

Cell: (908) 601-5509



Central

Middlesex, Monmouth, Ocean, Mercer,
Somerset, Hunterdon, Warren Counties

John Szeliga

john.p.szeliga@verizon.com

Office: (732) 280-9124

Cell: (732) 597-3009



South

Burlington, Camden, Gloucester, Salem,
Cumberland, Cape May, Atlantic Counties

Jennifer Young

jennifer.p.young@verizon.com

Office: (856) 853-9955

Cell: (856) 430-2430

Verizon New Jersey Contact Numbers & Websites

Because we know the communities we serve

| | |
|--|---|
| All Sales/Service/Repair/Billing/ Technical Assistance: | (800) VERIZON/(800) 837-4966 or www.verizon.com/business |
| Special Circuits Maintenance Control Center: | (800) 294-7831 |
| Downed Poles/Cables: | (800) 787-6701 |
| Verizon Non FiOS High Speed Internet/DSL: | (800) 567-6789 or www.verizon.net |
| Verizon Wireless Customer Service: | (800) 922-0204 or www.verizonwireless.com |
| Center for Customers with Disabilities Voice & TTY: | (800) 974-6006 or www.verizon.com/disabilities |
| NJ Video Franchise Inquiries: | E-mail: gwendolyn.i.cogan@verizon.com |
| Verizon Wireless Crisis Response Team (V-CRT): | (800) 981-9558 |



LEGISLATIVE UPDATE

Lame Duck Recap: What Moves Forward, What Begins Again

By Michael F. Cerra, NJLM Assistant Executive Director

January 12 marked the end of the 216th Legislature and the swearing in of the 217th Legislature. The 216th Legislature saw a total of 9,076 bills introduced and a total of 419 new laws being passed and signed into law. As is custom, the final weeks of a legislative session, commonly referred to as the “lame duck” witnesses a final push on major initiatives since the failure to adopt by the end of the term means that a bill dies and must begin again.

This most recent lame duck was no different and many bills of interest to local government were considered, advanced, and some were ultimately signed into law while others were “pocket vetoed” by the Governor.

POCKET VETOES Two bills which were of interest to a number of municipalities were both pocket vetoed.

S-3277/A-4764

Sponsored by Senator Cruz-Perez and Assemblyman Burzichelli, expands municipal authority to license and inspect residential rental property. The League **supported** S-3277/A-4764, as it would clarify that the Licensing Act is an important tool for local government that ensures residents’ safety and decent living conditions. As a result of a recent Appellate Division decision, *Timber Glen v. Township of Hamilton*, municipalities may no longer be able to annually inspect residential rentals leased for more than 175 days.

S-3299/A-4903

Sponsored by Senate President Sweeney, Senators Singer and Vitale, and by Assemblymen Burzichelli, Rible, Mukherji, Lagana, and Assemblywomen Pintor Marin and Vainieri Huttle, maintains property tax exemption for certain nonprofit hospitals with on-site for-profit medical providers; requires these hospitals to pay community service contributions to host

municipalities; establishes Nonprofit Hospital Community Service Contribution Study Commission.

The League **opposed** this bill, which was in response to the recent Morristown Hospital tax court ruling, for several reasons. Our first concern was that it would be unfair to local residents and businesses, whose property taxes would have to subsidize local services that would benefit those for-profit providers of medical services. We appreciate the initial community contribution fee of \$2.50 per bed per day. However, a number of host municipalities expressed a concern that the fee is inadequate to fairly compensate for municipal services and to treat other taxpayers in the municipality equitably.

Secondly, by exempting many acute care facilities from local property taxation, we believe that provisions in the bill could, actually, inflate health care costs.

Third, we were concerned that the bill might have resulted in giving institutions, organized as non-profit hospitals, all the benefits of a tax exemption, without any of the responsibilities.

Finally, we were concerned that the bill would lead to conflicts with a number of New Jersey constitutional provisions.

While these bills were vetoed, the underlying issues for both remain and will likely see some consideration by the Legislature in 2016.

SIGNED INTO LAW There were also a number of bills of interest which were signed into law.

S-3321/A-4981

Sponsored by Senators Smith, Van Drew, and Bateman, and by Assemblywoman Spencer and Assemblyman Rumana, authorizes DEP to require public access to waterfront and adjacent shoreline as a condition of waterfront development approvals and CAFRA permits. Specifically, permits DEP to require, as a condition of waterfront development or CAFRA permit that the applicants provide on-site public access to the waterfront and adjacent shoreline, or off-site public access if DEP determines that on-site public access is not feasible. This law was in response to the Appellate Division decision issued

STRENGTH AND RESULTS

A WINNING CIRCLE
of COMPANIES



WSW

Winning Strategies Washington



- EST. 1987 -

PRINCETON

PUBLIC AFFAIRS GROUP



**PRINCETON
STRATEGIC
COMMUNICATIONS**

160 West State Street Trenton, N.J. 08608-1102 | P: 609-396-8838 | F: 609-989-7491
409 7th Street, N.W., Suite 450 Washington, D.C. 20004 | P: 202-589-0800 | F: 202-589-1288

PPAG.COM | WSWDC.COM | PRINCETONSCGROUP.COM



Synopsis: **BILLS SIGNED**

On the final day to take action on legislation from the 216th Legislature, Gov. Chris Christie signed the following bills:

S-2741/A4213: Permits unregulated solicitation to perform snow shoveling within 24 hours of predicted snowstorm

A-1726/S-308: Amends the “Flood Hazard Area Control Act.”

A-3006/S-3272: Establishes procedure for consolidating fire districts.

S-3171/A-4575: Creates definition of certified mail.

S-3321/A-4981: Authorizes DEP to require public access to waterfront and adjacent shoreline as condition of waterfront development approvals and CAFRA permits.

A-428/S-393: Expands DNA database to include samples from disorderly persons who are fingerprinted and permits law enforcement officers to collect certain biological samples.

S-3019/A-4771: Requires filing of financial agreement for long-term tax exemption with county finance officer and counsel; requires quarterly payment of county share of payment in lieu of tax.

A-3044/S-1944: Requires Commissioner of DOLWD to disseminate certain information to contractors who bid on or perform prevailing wage public work.

S-2972/A-4465: Requires DMVA assist and mentor veterans through criminal justice system.

A-2935/S-1325: Authorizes property tax deferral for deployed military personnel.

A-2299/S-239: Requires municipalities to exempt 100% disabled veterans from construction permit surcharge fees for improvements to promote living unit accessibility; appropriates \$20,000 for municipal reimbursements.

S832/A-2039: Permits voter registration of certain persons at age 17 for voting at next election occurring on or after 18th birthday.

S-1447/A-2829: Prohibits posting, publishing on the Internet, or disclosing certain information regarding law enforcement officers.

S-1567/A-410: Establishes DOT roadside memorial program for fallen police officers, sheriff’s officer, EMS workers, and firefighters; designated as “Patrolman Joseph Wargo’s Law.”



MASON, GRIFFIN & PIERSON, P.C.
Counsellors at Law | Since 1955

**Municipal Experience.
Knowledge. Professionalism.**

- Affordable Housing
- Civil Rights Defense
- Consolidation & Shared Services Agreements
- Defense of Tort Claims
- Eminent Domain Litigation
- Employment Discrimination
- Historic Preservation
- Land Use
- Local Public Contracts Law
- Open Public Records Act Compliance
- Open Space/Farmland Preservation
- Personnel Policies & Training
- Prerogative Writ Litigation
- Sewer/Water/CATV Utilities
- Tax Appeals
- UCC Regulation/Litigation
- Wildlife Management

101 Poor Farm Road, Princeton, NJ 08540 609.921.6543 www.mgplaw.com

on December 22, 2015 in *Hackensack Riverkeeper, Inc. and NY/NJ Baykeeper v. New Jersey Department of Environmental Protection* that invalidated the DEP’s public access rules. The law took effect on January 19, 2016.

A-3006/S-3272

Sponsored by Assemblymen Conaway, Singleton, Eustace, DiMaio, and Danielsen, and by Senators Beach and Turner, establishes procedure for consolidating fire districts. The League supported this legislation, which streamlines and simplifies the consolidation process. At a time when it is becoming more difficult to recruit and maintain volunteers, while municipal and fire district budgets are increasingly strained, consolidation initiated at the local level might benefit governing bodies, taxpayers and citizens who depend on this vital service.

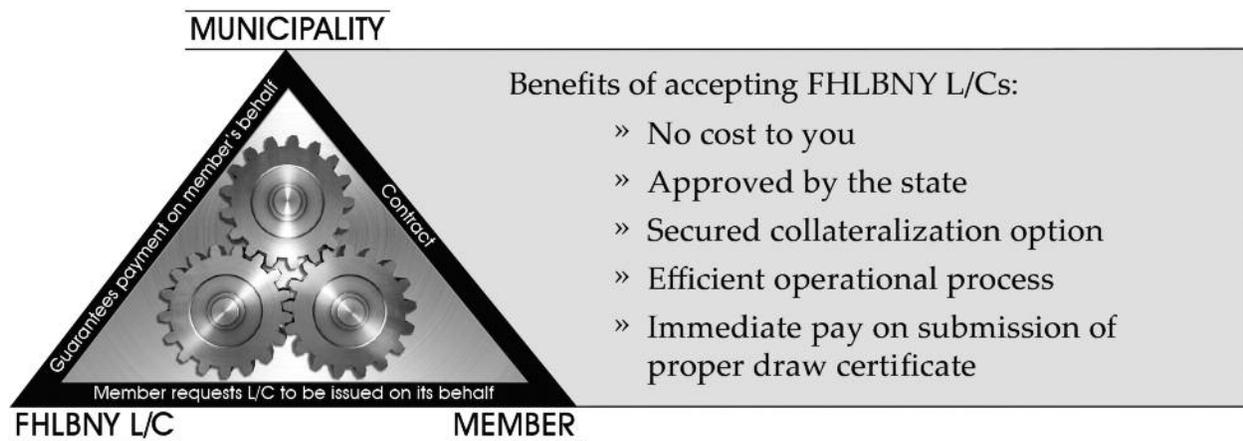
For more on bills of interest and their fate during lame duck, please see the League’s January 20 Dear Mayor letter.—MFC



Federal Home Loan Bank
NEW YORK

FORM A STRATEGIC ALLIANCE WITH AN FHLBNY LETTER OF CREDIT

Are you familiar with the Federal Home Loan Bank of New York's (FHLBNY's) Letter of Credit (L/C) program? An FHLBNY L/C is a triple-A-rated credit instrument that offers local community banks and credit unions an attractive alternate way to secure your public deposits. The FHLBNY's L/C is accepted as eligible collateral under New Jersey law, providing a low-cost, more efficient way to collateralize municipal deposits.



Visit www.fhlbny.com/lc to learn all about L/Cs — view a sample L/C, the laws governing L/Cs, the issuance process, and related articles. Here you can also submit a request for a list of participating FHLBNY members in your area.



Managing Conflict, Building Trust with Ethical Governing

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

The Local Government Ethics Law (LGEL) weighs heavily on many elected officials. N.J.S.A. 40A: 9-22.1 et seq. The LGEL was enacted to restore and preserve the public trust in local government. The LGEL is clear that it need not be the official's own interest that is in conflict with his or her duty to the public. But, if a member of the official's immediate family, defined as a spouse or dependent child living in the same household, or a business in which he or she has at least a 10 percent interest, has such a conflict, that conflict is attributed to the official.

The precise determination as to what interest creates a conflict is sometimes opaque. Conflicting interests can be either financial or personal. It must also be an interest that the official, or the official's family member or business, does not share with the general public. Beyond these parameters, however, is where the fuzziness begins. In most cases, it is the "practical feel of the situation," on a case by case basis that will determine the existence of a conflict.

IS THERE A POSSIBLE CONFLICT? It is not necessary to prove that the special interest actually influenced the official's decision, as long as it creates a possible conflict. In *Gunther v. Planning Board of Borough of Bay Head*, seven members of the planning board, who were also members of a private yacht club contiguous to the applicant's property, were found to be in conflict with respect to his development application. 335 N.J. Super 452(L.2000).

There was no proof that the board members were not impartial, and in fact they claimed that they could judge fairly. However, one member of the club had expressed the opinion that the applicant's parcel could be a valuable adjunct to the yacht club property, and none of the seven members serving on the planning board denied that possibility in their certifications. Therefore, the court felt that the seven yacht club members on the planning board had a potential conflict that could taint their decision making.

IS THERE SPECIAL INTEREST IN THE SUBJECT? Even when a valid objective reason exists for the decision, a special interest in the subject matter can taint a vote. In *Shapiro v. Mertz*, a member of a municipal board of adjustment with many years experience on the board and in the planning field was up for reappointment. 368 N.J. Super. 46, App. Div.2004. His wife had been elected recently to the five-person governing body of the municipality. Only two other members of the governing body supported his reappointment, even though he was the candidate with the most experience. The new council member voted for her husband, justifying the action on the basis of his objective qualifications.

The Court found that, whatever the council member's true motivation in voting for her husband, it was a conflict of interest for her to participate in the vote. The court noted that the marriage relationship between a governing body member and the individual being considered for appointment by that body could clearly be perceived by the public as impairing the member's objectivity and independent judgment in voting on the appointment.

IS THERE UNDUPLICATE INFLUENCE? The court decisions on this subject have emphasized the fact-sensitive nature of each potential conflict situation. An official may have an interest in the subject matter and still vote on the issue if that interest is not sufficient to exert undue influence on his or her decision. In *Hughes v. Monmouth University*, a university located in the municipality had requested and obtained a number of variances from the board of adjustment for a new library building and parking lot on campus. 394 N.J. Super. 193 (App.Div.2007). The plaintiffs lived near the site of this planned new building and claimed that favoritism was shown to the university because several members of the board of adjustment were alumni of the school. The child of one of these alumni, furthermore, had received a merit-based tuition credit worth several thousand dollars from the institution. The plaintiffs asserted that the board members with these university connections should have recused themselves from the vote.

The Appellate Division ruled that recusal was not necessary under these facts. While being an alumnus of a university is

clearly an “involvement” with the institution, said the court, in the case before it “...where the board members obtained their degrees many years ago, were not active alumni members, and did not substantially contribute to the University or otherwise evidence any special attachment to the school, no reasonable person could conclude that such involvement...” would have improperly influenced their actions on the board of adjustment.

The precise determination as to what interest creates a conflict is sometimes opaque.

Furthermore, the past award by the university of a merit-based tuition credit to a board member’s child while that

child was a student there was “...available to all similarly situated students” and therefore did not disqualify the parent/board member from voting. The court also noted that none of the board members or any member of their immediate families was currently a student at the university.

SEEK ADVICE Municipal attorneys should be consulted when there are questions as to the LGEL. Such actions can be helpful later on, as was the subject of *In re Zisa*. 385 N.J. Super. 188 (App.Div. 2006). The court in this case found that, if a municipal official seeks advice on a conflicts issue from the municipal attorney, and certain conditions are met, such reliance can be a defense against a claim of conflict.

The court looked to the Opinion of the Executive Commission on Ethical Standards, *In re Howard*, 93 N.J.A.R. 2d (Vol. 5A) 1, aff’d as modified, 94 N.J.A.R. 2d (Vol. 5A) 1 (App. Div.

1994). It held that there were four requirements for the reliance on the opinion of counsel defense. They were: 1) that the advice was received prior to the action taken 2) that the individual who offered the advice possessed authority or responsibility with regard to ethical issues 3) that the individual seeking advice made full disclosure of all pertinent facts and circumstances and 4) that the individual complied with the advice, including all the restrictions contained in it. In *Zisa*, the court found that the advice given to the mayor by the municipal attorney met all of these requirements, and that therefore the mayor had the right to rely on the advice of counsel.

In closing, the LGEL is an important provision that helps preserve trust in local government. Its practical application can be confusing. But, with some study, and advice from your municipal attorney, it isn’t insurmountable. 📌

Know the Law Governing Municipalities

From Gann Law Books - Preeminent Publisher of NJ Law

New Jersey Statutes
**TITLES 40 & 40A
MUNICIPALITIES
& COUNTIES**

**Perfect For Municipal Offices That
Need Access To The Laws Of NJ**

*Complete in One Paperback Volume
Also Available Online at www.gannlaw.com*



**NJ ZONING & LAND USE
ADMINISTRATION**

By William M. Cox

Revised & Updated By
Stuart R. Koenig (2011-12),
Jonathan Drill & Lisa John-Basta

- Organization and powers of municipal boards.
- Requirements for variance, site plan, subdivision and other applications.
- Hearing, decision and appeal procedure.
- Passage of zoning ordinances.
- Challenges to zoning ordinances.
- Potential liability of boards and board members.
- Fundamentals of environmental regulation

*With Full Text of The Municipal Land
Use Law (N.J.S. 40:55D)*

Also Available

**NJ CLAIMS AGAINST
PUBLIC ENTITIES**

Comments & Annotations By
Harry A. Margolis and Robert Novack

**NJ MUNICIPAL
COURT PRACTICE**
Michael S. Richmond & Keith J. Burns

**NJ PUBLIC EDUCATION
EMPLOYMENT LAW**
By Maurice W. McLaughlin

NJ POLICE MANUAL



*Now Also Available Online & as E-Books
With Full Text of Cases and Statutes a Tap Away*

(973) 268-1200

NEWARK, NJ

www.gannlaw.com



GOLD DOME

Redistricting Debate Won't Wait Until 2021

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

“Legislators represent people, not trees,” wrote U.S. Supreme Court Chief Justice Earl Warren in the 1964 *Reynolds v. Sims* decision. The case was one in a series of “one person/one vote” rulings requiring equal representation in state legislative districts, and changed New Jersey forever.

The state had long had a state Senate composed of one senator for every county. The resulting disparities were stark: In 1963, Essex County and Cape May County were each represented by one Senator, even though the former’s population was 19 times larger than the latter. At the time, 11 senators from largely rural GOP counties could control the 21-member Senate despite representing just 17% of the state’s population.

A special constitutional convention was convened in 1966 to redraw the legislative districts, as well as determine the method by which they would be redrawn after every decade’s census. The result was the current system of 40 districts, each of (basically) equal population, represented by one Senator and two members of the Assembly.

The process to redraw the lines every 10 years received less publicity at the time but was no less significant. Republicans were fearful that their 50-year majority in the Senate would be lost forever and they succeeded in pushing for a bi-partisan commission—five members on each side—with an 11th tie-breaking member appointed by the Chief Justice of the New Jersey Supreme Court.

The neutrality of the tie-breaker was not an indication that the process was devoid of politics. Donald Stokes, the late eminent professor at Princeton University noted that the framers of the 1966 constitution believed that “party control is what apportionment is, and should be, about.” As if to emphasize this point, the five members from each party were to be chosen by the chair of the state party, and not by legislative leadership. The state chair, it was believed, best reflected the statewide partisan perspective that was being sought.

There are numerous considerations that go into how redistricting can be done. Drawing legislative lines is a balancing act among all of them, including the demands of the Voting Rights Act, designed to ensure the votes of minority voters are not diluted, as well as contiguity, compactness, communities of interest, and a requirement that municipalities—unless they are larger than the desired size of the district—cannot be divided.

Stokes himself served as the 11th member during the 1981 and 1991 redistricting efforts, favoring the Democrats’ map one time and the Republicans’ map another. Recognizing that it was an innately political process, he looked to ensure “fairness,” which he defined as a legislative map under which districts would favor one party or the other in similar proportion to the average district vote in statewide elections.

Thus, according to the “Stokes standard,” cite its proponents, if the average legislative district gives, say, 55% of its votes to Democratic candidates in presidential, U.S. Senate, and gubernatorial elections over the previous decade, then the legislative map should make it likely that the Democrats have about 55% of the seats in the legislature. Republican efforts to offer alternative measurements to determine fairness did not carry the day in either the 2001 or the 2011 legislative redistricting process.

The way New Jersey redraws congressional districts is similar to the legislative process with some slight differences. Each party has the same number of members on the commission (in this case, six) and there is an additional member, who serves as chair, to break any tie. In 2011, this role was played by John Farmer, the dean of Rutgers–Newark Law School. Farmer also considered “fairness” in making his decisions, but evaluated a district’s competitiveness using a different standard, as the law allowed him to do.

Democrats decried the use of this alternative measurement which resulted in an evenly split congressional delegation.

Fearful that similar alternative measurements would be allied in 2021, when the next round of legislative redistricting is scheduled, Democratic legislative leaders are likely to consider a constitutional amendment to require that the “Stokes standard”—as they understand it—be used in legislative redistricting. The proposal, sponsored by Democrats Louis Greenwald, John McKeon, and Troy Singleton in the Assembly and Nicholas Scutari in the Senate—included other reforms to the process, most of which were overshadowed by critics who viewed the changes as a thinly disguised Democratic power grab.

The legislature has until August to authorize an amendment for the November 2016 ballot. But getting the final approval from the voters may be much more difficult. The Republican charge that Democrats are “rigging the system” is likely to be an effective and understandable message—even if the details as to what constitutes “rigging” are complicated and debatable. ♣

The views expressed and the data presented by contributors are theirs and are not necessarily shared by the League.



**Before you sign another agreement with your vendor...
You do have a CHOICE when it comes to your mailing equipment**

In business today, smooth mail center operations must be a given. As an innovative mail stream solutions provider, FP Mailing Solutions offers a full range of mail center products and services designed to create seamless mailing systems.

FP Mailing Solutions is the fastest-growing postage meter company in the U.S., known for exceptional German-engineered mailroom equipment and competitive pricing.

Our Product Lines Include:



Postage Meters



Folder-Inserters



Mailroom Software



Postal Scales



Addressing Systems



Tabbers-Labelers

Reliable
OFFICE SYSTEMS & SUPPLIES

South Jersey Location:
1 Farr View Drive
Cranbury, New Jersey 08512

North Jersey Location:
199 Scoles Ave
Clifton, New Jersey 08512

Jeff Caso
Mailing Solutions Specialist
Office: 800-784-6001 x 205
Jeff.caso@reliableoffice.com
www.reliableoffice.com



Alaimo Group
Consulting Engineers

200 HIGH STREET, MOUNT HOLLY, NJ 08060
Tel: 609-267-8310 Fax: 609-267-7452
2 MARKET STREET, PATERSON, NJ 07501
Tel: 973-523-6200 Fax: 973-523-1765
www.alaimogroup.com

THE BUZAK LAW GROUP, LLC
Attorneys at Law



MONTVILLE OFFICE PARK
150 RIVER ROAD SUITE N-4
MONTVILLE, NEW JERSEY 07045

PHONE: (973) 335-0600 FAX: (973) 335-1145
BLG@BUZAKLAWGROUP.COM



4 Walter E. Foran Blvd.
Suite 209
Flemington, NJ 08822
908-788-9676

- Wetland Delineation
- Environmental Permitting
- Wetland Mitigation
- Endangered Species Surveys
- Vegetation & Wildlife Surveys
- Site Plan Review
- Environmental Resource Inventory
- Reforestation Plans
- Environmental Construction Monitoring

www.amygreene.com mail@amygreene.com



Proven Value
Through Best-in-Class
Codification Services

Earl Babb
New Jersey Representative



Toll Free: 855.GEN.CODE
www.generalcode.com

BOSWELL ENGINEERING

Engineers | Planners | Surveyors | Scientists



330 PHILLIPS AVENUE
SOUTH HACKENSACK, NJ 07606-1722

P - (201) 641-0770
E-mail: marketing@boswellengineering.com

WWW.BOSWELLENGINEERING.COM



Voorhees Associates GovTempsUSA

855.68GovHR
855.684.6847
info@govhrusa.com

Executive Recruiting
Interim Staffing
Human Resource Consulting
Management Consulting
Professional Development

GovHRusa.com

BRINKERHOFF

ENVIRONMENTAL SERVICES, INC.



Laura Brinkerhoff
LSRP, CPG
President

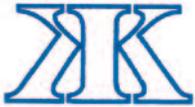
1805 Atlantic Avenue
Manasquan, NJ 08736
Tel: 732.223.2225
Fax: 732.223.3666
www.brinkenv.com

CONTRACTORS | CONSTRUCTION MANAGERS

JINGOLI

David DelVecchio, Business Development
ddelvecchio@jingoli.com

100 Lenox Drive, Suite 100 | Lawrenceville, New Jersey 08648
P: 609.896.3111 | F: 609.219.0799
www.jingoli.com



Keller & Kirkpatrick, Inc.

Civil / Structural Engineering • Surveying
• Land Planning • Landscape Architecture

301 Gibraltar Drive
Morris Plains, NJ 07950

Direct Dial: 973-434-8325
Main: 973-377-8500
Fax: 973-887-0925
Email: mmartini@kellkirk.com

MATTHEW L. MARTINI, P.L.S., P.P.
President



NEGLIA
ENGINEERING ASSOCIATES

Civil Engineering
Municipal Engineering
Traffic Engineering
Planning
Land Surveying
Construction Management

Michael J. Neglia, P.E., P.L.S., P.P.
President

34 Park Avenue
P.O. Box 426
Lyndhurst, NJ 07071

Tel: 201.939.8805
Fax: 201.939.3935

mneglia@negliaengineering.com
www.negliaengineering.com



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

877.627.3772 | maserconsulting.com



professional ENGINEERS
professional PLANNERS
construction MANAGERS

Earning our Reputation
Every Day Since 1901

**REMINGTON
& VERNICK**
ENGINEERS
AND AFFILIATES

Corporate Headquarters:
232 Kings Highway East, Haddonfield, NJ
Ph. (856) 795-9595
Visit us online: www.RVE.com



Highways, Streets & Structures
Traffic & Parking
Transit
Signals & ITS
Walking & Biking
GIS & Technology

**Transportation
Solutions
Building Better
Communities**

www.McMahonAssociates.com | 609.585.5745
4573 S. Broad St., Suite 200, Yardville, NJ 08620

**Earn
\$250**

When you refer
a company to
USA Phone.com
and they make a
purchase.
Enter your referral
at usaphone.com



856-761-1000 | www.USAPhone.com

Phone system provider to New Jersey League of Municipalities

njslom.org/classifieds



**Job Openings
Requests for Proposals
Second-hand Equipment for sale**

Events

MARCH

March 9

**A Brief Overview of the
Common OPRA Exemptions**

Webinar—Your Computer

March 16

**Budget, Ethics, and
Procurement Updates**

Conference Center at Mercer,
West Windsor

March 18

**The Open Public Meeting Act:
A Discussion of the
Proposed Changes,
Best Practices, and Procedures**

Webinar—Your Computer

March 22

**Dealing With Difficult Employees:
What Are Your Rights and
Responsibilities as an Employer
in the Public Sector?**

DoubleTree Hotel, Tinton Falls

JUNE

June 17

The One Day Mini Conference

Conference Center at Mercer,
West Windsor

Visit njslom.org/seminars for
changes and updates.
For more information on seminars,
contact Danielle Holland-Htut
at dholland@njslom.org
or 609-695-3481, Ext. 118.

NJLM Supporters

The New Jersey State League of Municipalities would like to thank its supporters, who value their partnership with the 565 municipalities of New Jersey. For information about the League's sponsorship program, please contact Donna Baltz at 609-695-3481, Ext.127 or dbaltz@njslom.org.



GOLD LEVEL

Atlantic City Electric
Hopewell Valley Community Bank
International Council of Shopping Centers, Inc.
New Jersey American Water

Competence | Diversity | Knowledge | Service | Ethics

The School of Public Affairs and Administration (SPAA) at Rutgers University-Newark educates and motivates students to choose and excel in careers in public service and administration through its innovative and highly ranked degree and certificate programs:

- PhD in Public Administration
- Master of Public Administration (MPA)
- 100% Online MPA
- GEOMPA – Global Online Executive MPA
- Juris Doctor (JD/MPA)
- Master of Public Health (MPH)
- Bachelor of Arts in Public and Nonprofit Administration
- 5-Year Dual Degree (BA/MPA or BS/MPA)
- Certified Public Manager Program plus other professional and graduate certificates focused on particular issues in the public and nonprofit sectors



RUTGERS

School of Public Affairs
and Administration | Newark



INTERNATIONALLY
ACCREDITED



**Ranked #7 in the Nation in
Public Management / Administration**

and

**U.S. News
& World Report**

- #4 in Information and Technology Management
- #10 in Public Finance and Budgeting
- #11 in City Management and Urban Policy
- #18 in Nonprofit Management
- #23 in Public Affairs
- #24 in Public Policy Analysis

**Ranked #5 in the Nation as
Most Innovative Public Service School**

– Best Value Schools

Rutgers SPAA | spaa.newark.rutgers.edu

FUELING THE CHARGE

EMEX, a partner and trusted consultant putting the POWER to save money in the hands of the local decision-makers.



"EMEX provided the Township of East Hanover with the best combination of energy savings, ease of process, clear explanation of the reverse auction process, as well as a simple process to execute the necessary steps to take full advantage of the energy savings to the Township."

JOE PANNULLO
Mayor, Township of East Hanover, NJ



"The savings were remarkable, and the entire process was easy."

GARY PASSANANTE,
Mayor, Somerdale, NJ

"EMEX's reverse auction platform over-performed for us. The competition from suppliers was intense with savings beyond expectations."

ALBERT AKERMAN,
Mayor, Lakewood Township, NJ



"We knew we were in good hands with EMEX. During our first reverse auction, they constantly monitored the market and worked to get us the lowest Electricity rate possible, so when it came time to secure our next Natural Gas contract, there was no question which service we should use. The EMEX Reverse Auction continued to prove its effectiveness and uncovered the best prices in the market for our Natural Gas procurement decision."

JAMES MEEHAN,
Authority's Executive Director,
Rahway Valley Sewerage Authority, NJ