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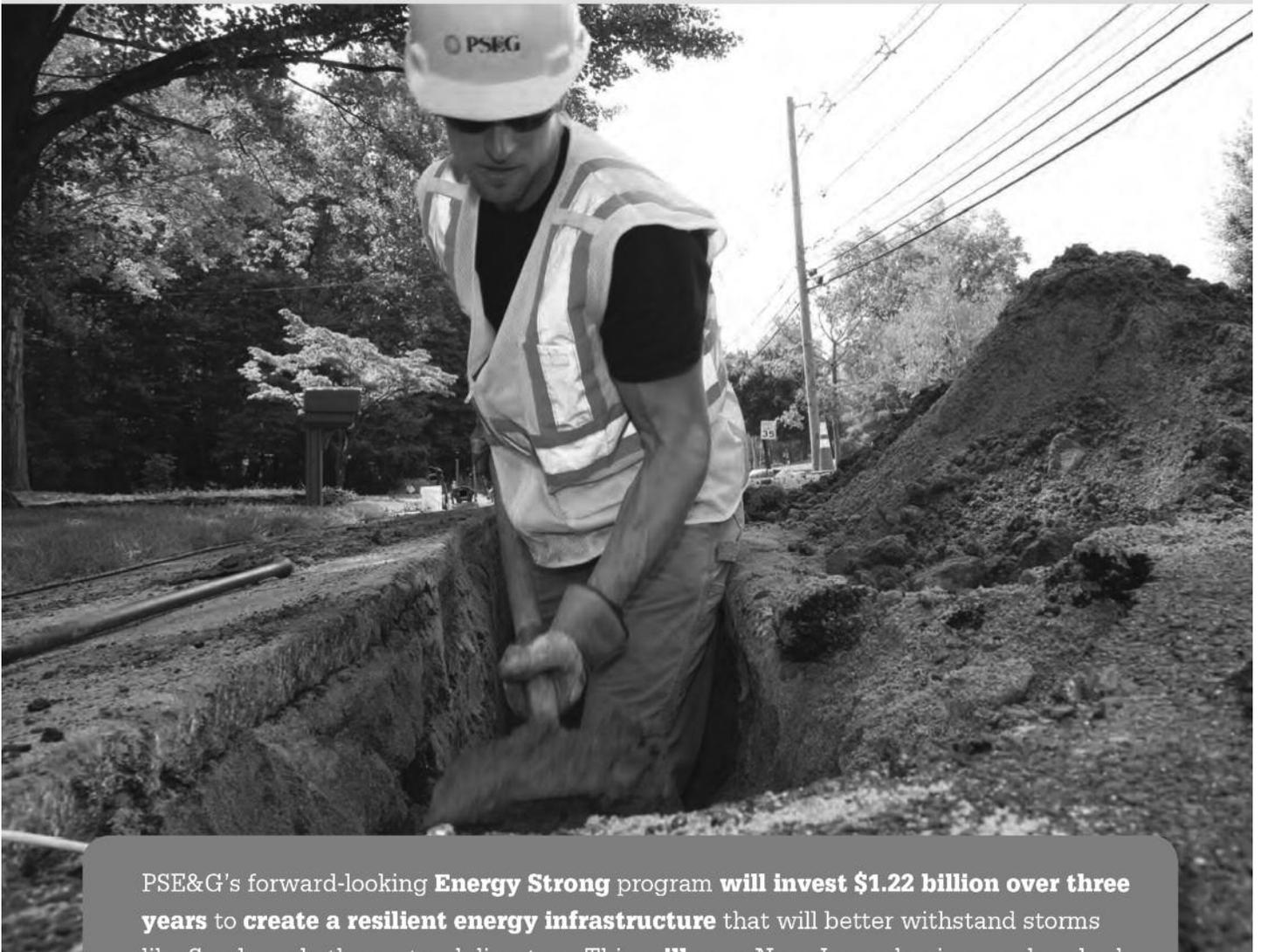
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New Jersey Municipalities Magazine

Volume 94 | Issue 5

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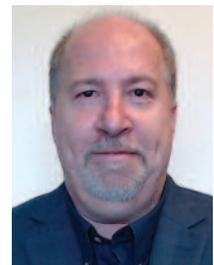
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From 222 West State

Michael J. Darcy, CAE, NJLM Executive Director



Call to Legislators: **Extend the 2% Contract Limit**

only other source of significant funding—the property tax levy—capped at 2%, we hope the day is coming when the State’s recovery and reforms will allow it to restore municipal property tax relief funding to bygone levels.

Until then, also remember, the 2% cap is on the levy. Even if a town increases the levy by that percentage, unless the town has a 100% collection rate, it won’t realize the full increase.

So while property tax rate increases are never a given, local budget makers should be commended for the quality of services they continue to provide, while struggling to keep those increases as low as possible.

Mayors working with local governing bodies over the past nine years deserve credit for making the tough decisions in tough times. They have pruned budgets, pursued savings, engaged in tough negotiations, reduced the workforce, shared services, cut spending, applied best practices, emptied reserve accounts, and deferred investments. They did this as property values declined, tax appeals increased, development and economic activity stalled, employment slumped, and property tax relief funding was diverted to the State budget.

In addition to all that, and thanks to the expertise and energy of dedicated municipal government professionals and the selfless service of thousands of volunteers, with critical support from the State and the Federal governments, they have provided vital life-line services to our citizens before, during and after an unprecedented series of natural disasters. From Hurricane Irene and the Halloween Snowstorm in 2011, through the derecho winds and Superstorm Sandy in 2012, and plowing through some of the worst winters in memory, local governments

have continued to balance their budgets and deliver essential services, while funding numerous state mandated responsibilities and meeting all their public employee pension funding obligations.

In the face of these challenges, keeping property tax increases down would not have been possible without real bipartisan reforms enacted by the Governor and the Legislature. For things like the 2% cap on arbitration awards and pensions and benefits reforms, the Governor and Legislative leaders deserve our thanks and recognition. It took political courage to advance those reforms.

Looking at the Governor’s budget proposal, again, makes the need to continue these policies more obvious than ever. As the first order of business, we call on State policymakers to take action to ensure that the limit on police and fire contract arbitration awards remains in place.

Unless the Legislature acts to extend the year-end sunset of the limitation on arbitrator awards for police and fire personnel salaries, steps and longevity payments to an average of 2% annually over the life of a contract, our taxpayers will lose that essential protection. Any awards in excess of that limit would immediately threaten funding for all other municipal services. And, in the not-too-distant future, such awards could force local budget makers to reduce public safety staffing levels, as fewer local employees steadily take home higher percentages of local funds.

The Hippocratic Oath requires physicians to, “First, do no harm.” Our Legislators need to avow that same oath, and: First, extend the 2% limit on police and fire contract awards. **✊**

“ Mayors working with local governing bodies over the past nine years deserve credit for making the tough decisions in tough times.”

You know that, for the seventh straight year now, almost every New Jersey municipality is looking at level funding in combined Energy Tax Receipts and CMPTRA property tax relief. You know that the cumulative rate of inflation over that period has decreased the value of that funding by 11%. You also know that the level of funding, even unadjusted for inflation, is lower than it was in FY ’10, which was lower than it was in FY ’09, which was lower than it was in FY ’08.

We all know that the cuts in those years, a cumulative \$320 million, were made to help the State cope with the economic collapse of 2008. And, with a municipality’s

Michael Darcy



New Jersey State League of Municipalities

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Reuse for Renewal

Redevelopment before greenfields development

Gerry Scharfenberger, Ph.D.; Mayor, Middletown Township



The Belford Seaport

It is a well-known truism that New Jersey is the most densely populated state in the Union. This condition poses numerous challenges to municipalities as they look to accommodate growth while trying to preserve our finite, dwindling open space. One of the most effective ways to have the best of both worlds is to concentrate development and growth in already developed areas and remove the pressure from undeveloped lands. While development of the latter cannot be legally prohibited simply because a municipality does not want it, targeting areas with existing infrastructure and utilities for redevelopment will satisfy the required additional ratables and needed structures to serve, employ, and house the community.



The Belford Landfill



The new Memorial Sloan Kettering Cancer Center (MSKCC) in Middletown

Reuse for Renewal

Vacant or underutilized properties are a perennial problem for many municipalities in New Jersey. They are a drain on local budgets, a magnet for vandalism, and, often times, an aesthetic eyesore that diminishes the landscape of the entire area. However, the Middletown Township governing body has had a number of remarkable successes in reversing that trend in town, in part by providing small incentives to redevelop.

The recent opening of the new Memorial Sloan Kettering Cancer Center (MSKCC) in Middletown is a huge win on a number of levels. The renovated, 250,000 sq. ft.-plus building had been vacant since Alcatel Lucent closed its doors in 2003. Numerous attempts by the owner to attract a new tenant over the years never materialized, and the site

became the target of several commercial tax appeals.

Making Things Happen

In 2013, a joint effort between the State of New Jersey, County of Monmouth, and Middletown Township resulted in attracting MSKCC to the site. During Lucent's tenure, the property was zoned "Office Research (OR)" which allowed for campus-style, single-purpose corporate office space. MSKCC needed this zoning, but also needed an amendment to allow for flexible, specialized, and complementary uses aligned with research and development, and the health care industry. This gave the township leverage to work out an agreement whereby MSKCC, a non-profit that is exempt from paying property taxes, would agree to a tax agreement recognizing zoning

ordinance amendments would be needed and could place increased demand on municipal services.

The Ordinance that amended the existing OR Zone added certain permitted uses to the established OR Zone, relaxed parking standards, and clarified the definitions of data centers and health care facilities. The base OR Zone designation was unchanged. However, this was precisely what MSKCC needed to make the property viable for their operation.

The result is a significant revenue generator for Middletown and Monmouth County. It will also create several hundred high-paying jobs, which will have a tremendous effect on the local housing market and economy. Perhaps the largest benefit is the availability of life-saving treatment as well as cutting-edge research and clinical trials in a convenient location in Monmouth County. No more will area residents have to travel to Somerset County and New York City for treatment.

Further, the Memorial Sloan Kettering staff has already become an integral part of the Middletown community by

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Reuse for Renewal

participating in the Relay for Life cancer fundraiser and Middletown Day celebration before the facility even officially opened. They have transformed a vacant, idle property into a job-creating, life-saving institution.

A New Anchor

A different project in Middletown Township with a similar outcome is the renovation of the former Pathmark Shopping Center on Route 35 and New Monmouth Road. The facility's anchor store, a Pathmark Supermarket, closed in 2009. The intervening years have seen the site degrade steadily. Last year, the owner of the property approached the Middletown governing body with a very aggressive plan to completely overhaul the site. In addition, he announced the attraction of two new major tenants, TJ Maxx and Bed, Bath and Beyond as well as other new tenants. The former had its spectacular grand opening in November

In Your Town: Ordinance Change Allows Progress

The projects featured in this article were able to utilize a relatively minor amendment to the Township's development standards, done in early 2016. This ordinance change permits, as of right and without site plan review, additions up to 8,500 SF or 10% of the total gross floor area to a commercial building, whichever is the lesser to existing structures.

2016, with hundreds of people waiting on line at 7:30 a.m. for the doors to open. The state-of-the-art Bed, Bath and Beyond, only the second of its kind in the country, will be opening this Spring. The entire façade is currently undergoing a complete makeover, with repaving of the parking lot, extensive landscaping, and new signage destined to make the center a facility in which we all can be proud.

Into the Future

A third project is the future redevelopment of the Belford Seaport. This site is

a virtual 400-acre blank canvas that includes a former landfill, the NY Waterways ferry terminal, the Belford Seafood Co-op, and several commercial and industrial properties. The majority of the property is owned by Monmouth County, with the remainder owned by several private owners. The site has been designated an Area in Need of Redevelopment (ANR) by the town and is currently going through a series of public meetings to get input from the residents. The initial plan is to create a destination site capitalizing on the rich maritime history of the area not unlike the South Street Seaport or Tuckerton Seaport. Concept plans have included restaurants, shops, a museum, a science center, visitor center, band shell, and other complementary elements. Once completed, the site would be transformed from a mostly tax-exempt, closed landfill to a revenue-generating, job-creating development that would attract visitors from throughout the tri-state region.

The renovation and repurposing of vacant or underutilized sites in town is the paramount goal of the Middletown Township Committee. This expands the commercial tax ratable base, creates jobs, rejuvenates blighted areas and provides new services and access to goods—all without impacting open space. While municipalities cannot legally prohibit the development of undeveloped properties, we have made it a policy to strongly encourage, whenever possible, the utilization of existing before building new. One of the keys is to work as cooperatively as possible with land owners and developers. The Memorial Sloan Cancer Center, the former Pathmark Shopping Center and Belford Seaport are prime examples of that policy at work. 📍

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NJ NOW & THEN



A Time to Celebrate, A Time to Look Forward



Amy Spiezio
Managing Editor

For 100 years, *New Jersey Municipalities* magazine has been in the business of helping municipal officials share and learn, getting through lean time and boom days, through war and peace, and during times of great advancements and terrible devastations.

Since our very first issue (which you can read at the magazine website, njmmagazine.com), *NJ Municipalities* has been “devoted to municipal progress and efficiency.” It’s a mission we have always taken seriously, tailoring the publication over the years to meet the changing readers’ needs, such as the creation in this decade of a digital bookshelf with a growing archive of past editions for your easy reference.

This month, we share with you some of the highlights of municipal achievement over the years, proof of municipal officials’ selflessness and devotion to the betterment of communities and the quality of life for New Jersey’s citizens.

With well over 800 issues to choose from, it’s been a labor of love to select the most inspirational, poignant, and occasionally humorous moments from past issues to share in our 100th Anniversary Special Section (see page 17).

But, just like our readers, we won’t spend too long patting ourselves on the back after a victory...there’s always work to be done. And this issue is no exception! As we celebrate our past, this month we also look to the future with features on electric vehicles, small wireless facilities, and the successful efforts to develop future workforces for municipalities through internship programs.

Thank you for 100 years of support and partnership! We look forward to your contributions and insights about the issues you’re currently handling—and the stories in the future of New Jersey’s municipalities that will be written in years to come. 📌

Time Capsule: 1950s



Disaster Control

We must, in our type of civilization, particularly in our state, which is becoming more highly populated and more industrialized every year, take this disaster control, this disaster planning, into consideration as a part of municipal and county and state government. I just want to say this very seriously in conclusion:

I just noted in *Look* magazine just out on the stands, that President Eisenhower has invited to Washington for a discussion of Civil Defense 175 Mayors. He is going to tell

them the mayors are responsible for Civil Defense.

If we don’t have a civil defense of disaster organization in every municipality it doesn’t make any difference what the counties or the state or the federal government do.

Thomas Dignan, Deputy State Director, Division of Civil Defense, March 1954

Highway Highlight

New Jersey Highways will be posted with improved route markers as well

as new numbers after January 1. The larger and easier-to-read signs are shown at the left and upper right in comparison with the old type (lower right) which they will replace. The simplified numbering system will result in reducing the total number of markers on the State system by 3,500, according to State Highway Comm. Ransford J. Abbott. Under the renumbering program, the first since 1927, U.S. highways will carry no separate State number. The new system has been studied and endorsed by auto clubs, as well as trucking organizations, as step in keeping with modern motoring needs, Comm. Abbott said.

March 1953



Affordable Housing

What we have to consider is an old problem and a new opportunity to solve it. How to get better housing at prices within the means of families who need it, is a serious and difficult program. A Great new opportunity to try to solve this problem is made possible by the low-rent public housing provisions of the U.S. Housing Act of 1949 which authorizes 810,000 dwellings for low-income families.

Mayor George E. Brunner, Camden, March 1950



NOW



NJLM's Mini One Day Conference set for June 16

The League's annual Mini One Day Conference is set for June 16 at the Conference Center at Mercer in West Windsor.

This year's event offers educational opportunities on a wide variety of topics of interest to municipal officials

with opportunities for licensure credits including: up to 8 CEU credits for CMFO, CCFO, CTC, CPWM, RMC, QPA, RPPO/RPPS; up to 7 CEU credits for CRP's, Planning/Zoning Board Secretary, Zoning Official, Land Use Administrator; and up to 6 CEU credits

for PACLE (separate fees apply). NJCLE and CTA credits are pending approval.

Morning sessions include Public Records Update and Green Purchasing; and Electronic Budget Submission Ethics; Online Auctions and Regulations of Tax Sales; and Modern Method of Tax Collection and Internal Controls—Perfect Together!

After lunch, the afternoon features more sessions, including Ethics: A Review of the LGEL and Beyond the LGEL-Ethics in the Workplace; Initiative and Referendum in New Jersey Local Governments; Modern Method of Tax Collection and Internal Controls—Perfect Together; Uber vs. Taxi: Safe and Fare Transportation; “Your Antivirus is getting less and less effective;” and a Review of the Municipal Auditing Process

Registration fees are as follows:

Member Rate (applies to: Municipalities, State, County, and Municipal Utilities & Authorities)
 \$105 (Pre-Registration until June 6)
 \$125 (After June 6 pay at the door only)

Non-Member
 \$125 (Pre-Registration until June 6)
 \$145 (After June 6 pay at the door only)

To register visit, njslom.org and click on Services, select Calendar of Events, and go to the date you are attending. Download registration form, complete, and fax it with your voucher to 609-695-0151. Questions about registering, contact Suzanne Delany at SDelany@njslom.com or 609-695-3481, Ext. 111



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NJLMEF Explores Smart Communities



Presenters (l to r) John Morgan, Benjamin J. White, and Michael Darmetta at the NJLM EF Smart Communities event.

The NJLM Educational Foundation presented an Introduction to Smart Communities Technology April 7 at Felician University in Rutherford.

Designed to educate municipal and county officials, economic development coordinators, community planners and non-profit organizations on the impacts of implementing Smart Communities technologies, the event provided an

overview of how Smart Communities technology impacts towns daily by saving energy, adding security, creating efficiencies, and understanding the costs and implementation process. Attendees also learned about Internet of Things (IOT) and new ways of using data to create effective, more efficient options particularly for local governments.

Presenters included local government practitioners, Fortune 100 Smart Communities advisors, and New Jersey experts, including:

- Mark Bocchieri, Director of External Affairs, Verizon
- Michael Darmetta, Senior Manager at Verizon Enterprise Solutions; Lead manager for the Smart Community Team
- Benjamin J. White, Distribution Business Team Leader, PSE&G
- John Morgan, Director, Hoboken Parking Authority
Hoboken case study: portfolio of solutions from fleet, scheduling, and cameras, to meters and GPS

This NJLM Educational Foundation event was made possible by the generous support of Verizon and Felician University. 🇺🇸

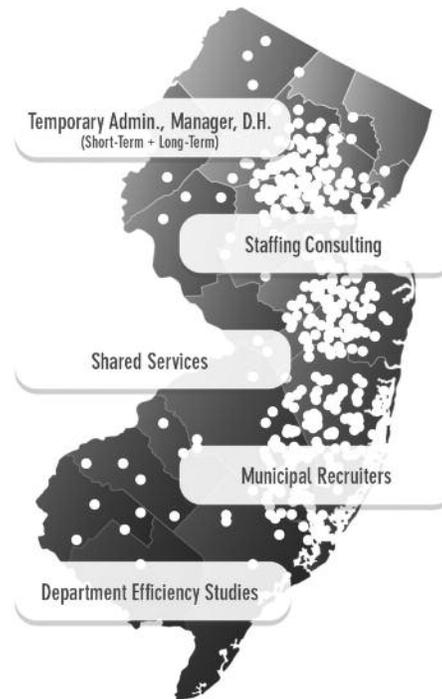
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League, Affiliates Gather to Set Conference Plans



DCA Commissioner Chuck Richman addressed 38 representatives from the League's 21 Affiliated Associations April 29 as the League's Executive Director Michael J. Darcy, CAE, (r) and Assistant Executive Director Michael Cerra take note.



At the same meeting, the 21 League Affiliates began coordination for the 102nd Annual League Conference, Nov. 14-16 in Atlantic City.

NJLM Events

MAY

May 10

Using Current ABC Rules to Promote Redevelopment
DoubleTree Hotel, Tinton Falls

JUNE

June 8

Inherently Beneficial Uses Under the MLUL: What Are They And How Are They Treated As Use Variances
Webinar, Your Computer

June 16

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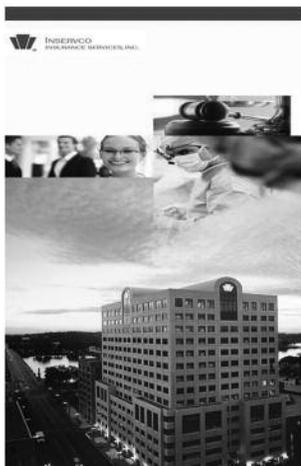
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The Town Crier: News From the Blog



This month at the League's blog, The Town Crier, hot topics under discussion by League Legislative team members included opposition to S-690 regarding increasing the cost of consolidation. Following are highlights from the blog posting. To read this and more in full, and to subscribe to the free blog, visit njlmblog.wordpress.com.

S-690 Will Increase Costs of Consolidation

We often hear that, "government should run more like business." This argument is often made by those who advocate for consolidation (sometimes voluntary, sometimes not) of local governments.

The comparison is far from perfect. Governments are not producing widgets but rather providing order, justice, civil rights and essential services to taxpayers, in as a cost effective and efficient manner as possible. There are certainly lessons that the public sector can learn from the private sector, when applicable, and vice versa. The savings, however, that can be achieved through consolidation are often over-stated.

That's what comes to mind when reading a bill that now sits on Governor Christie's desk, S-690. The sponsors claim that the bill is intended to increase flexibility and provide new tools that would be available to municipalities considering consolidation. In its current form, the bill will actually limit local flexibility, increase consolidation costs and, thereby, discourage future consolidations.

The League opposes the bill in its current format and has requested the Governor to either veto or conditionally veto the legislation. The Governor pocket vetoed identical legislation last session.

Contrary to what certain advocacy

organizations claim, the League does not oppose consolidation. Local officials should be provided with any

and all tools to enact cost efficiencies, not be burdened with unnecessary costs drivers. ♣



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As a proud League partner, we salute *NJ Municipalities* on 100 years of commitment to the communities we serve. Together, we are helping to build a stronger and more powerful future.



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WASHINGTON



A Huge Win for NJ's Base—And America's Security

U.S. Representative Donald Norcross, District 1

Early this year, New Jersey's Joint Base McGuire-Dix-Lakehurst (JBMDL) received the biggest and best news in a generation: the Air Force chose our base as the home for a new fleet of next generation air-refueling tanker planes. We won an intense, years-long national competition for the right to operate the KC-46 Pegasus, a Boeing-made craft that will provide mid-air refueling capabilities for our military, just as our base does now with the KC-10 and KC-135. This is a huge win for New Jersey's base and America's security, and it could not have been possible without the support of an array of local military and private sector stakeholders, as well as bipartisan Congressional cooperation and across all levels of government.

With its strategic location and multiple capabilities, the Joint Base is a critical part of our national security infrastructure, especially for European and Middle East operations. And as the second largest employer in New Jersey and the largest in South Jersey, JBMDL is an integral part of our region's economy. Supporting over 65,000 direct and indirect jobs, JBMDL provides almost \$7 billion in financial impact to the region.

But the base is more than a military hub or an economic engine for New Jersey; it is a source of pride. It has played a role in many of our nation's most serious conflicts and emergencies, from World War I and II to 9/11 to Hurricane Sandy, the base was there to assist. As the only tri-service base in the nation, it supports programs from every branch of our military, active, reserve and National Guard. New Jersey is immensely proud to have the men and woman of our armed services, as well as thousands of veterans who served at the base, as members of our communities.

We must not take the base for granted. Since 1993, the Joint Base has been a target for the Base Realignment Committee (BRAC). The very creation of the Joint Base is a result of the 2005 BRAC consolidations. In an uncertain time of shifting priorities, the threat remains. Which is why, as a member of the Armed Services Committee, I am committed to making

JBMDL an indispensable part of our defenses.

The State of New Jersey is a partner in that effort, as it formed the Military Installation Growth and Development Task Force in 2014, and researched ways to make the base more competitive. Meanwhile, local stakeholders formed a non-profit, the Defense Enhancement Coalition, dedicated to strengthening the base. In both instances, a familiar name played a pivotal role. Former Congressman Jim Saxton, who represented the base in Congress for decades, continues his dedication to its success to this day, and I personally thank him for his unwavering support.

As that work unfolded back home, I started advocating for the KC-46 on day one in Washington. In my first term I successfully worked across party lines with Congressman Tom MacArthur to protect existing JBMDL programs through the annual National Defense Appropriations Act. Simultaneously, I took action with the entire NJ delegation to publicly advocate for our winning bid. Then, just days before the decision, I met with Air Force Secretary Deborah Lee James to personally make the case for our selection.

Now, the moment has arrived. The 24 KC-46 Pegasus planes soon to be stationed here will be one of the most elite air-refueling tanker fleets in the world. They will provide vital support to Air Force missions across the globe. Critically, this puts the base and its employees on sure footing for years to come, and the placement of the Pegasus in our backyard makes the country and the world safer.

Not only is the selection a win for New Jersey and national security, this is also a major win for bipartisanship. In a time of increasingly bitter politics, this bipartisan effort, across State and Federal government, along with private and non-profit support, should stand as an example of what we can achieve together. The cooperation is a vital aspect of this success, and one that I hope to repeat in the coming years as I strive to create jobs, improve education, and strengthen security for all Americans. 🇺🇸

Congressman Donald Norcross is a member of the House Armed Services Committee, serving on the Strategic Forces, and Seapower and Projection Forces Subcommittees. He also serves on the Education and the Workforce Committee, and is a founding member of the bipartisan Building Trades Caucus.



THE PREMIER GOVERNMENT MANAGEMENT PLATFORM

GovPilot thanks NJLM for a century of bringing New Jersey's municipalities together. Our platform serves a similar purpose. It brings municipalities together by unifying fragmented data and departments, promoting constituent engagement and optimizing the efficiency of all offices.

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Hamilton to Save Residents' Money with Community Energy Aggregation

Kelly Yaede, Mayor, Hamilton

It was a striking moment when I was told of a senior whom couldn't afford a needed medical prescription. I realized how every single dollar makes a big difference to someone on a fixed income.

That realization convinced me to investigate a program gaining popularity across New Jersey: Community Energy Aggregation.

Savings

Since March, participating residents are saving, on average, \$250 over a 21-month period (or approximately \$12 a month) on their electricity costs.

The savings is thanks to a competitive public procurement and bidding process that yielded a non-variable electric rate 14% below the local utility's rate.

How it Works

Community Energy Aggregation allows municipalities to combine the purchasing power of its residents to secure lower cost energy. Through greater competition, third-party energy suppliers responded to a proposal that Hamilton's energy consultant, Gabel Associates, helped craft. Once the most advantageous price proposal has been identified and approved, the program begins. Residents receive a mailing to notify them of the savings, enabling them to make an informed decision and providing them with several ways to opt-out if they choose. Although some oppose an opt-out process, it has proven to be the only way to successfully implement such a program under state rules.

Community Energy Aggregation is conducted with additional safeguards with residents in mind. The State's Board of Public Utilities, reviews bid specifications, contracts and other aspects to ensure consumer protection.

As local control over bid specifications is judiciously exercised, the Township insisted upon securing a stable, non-variable rate, which could be renegotiated or terminated should it become no longer advantageous.

Importantly, residents may opt-out at any time without termination fees.

Utility Remains the Same

Residents are surprised to learn that their utility does not change under the program. Residents' bills are split into two

portions: supply and delivery. Community Energy Aggregation only affects supply charges, while delivery is provided by the existing utility.

In Hamilton, that means residents continue to be billed by their utility, Public Service Electric & Gas (PSE&G). Participating residents can enjoy reduced electricity costs without impacting budget-billing plans and income-eligible assistance programs.

In all emergency situations, such as outages, residents still contact PSE&G for restoration.

“Community Energy Aggregation allows municipalities to combine the purchasing power of its residents to secure lower cost energy.”

No Cost to Towns

It might sound too good to be true, but there is no cost—and no revenue benefit—to the municipal government. Hamilton's energy consultant is paid by the awarded supplier, South Jersey Energy, which also covers the costs of the program's required mailings. Hamilton does not receive a single penny from residents' participation.

The program is conducted entirely for the benefit of Hamilton residents.

As Mayor, any time that I can help save our residents more of their hard-earned money, I want to do so. That is why I proposed our community pursue this program.

Local Economy

Although a residential program, local businesses will benefit from more money in Hamiltonians' pockets. Energy savings means a stimulus for Hamilton's economy and a win-win for the entire community. 📈

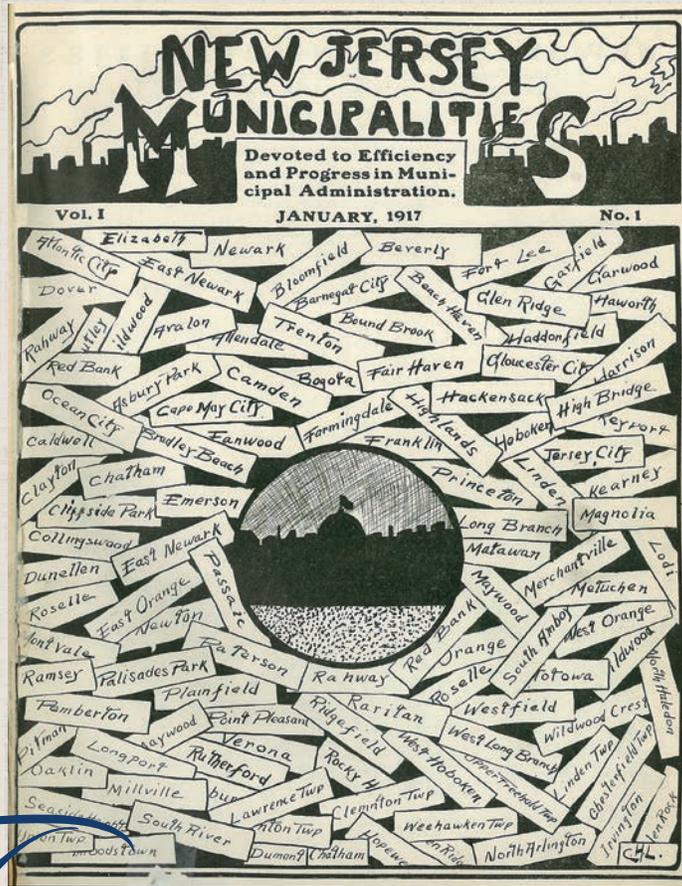
@ To learn more about Hamilton's program, visit HamiltonNJ.com/Energy



nj municipalities

75 years

Celebrating 100 years



*Thank you
for 100 years of readership*

It's our pleasure to be able to share with our readers a free version of the very first edition of *NJ Municipalities* magazine.

Please visit our digital bookshelf at njmmagazine.org to enjoy the January 1917 issue, the first of many focused on sharing useful information and tools for and from municipal officials just like you. Although the language may have changed and some of the topics have shifted to include today's amazing technological advances and huge population growth, you may be surprised to find that some of the issues so important to your own daily work were concerns shared by your predecessors a century ago!

We look forward to another 100 years of providing New Jersey's Municipalities with ideas and inspirations to make life better for everyone in the Garden State, with your continued input and contributions.

Download the first issue from njmmagazine.org



Celebrating a Century of Information and New Ideas



This year, we pause and reflect on past and present as we celebrate a century of publishing *NJ Municipalities*.

The magazine is one of the few programs and services the founders of the League had the foresight to consider as so critically important they incorporated it into the very structure of the League. We pause and reflect because, sometimes, we can take for granted the monthly treasure of information and new ideas it supplies while also keeping us connected with the stories of the real world of New Jersey local government. And, while I have great respect for the work of my colleagues at Leagues around the country, your League magazine sets a benchmark of quality and consistency against

which others may be measured.

You will see in this reflection how the magazine evolved over the years in appearance, approach, and in how it portrays the historical events in which New Jersey local government was a central player. But the core purpose of the magazine from its beginning is unchanged—the exchange of information and ideas to help municipal governments serve their residents in the best ways possible. Over the years, the details of information and ideas have changed as technology, law, and society changed. Some of the ideas now seem rudimentary or even inhumane. Some seem quaint or antiquated with the passage of time. I hope you enjoy this reflection with a smile, a wince, or even some disappointment but always knowing your colleagues were then as now trying their very best. *NJ Municipalities* chronicled it all through the unique lens of local government.

Today *NJ Municipalities* continues the mission of providing information and ideas that are uniquely suited to informing your work in local government. Sometimes there is direct application through technical “how to” articles. Often the most valuable articles inform on the changing requirements for which local government is responsible. Hopefully these pages also nourish your curiosity and spark your motivation that is so important in the work you do for your community. Another century of change and evolution lies ahead. Continue reading *NJ Municipalities*, and together we will learn new information and ideas uniquely suited to this evolving work of local government.

It would not be right to pause and reflect on this anniversary of a League hallmark without mentioning the dedication and work of those who made this past century of publishing possible. Over the years there have been 11 Editors and seven Managing Editors. Just as important have been the six Advertising managers who worked with the thousands of advertisers who helped pay for production. And the magazine could not fulfill its mission without the thousands of contributing authors who took time to share their experience so others could also benefit. 

Michael J. Darcy, CAE

Executive Director/Editor-in-Chief

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About the Publication

The 100th anniversary celebration was composed by Michael J. Darcy, CAE, Amy Spiezio, and Taran Samhammer. Page design by Dawn Becan, White Eagle Printing.



Story Tellers,

NJ Municipalities' Staff

For 100 years the League has published a monthly magazine to educate its local government membership allowing them to make better, more informed decisions for the benefits of their constituents. Over the span of the magazine's existence, a small team of staff members put together each issue in cooperation with the generous story sharing of our authors—local, state, and Federal officials who have advice, insights, and even the occasional poem to share.

Since the magazine began in January 1917, the role of Editor has been assumed by the Executive Secretary/Director. Early on, it was decided that advertising should be sold to help fund production. Madeleine (Frost) Freeman, one of the League's first full-time employees, spearheaded the advertising campaign by bicycling to potential advertisers and extolling the benefits of this uniquely focused publication.

All of the magazine's editors have left their mark on *NJ Municipalities*, a source of personal pride for each. Monthly editorials, in-depth feature reports, and in the case of Jack Trafford and several other editors and advertising managers, photos for the magazine, have become the signature touches for each generation.

Claude H. Anderson
Editor 1917-1918



Homer Talbot
Editor 1919-1920

Edward T. Paxton
Acting Editor 1918-1919



Madeleine (Frost) Freeman
Associate Editor 1919-1950
Managing Editor 1951-1954
Editor 1954-1957
Advertising Manager 1954 (title created)-1955

Sedley Phinney
Editor 1920-1932

Wylie Kilpatrick
Managing Editor 1931-1932

Barrett L. Crandell
Managing Editor 1932



Samuel S. Kenworthy
Editor 1933-1940

James J. Smith
Editor 1940-1954



Robert H. Fust
Associate Editor 1951-1955
Managing Editor 1955-1957
Editor 1957-1979

Thatcher & Fust



Roberta H. Thatcher
Advertising Manager 1955-1974



Elvira R. Tucci
Associate Editor 1955-1978

History Keepers...

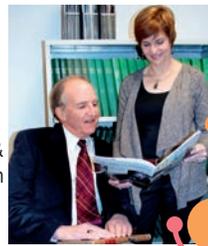
“ One of my first necessary efforts was to increase the membership of the League and I had the idea that the best way to do this was to start a magazine. Thus, I started *New Jersey Municipalities*, which was printed by Princeton University Press for the first two years. I have—and prize—the two bound volumes of the issues of those years. ”

—Claude H. Anderson, First Editor, quoted from March 1955

In this, the magazine’s 100th year, Michael J. Darcy serves as Editor, Amy Spiezio as Managing Editor, and Taran B. Samhammer as Advertising Manager. This timeline shows many who have been involved in producing *NJ Municipalities* over its first 100 years; many others have contributed each month. We look forward to continuing a legacy of excellence into the future. 



Dressel & Duran



William G. Dressel, Jr.
Advertising Manager
1974-1987
Editor 1995-2015

John E. Trafford
Associate Editor 1958-1972
Managing Editor 1972-1979
Editor 1980-1995

Trafford & Helmstetter



Jeanne G. Helmstetter
Associate Editor
1979-1983



Phyllis Rieger
Associate Editor
1979-1981
Managing Editor
1982-1987



Jon Moran
Advertising Manager
1987-1990

Irene Gianopoulos
Associate Editor
1987-1989
Managing Editor
1990-1991



Michael J. Darcy, CAE
Advertising Manager
1990-2000
Editor 2015-present

Jennifer G. Shepherd
Associate Editor
1994-1996



David Harkness
Advertising Manager
2000-2006

Kyra Duran
Managing Editor
1996-2015



Taran B. Samhammer
Advertising Manager
2007-present



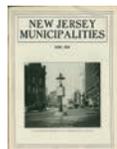
Amy Spiezio
Managing Editor
2015-present

Celebrating 100 years

THE BEGINNING:

The League began publishing the magazine in January 1917 with a plan to “publish this monthly periodical devoted to municipal progress and efficiency. We hope it will not be judged wholly by this number for we would not like to think that we could not improve. We are, however, willing for this issue to be taken as a criterion of what we propose to do. This may be briefly stated as follows:

1. Supply original articles by men in a position to speak with authority in their respective fields.
2. Review for our city officials the municipal affairs of the country.
3. Convey to all our municipalities that part of our research work which might be of general interest.
4. Endeavor to stimulate and inspire to the end of securing more effective democracy and great efficiency in municipal government.”



1917 - 1929



MAGAZINE HISTORY

After its introduction in 1917, *New Jersey Municipalities* changed to a bulletin format in December 1920 under the leadership of Editor Sedley H. Phinney:

“Materially reduced in size... *New Jersey Municipalities* will contain gossipy New Jersey news, the business and proceedings of the League and some of the reports that will be issued from time to time.”

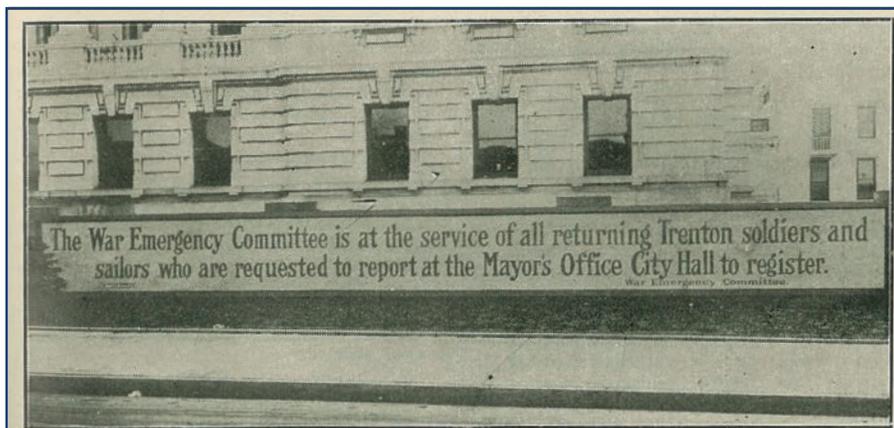
Through the boom days of the 1920s, the magazine was distributed in brief, bulletin format expanding to a traditional magazine format again in 1931.



That's My Baby!

Before the 1920s, there was no statewide Vital Statistics law, meaning at the time, “three children out of every ten have no positive record of the circumstances of their birth, an unnecessary handicap that may seriously affect their lives.”

—Arthur Whitney, Senator from Morris County, February 1920



WELCOME HOME IN TRENTON

New Jersey was recovering from The Great War by gearing up to help veterans “With the signing of the armistice, Mayor Donnelly immediately realized the very great responsibility which American cities will have to meet in providing for the boys who are returning from their months of valiant service. He decided to have Trenton adequately prepared to meet this newly created emergency.” —January 1917



SURVIVING HARD TIMES

In the feature “Baby Bonds” by William H. Williams, Director, Department of Revenue and Finance for Belleville, discussed the town’s use of scrip for the payment of municipal obligations or salaries...

225 employees of the Board of Education

&

125 employees of Town Departments

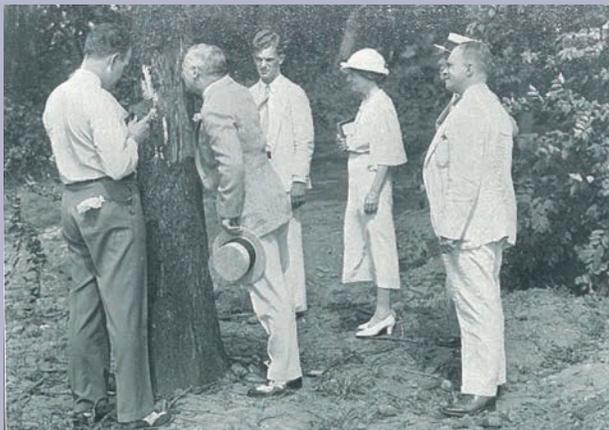
loyally attended to their duties notwithstanding arrearages of three months’ wages.

WHAT THEY DID: “We determined to issue a payroll for one month in 6% 1932 Tax Revenue Bonds in denominations of \$10 maturing December 31, 1936, with Town reserving right to retire any or all of this issue by posting ten-day notice of said retirement call. Checks as usual were made out by the Town Treasurer, endorsed by employee, returned to Treasurer, employee receiving bonds as closely as \$10 denominations permitted and balance in cash.

Employees with rehabilitated credit and merchants with reduced bills receivable have endorsed this work.” –May 1933

THE CHALLENGE OF THE DUTCH ELM DISEASE

One of the most consistently covered topics in the pages of *NJ Municipalities* over the years has been the trees that help keep the Garden State green.

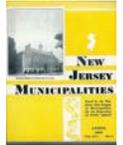


“Governor A. Harry Moore inspecting trees damaged by the Dutch elm disease. He is examining the borings of elm bark beetles, which spread the infection. At his left is Dr. O.N. Liming of the Federal Department of Agriculture. Behind him is Mrs. Moore, and at the extreme right is William B. Duryee, state secretary of Agriculture.” –October 1934

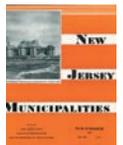
WHAT HE SAID:

“Under no circumstances must local government be allowed to lose its position as a theatre for the citizen’s active participation in public life, and as an indispensable training school for democratic leadership.”

–Harold W. Dodds, President of Princeton University, November 1939



1930S



Celebrating 100 years

WORK/PLAY BALANCE



Recreation has always been a topic important to our readers. In the Depression years, recreation departments helped occupy the unemployed with sports leagues. In the years of World War II, recreation helped build strong citizens, kept hopes up and attended children whose parents were busy with the war effort and then with the post-war boom.

“Since living, not business, is the end of life, our cities should be planned for living as well as for business and industry. Sunlight, air, open space, parks, playgrounds, in abundant measure, are essentials to any living that is to give permanent satisfaction.”

–J. W. Faust, New Jersey District Representative, National Recreation Association, May 1948

1940S



Healthy State

For the year 1946, 566 local boards of health put their total budget of \$3,702,423.47 to use fighting diseases such as the now eradicated small pox. *–November 1947*

War Efforts

Maplewood combined war preparation with public works when a Reo Speed Wagon equipped with a pump and auxiliary firefighting apparatus was converted into a Defense Utility Truck using parts and labor from various town departments. **“Preparations for war time emergencies can be converted into assets of peace time.”**



–November 1941



MAGAZINE HISTORY

In January 1943 issues were trimmed in size so paper could go toward the war effort. By December 1946, things were turning a corner as James J. Smith, Editor/ Executive Director invited an increase of new articles for publication.

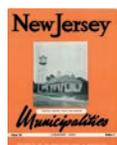
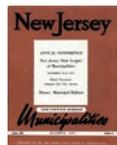
WORDS FROM THE HOME FRONT

The Home Front Pledge campaign encouraged the sympathy and help of each citizen of every community in the war on the home front. “The local go-ahead signal is a proclamation by the mayor, calling upon his citizens to join in the drive to ‘stamp out black markets with your ration stamps and never pay more than ceiling prices.’ Usually, the mayor is the first local person to take the pledge affirming:

‘I pay no more than top legal prices’

‘I accept no rationed goods without giving up ration stamps.’”

–October 1943





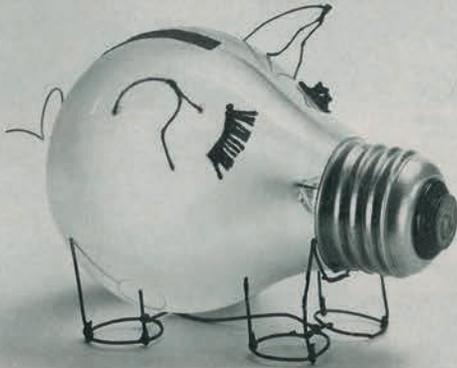
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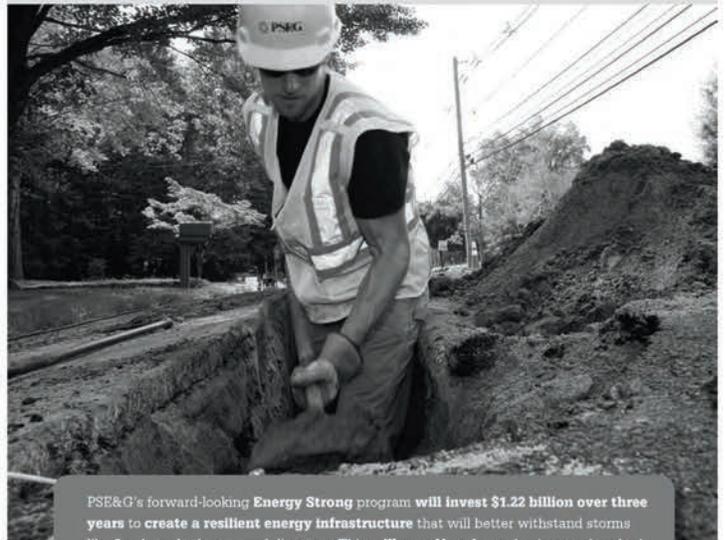
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Birth of the Jughandle

Jughandles changed NJ streets by eliminating “dangerous left hand turns from highway by permitting motorists access to side road from which they may cross under traffic light control. Signals at these locations promote freer and safer traffic flow and where possible are synchronized to allow motorists non-stop travel at posted speeds.” –April 1960



Photo Op of the (Third) Century

As a kickoff of the Township of Willingboro’s Tercentenary program, the Mayor and Governing Body donned colonial garments at their reorganization meeting. Willingboro Township Tercentenary Chairman

Ralph W. Hayman, Jr., is credited with conceiving the idea of the costume affair, the first to take place in the State in the Tercentenary year. –February 1964



The Original Jersey Shore

Long before The Situation, the shore dealt with an issue: “more and more rentals of seashore homes for summer occupancy have been made to groups of single young men or women. The congregation of these individuals, particularly on the weekends, has resulted in noise, traffic problems, disorderly conduct, etc... It has developed into an awkward situation for all concerned.” –June 1968

PEACE & UNDERSTANDING

Violence in U.S. cities challenged leaders. “Riots are said to be a cry for help which municipalities cannot ignore and which they alone cannot answer. They can however, foster mutual respect and better communication between the police and all elements of the community.”

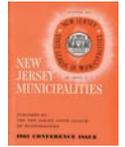
–Irving B. Zeichner, Magistrate, Atlantic Highlands Municipal Court, October 1967



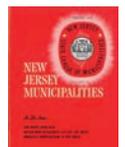
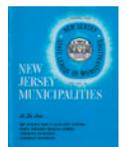
LIGHTS ON

987 traffic signals in use in 1960 NJ

3 Per Week: requests for additional signals to State Highway Department



1960S



Celebrating 100 years

Speaking for the Future

The following quotes are extracted from *The City: It's Future Role in American Society* (adapted from remarks presented at the Joint Session on Planning during the League's 1972 Conference).



“Years ago we could talk in terms of urban versus rural society. Then it became urban versus suburban versus rural. Now we must add a fourth type, which as yet bears no particular name, but is drawing refugees from the other three types. In this paper I shall use the word “exurbia” to describe this type, although the word was invented for a somewhat different purpose.” –Dr. Mason W. Gross, *President Emeritus, Rutgers – The State University of New Jersey; President, Harry Frank Guggenheim Foundation*



“In the 60’s we learned the rhetoric and emotional warfare of revolution. In the 70’s we are putting together the institutions of the continuing social revolution that must be won, for American to survive. Only the residents of the cities can rebuild them in a true image and function of the societies which they house. The struggle for power to transform our societies to transform our lives, will of necessity transform America.” –*Imamu Amiri Baraka, Chairman, Committee for United Newark, Author, January 1973*

1970S

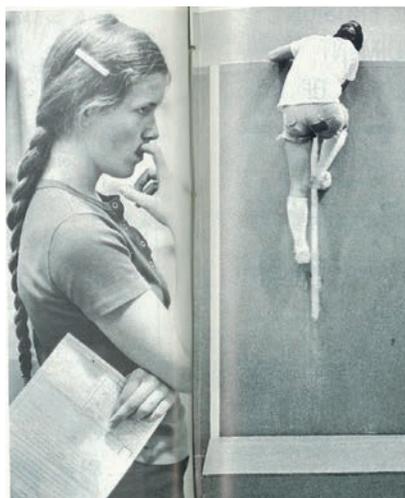
COLOR TV!



When New Jersey’s full color television network began fullscale operations in 1971, “every municipality in the state will be a part of one of the finest communications systems in operation in the entire country. New Jersey will have four color UHF television stations spread throughout the state so that there can be instant coverage of all the municipalities in a single sweep.” –*December 1970*

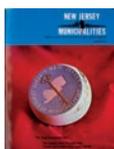
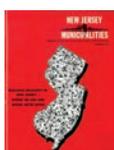
WORKING TOGETHER

“Firemen and other employees of the City of Elizabeth have joined the police in patrolling the city’s streets in radio-equipped cars during high crime hours.” –*June 1972*



Women’s Movement

In July 1974, the New Jersey Civil Service Commission abolished minimum height and weight requirements. The revised qualifications eliminated barriers to shorter men as well as women and generally broadened opportunities for eligible applicants to municipal police forces. –*March 1976*





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Message from

Frank Fuzo, *Senior Vice President*

Mary Lou Unangst, *Vice President*

Norma Elkovich, *Assistant Vice President*

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FORECAST FOR THE 80s

Money was on the minds of Wall Streeters in the 80s...and they shared their message with municipalities. “Have we ever had any planning at the local level? Now I don’t mean land-use planning, because that is not my area of expertise...I’m talking about financial planning because when everybody’s done talking about zoning and demographic projections, the bottom line is money...As we look ahead to the eighties, the ability of local government to meet the needs resulting from more people and changing social roles is going to be severely challenged. The tool to respond to this is better management.”

—John F. Laezza, Jr., Partner, Arthur Young & Company, Newark, February 1980

1980s



LOGIN Line

In September 1983, the League embraced the digital age with pre-Google tech, “**LOGIN (Local Government Information Network)**, a national information and communications network. Through LOGIN, local officials can tap into over 18,000 units of information containing actual problems and solutions from thousands of communities. Over 120

municipalities and other jurisdictions and organizations around the country are members of LOGIN, and the number is growing.” *—January 1984*

LEAVES

The goldenrod is yellow;
The leaves are turning brown,
And you will get in trouble
If you burn them in this town.

We know that you are anxious
To make your lawn look neat;
But you will get a summons
If you rake them in the street.

The right way’s really simple,
And one that won’t perturb.
Just stuff them in a plastic bag,
And leave them at the curb.

For ten weeks every autumn
We take them all away,
And turn them into compost
For which you do not pay.

*—A light hearted take on leaf disposal
by Barbara Chandross, Summit City
Public Information Officer,
April 1986*

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Keeping “Perfect Together” was a message for the 1980s, to encourage shore visitors to clean up after themselves to avoid an outcome in which “**an estimated 26,000 cubic yards of litter is cleaned from New Jersey’s 127-mile coastline annually.**”

*—Commissioner Richard T. Dewling, NJ State Department
of Environmental Protection, June 1988*





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— Chante', 2015 graduate

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— Mike, 2013 graduate

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PLANNING LIKE IT'S 1999



In keeping with its commitment to remain ahead of the curve, Woodbridge Township began preparing for anticipated Y2K computer problems in 1996—well before the issue became the subject of newspaper headlines and corporate Y2K statements. “We have developed a plan and we are confident that disruption of service will be minimal—if at all—when the clock strikes 12 on December 31, 1999,” said Information Systems Director Michael D. Esolda.

—February 1999

1990 - 1999
66T - 066T

What's a Pay Phone?

Before the advent of cell phones, limiting public pay phones became a crime-fighting effort. “Many of the officials expressed their frustration with the inability to control the proliferation of public phones, which end up attracting drug dealers. These drug dealers have been routed from their homes and cars fearing the state’s forfeiture law....In Paterson over the past year, it was estimated that over 200 payphones were installed...As Mayor I needed to take control of this situation. Paterson will introduce an ordinance to set regulations and procedures on the installation of public phones on city streets.”

—William Pascrell, Jr., Mayor, Paterson, May 1992

NEW JERSEY IS A COMPACT, YET GEOGRAPHICALLY DIVERSE STATE WITH MORE THAN:

800 LAKES AND PONDS

6,500 MILES OF RIVERS

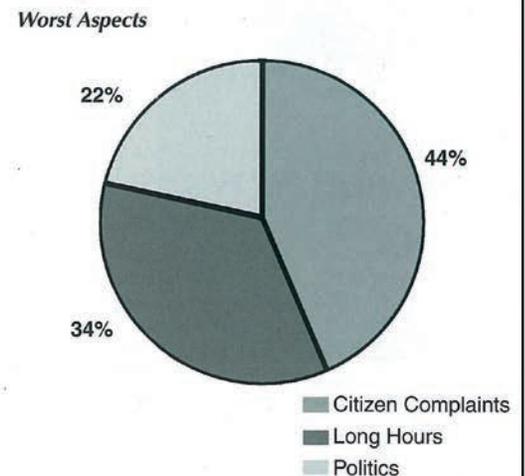
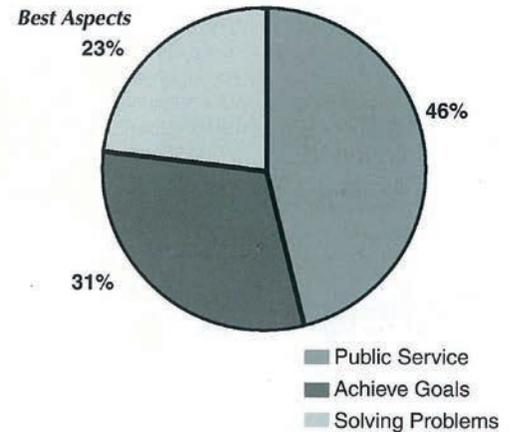
127 MILES OF WHITE SANDY BEACHES

1 MILLION ACRES OF PINE FOREST

—Linda Mysliwy Conlin, Director of Travel and Tourism, May 1998

The Best and Worst Parts of Leadership

When asked to indicate the best and worst aspects of their work as elected officials, the responses were as follows:



Data from League Annual Fall Survey, March 1999





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Revisiting Lighting

After years of promoting street lighting, 2008 marked the tipping point and a story about controlling light pollution ran in the January issue. **“Light Pollution affects everyone and controlling it benefits everyone. This is how the Eatontown Environmental Commission presented the problem to our local governing body. We then proceeded to explain why we needed to adopt an ordinance to solve this problem.”**

*–John Batinsey, Chairman, Light Pollution Committee & Member
Eatontown Environmental Commission, January 2008*



2000 - 2009



Mayors Wellness Campaign Getting Started, Getting Healthy

“By encouraging Mayors to play a leadership role in supporting local opportunities for active, healthy lifestyles, the intent of the MWC is to improve health and make New Jersey a national leader in community-based health interventions.” *–January 2006*



Friend of the Trees...

Despite having the highest population density, a higher proportion of New Jersey is covered by forest than states such as California and Alaska.

*–James W. Hughes and
Joseph J. Seneca, February 2008*



2004 MAGAZINE MOMENT

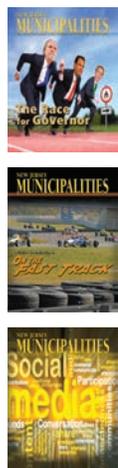
Atlantic City’s Casino Reinvestment Development Authority provided the first color image included with a feature, which ran in the November 2004 issue.



SEPTEMBER 11, 2001

“Municipal officials in New Jersey were among the first to see the need for action. And municipal employees rushed to answer the call. A partial list of New Jersey personnel and equipment sent to New York includes: firefighters, police, sheriff’s deputies, rescue squads, volunteers, medical technicians, K-9 police patrols, social workers, ambulances, fire trucks, dump trucks, garbage trucks, and police vehicles...The coming months will bring new challenges. America will recover and, as always, we will prevail.”

–Bill Dressel, then NJ Municipalities Editor, October 2001





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The League would like to congratulate our advertisers who are also celebrating milestones in 2017!

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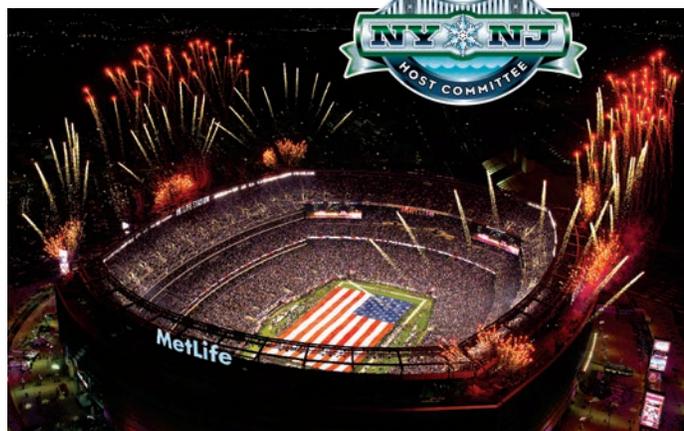
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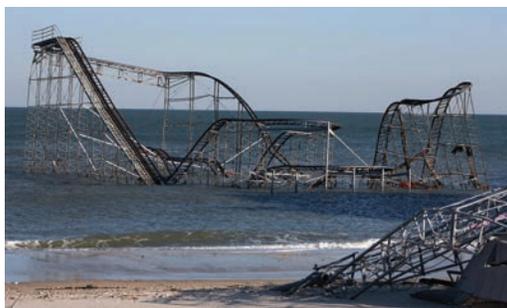


Cool Game!

The snowflake in the logo for Super Bowl XLVIII set the tone for a very cool NJ event. “The game, to be held in February of 2014 in East Rutherford, will be the first cold weather Super Bowl played outdoors in history. The idea of a New Jersey-based Super Bowl faced a major obstacle—the NFL’s longstanding rejection of cold weather sites (at least without domes).

We can’t guarantee the weather, but we believe we can guarantee a Super Bowl like no other—for the fans and for the betterment of our area.”

—Alfred F. Kelly, Jr., President and CEO, 2014 NY/NJ Super Bowl XLVIII Host Committee, November 2012



SANDY HITS

Stories of recovery and heroic efforts marked coverage of Sandy. “Sandy caused \$36.9 billion in damages. It killed 38 people, left

thousands homeless and cut power to 2.7 million homes and businesses.

In the face of an unprecedented emergency, many of you worked around the clock to provide shelter, food, information, and other assistance to your fellow citizens.”

—Kyra Z. Duran, NJM Managing Editor, January 2013



Working Together

Consolidation of the two Princetons may be a lesson for other towns. “With a single government, a single administration and a single police force, we are now delivering better services to our residents, with a lower price tag. After three years, when consolidation is fully phased in, we expect to save approximately \$3 million annually from what we would have spent had we not consolidated. That estimate is conservative...”

—Liz Lempert, Mayor, Princeton, June 2013



GOING LIVE!

The Township of Union’s TV 34 Station Manager Sal Terrezza was tasked with finding the right medium and format to stream the Township’s public meetings.

“They began by testing the Facebook Live feature at community events, monitoring likes, share and views as well as comments and feedback from viewers. Shortly thereafter, the decision was made to stream the Township Committee’s public meetings.

Utilizing a third-party application that integrates with Facebook Live, and armed with protocol that would require the Public Information Officer to live-monitor the feed for offensive language and negative feedback, the first meeting was aired on August 23, 2016.” —March 2017



2010 - Today





THE NEXT 100 YEARS... AND **BEYOND!**

Thank you for sharing 100 years of *New Jersey Municipalities* magazine! After looking so far back into the history of local government, we can't help wonder what we will experience in the next 100 years. The New Jersey League of Municipalities' Executive Board Members reflected on the topic and shared some of their hopes, thoughts, and predictions for the future of the Garden State.

“ Previously municipalities were about location and self-containment. Given a chance, cities will become labs for innovation and shared governance—the new mortar that holds our state and national framework together.
—Mayor Al Kelly, League President ”

“ As we move forward through the 21st century I see the municipalities becoming more dependent than ever on the League of Municipalities to defend the interests of the people we represent.
—Mayor Jim Cassella, League 1st Vice President ”

“ When I reflect on the changes of the last 100 years, I have no doubt that 2117 will be unrecognizable to some degree. But then as now, the League will play an important role as advocates for local municipalities and by extension, the taxpayers of New Jersey. The League will always have a role in helping to move the New Jersey economy with the times.
—Mayor Colleen Mahr, League 2nd Vice President ”

“ It is my hope that we can all work together and have a positive influence for the next 100 years.
—Mayor Jim Perry, League 3rd Vice President ”



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Green Machines

The value of NJ’s public procurement facilitating EV infrastructure

Bhavini A. Doshi, Attorney for the City of Jersey City;
Certified Qualified Purchasing Agent

Green energy has arrived and is here to stay. Investments in green and renewable energy are being pursued not only by governments and NGOs, but also by the private sector, as business leaders have begun to acknowledge that reducing fossil fuel dependence is not only smart and sustainable, but also inevitable. One of the major green market players is the electric vehicle (EV). In order to facilitate expansion of EVs, laws governing New Jersey’s public entities must evolve.



Charging Up

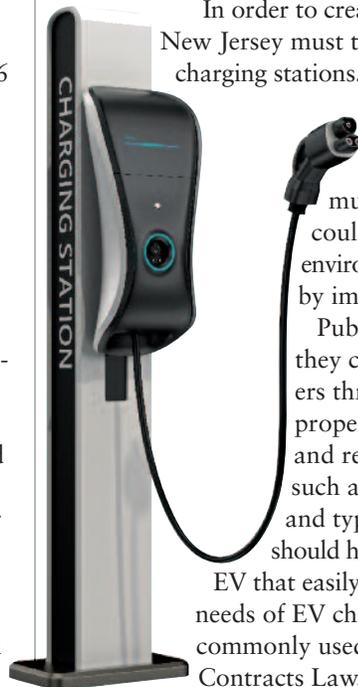
Last year the United States saw a 37% increase in EV sales. According to EV sales records, revenues in the first two months of 2017 alone have sizably surpassed comparable 2016 data. Energy data analytics from Bloomberg New Energy Finance declared in a 2016 report that “2020s will be the decade of the electric car.” This study forecasts that the “sales of electric vehicles will hit 41 million by 2040, representing 35% of new light duty vehicle sales.”

While environmental stewardship by the industry and consumers may have a role, this uptake more likely reflects a desire by the industry to stay relevant and competitive. It appears that the EV trend will continue, even if emissions regulations at the federal level are pulled back. Technological advances, lowering battery costs, and stark competition amongst automakers have all been catalysts for the newest and upcoming EV models, focused on mid-range pricing (\$30,000 or less) and long-range capabilities (100 to 300 miles). Greater affordability and long-range options means that your typical urban or suburban driver will be more likely to give the EV a chance. Auto makers Nissan, Tesla, Toyota, Hyundai, Ford, Chevrolet, Volkswagen, Mercedes-Benz, and Mitsubishi are all expected to deliver such models.

Public Charging Stations

In order to create a more EV-friendly environment, New Jersey must tackle the issue of the lack of public charging stations. Greater EV demand by consumers requires that chargers be accessible, abundant and widespread. New Jersey’s public entities, including municipalities, schools, and agencies, could all play a role in this green and environment-friendly economic opportunity by improving public EV infrastructure.

Public entities are in a unique position: they can help logically sprinkle EV chargers throughout their jurisdictions through proper planning, ensure public access, and regulate optimal charging conditions, such as parking hours, charging prices, and type of chargers. Therefore, they should have a straightforward pathway for EV that easily incorporates some of the particular needs of EV charging infrastructure. The most commonly used methods under the Local Public Contracts Law, N.J.S.A. 40A-11 et seq. (“LPCL”),





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Green Machines

the Public School Contracts Law N.J.S.A. 18A:18A-1 et seq. (PSCL), and the Local Lands and Building Law (LLBL), do not offer friendly options, however, for this particular purpose.

A typical EV charging station procurement contract or lease might include not just a request for the charging stations themselves, but also the design, permitting, construction, installation, wiring, striping, signage, and accessibility modifications on public property. Therefore, it would be useful to procure a single vendor that could manage all those items on behalf of the public entity. The public entity would also likely prefer to structure an agreement that either offers payments or no out-of-pocket costs in return for use of public property.

At this time, the two most common methods for such purposes is a concession agreement under the LPCL/PSCL, or a lease agreement under the LLBL. Under a concession agreement through the LPCL/PSCL, the public entity would use competitive contracting under N.J.S.A. 40A:11-4.1 et seq., the maximum term of which is 5 years. Although the exact useful life of EV charging stations varies, 7 to 10 years appears to be a common estimate and thus a restriction

Learning from the Past

New Jersey may have faced similar market challenges approximately 10 years ago with the rise in demand for solar energy. Boosted by federal tax credits and subsidies, the solar industry was eventually able to facilitate solar deployment without the need for end-user funding. Seeing the need for a meaningful legal framework on this topic, the State legislature updated the law, and the State's Department of Community Affairs, Division of Local Government Affairs, issued Local Finance Notices 2008-20, 2009-10 and 2009-11. These legislation changes permitted solar procurement via competitive contracting and permitted the term of the solar agreement, i.e. the Power Purchase Agreement, to be up to 15 years, recognizing that the contract term should correlate with the life of the panels.

to 5 years would likely be too short and unappealing to a vendor looking to recoup investment costs. For a lease agreement through the LLBL, N.J.S.A. 40A:12-1 et seq., the public entity could have a longer term, but would be required by statute to award the lease or rental space to the highest bidder, without regard to other procurement factors, such as, experience, quality, etc. Such restrictions may dissuade either the public entity or the vendor.

Whether the solution is adding EV charging stations to list of exceptions for which longer terms are permitted under the LPCL, N.J.S.A. 40A:11-15, or it is adding EV charging stations as an item considered a "public purpose"

under LLBL, N.J.S.A. 40A:12-15 so that the "highest bidder" rule for leases does not apply, or it is another solution found elsewhere, the growing trend of green energy amongst both consumers and New Jersey policymakers demands a needs assessment for public EV infrastructure.

The State Legislatures should address the particular requirements of EV charging stations and create solutions that ensure public entities have a simple and straightforward pathway to facilitate EV charging infrastructure. ♻️



New Jersey is spurring the growth of EV sales by offering myriad incentives programs. In an effort to reduce greenhouse gas (GHG) emissions by 80% from 2006 levels by 2050, EV-related incentives include opportunities for green vehicle users from E-Z Pass, NJ Turnpike, Insurance, and State taxes/inspections. NJDEP also has a user friendly drivegreen.nj.gov, EV information and resources. The State has also offered grants for workplace charging stations, and PSE&G has donated dozens of charging stations at various locations in order to help workplace commutes.

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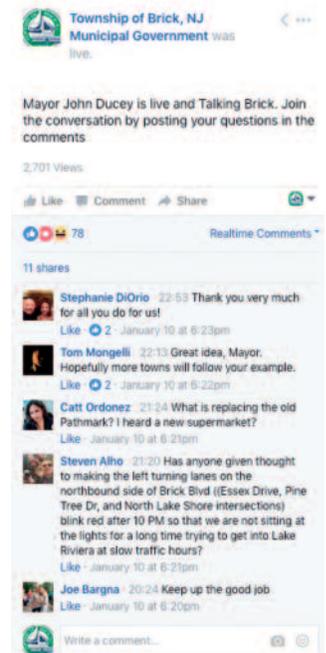
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Engagement Opportunity

Using Facebook Live to connect with citizens

John G. Ducey, Mayor, Brick Township



Elected officials have countless resources at our disposal to help us do the jobs we have been elected to do more effectively. We can attend seminars and conferences, meet with fellow elected officials and more. However, accessing the most valuable resources doesn't even require leaving your desk—it's as simple as picking up a smartphone.

There is no resource more valuable to elected officials than the citizens we serve. By communicating with them, we can learn their concerns, what they think about the community, and what they want their municipal government to focus on. In Brick Township, we have made communicating with citizens a top priority and are always looking for new ways to interact with the residents.

Going Live

Our latest effort to increase communication with residents is by using Facebook Live. Facebook Live allows us to engage residents by streaming live video over the Township's Facebook page. The Township's Facebook page has nearly 20,000 likes and every time we go live, it shows up in our followers' news feeds. They can watch the livestream and join the conversation by commenting and asking questions. I can then monitor the comments and questions in real time and answer them.

My first Facebook Live event was held in December and it was a tremendous success. The session lasted about 30 minutes and we had many viewers who participated in the conversation by asking questions and sharing their thoughts. The video from

the session has been viewed over 2,100 times. In light of the response, I decided that we were going to make the Facebook Live meetings a regular occurrence. We're going to do two a month—one in the afternoon and one in the evening.

Building Engagement

Since that first session, we have done three more and each one has drawn more viewers and citizen engagement. One of the great features of Facebook Live is that it allows you to see in real time how many people are watching and even provides notifications about your comment totals.

After the livestream is finished, you can go back and analyze the Facebook insights to see how many people have watched the video, how many minutes have been watched, how long the average viewer watched for and more. You can also go back and read the comments to see if there were any that you missed during the livestream or were that posted after the stream had ended. We have found that people continue to watch the video long after the livestream has ended and even continue to comment and post questions.

One of the best things about using Facebook Live to engage

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Seaside goldenrod in Barnegat Light NJ
Photo by Ben Wurst

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Engagement Opportunity

residents is that there is no fee to use the service. If you have a smartphone or a tablet, you can livestream on it. For our Facebook Live sessions, we use an iPhone to conduct the stream. We also use a microphone that is compatible with the iPhone to provide higher quality audio. That microphone cost about \$100. We also use a tripod for the iPhone that cost about \$15. While this equipment is not necessary, it does improve the production value of the broadcasts.

Previously, we were using an online service to host periodic live audio streams. That service cost \$40 a month to use and reach far fewer listeners. Using Facebook Live has allowed us to cancel that service.

There is no doubt that there have been drastic changes in the way Americans consume information over the past decade. The role of traditional media in our communities, such as newspapers, is

In Your Town: Getting Started

Using Facebook Live to connect with residents is something every Mayor and elected official has the ability to do. All you need is the Facebook app on your smartphone or tablet. Today, it is pretty difficult to find a town or city that isn't on Facebook or social media. This was not the case just a few years ago but with social media becoming so ubiquitous, there is no reason for municipalities to not use these platforms.

If you decide to move forward and start using Facebook Live, I would encourage you to use your Facebook page and your local media to inform residents in advance of the meeting. We set up a Facebook Event page for every livestream. When people join the event, they are notified as the livestream is approaching. The event can also be shared with friends, colleagues and any Facebook groups that might be available for your town or city.

If you would like to view one of our Facebook Live meetings to see how they work, visit our Facebook page at www.facebook.com/BrickTwpNJGovernment.

The videos can be found under the 'Video' tab. If you would like more information on how we are making these happen, please call my office at 732-262-1240 and we will be glad to help.

shrinking while more and more people are using their smartphones, tablets, and computers to stay informed. Municipal governments and elected officials must adapt to these changes and apply

innovative techniques such as using Facebook Live and other social media platforms and applications to engage residents and keep them informed, which in the end benefits everyone. 📱

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Small Wireless Facilities in the Public Rights-of-Way

Challenges and opportunities for municipalities

Ken Fellman, Of Counsel, Helmer, Conley and Kasselmann, P.A.

Municipalities nationwide are being approached by wireless service providers and infrastructure owners, seeking authorization to locate “small cell networks” in public rights-of-way (ROW). Local elected officials understand that decisions about how and where broadband facilities are deployed must occur within the broader responsibilities they have to protect public health and safety and manage public property. As the wireless industry seeks local permits for small cell networks, it is also advocating at the Federal Communications Commission (FCC), and in state legislatures, seeking laws to limit local authority, and provide easier access into the ROW. This article will describe the regulatory framework for small cell facilities and suggest how local governments should be proactive addressing their land use and streets codes and permitting procedures in order to both facilitate small cell deployment, and responsibly manage the ROW.

What are small cells?

The term “small cells” refers to the smaller geographic coverage area, and not to the physical size of the facilities. These networks generally involve small cell antennas mounted on light poles, traffic signal poles and sometimes stand-alone poles at similar heights. A small cell facility mounted on a traditional street light will typically have an antenna, which could vary in size from a 10 by 24-inch panel antenna, to something significantly smaller and narrower. The facility will have two radios attached to the pole, wiring, and a utility meter. Depending upon the structure, everything except the antenna might be located inside of the pole, resulting in a deployment that a passer-by would



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Small Wireless Facilities

barely notice. Some companies are also seeking to deploy much taller, visually intrusive towers in the ROW. The FCC defines a small cell site as the collective equipment that would fit within an imaginary space of 17 cubic feet. Basketball giant Carmelo Anthony could fit inside that imaginary structure, so remember that a small cell facility is not necessarily “small.”

Conclusion & recommendations

While it is impossible to know what the scope of local authority will be a year from now, there are actions local governments can be taking now to facilitate deployment of small cell networks in a manner that addresses public safety, aesthetic and other local concerns.

- **Review and if Necessary, Amend Your Code** Most land use codes address siting of traditional cell towers. If yours does not also address small cells in the ROW, consider adding specific provisions allowing administrative approval of (i) small



Small cells are only one of many communications issues facing municipalities. Workshops on this and other communications issues will be part of The Jersey Access Group’s annual Eastern Region Communication and Technology Conference, May 31-June 2 at the Hyatt Morristown. There is a free trade show on June 1, with pre-registration. Workshops will be held on June 2 for a fee. Meal packages are also available. For more information, visit powerofpartners.org

cell facilities attached to existing infrastructure, and (ii) the possibility of new, stand-alone poles, where existing poles are not available and where aesthetic concerns, such as camouflaging and separation distances are addressed. If your code has zoning districts where for example, the maximum height in a residential district might be 30 feet, and you have 30 foot light poles in the ROW, you might consider administrative approval for such attachments.

Encouraging attachments to existing vertical infrastructure minimizes demand for new stand-alone poles. Make sure, however, that your code’s height restrictions apply to public as well as private property and extends to the ROW. You should similarly examine the section of the code relating to street

access and determine where best to include provisions about siting these facilities in the ROW. A process for administrative approval of attachments to existing infrastructure, while maintaining public hearing review for stand-alone facilities that exceed current zoning district requirements, will limit the need for the taller, visually objectionable towers and encourage deployment of less visually intrusive structures.

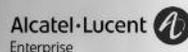
- **ROW License Agreements** Consider developing a standard license agreement for permitting small cell facilities in the ROW. A master license can address conditions applying to any facility in the ROW, with a supplemental or individual site license that covers each specific site requested. At the time of the request, the appropriate government official reviews



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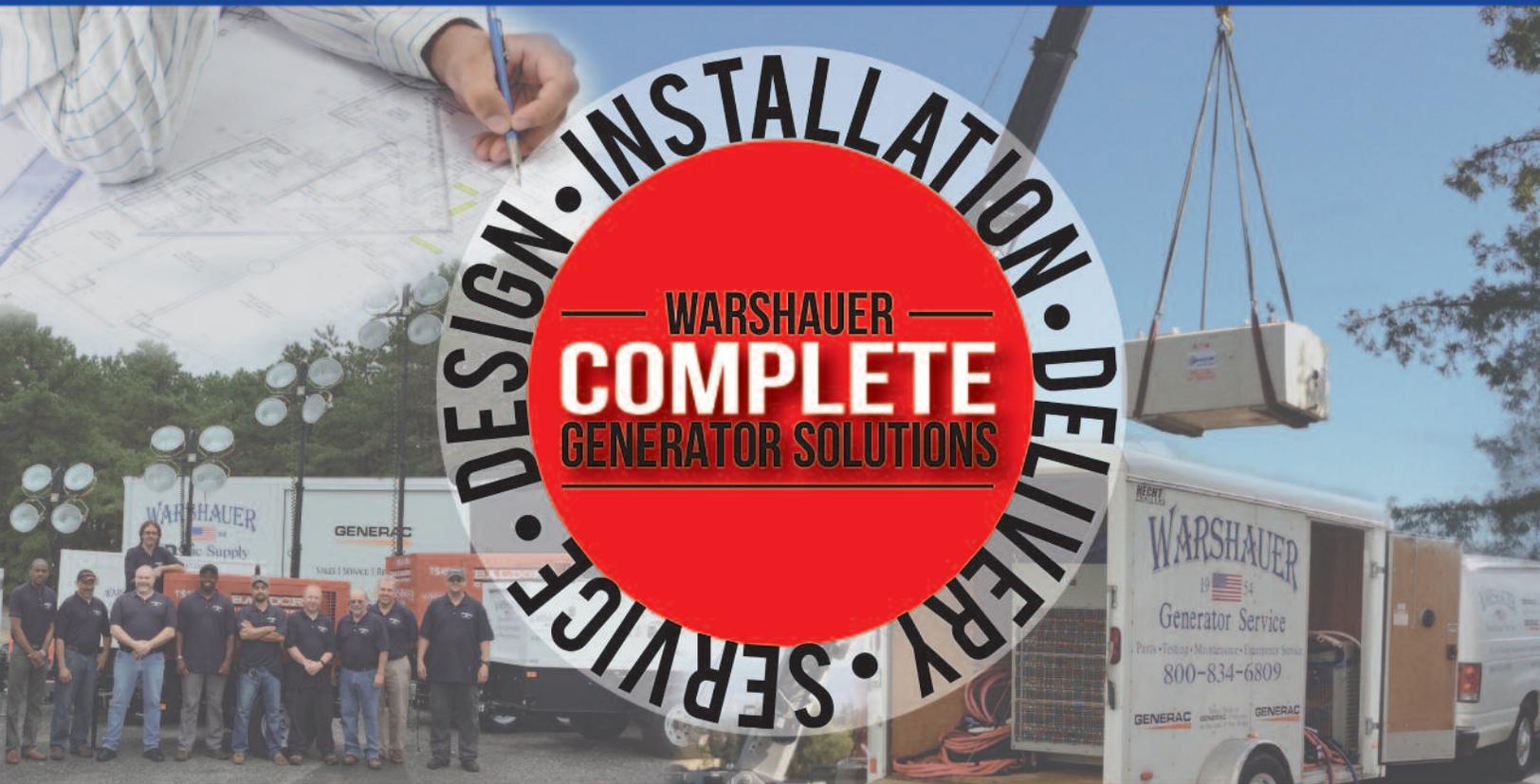
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the application, and if the license and code criteria are met, the site is approved.

Understand the scope of your authority with respect to small cells and remember that you can say ‘no.’ A 100-foot-tall pole with large antennas in the ROW is likely incompatible in almost any zoning

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Regulatory Framework

STATE REGULATORY FRAMEWORK

So far, New Jersey does not mandate specific siting procedures for small cell facilities, but keep an eye on Trenton, because bills restricting local authority in connection with the siting of small cells in the ROW are appearing all over the country. Regulatory oversight is through traditional police powers like zoning and ROW licensing and permitting.

FEDERAL REGULATORY FRAMEWORK

The Telecommunications Act of 1996 requires local governments to act on complete applications for wireless facilities in “a reasonable period of time,” and the FCC has adopted “shot clock” rules implementing that statutory requirement. Generally, for a new tower or other new vertical structure for wireless facilities, or to locate wireless facilities on a structure that has not previously been approved for these kind of attachments, the shot clock is 150 days. For a colocation request on many (but not all) sites, the time period is 90 days. Failure to act by the shot clock deadline does not result in any specific penalty. It simply creates a presumption that the local government has not acted within a reasonable period of time, and permits the applicant to file suit to compel a decision.

In 2014, the FCC adopted rules interpreting the mandatory colocation requirements of the *Middle Class Tax Relief and Job Creation Act of 2012*. Those rules alone could be the subject of an entirely separate article. Suffice it to say that for colocations that are considered upon what the statute calls any “eligible support structure,” a local government shall approve the colocation and must do so within 60 days or the application will be deemed approved.

Today, an application to locate a new pole in the ROW or to attach equipment to an existing pole with no other wireless facilities, would be subject to the 150-day shot clock. A request to add small cells to ROW poles that have been previously approved for wireless facilities may, depending upon conditions of the original approval, be subject to the 60-day mandatory colocation requirement.

The FCC has a pending proceeding today, where it is considering the regulatory framework for small cells in the ROW. The wireless industry is advocating for federal preemptory rules that will result in more limits to local regulatory authority, blaming the local regulatory process for holding up network deployment. The FCC might limit permit fees, adopt new shot clocks with applications “deemed granted” if not acted upon, and even impose new restrictions on local authority for wireless facilities outside of the ROW. FCC leadership appears to want to act quickly, and we may see a ruling in two to six months. The Jersey Access Group, an affiliate of the League of Municipalities and New Jersey’s state chapter of the National Association of Telecommunications Officers and Advisors, is participating in this proceeding and advocating on behalf of New Jersey’s local governments.

district. Applicants seeking these sites should continue to have to seek special use permission, or variances, and these proceedings necessarily require public hearings with citizen input. Make sure your code addresses the issues in a manner that is reasonable to citizens, appli-

cants, and staff. Recognize that these requests for use of municipal ROW will be increasing. Having the right code language and an appropriate agreement to govern the permitting process will help your jurisdiction address applications for small cells effectively and efficiently. ♣

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NJ MEL Celebrates 30th Anniversary

Taxpayers saved over \$1.2 Billion

Paul Tomasko, Mayor, Borough of Alpine



The New Jersey Municipal Excess Liability Joint Insurance Fund (MEL), the umbrella organization for 19 local Joint Insurance Funds (JIFs), is celebrating its 30th anniversary. Since its inception, the program has saved the taxpayers over \$1.2 billion. Currently insuring two-thirds of the state’s municipalities for workers’ compensation, liability, and property, the MEL has also helped members improve their safety records by 63%. The NJ League of Municipalities had an important role in the creation of the MEL and shares the credit for this success.

The MEL and its 19-member JIFs are governmental entities that are owned and controlled by the local entities they insure. Each month, over 250 local officials participate as Commissioners in the governance of their local JIFs. Therefore, they understand the importance and value of safety and claims control. Each JIF selects one of its members to serve as Commissioner on the MEL board.

With the help of the MEL, the member JIFs conduct the most comprehensive safety programs for local government in the country. Each year, the MEL Safety Institute trains over 30,000 member employees and volunteers in over 1,200 class sessions around the state and has produced numerous online training programs specifically written to comply with NJ PEOSHA regulations. The MEL website, njmel.org is a comprehensive risk control resource center.

MEL and its member JIFs also have the lowest administrative costs in both the state and the country. The MEL system averages only 15% for administration, including general legal, safety, claims administration and risk management professionals. That is more than 50% less than the insurance industry.

History

Discussions about creating the New Jersey’s first JIF started in 1981 when a large insurance brokerage firm contacted the Packsack Valley Mayors Association in Bergen County.

To study the idea, the Association appointed a committee including Westwood Municipal Attorney Russ Huntington and Park Ridge Mayor David Grubb, Insurance Director for an international corporation. They concluded that a JIF would result in significant cost savings, but a JIF was not possible under existing law.

In the meantime, the Mayors Association requested quotations for the joint purchase of commercial insurance. A group of Bergen County insurance agents led by Joseph Vozza won the competition.

Senator Gerry Cardinale of Bergen County introduced the legislation to permit JIFs and former League Executive Director Bill Dressel, then legislative liaison for NJLM, headed the effort to pass this legislation. After its adoption, 14 towns in Bergen County formed the first JIF effective New Year’s Day 1985. Almost all of the basic management concepts and documents still used by JIFs around the state were originally developed by the Bergen JIF during this period. Mayor Grubb was Chairman, Joe Vozza was Executive Director, and Russ Huntington was the Fund Attorney.

The League sponsored a series of well attended seminars to discuss the JIF program. In July, the bottom dropped out of the commercial insurance market and almost every municipality in the state was either canceled or hit with large premium increases. In particular, it became very difficult to find coverage for large claims. Victor Gardella, another Bergen County insurance agent, led the creation of the state’s second JIF in the southern half of the county. Robert Landolfi, current MEL Chairman, was a charter Commissioner in the South Bergen JIF.

The League and the Insurance Department jointly conducted a survey that concluded that New Jersey municipalities experienced very few large claims and that the cost of excess insurance was excessive. Then League President Charles Mathews of Newton wrote Governor Kean that: “We urgently need your assistance and leadership for a resolution to the liability insurance crisis....The situation has become extremely serious because some communities have had to curtail or reduce essential public services because they could not afford adequate liability insurance.” In one case, members of a volunteer fire department threatened to quit unless excess coverage was found. Almost all New Jersey businesses and non-profits were also impacted by the crisis.

At the League Convention in 1985, Mayor Grubb met with Insurance Commissioner Hazel Gluck and Raymond Lesniak, Chairman of the Senate Insurance Committee. The Mayor proposed that the state create a "Super JIF" to provide excess coverage to all public entities for large claims. Bill Dressel and the League actively lobbied for the legislation sponsored by Senator Lesniak. Senators Gerry Cardinale and John Dorsey were also active supporters. Governor Kean appointed Mayor Grubb as a Deputy Insurance Commissioner to lead the state's response to the insurance crisis.

When the "Super JIF" legislation stalled in the Assembly because of opposition from the insurance industry, the Insurance Department approved an application from Joe Vozza to form a smaller excess pool using the existing legislation. This "pool of pools," known as the Municipal Excess Liability Joint Insurance Fund (MEL), became operational at the beginning of 1987 with two charter members: the Morris County JIF (led by Senator Dorsey) and the Atlantic County JIF (organized by Paul Miola, an area insurance professional), followed shortly by the Camden JIF (led by Haddonfield Mayor Jack Tarditi) and the Ocean County JIF (organized by Joe Buckelew, an area insurance professional). Within a year, five other JIFs (Burlington County, Mercer County, Monmouth County and two in Bergen) joined the program.

Success Together

Member towns stood closely together from the beginning. For example, when the property insurer notified the MEL that it would not insure coastal communities, the MEL's first Chairman, Joe Giorgio of Hanover Township took the position that every town must be included. The crisis finally eased when Jim Kickham, then the MEL's Underwriting Manager, convinced a large international reinsurer to cover the group.

Over the last 30 years, the League and the MEL have continued to work closely together on legislation that impacts municipal insurance and safety matters. The MEL also hosts an annual risk management seminar at the League

conference and holds its annual budget hearing just after this seminar.

Into the Future

Even after the insurance crisis subsided, the MEL and its member JIFs continued to grow because they offered superior long term savings and safety programs. A significant breakthrough was the development of the "E-JIF" that

provides the most extensive environmental insurance and engineering services for municipalities in New Jersey. Specialized JIFs were also created for Utility Authorities and Housing Authorities.

As a result, the MEL is commonly recognized as one of the most successful examples of inter-local cooperation in the state's history. 



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Courses can be taken online at any time. They cover important safety issues such as prevention of sexual abuse and bullying, and safety on the playground, on trips, during transportation and in aquatics programs. For professional lifeguards, the focus is on responsibilities and skills needed on the pool deck.

In 2015, online training was provided to 1,745 counselors. In 2016, the number of counselors trained increased 25% to 2,162.

Registration is easy and available at no charge to MEL/JIF members from the MEL Safety Institute at www.njmel.org.

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Intern Success Story

Millburn's experience fostering the next generation of municipal employees

Tim Gordon, retired Millburn Township Administrator

At the November 2016 League Conference, Tim Gordon joined a panel about the future of municipal employees, the following is a further explanation of the program with which he worked.



**INTERNS
WANTED!**

Millburn Township has a rich history of employing interns to assist in providing local government services. Past interns have gone on to become successful municipal administrators and managers in New Jersey municipalities. Others have gone on to careers in law, engineering, accounting, and other related professions with an appreciation and respect for the operation of municipal government. They have become better informed citizens and hopefully more active in civic affairs.

Interns of Millburn Township have studied at a variety of east coast colleges and universities large and small, including Harvard, Princeton, Brown, Virginia Tech, Rutgers, University of Michigan, College of New Jersey, Susquehanna University, Morris County Community College, and Seton Hall.

The definition of an intern program is to provide a stepping stone to the next generation of public leaders and to provide an understanding and appreciation regarding the function of government to those choosing to serve their respective communities either as a municipal employee or as a concerned citizen.

Time Well Spent

There is a perception by many in local government that they cannot afford interns and they do not have the time to devote to training interns. Nothing can be further from the truth. A summer intern in Millburn starts at \$10 an hour and is given a 40-hour work week for 10 weeks during the summer. This equates to a compensation of approximately \$4,000 for an intelligent and motivated individual. Most interns need very little direction in the tasks they are assigned, and many small projects ordinarily given to a consultant could be assigned to an intern for a fraction of the cost and, in some cases, with an equivalent result.

Most municipalities have projects that do not get done because of a lack of time, manpower, or funds. An intern program can be a great solution for all those back-burner issues, improvements, projects and analyses.

The best method to test an intern is to provide employment during the winter school break; most students have anywhere from 4 to 6 weeks' vacation in December and January. Students are looking for short-term work for living expenses at school and have a difficult time finding that short-term employment. They are usually very motivated individuals with a sincere interest in government.

Pre-test for Summer and Beyond

By providing an intern with a small project or have them assist in end-of-year tasks, one quickly can assess the intern's value and capabilities for summer employment. A means of providing funding for an intern during the winter break period is to transfer unused funds in November to fund the internship. Generally, \$1,500 to \$2,000 could provide the opportunity to evaluate the usefulness of an internship program in your municipality. Should the internship experience be successful, there is time to fund a summer intern in the coming year's budget discussions.

Most interns in Millburn are required to report their project and their results to the governing body at a public meeting.

Conversations with interns should be candid, yet supportive.

- ✓ Let them know they will make mistakes and you will advise them of those mistakes.
- ✓ Let them know the mistakes that they make are learning experiences and will prepare them for their future employment.
- ✓ Let them know, should they make a mistake, no matter how bad they perceive it to be, to inform you right away, so the matter can be remedied quickly.
- ✓ Let them know that mistakes are made by doers and that those individuals who do nothing do not make mistakes.
- ✓ Share some of your past mistakes with them, how they were corrected and your learning experience from the mistake.
- ✓ Explain how it helped you avoid a similar mistake later in your career. Be open and honest with the interns. They should learn from theirs as well as your mistakes.

This gives the intern a sense of the importance of their work to the municipality and it demonstrates to the governing body and municipal residents the value of the intern program.

An internship offers young individuals, often for the first time, the opportunity to get paid for their knowledge and

ability to think. Up until this time, many college students' summer and part time jobs have been as clerks, laborers or other non-skilled employees with little opportunity to have an impact on their duties or work environment. Encouraging them to take initiative, to be enterprising, to demonstrate their leadership

Intern Success Story

skills is most important for a successful intern program. There are some limits to be set, but for the most part giving them the freedom to develop a project from start to finish and working with senior staff in a mature setting will produce an excellent work product.

To establish some boundaries, a meeting at the beginning and the end of each week will permit the intern and the mentor the time to review the project, its outline, its progress and any issues which may have occurred during the past week. The meeting should be no longer than 30 to 40 minutes. A Monday meeting should focus on the coming week's work schedule and the Friday meeting should address the week in review.

Selection Process

Initial recruitment of interns can at times be frustrating; it takes a while to identify a good source for connecting the right person in an educational institution. Many colleges and universities sell

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Intern Success Story

students the great opportunities of internships at their institutions. The best method is to connect with an individual who really cares about their program and their students.

If possible, visit the institution and meet with the person you will be dealing with. Explain your concept of the intern program to determine if the collabora-

tion will be productive. Explain the projects and/or assignments the interns would be assigned and the evaluation process. Evaluate the effort you believe the university individual will take to place the quality student you are looking for. Although, this may seem like time you may not be able to afford, you would be doing the same investigation

in hiring a quality consultant.

Once you have implemented a successful intern program, interns will seek you out and in short time you will have reservoir of talent to select from to assist in providing municipal services. You will also have an opportunity to provide long-term employment for these talented individual as you incorporate them into your succession planning.

Millburn's current Business Administrator began his career in local government as an intern and moved in the Assistant Finance Officers position when a vacancy occurred. He later assisted me when then Assistant Business Administrator was on maternity leave. When that Assistant Business Administrator moved on to a municipality to serve as Administrator, it was an easy transition to have the former intern assume the role of Assistant Business Administrator. Upon my recent retirement, he became the Business Administrator and hired another former intern as his Assistant Administrator which is a great example of training tomorrow's leaders today.

As I mentioned before, having interns in other specialty areas such as engineering, public safety and construction, to name a few, can make your next job search for a quality individual easy because they are or were an intern in that respective department.

Some of the projects that Millburn interns have developed are a 20-year capital plan for all departments, programming shows that highlight municipal departments for our local access television channel, website pre-design and research, labor union contract analysis, an application for smartphones (design, populating, and advertising) and performance measurement. If you are considering any of these projects, consider having an intern do it.

We in municipal government have an obligation to train and educate the next generation of municipal professionals. Providing an internship is the first step in training the next generation. ♣

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Purchasing Myths and Truths

Nicola Reid, Purchasing Agent, Stafford Township

Myth: Purchasing Agents (PA) and Qualified Purchasing Agents (QPA) have magic wands, they can pull rabbits out of hats and each PA or QPA has a wheel in their office at the ready to spin and yell “come on down, let’s make a deal.”

Myth: PA’s & QPA’s make up the purchasing law and rules as they go along. The weather, planet alignment and their daily horoscope helps with their decisions.

Truth: PA’s & QPA’s don’t have magic wands or spinning “let’s make a deal” wheels—but they do have the Local Public Contracts Law (LPCL) [N.J.S.A. 40A:11-1 et seq.] and rules (N.J.A.C. 5:34-1 et seq.) which provides them with the tools to procure the goods and services needed for your local entity.

How do you go about getting what you need for your department but still ensure that you are following the procurement laws? That is where your PA or QPA comes in.

They say the basis for any good relationship starts with communication, and it is no different with your PA or QPA.

Take the time to discuss your purchasing needs with them. What is the time frame for the purchase? What will the approximate cost be? What are the quantities of the item(s) needed? Will the quantity amount be fixed (two widgets) or do you need an open-ended contract? (150 widgets over a 24-month period)

The answers to those questions will determine what direction your PA or QPA will take in procuring the items that you need. The LPCL sets the quote thresholds and bid thresholds for PA’s & QPA’s to follow.

What are those thresholds? See chart below for details.

So what is the next step for the PA or QPA?

Based on the information given to them by the using department, the PA or QPA can begin the procurement process:

PA/QPA If the cost of the item needed in the aggregate, the sums expended or to be expended for the provision or

Purchasing Agent (Person is designated by the governing body either by ordinance or resolution)	Qualified Purchasing Agent (Person is designated by the governing body either by ordinance or resolution and possesses a QPA Certificate issued by the Director of Local Government Services)
Contracting Units Bid Threshold: Up to \$17,500	Contracting Units Bid Threshold: Up to \$40,000
Contracting Units Quote Threshold: \$ 2,625 (15% of the Bid Threshold)	Contracting Units Quote Threshold: \$ 6,000 (15% of the Bid Threshold)
Fair & Open/Non-Fair & Open (Window Contracts): N/A	Fair & Open/Non-Fair & Open (Window Contracts): Between \$17,500 and \$40,000

performance of an goods or services in connection with the same immediate purpose or task, or the furnishing of similar goods or services, during the same contract year through a contract awarded by a contracting agent, is less than the contracting units 15% of the bid threshold, the quote submitted by the using department will suffice, a requisition can be encumbered and a purchase order will be issued to the vendor. [N.J.S.A. 40A:11-6.1(c)]

PA/QPA If the cost of the item needed in the aggregate is less than the contracting units bid threshold BUT 15% or more of the quote threshold then the using department needs to submit at least two competitive quotes (please note the contracting unit may request more than two quotes) to the PA or QPA before a requisition can be encumbered and a purchase order can be issued. [N.J.S.A. 40A:11-6.1(a)]

QPA only If the cost of the item(s) in the aggregate exceeds \$17,500

BUT is less than the contracting units bid threshold and a QPA has been appointed by the governing body—the QPA shall determine if the items will be procured through a Fair and Open or Non-Fair and Open process pursuant to N.J.S.A. 19:44A-20.4 et seq. and N.J.S.A. 19:44A-20.26. On January 1, 2006, P.L. 2004, c.19, known as the “*New Jersey Local Unit Pay-To-Play*” law (N.J.S.A. 19:44A-20.4 et seq.) was signed into law. The Law affects all “municipalities and counties, and their agencies, and instrumentalities” (i.e., all contracting units subject to the Local Public Contracts Law) enter into contracts with a value over \$17,500. The Law requires that all contracts with a value over \$17,500 (aggregation rules apply) be awarded pursuant to a “fair and open” or “non-fair and open” process, both of which are defined in the law.

PA/QPA If the cost of the item(s) in the aggregate exceeds the contracting units bid threshold then the PA or QPA

must generate a bid. Per the LPCL, the bid shall be awarded only by resolution of the governing body of the contracting unit to the lowest responsible responsive bidder after public advertisement. [N.J.S.A. 40A:11-4]

There are additional procurement avenues (NJ State Contracts, Local Cooperative Purchasing Contracts, and National Cooperative Contracts) available to contracting units and you’re PA or QPA will be able to provide you with assistance on those contracts.

Further, there are over 15 supplementary statutory provisions that impact the LPCL and Rules. Again, your PA or QPA will ensure that the contracting unit is in compliance with those additional provisions.

Local public purchasing is not as simple as we would like it to be, but if you reach out to your friendly neighborhood purchasing agent, they will help you maneuver through the laws and rules to obtain the goods and services you need. 🚀

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Lessons Learned from Bridgegate

Benjamin Dworkin, Ph.D., Assistant Professor of Political Science (Adjunct);
Director of the Rebovich Institute for NJ Politics at Rider University

With the sentencing of Bridget Ann Kelly and Bill Baroni to 18 and 24 months in prison, respectively, Bridgegate is nearing its ugly end. Kelly and Baroni have filed appeals, but their once promising careers are forever scarred.

The trial itself produced a stream of negative revelations about Governor Chris Christie's front office and how it did business. And with the recent convictions, there is a certain "there but for the grace of God go I" sentiment among current and former political staffers on both sides of the aisle. Many understand how one can get carried away in the whirlwind of a high-powered government job. It is easy to lose touch with why you are there and the lines that should not be crossed.

For those who aspire to get good people into politics, there are lessons that should be learned.

Culture matters Every administration has a culture, a tone for how things should operate. The top leadership sets it and is responsible for it. The current administration is not the first in New Jersey to have problems with imposing a set of values relating to their mission as public servants, but Bridgegate did occur on Christie's watch. He may not have been indicted, but the governor will always be tarred as the one who allowed it to happen.

Pick up a phone Maybe the scandal of Bridgegate would have been uncovered if there was no email, but comments like, "time for some traffic problems in Fort Lee" turned it into a national story, propelled multiple investigations, and ultimately, got people fired and convicted.

Of course, it's hard to avoid email given how ubiquitous it is today. A press secretary once told me, "even when you're off-the-record, don't say anything that you wouldn't want on the front page of the *New York Times*." Dealing with emails should be the same. Otherwise, use a phone.

Be ready to quit This lesson is really about knowing the lines that cannot be crossed in government. Typically, staff come from the campaign and serve at the pleasure of the elected official. They are passionate, committed, loyal—and wouldn't have the job if they weren't.

But it's not just up to your boss as to when you leave. It's up to you. When things cross the line, every staffer has to decide if he or she wants to stay.

Think before you act Today, the closing of local access lanes in Fort Lee as retribution for Mayor Mark Sokolich's decision to not endorse Christie for re-election seems like a sophomoric political prank. Unfortunately, no one realized this in 2013. Political mistakes will always be made in government, but sober consideration of an idea before implementation would help avoid egregious ones.

Policy should drive politics, not vice-versa

Every non-civil service staffer understands politics is involved with the job. If Democrats win the governor's seat in 2017, hundreds of Republicans in the Christie administration will leave and almost all will be replaced by Democrats. They are expected to be committed to the new governor's partisan agenda.

But once you are working on the government side and not a campaign, priorities are different. If you are focused on policy, then your politics will be most concerned with building support from stakeholders, key officials, and the general public for your agenda. If politics trumps policy and becomes all-encompassing, e.g., endorsements, punishment/rewards for opponents/supporters, raising money and elections, then your political activities can veer off into dangerous territory.

Bridgegate happened, in part, because of a dominating focus on the politics of re-election, rather than the policies needed to run the state.

In government, a "constituency of one" is dangerous. One of the most haunting pieces of testimony during the Bridgegate trial came from David Wildstein, the Christie appointee to the Port Authority who turned state's evidence against Baroni and Kelly. Wildstein said that he and Baroni agreed that they were there to serve the interests of Christie, "a constituency of one."

In a campaign, this makes sense. But in government, when you are paid by the taxpayers, even a political appointee has to recognize that his constituency is everyone.

Of course, any staffer appreciates the person who selected him or her for the position. But, fundamentally, the job is to serve the public, not your patron at the expense of the public. When this is forgotten, bad things can happen—as was the case here.

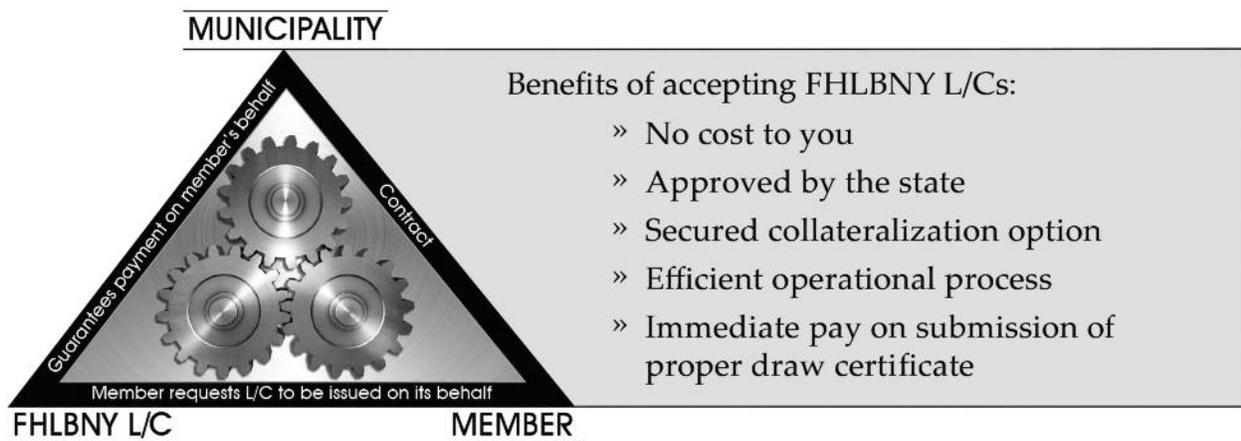
Certainly, these lessons are posited from a perch outside "the room where it happened." Hindsight, as it is commonly said, is 20-20. But that hindsight is necessary. It should be perfectly clear how those in public service need to act to avoid this kind of tragedy in the future. 📌



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LEGAL Q&A

Ciara Bradley, NJLM Legislative Administrator

Every day at the New Jersey League of Municipalities our members and NJ citizens reach out with questions about the rights and responsibilities of local government. This month, we share some of those queries and our responses.

Tree Removal

Q *Are there specific ways to address dealing with dead trees on private property, particularly when citizens approach us asking that the municipality cut their neighbors' trees down?*

A Frequently, municipalities regulate tree removal but many still do not. There is a trend of municipalities in New Jersey starting to manage tree maintenance by establishing ordinances, especially for the trees on private property.

Check with your municipal attorney to determine the applicable ordinances in your municipality. For example, depending on the municipality, owners might apply for permits to get a tree removed. Sometimes they will allow only a certain amount of inches to be cut down. By preserving the trees, municipalities seek to preserve the health and aesthetic as well as the safety of the community.

For example, a municipality may have a department of forestry empowered to remove trees on private property that might be a hazard to other residents, after giving notice to the owner to remove it themselves. New Jersey municipalities generally require a property owner's trees to be kept trimmed to prevent nuisances or hazardous conditions. There are New Jersey Supreme Court cases that deal with these issues. For examples of municipal ordinances that address tree maintenance, removal, preservation, and site plan requirements check the League library of ordinances at njslom.org/ordinance-library-intro.html.

Abandoned Homes

Q *We have been approached by a party with great interest in purchasing a vacant and abandoned home in town. Contact has been made with the owner, who lives in another state and has expressed no interest in the property. It has been very difficult getting more information; the property is just sitting there. How can we retrieve more information and move the sale of this abandoned home forward?*

A Abandoned property must be placed on an abandoned property list not least in order to have a record of the responsible person to handle safety and aesthetic concerns and to mitigate negative impacts of blighting conditions caused by foreclosures. In some cases the municipality records this information. There are also shared service agreements for countywide registration programs for abandoned properties. See examples of

these shared services at njslom.org/bureau/ordinances-ssa.html.

If the property is not owned by the bank, it is possible that it is municipally owned from outstanding unpaid property taxes, and as such, will be reported when unpaid taxes are recorded. At such time, the property is subject to a property tax lien by the municipality. Addressing tax liens requires a formal process and there is good reason to follow it. Periodically, municipalities may hold tax sales on properties to ensure that the properties are available for purchase by qualified parties interested in rehabilitating them and returning them to the Municipality's tax rolls. Your tax collector and finance officer can familiarize you with the process.

The presentation from a recent webinar, Understanding & Using Vacant and Abandoned Property Tools in Your Municipality, can be found on the League's website at: njslom.org/presentations/beyond-code-enforce.pdf.

Q *What determines the purchase price for a property that is uncared for and up for auction? Also, is our municipality responsible for an abandoned property's ground maintenance?*

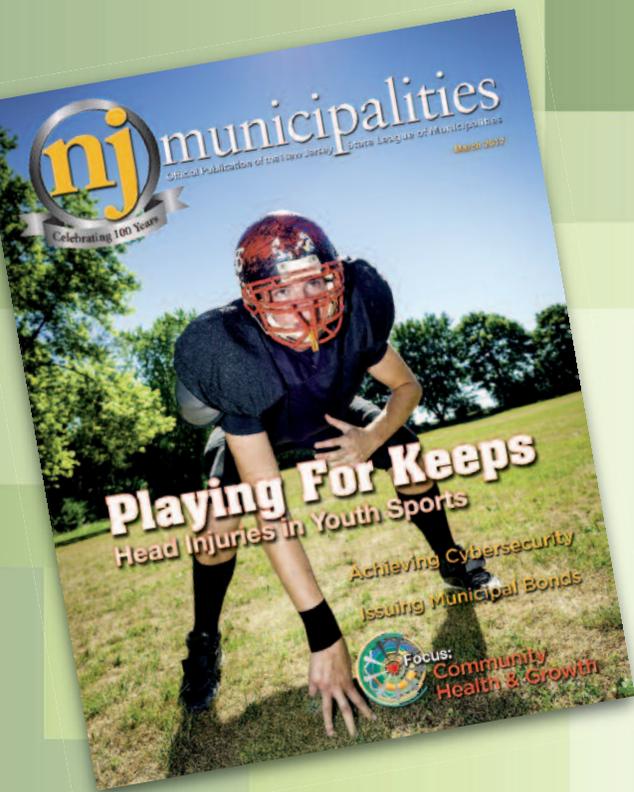
A The status of the property has much to do with the how the price can be determined. For example, there are different stipulations for special tax sale of an abandoned property or eminent domain circumstances. In some cases properties may be part of a municipality's redevelopment plan and included in a bid package with other properties. You will need to check with your municipality's tax department and possibly your municipal attorney.

It is always possible a neglected property is still bank-owned. Then the purchase price may be determined by market factors such as the value of the property, the condition of the property, and the amount of any outstanding taxes due on the property.

A property owner must maintain the property even while it is vacant or abandoned. Most municipalities have property maintenance codes that detail the procedure to notify property owners when they are in violation of maintenance codes and what to do when an unresponsive property owner is putting public health and safety is at risk. For example there may be detailed steps for a code enforcement officer to obtain approval to mitigate such risks and establish a property lien for the associated costs. Consult your code enforcement officer to learn more. In 2016 East Orange was recognized with an Innovation in Government Award for their Vacant and Abandoned Property Action Plan. You can see the details of their effective approach at the League website njslom.org/InnovationGovernanceAwards2016.html. 📌

Have a question for the League? Call 609-695-3481 or email league@njslom.org.

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



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LEGISLATIVE UPDATE

Michael F. Cerra, NJLM Director of Government Affairs;
Lori Buckelew & Jon R. Moran, NJLM Senior Legislative Analysts



A-4666/S-3080, A-4667/S-3081

Actions on Affordable Housing

Status: A-4666 and A-4667 Assembly Housing and Community Development Committee. S-3080 and S-3081 Senate Community and Urban Affairs Committee

The League supports both A-4666/S-3080 and A-4667/S-3081. Both bills are a response to the current affordable housing impasses in the State and the lack of a statewide housing policy and guidance for municipalities.

Because the Council on Affordable Housing (COAH) has been unable to adopt valid regulations since 1999, the New Jersey Supreme Court transferred jurisdiction over municipal compliance to the Courts. As a result, in July 2015 over 300 municipalities sought to voluntarily comply by seeking declaratory judgement from the Court. To date approximately 100 municipalities have reached settlements and some other municipalities are no longer under the Court's jurisdiction. We estimate that approximately 150 municipalities are either in or awaiting trial to determine their respective affordable housing obligation. Each Court vicinage is proceeding independently, with different judges and different appointed experts making independent determinations. The result has been a costly and disjointed process, which does not serve the interests of taxpayers or low income families.

Specifically A-4666 and S-3080 enact a moratorium on affordable housing litigation through December 31, 2017. The bill would not impact any judgement or settlement issued or agreed to before the effective date of the Act. Current litigation would be stayed until the moratorium expires.

A-4667 and S-3081 establishes the Affordable Housing Obligation Study Commission. This Commission would consist of seven members, including:

- The Executive Director of the Housing Mortgage Finance Agency (HMFA), ex officio;
- An appointee of the Senate President;
- An appointee of the Senate Minority Leader;
- An appointee of the Speaker of the Assembly;
- An appointee of the Assembly Minority Leader;
- An appointee of the Governor, from a list submitted by the League of Municipalities; and,
- An appointee of the Governor, from a list submitted by the Fair Share Housing Center.

The Commission will do the following.

- (1) Examine and study the history of affordable housing in New Jersey and how past practices at the State and local level have resulted in the State's current legal framework.
- (2) Analyze past guidance from State agencies and advocacy groups to municipalities with respect to methods of satisfying existing and future affordable housing obligations to determine whether such guidance has been effective.
- (3) Analyze the actual and projected population increases in the State, in order to determine the number of affordable housing units actually needed to serve the needs of residents.
- (4) Hold such public hearings and other activities as may be desirable, at the discretion of the commission, to ensure adequate public input into the preparation of a report.
- (5) Gather and disseminate such information on housing needs and strategies as may be useful for the work of the commission and informative to the public.
- (6) Prepare, adopt, and publish a report, not later than the 365th day next following the organization of the commission that provides recommendations to municipalities regarding strategies which could be utilized to meet affordable housing obligations, and to State agencies on how best to assist municipalities in meeting affordable housing obligations.

Considering the extensive and ongoing expenditures of public financial resources in the Courts, passage of these common sense bills is critical.

The Legislature needs to step in and establish a reasonable and rational path forward for local governments, for taxpayers and for families in need of affordable housing. These bills create the opportunity to do so in a timely fashion.—MFC



A-2452

Creating new liquor licenses

Status: Assembly Regulatory Oversight Committee

New Jersey municipalities looking to revitalize Downtowns and Main Streets could use some new tools. Thus, the League of Municipalities supports A-2452, which would create new liquor licenses for restaurants meeting certain criteria. There is no doubt that these licenses would represent an important economic development or redevelopment tool for many municipalities, and give an economic boost to neighborhood restaurants and to other businesses located in proximity to those establishments.

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Legislative Update

This bill creates a restricted restaurant license (R1), which permits the holder to sell any alcoholic beverages for consumption on the premises of certain restaurants. In addition, the bill creates a restricted beer and wine license (R2), which permits the holder to sell only beer and wine by the bottle or can. These licenses would only be available to restaurants that meet certain square footage requirements, and that maintain a full-service kitchen. The bill provides that alcoholic beverages could only be sold in connection with the service of food at a table by an employee of the restaurant. A license holder would be prohibited from providing a bar area for customers of the restaurant to congregate and consume alcoholic beverages.

The bill establishes a fee schedule for the initial issuance and annual renewal for the restricted restaurant license and restricted beer and wine license, based on the square footage of the restaurant.

The first \$2,500 of the initial and renewal fee for the restricted restaurant license and the first \$1,250 of the fees for the restricted beer and wine license would be paid to the municipality where the restaurant is located, and if the restaurant is located within the boundaries of two or more municipalities, the fee is to be divided equally among those municipalities. The remainder of the fees would go to the Division of Taxation to be used solely for the purposes of offsetting the costs associated with issuing tax credits provided under the bill.

A-2452 provides for an OLS (Office of Legislative Services) certified compensation mechanism for any party that feels that they may have been adversely impacted by the enactment of this bill. After the Division of Taxation is reimbursed for costs associated with issuing tax credits, the full fee is to be paid to the municipality. In addition, the bill requires licensees to pay to the Director

of the Division of Alcoholic Beverage Control any applicable renewal fees that the holder of a plenary retail consumption license is required to pay under current law.

The bill imposes certain penalties on the holders of the restricted restaurant license or restricted beer and wine license who violate the law. Any fine money collected is to be paid to the Director of the Division of Taxation to be used solely for the purposes of offsetting the costs associated with issuing tax credits provided under the bill. After the Division of Taxation is reimbursed for up to 75% of the projected estimated cost associated with issuing tax credits, the full fee is to be paid to the municipality.

The League's Liquor License Task Force carefully studied this proposal and recognized the benefits such licenses could provide to many municipalities throughout the State. We also identified some problems in the bill.

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Legislative Update

Our paramount concern was that this legislation would preempt municipal discretion regarding the issuance of these new licenses. For instance, as introduced, the bill gives a ‘dry town’ the option to permit the issuance of ‘restricted restaurant licenses’ and/or ‘restricted beer and wine licenses.’ Specifically, only those municipalities are given the opportunity to opt into the program, via ordinance or resolution. No other municipalities have such an option. In fact, the bill states, “The governing board or body of the municipality shall not limit the number of ... (such licenses) ...with-in the municipality ...”

From our perspective, A-2452 needed to be amended to allow locally elected and locally responsive governing bodies to determine whether the issuance of these new licenses will benefit their local businesses and their neighbors and constituents. Issuance of these licenses should be restricted to municipalities that, by ordinance, authorize such licenses.

Assemblyman (and former Mayor) John Burzichelli, has indicated his willingness to accept many of our recommendations. In particular, the Assemblyman agreed to our suggestion

to allow an “opt-in” provision for all municipalities. We sincerely appreciate his eagerness to involve us in discussions on the bill and to consider our concerns.

We have no doubt that a significant number of municipalities, if given the opportunity, would take affirmative action to make such licenses available to local restaurateurs. We hope to see the bill advance soon.

We suggest contacting your Assembly representatives and asking for their support of A-2452.—JRM, MFC



A-4587

Imposes State sales and use tax and hotel and motel occupancy fees on transient accommodations.

Status: Amended in Assembly Tourism & Gaming Committee and referenced to Assembly Appropriations committee

The League of Municipalities supports A-4587, which imposes the State sales and use tax and hotel and motel occupancy fees on transient accommodations and authorizes various

municipal taxes and fees on transient accommodations. Specifically, A-4587 authorizes municipalities to impose, where applicable, the: Hotel Occupancy Tax; Municipal Occupancy Tax; Atlantic City Luxury Tax; Atlantic City Promotion Fee; Cape May County Tourism Sales Tax; Cape May County Tourism Assessment; Sports and Entertainment Facility Tax; and Meadowlands Regional Hotel Use Assessment on transient accommodations.

The amended bill defines “transient accommodation” to mean a room, group of rooms, or other living or sleeping space for the lodging of occupants, including but not limited to residences or buildings used as residences. “Transient accommodation” does not include: a hotel or hotel room; a room, group of rooms, or other living or sleeping space used as a place of assembly; a dormitory or other similar residential facility of an elementary or secondary school or a college or university; a hospital, nursing home, or other similar residential facility of a provider of services for the care, support, and treatment of individuals that is licensed by the State; a cabin, lean-to, or other similar residential facility of an adult or youth camp; or a furnished or unfurnished private residential property, including but not limited to condominiums, bungalows, single-family homes and similar living units, where no maid service, room service, linen changing service, or other common hotel services are made available by the lessor and where the keys to the property are provided to the lessee at the location of an offsite licensed real estate broker.

In the era of sharing economies, transient accommodations are becoming more commonplace. Currently, transient accommodations are not subject to the same various sales and use taxes as hotels and motels. As a result, transient accommodations are receiving an unfair competitive advantage over traditional hotels and motels.

A-4587 provides tax parity in the accommodation market place by taking into account the sharing economies.—LB



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Around the State



Spring Break!

A team of horses from Howell Living History Farm started the growing season off right by breaking ground at the Isles Garden Support Network's community garden at 81 Chestnut Avenue in Trenton.

The largest and oldest of more than 75 community and school gardens in Trenton, the Garden at Three Points has hosted the Howell Living History Farm plow teams for over 25 years. Operated by the Mercer County Park Commission, the Farm demonstrates farming techniques used in the U.S. at the turn of the 20th century and in many parts of the world today. Local students participated in the hands-on event by helping direct the horses and learning about corn shelling, composting, and more.

Isles provides a range of training and support to people who grow their own fresh fruits and vegetables in seventy community and school gardens. Gardeners harvest more than 20,000 pounds of fresh produce each year, increasing food access and improving food quality in Trenton. ♣

@ For more info, including how to join a community garden, please call 609-341-4724.

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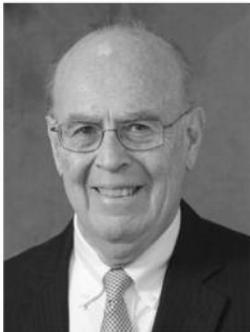
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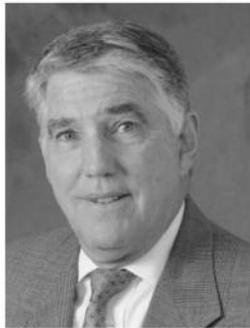
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