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Official Publication of the New Jersey State League of Municipalities

February 2018

Uncovering Water Infrastructure Solutions

NJ Mayors Provide
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2018 NJLM
Legislative Guide



Focus:
**Water
Infrastructure**



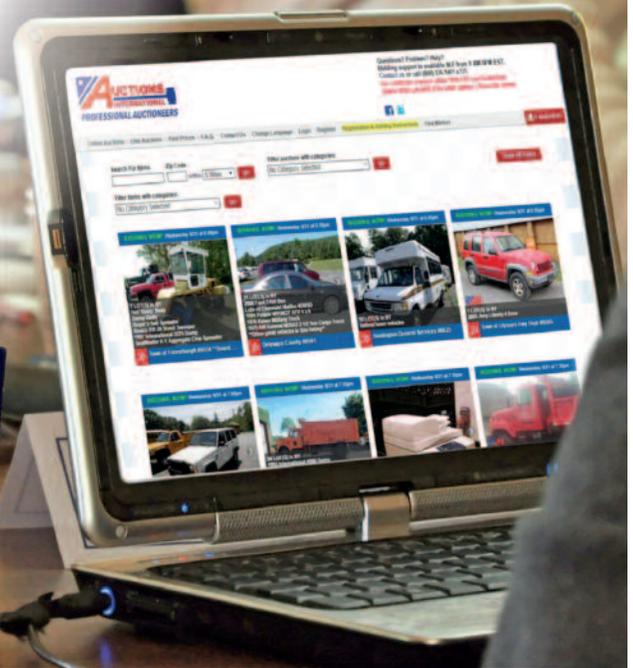
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New Jersey Municipalities Magazine

Volume 95 | Issue 2

EDITOR

Michael J. Darcy, CAE

MANAGING EDITOR

Amy Spiezio aspiezio@njslom.org

ADVERTISING MANAGER

Taran B. Samhammer tsamhammer@njslom.org

CONTRIBUTING EDITORS

Lori Buckelew

Michael F. Cerra

Jon R. Moran

Taran B. Samhammer

Frank Marshall

CREATIVE DIRECTOR

Dawn Becan

White Eagle Printing Company

SUBSCRIPTION MANAGER

Thomas Fratticcioli

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

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Endeavoring For Today—and the Future

“It takes a major disruption from a major disaster, like Sandy, for us to appreciate how precious a gift it is, how fragile we all are without it, and how much planning, piping, filtration, resources and effort goes into delivering clean water from its source to our homes and businesses.”

First, on behalf of municipal New Jersey, all local elected and appointed officials who work to make their communities the best they can possibly be, and on behalf of their staff here at the League of Municipalities, we want to welcome Governor Phil Murphy, Lt. Gov. Shiela Oliver, the Cabinet, and the Governor's staff to the myriad opportunities and challenges that we face, together, as public servants of all the people of our Garden State.

We look forward to working with and helping the new Administration, especially in tackling those knotty challenges with a local focus.

Elsewhere in these pages, our readers will find a special 2018 Legislative Guide (page 29). There, you can learn how we can work together to make sure that those in State government hear and heed the voices of those who live and serve in each of New Jersey's cities, towns, townships, boroughs, and villages.

This issue of the magazine also has a special Focus on Water Infrastructure, dealing with one of the basic needs of all

life on earth—clean water. Most of us take it for granted. You turn a tap and there it is.

It takes a major disruption from a major disaster, like Sandy, for us to appreciate how precious a gift it is, how fragile we all are without it, and how much planning, piping, filtration, resources, and effort goes into delivering clean water from its source to our homes and businesses.

It's a sobering thought to consider the fact that there is, today, and there will be forever, the same amount of water on earth—in ready-to-use liquid form, frozen as ice, or condensed in clouds—as there was when the dinosaurs roamed the planet. It is a resource we all need to preserve and protect for the sake of future generations.

Our vitally important, but aging, water infrastructure demands our attention now, before the tap runs dry, either due to disaster damage or neglect. With knowledge, care, and timely investments we can work, today, to preserve this most basic resource, critical to all our communities. ♣

Michael Darcy

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Sustaining Our Water Infrastructure

Effective policies for urban New Jersey

By Mayor Albert Kelly, Bridgeton; President, New Jersey Urban Mayors Association;
Immediate Past President, NJLM

The members of the New Jersey Urban Mayors Association (NJUMA) are looking at 2018 as a time to address statewide water infrastructure challenges. The urgency of the water infrastructure problem in New Jersey's older, urban cities is a reality that cannot be overstated.

It was imperative that we address these challenges through effective planning and policy. That is why we have created the New Jersey Urban Mayors Association Water Infrastructure Policy Committee. This coalition will be an important body as we seek state and federal funding for investment in our water systems.

Founding members of the New Jersey Urban Mayors Association Water Infrastructure Policy Committee include the following municipalities:

East Orange

Elizabeth

Irvington

New Brunswick

Perth Amboy

Trenton

The mayors of the communities involved have come together to share their experiences and knowledge in creating sound water policy for New Jersey. We have highlighted key recommendations from the committee that can help address New Jersey's water infrastructure crisis and strengthen communities.



Cities leading the way

In May 2017, the United State Conference of Mayors released a report that titled *ON TASK, ON TIME, ON BUDGET: How Mayors Build, Maintain, and Renew America's Infrastructure during National Infrastructure Week.*

According to Tom Cochran, CEO and Executive Director of the U.S. Conference of Mayors, "This report shows that cities across this nation are leading the way toward a newer America. A federal infrastructure partnership with resources directed to our cities will continue the successful progress in our cities."

ELIZABETH In the report, the City of Elizabeth's Third Avenue Flood Control Project was highlighted. This critical project cost the city \$1,905,730 and included the replacement and reconstruction of the Combined Sewer System (CSS) along Third Avenue, in order to alleviate flooding in that area. According to Elizabeth Mayor J. Christian Bollwage,

and NJLM Past President, "The country's water infrastructure crisis is a troubling one that must be addressed swiftly and requires a coordinated effort from various partners. Addressing obstacles associated with aging infrastructure can be complex, especially when cost and the availability of resources enter into the equation."

PERTH AMBOY Since taking office, Mayor Wilda Diaz has not shied away from Perth Amboy's CSS challenges and has proactively pursued cost effective ways to begin to mitigate these issues and improve water quality in the Raritan Bay. She notes that the City would encourage the Murphy Administration to expand on partnerships from NJDEP, academic institutions, and regional environmental non-profits that have yielded great results through technical assistance.

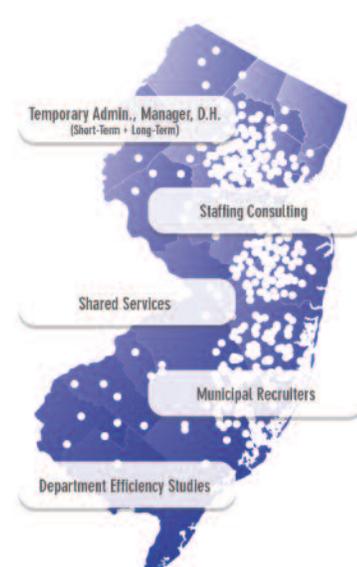
In addition, the City recognizes the need for greater state level investment into water infrastructure systems. The

current needs of many financially distressed municipalities make important repairs and upgrades to these systems completely cost-prohibitive without significantly undermining the quality of services to their residents.

Investing in quality

To that end, municipalities have the responsibility of providing safe, adequate, and proper water service to their residents and must ensure that water quality is at its highest levels. They are making substantial investments into their systems and welcome assistance in assessing and developing techniques to strengthen their water systems.

NEW BRUNSWICK According to New Brunswick Mayor Jim Cahill, "The City of New Brunswick's Water Utility has been serving its residents and consumers for more 150 years. Through an era spanning three different centuries, our dedication to the production of



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Mayor Fred Tagliarini
Township of Aberdeen
★★★★★
JPM provided an outstanding Temporary DPW Director, and completed an outstanding Efficiency Study of our DPW.



Mayor Beth Holtzman
City of Ventnor
★★★★★
Best decision we made; Maria Mento and Joe Verruni are very knowledgeable and always accessible.



Mayor Colleen Mahr
Borough of Fanwood
★★★★★
Starting 16 years ago, JPM helped our Borough create many new and innovative shared services with our neighbor Town and School District.



Thomas Cardis
Administrator, Gloucester Twp.
★★★★★
All of my experiences with JPM have been great experiences. Always positive and productive. JPM's VP Tom Shannon is an outstanding Temporary Director of DPW.



James Naples
Administrator, Bridgewater Twp.
★★★★★
JPM was invaluable in helping the administration select a new police chief. I highly recommend their comprehensive evaluation process.



Mayor Richard Onderko
Borough of Manville
★★★★★
Best Municipal Government Advisors I've met in 10 years in elected office. Helped us recruit a fantastic Administrator. Thanks Dan and JPM.



Mayor Paul Fernicola
Village of Loch Arbour
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Dan and his Team filled in and helped our Beach Town recover quickly from Super Storm Sandy; helped us substantially reduce property taxes.



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Water Infrastructure Challenges

high-quality drinking water has never wavered.”

He adds, “In just the past decade alone, the City of New Brunswick has committed tens of millions of dollars to ensure that we are always improving our system and the service we provide. From basic nuts and bolts to the latest in infrastructure, treatment procedures, state-of-the-art technology, and cultivating and training a highly qualified staff, our commitment to these long-term strategies will continue to be the hallmark of our success, not only for today, but also for generations to come. Strong partnerships with state and federal leaders, not only in the regulation of what we do but also in the delivery of our services, is critical to our continued success.”

EAST ORANGE By entering into a public private partnership with Veolia North America, one of the leading water management companies in the world, the City of East Orange has made significant note-worthy advances to address their water infrastructure challenges. Through comprehensive planning and a temporary emergency rate increase, the city overhauled its water quality dilemma and further closed the nearly \$4 million dollar shortfall on a \$23 million dollar budget in six months.

Today, East Orange has a budget surplus, revenue of nearly \$27 million, and a completely modernized water infrastructure. “The short-term public-private partnership we established with Veolia North America was a sound business collaboration that worked incredibly well within our model for transformational change,” said former Mayor Lester E. Taylor, III.

Holistic approach

When it comes to water infrastructure in New Jersey, much of the focus is on water and sewer systems in our municipalities and understandably so, but we also need to deal with water in a holistic way and this includes the health of our aquifer systems. For example, the Kirkwood-Cohansey aquifer in the Pine Barrens has roughly 17 trillion gallons of fresh water supplying the southern half of the state.

If we fail to address things like fertilizer and pesticide runoff, overuse or careless use from a lack of conservation, or even accidental pollution from pipelines; then we are doing a disservice to our citizens. We need to protect the source of our water along with infrastructure that delivers it. In addition, lead is a growing concern in New Jersey, particularly in urban communities where there are

older homes and pipes.

According to Dr. Monique Griffith, Director of Health for the Township of Irvington, “In addition to determining strategies for upgrading our water infrastructure, residents could also benefit from funding assistance to upgrade plumbing within their homes as well as policy that protects, educates, and enhances their quality of life.”

Aims & Goals

Recommendations from the NJUMA Water Infrastructure Policy Committee that can help address New Jersey’s water infrastructure crisis and strengthen communities:

The NJUMA promotes policy that will maintain and increase funding for municipalities to properly manage their water systems by providing additional resources and technical assistance for municipalities to manage their systems properly.

The NJUMA proposes Governor Murphy identify potential state services where congruent policies may be developed and to consider ways to foster collaborative policy development among agencies. The NJUMA welcomes the opportunity to work with the Governor in examining approaches that will enhance the way in which the state and local government can work more efficiently and effectively together.

The NJUMA recommends that the Governor promotes and increases municipalities’ ability to incentivize and keep ownership of their water utilities. Municipalities should be able to use a myriad of approaches to find what works best for them by exploring all options, including public private partnerships that can protect the public while providing adequate and efficient services

The NJUMA supports policy that protects their residents from the effects of water contamination. We will support awareness around the issue of lead and other contaminants that can have significant consequences to the health and well-being of residents. We also will look to the Governor’s Office to provide funding and financial assistance to support upgrades to plumbing and pipes in residents’ homes as part of a larger policy agenda that will protect and support healthy communities.





NOW & THEN



From Worries to Working Plans

Amy Spiezio
Managing Editor

Taking care of your water infrastructure is a bit like taking care of your teeth: if you let the short-term maintenance slip, there may be painful consequences in the future.

Many municipalities large and small, urban, rural, or suburban are suffering today due to deferred water infrastructure maintenance for decades and decades. It's not only a Garden State problem, it's systemic throughout the country...and probably even the world.

With infrastructure noted by Federal officials as a priority for 2018, that might be a help to NJ communities trying to put their systems to rights. In the meantime, municipalities innovate and adapt to meet the ongoing needs within their financial and other constraints. This month we look at communities considering the benefits of outsourcing their systems and the benefits of maintaining control over their own systems. What's best is a town-by-town determination, but this month's Focus stories may provide some food for thought before too much more water passes under the bridge. 🍴



Time Capsule: **February 1942, Protect the Water Supply**

Securing the community water supply has always been a critical topic. In 1942, *NJ*

Municipalities looked at the matter as a focus of national security with recommendations from J. Lynn Mahaffey, M.D., Director of the State Department of Health in his article, *War Program For Municipal Health Boards*:

"The role of the local health official in this program consists of two distinct functions: the first is close cooperation with the local defense council in devising and executing health measures necessitated by enemy action or catastrophe due to sabotage; the second is aggressive action in promoting public health through intensified activities in this field...These include milk supply, water supply, food, sanitation, sewage disposal, garbage and refuse collection and disposal and plumbing."

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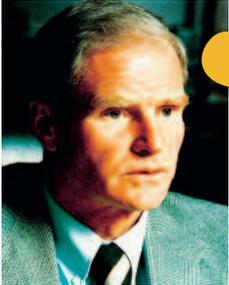
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NOW



Obituary Governor Brendan Byrne, Sr.

Governor Brendan Thomas Byrne, Sr., died January 4. Born April 1, 1924, in Orange, he grew up in West Orange in a Roman Catholic family with deep Irish roots and an abiding interest in local politics. His father, Francis A. Byrne, was a member of the West Orange governing body and a state tax Commissioner.

Byrne graduated from West Orange High School in 1942 and enrolled at Seton Hall University, but was soon drafted. He enlisted in the Army Air Corps, where he served as navigator on a B-17 with the 97th Bomb Group, 414 Squad. By the end of World War II, Byrne, the youngest squadron navigator in his bomb group, earning the Distinguished Flying Medal and four Air Medals. He enrolled at Princeton University on the GI Bill after his discharge in 1945, and earned a law degree from Harvard in 1951.

Byrne entered public service in 1955 as an assistant counsel to Gov. Robert B. Meyner, who later appointed him as Essex County prosecutor. In 1973, he won the Democratic gubernatorial primary and went on to defeat Charles W. Sandman, Jr. His biggest fight was the effort to push through a state income tax. While still a candidate, Byrne had told a reporter he did not see the need for a personal income tax “in the foreseeable future.” Once in office, however, he faced a landmark New Jersey Supreme Court ruling requiring an increase in funding for public schools.

In his second term, he focused his efforts to save New Jersey’s endangered Pinelands, leading to the Pinelands Protection Act, which restricted development of nearly a million acres in Atlantic, Burlington, Camden, and Ocean counties. He called it his most important legacy to the state.

The governor favored the establishment of casino gambling in Atlantic City, which he considered crucial to the survival of the crumbling resort. Byrne was also proud of his role in getting the Meadowlands Sports Complex in East Rutherford up and running. “If I had not been elected, I don’t think it would have been built,” he said.

After leaving office in 1982, Byrne joined the Roseland law firm of Charles Carella, who had served in his administration. Byrne served on numerous boards, remaining a highly sought-after speaker at fundraisers and other events, where he perfected old jokes and tried out new ones.

Governor Byrne is survived by his wife, Ruthi, four sons, four daughters, and 16 grandchildren. He was predeceased by one daughter. ♣

Notes NJLM Executive Director Michael J. Darcy, CAE,

“For many decades Governor Byrne contributed actively to panels and events during the Annual League Conference and Governor Byrne told me personally of his affection for the League, the Annual Conference, and the officials he met, year in and year out, to engage on the important issues facing New Jersey. Brendan Byrne gave generously of his time and wisdom to benefit the thousands of local officials he engaged over so many years and his warm counsel will remain part of the fabric of New Jersey government.”

FEBRUARY

February 24

Budgeting for Elected Officials
Conference Center at Mercer,
West Windsor

February 28

Sexual Harassment in the Workplace: What You Need to Know
DoubleTree Hotel, Tinton Falls

MARCH

March 2

A Quick Review of Budget and Audit Updates
Webinar-Your Computer

March 8

Budget, Ethics, and DLGS Updates on Procurement and Best Practices
Conference Center at Mercer,
West Windsor

March 14

26th Annual Mayors’ Legislative Day
State House Annex, Trenton

March 20

Is South Jersey Getting It’s Fair Share of Public Goods? A Forum Discussion
Hotel ML, Mount Laurel

March 28

Freedom of Speech and Social Media in the Workplace
DoubleTree Hotel, Tinton Falls

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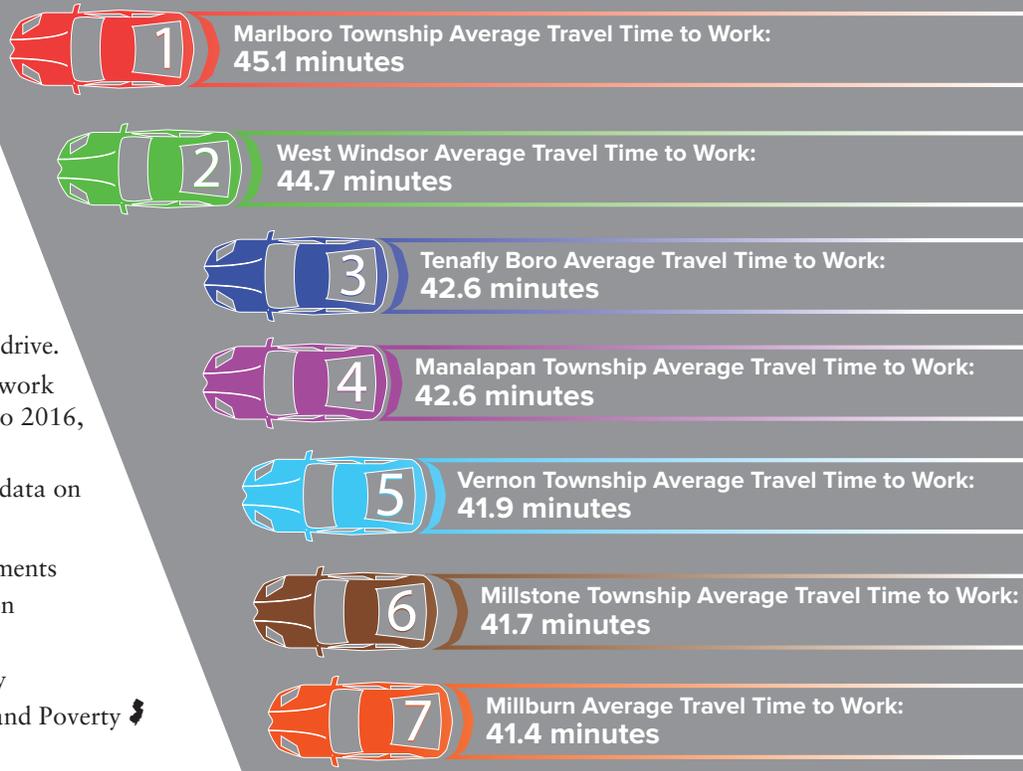
Commuting Towns: The Longest Drive

Recent U.S. Census data crunched the numbers for commuting for residents of NJ Municipalities with populations of more than 5,000 working residents ages 16 and older. Here are the top 7 towns who beat the average 31.2 minute Garden Stater's drive.

For the full details on mean travel time to work (minutes) for workers age 16 years+, 2012 to 2016, visit census.gov/quickfacts/NJ.

Information at the site also includes other data on subjects including:

- Population Information
- Age and Sex
- Race and Hispanic Origin
- Population Characteristics
- Housing
- Families and Living
- Arrangements
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- Health
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NJ Needs to Blend Progressive Values, Fiscal Responsibility

By Steve Sweeney, Senate President, District 3

For state and local government officials, the electoral changes over the past 15 months have not only changed the political landscape, but also have deepened the economic uncertainty and exacerbated the fiscal challenges we face.

The new federal tax law will have sweeping negative consequences for New Jersey families and businesses, our competitiveness, and our home values, which will affect our fiscal policy decisions. Future federal funding for the vitally needed Gateway Rail Tunnel Project, for Medicaid, the Children's Health Insurance Program (CHIP), and other social safety net programs is uncertain. We are only halfway to full Actuarially Required Funding of our severely underfunded pension system for teachers and state employees, and we have just begun to restore fairness to our school funding formula.

The challenges we face are real. But working together, we can make New Jersey a model for how to blend progressive values with fiscal responsibility for the benefit of all of our citizens. We have a lot to be proud of, but we have a lot to do.

School funding

Let's start with school funding, which is the biggest driver of property taxes.

Last year, we revamped the way we do school funding to provide \$131 million in increased aid to the most underfunded districts, pumped in \$25 million to expand preschool for the first time in almost a decade, and added \$25 million in Extraordinary Special Education Aid to help local districts provide the most severely disabled students with the programs they need to maximize their potential.

We will build on that success this year and in the years ahead by ramping up to full and fair funding that provides the proper state aid to the fastest-growing municipalities for the new students they have added and stops sending state aid to districts for students who are no longer there, and we need to figure out a better way to fund special education. Fully funding state aid to education is the best way to hold down local property taxes.

We need to pass a new bond issue to expand our vocational-technical schools and county college technical education programs to provide employers with the technical skilled workforce we need to compete in the global economy. We need to

build on the Rowan Consortium model to link our vocational-technical high schools, county colleges, and four-year colleges into a seamless system that includes one-year industry certification programs.

The \$750 million Building Our Future higher education bond issue we passed and the merger of the state's medical schools into our research universities are already paying off in the construction of new laboratories, dormitories, and honors colleges, and in increased R&D funding coming into New Jersey institutions.

“ I am optimistic about the future of our state, our potential for economic growth, the excellence of our schools and colleges, the quality of our workforce, and our ability to provide increased opportunity for all.”

We need to move forward with a second Building Our Future bond issue. We need to pass legislation to make college more affordable by expanding dual enrollment to enable more high school students to earn college credits and creating 3+1 programs that enable students to pay lower tuition at county colleges longer.

Moving forward

The Transportation Trust Fund we enacted provides \$2 billion a year in state funding for transportation, including doubled funding for county and municipal road and bridge projects to hold down property taxes.

We need to put that money to work building the Gloucester-Camden Light Rail system and extending the Hudson-Bergen Light Rail into Bergen County, and we need to put the new Gateway Rail Tunnels and expanded Port Authority Bus Terminal on the fast track.

We passed a constitutional amendment requiring cost-of-living increases to the minimum wage, but we need to do more by passing legislation to ramp up to a \$15 minimum wage over a

period of years. We need to pass legislation guaranteeing pay equity, expanding paid family leave, and ensuring that all workers have a right to paid sick days.

We required quarterly pension payments that will save billions of dollars for future taxpayers, we were the first state government to implement a Pharmacy Benefits Manager reverse auction to cut prescription drug costs, and we launched a Patient-Centered Health Care initiative that will save money and provide better healthcare for public employees.

We passed one of the first comprehensive packages to combat opioid addiction in the country, and we are committed to doing more. We need to implement out-of-network reform to hold down healthcare costs for all New Jerseyans, and overhaul our Medicaid enrollment process to ensure that everyone receiving public assistance gets coverage. And we will finally restore funding for Planned Parenthood and women's healthcare programs.

We provided increased funding for victims of sexual abuse and domestic violence, passed the Sexual Assault Bill of Rights, provided increased rights and protections for those in group homes, and preserved employment opportunities for people with disabilities.

We were proud to stand up to preserve the integrity of the Supreme Court by blocking efforts to shift the partisan balance and stack the court with conservatives.

We enacted a landmark bail reform measure that ended the practice of locking up poor people for months awaiting trial because they could not afford bail, and we added more judges to ensure that people receive the speedy trial to which they are entitled. We will enact legislation legalizing and regulating marijuana as eight other states have already done, putting an end to unnecessary incarceration.

We passed legislation to make it more affordable for retirees to stay in New

Jersey with a new law that will phase in the elimination of state income taxes on pensions, 401Ks, annuities, and other retirement income, and we provided a state income tax credit to say thank you to our veterans.

We passed the Water Quality Accountability Act to combat the threat of lead in our water systems, and we will quickly rejoin the Regional Greenhouse Gas Initiative to combat climate change, and finally implement my eight-year-old legislation to make New Jersey the center of the offshore wind industry in the United States.

I am optimistic about the future of our state, our potential for economic growth, the excellence of our schools and colleges, the quality of our workforce, and our ability to provide increased opportunity for all. ♣

Senator Steve Sweeney (D-Gloucester) is President of the New Jersey Senate.

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Time to Rally the Rational and Reach Out to the Reasonable

By Jon Bramnick, Assembly Republican Leader, District 21

Government works best when we put partisanship aside and work together to address the major issues facing our state. As we begin a new legislative session, it is clear our work is cut out for us. Serious reforms are necessary to lower property taxes and make New Jersey more competitive.

I look forward to working with the majority party in the state Assembly, and intend to seek common ground in finding solutions. Although Assembly Republicans are the minority, we intend to speak clearly, loudly, and respectfully regarding policies that affect our state and its citizens.

One-party rule, whether in Washington or in the Garden State, can be extreme at times, but I believe most New Jersey residents are in the middle of the political spectrum. They want us to be moderate and reasonable.

“ Today is the day to start acting reasonable and civil to each other. I intend to do my part by traveling around the state to rally the rational and reach out to the reasonable. I know you are out there.”

With that in mind, I hope all 80 members of this body will work together to enact additional fiscal reforms that are desperately needed to make New Jersey affordable and more competitive. We have made good progress during the past eight years—and we have done that on a bipartisan basis—but much more work needs to be done. These reforms will be painful, but they are necessary for the survival of the state.

We don't have to look far for some of those solutions. It is time we considered the creative legislative ideas proposed by Assemblymen John DiMaio (R-District 23) and Jay Webber (R-District 26) and Assemblywoman BettyLou DeCroce (R-District 26) as well as the affordable housing plans of Assemblywoman Holly Schepisi (R-District 39) and the tax reduction ideas by Assemblywoman Amy Handlin (R-District 13).

On a separate but somewhat related issue, it is clear that Americans and New Jerseyans are frustrated with government that can be slow, cumbersome and, many times, less than adequate.

This should not, however, lead us to attack the very institutions that have sustained democracy for hundreds of years. The frustration has led to vicious personal attacks that are not worthy of our American democracy or our history as a nation.

Tweets that hurl insults do not solve the complicated issues that face our state or nation.

New Jersey Republicans will stand up for the people of this state, and we will do so in a civil, respectful, and serious manner.

To the so-called journalists on cable television and on the radio who despise both Republicans and Democrats, stop chasing ratings and start searching for the facts.

We have reached an important moment in our history. The reasonable and rational people of this state and our country must stand together and condemn bad behavior. Whether that behavior comes from the left-wing media or directly from the White House, we need to stand together and speak as one against that kind vitriol.

We, the rational majority, must be louder and stronger. We must not allow others to air their personal baggage to bring down our institutions that have been so important to the growth of our democracy.

In New Jersey, we have some attitude, and we should use that attitude to fight intolerance, injustice, and bitterness.

Today is the day to start acting reasonable and civil to each other. I intend to do my part by traveling around the state to rally the rational and reach out to the reasonable. I know you are out there.

Whether you are Republican, Democrat, or Independent, I will find you and ask you to join with me to work together as one people, one state, and one nation. 🇺🇸

Assemblyman Jon Bramnick is the Assembly Republican leader and represents parts of Essex, Union, Somerset, and Morris counties in the 21st Legislative District.

Next Month Assembly Speaker Craig Couglin and Senate Republican Leader Thomas Kean, Jr., will share their Outlooks for 2018.

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TRENTON



Prioritizing Our Water Supply and Infrastructure

By John F. McKeon, Representative, District 27

While energy and transportation assets are well-known for being indispensable to our economy, security and overall quality of life, the significance of a safe, reliable, and efficient water delivery system is habitually unheeded.

But while many of us get frustrated at the damage a potholed roadway can do to our car, or worry about the stability of historic bridges, we would be equally troubled if we could see into our subterranean world.

There are about 60,000 miles of pipe buried within New Jersey, which if laid end to end, would be long enough to extend to and from California 10 different times. The United States Environmental Protection Agency estimates that New Jersey will require an investment of \$7.96 billion by 2027 in order to continue to provide reliably safe water to the public. According to the American Society of Civil Engineers, closing this investment gap would create \$2.60 of economic activity for every \$1 invested.

Many of New Jersey's most densely populated water systems are either past or approaching the end of their useful life. Half of these segments were installed around the year 1920 or earlier! The City of Hoboken has averaged at least 20 water main breaks per year since 2012. These breaks shut down businesses, divert traffic, and jeopardize public safety.

Water mains have been leaking and bursting with increased frequency. Between 25 and 30% has become the unofficial standard leakage rate in New Jersey—much higher than the national industry standard of 15%. This amounts to millions of dollars a year lost at the expense of rate and tax payers. When 1 in 10 people on our planet still lack safe and reliable access to clean drinking water, there is something simply immoral about a quarter of our supply being wasted annually.

Over the last 30 years, the U.S. population has increased more than 40% while the GDP (Gross Domestic Product) has grown from \$2.5 to \$7.5 trillion. Yet, federal capital investment in water infrastructure has decreased by a whopping 70%.

Thanks to the historic levels of dysfunction and discord in Washington, D.C., State governments have no choice but to step up to the plate. Trenton must examine the Byzantine oversight and governance structure of our water utilities where as

many as four or five different agencies are responsible for our residents' water supply systems. Streamlining this structure under one authority could help alleviate some unnecessary administrative complexity.

The legislature should also consider amending the way in which we require the Department of Environmental Protection to draft and release the Statewide Water supply plan. The recent release of the update to the plan was delayed by over 20 years and the substance of the plan was disappointing in a number of ways. By making this plan more of a priority, we can develop a clearer and more prospective accounting of how our water supply can be protected from the threat of increasingly unpredictable weather patterns.

The 2017 Water Quality Accountability Act, amongst other requirements, mandates that all water purveyors implement (by April 2019) an asset management plan designed to renew their infrastructure. This law represents an excellent first step in creating regulations that relate to water infrastructure, as opposed to water quality, which is already subject to a litany of important and well-regarded regulations that protect our supply. As the WQAA moves towards implementation, it is critical that state agencies look for clear evidence of the fact that these plans are as thorough as necessary.

New Jersey already has a wonderful mechanism for water infrastructure funding. The New Jersey Infrastructure Bank (NJIB), established as the New Jersey Environmental Infrastructure Trust in 1988, has been authorized to spend up to \$641 million on low to no interest loans in 2018 for water infrastructure improvement projects. We must make sure the NJIB is properly collateralized and make a commitment to these projects in the long term as New York, California, and Massachusetts have.

The public faces a profound decision as it relates to the safe and reliable delivery of water to the spouts at our homes and businesses. We can ignore the probability of system failure and the massive costs associated with them, or, we can take action to prioritize the health and economic prosperity of future generations. 📌

Assemblyman John F. McKeon represents the 27th Legislative District and is Co-Chair of the Joint Legislative Task Force on Drinking Water Infrastructure.

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The City of Newark Solves a Big Problem

By Mildred Crump, Council President, City of Newark

Water main breaks seem to be happening with alarming frequency lately in the United States. The age and condition of water infrastructure is becoming a matter of great concern throughout the nation. The American Society of Civil Engineers estimates that New Jersey’s drinking water and wastewater infrastructure will require over \$40 billion in upgrades over the next 20 years.

The City of Newark is one of America’s oldest cities. In recent years, it has experienced a steady increase in water infrastructure challenges and problems. City Council members were being contacted often by residents with water line issues, and we were growing increasingly concerned about citizens who may experience financial hardships from water line repairs. Approximately two years ago, after a rigorous search process, Newark made the excellent decision to offer the National League of Cities (NLC) Service Line Warranty Program to our residents. An important factor in Newark’s selection of this program was its endorsement by the National League of Cities.

When a water line breaks, the homeowner is generally responsible for the portion of the line from the house to the water meter, called the “private-side” and the City is responsible for the portion of the line from the water meter to the water main, called the “public-side.” When private-side service lines break, many homeowners call the City or Water Utility first, and then are surprised and to learn that the City can’t help solve this expensive problem.

Newark homeowners have been enthusiastic about the warranty program, and those who have had claims have been extremely satisfied with the service they have received. To date, Newark homeowners have saved over \$350,000 in repair costs. We have also been given positive feedback from citizens who have not chosen to purchase the warranty but still appreciate the City providing information.

Educational marketing about homeowners’ responsibility for service lines is a key component of the program. Residents receive information about the program via direct mail, bill inserts, and through digital media. Program materials are available in different languages, which has been very helpful to our ethnically diverse population.

In addition to Newark, other New Jersey municipalities including Cliffside Park, Washington, and Plainsboro, offer

optional low-cost water and sewer line protection to their residents through the NLC Service Line Warranty Program. There are currently over 2,400 New Jersey residents participating in the program.

According to NLC Executive Director Clarence Anthony, NLC recognized the growing problem of aging infrastructure and the dire need to find a solution for cities and their residents. “NLC and Utility Service Partners created the NLC Service Line Warranty Program to help city residents save money, ease the frustration over utility line failures, and introduce a new service offering to communities across the country.”

“ The City of Newark is one of America’s oldest cities. In recent years, it has experienced a steady increase in water infrastructure challenges and problems.”

Aside from the financial hardship, many homeowners don’t know who to call to repair a water service line, especially in an emergency, when time is of the essence. An important benefit of the repair service plan is immediate access to fully-vetted local contractors with just one toll-free phone call. Furthermore, while there is no cost to cities or utilities to participate, the program helps cities to generate ancillary non-tax revenue. Cities use these funds for many purposes that benefit residents.

Newark homeowners have found that the National League of Cities Service Line Warranty Program to be extremely beneficial. Residents have expressed their satisfaction to me on multiple occasions. In each instance homeowners were grateful for the protection and service that the program provided. I would encourage all cities to consider this program. It offers homeowners an affordable solution to a growing problem. I believe legislators should certainly explore implementing services that will resonate with their communities and make life better for their citizens. 🍷

@ For more information on the National League of Cities Service Line Warranty program, please contact partners@utilitysp.net or **866-974-4801**.

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Focus: Water Infrastructure

Utilities at the Crossroads

The pressure mounts for municipal drinking water systems

By Daniel J. Van Abs, Ph.D, PP/AICP,
Associate Professor of Practice, Rutgers University-
School of Environmental and Biological Sciences



New Jersey's publicly owned water supply utilities are coming to a crossroads. The choices made in the next five years will have an enormous influence on who provides drinking water to our residents and businesses, the rates charged to those customers, and the quality of service. The drivers for these choices will be the new Water Quality Accountability Act and the existing Safe Drinking Water Act, affecting future needs for improved drinking water treatment and the management and replacement of pipelines, pumps, and people.

At last count, New Jersey has more public community water supply (PCWS) systems (584) than municipalities (565). These systems provide water to 90% of all New Jersey residents. They range in size from very large, serving three-quarters of a million people, to tiny, serving less than one hundred people.

The largest 13 systems provide service to 3.9 million residents; they are mostly owned or operated by private-sector, investor-owned utilities (NJ American Water, Suez Water-New Jersey, and Middlesex Water). Only Passaic Valley Water Commission, Newark, and Trenton are publicly owned and operated, while Jersey City Municipal Utilities Authority contracts out its system operations to Suez Water.

Another 24 systems serve the next 30% of residential customers. These mid-sized systems serve between roughly 40,000 and 100,000 residents, and nearly all are publicly owned. Another nearly 90 systems serve between 10,000 and 40,000 residents; again, nearly all are publicly owned. These systems are too small to be big, and too big to be small, which means that they face difficult management decisions. They may need to attract and retain capable staff (a major concern as so many utility employees reach retirement age), purchase and effectively operate improved technology, and replace or rehabilitate old infrastructure—the pipes, pumps, and water storage facilities that all too often have not been maintained. These needs all put pressure on costs and therefore customer rates, which can create a backlash if the public is not convinced of the justification

for rate increases. Customers need to know that our drinking water utilities require regular investment to overcome declining infrastructure integrity (as do our wastewater and stormwater utilities also, but that is another article). Avoiding the costs now simply means greater costs later.

And what of the smallest systems, which serve under 10,000 residents? There are well over 400 of them. Roughly 120 of these serve more than 1,500 residents; some are owned by investor-owned companies (those listed above plus Aqua-New Jersey and a few others), but most are owned by municipal governments or municipal utility authorities. Most of the rest, the very smallest, are owned by private companies and serve specific developments, such as small mobile home parks, apartment buildings, or single-family home developments. These 400-plus small and tiny systems have limited revenue and therefore limited ability to hire qualified staff and experts. They may be one major cost away from insolvency, especially for the smallest.

In sum, the biggest systems have large enough customer base that they should be capable of serving their customers well, though we know that what should be possible and what is actually accomplished sometimes don't match. The middle-sized systems should also be able to manage their systems well, but that requires expertise and political will, especially for the publicly owned systems that can't call on a parent company for help. The smallest systems have very limited ability to manage their systems in a cost-effective way.

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Close Up: Water Quality Accountability Act

Forcing decisions

Which brings us to the Water Quality Accountability Act of 2017, a very important piece of legislation that will drive our drinking water utilities toward better management of their systems, and will drive public decision-makers to, well, make decisions!

The Water Quality Accountability Act, N.J.S.A. 58:31-1 et seq., requires all drinking water utilities with over 500 customer accounts (roughly 1,500 people) to develop and implement formal asset management programs, a process for determining what pipelines, treatment systems, and other utility facilities need to be replaced or rehabilitated.

The hundreds of smaller systems are exempt.

The asset management programs must be developed by April 2019. The highest priority capital projects must then be funded and implemented.

To read the act in full, visit njleg.state.nj.us/2016/Bills/PL17/133_.PDF

Please direct any questions to watersupply@dep.nj.gov with "Water Quality Accountability Act" or "WQAA" in the subject line.

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This new law will drive New Jersey to the forefront of utility management nationally, if implemented well, but in the process will make clear the costs of running our utilities properly. Those costs and the complexities involved with improved utility management will force decisions regarding the ownership and management of these utilities.

In some cases, implementation of asset management programs could actually decrease customer costs, through reduced system leakage, more efficient pumps, more cost-effective treatment processes and better operations. However, in many cases we should expect increased utility costs, and that means increased customer rates. Increased rates will make drinking water less affordable for financially stressed households, or businesses.

Also, utilities that lack routine asset management programs will find that the complexity of their work has increased greatly, requiring more expertise and more rigorous management by utility staff and their decision-making bodies. For publicly owned systems, that means municipal utility authority boards (i.e., volunteers who may or may not have utility expertise) or municipal governing bodies (i.e., elected officials who rarely have utility expertise).

One likely result of this new law is that some municipalities will decide that they no longer want responsibility for their water utility. Offloading the headaches can reduce the complexities of municipal governance, especially for municipalities with small populations and little in-house staff. Decisions of this sort can be very controversial, but so are rate increases. We have seen waves of divestitures in the past, often when new drinking water

quality standards require major treatment plant upgrades that would impose high costs, or when a local water source is contaminated or no longer sufficient.

In a few cases, municipalities may decide to merge their system into a larger publicly owned utility. Sometimes the municipal utility is not divested, but management is outsourced to an investor-owned utility or private consultant that can bring in expertise. Sometimes, a decision is made to sell the utility, a step that should be seen as irrevocable because the cost of re-acquiring the utility would be prohibitive (See February 2016 *NJ Municipalities* article, "A Flood of Choice: Considering Privatization of Water Utilities," pp. 22-26). The advantage of a sale, especially for small systems, is that the local system gets merged with the rate base of a much larger utility, spreading the costs to customers outside the municipality. In essence, the local customers get subsidized by the other customers of the investor-owned utility.

New law, new stress

As with most major legislation, solving one problem can create new stresses. In this case, our need for better drinking water utility management is clear. As a result, affordability stresses, management stresses, and political stresses will increase. Those stresses will drive decisions by municipal leaders.

It will be important for New Jersey to provide clear rules and a level playing field so that the right long-term decisions are made, and not just the most expedient choices. ❧

The views in the article are those of the author and have not been reviewed or endorsed by Rutgers University.

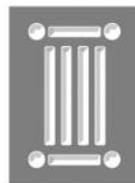
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New Report Analyzes the Financial Benefits of Investing in Water Infrastructure

Capital projects make Camden cleaner, greener, and more affordable

By David Zimmer, Executive Director,
NJ Infrastructure Bank

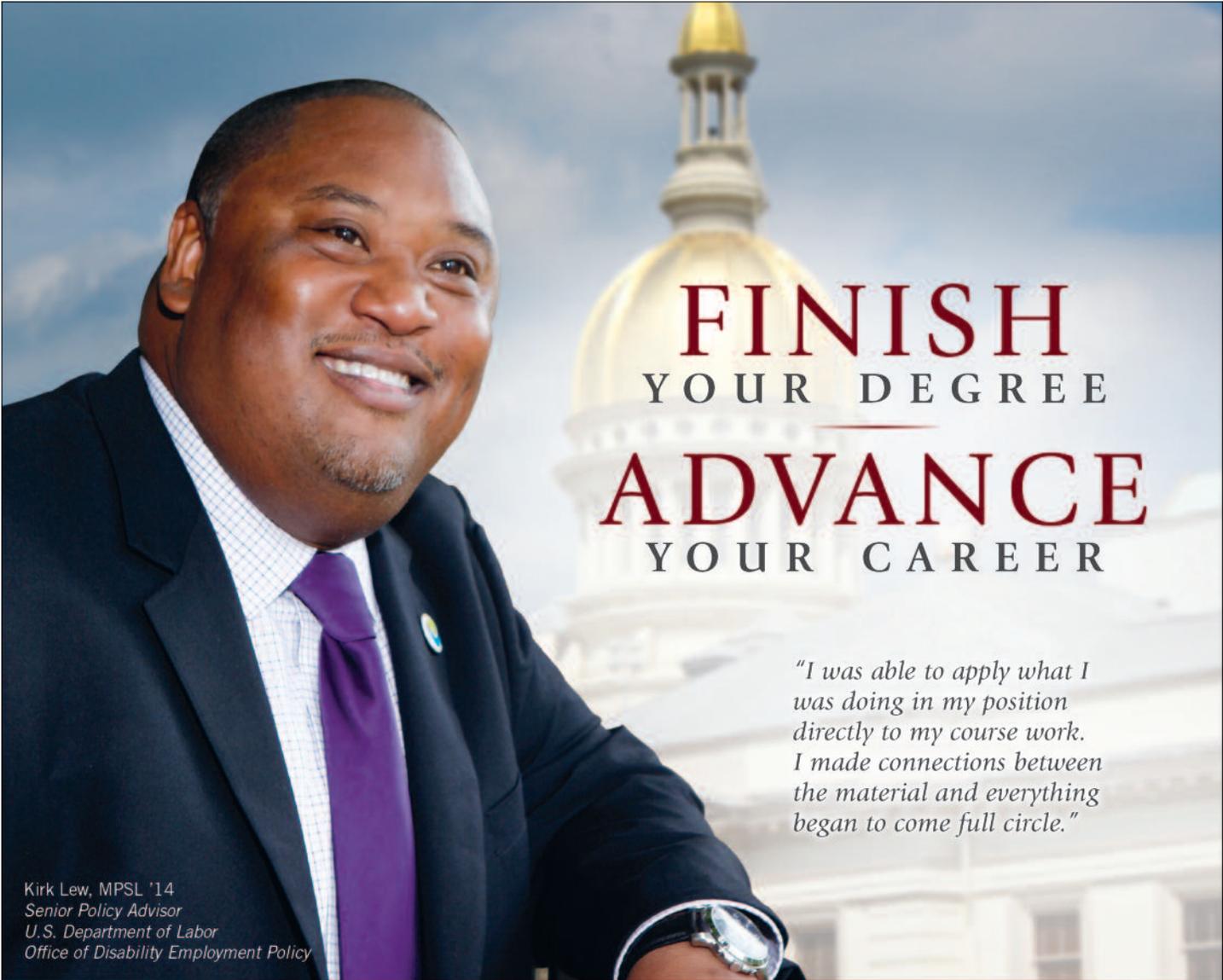


Prior to 1999, when Camden County Municipal Utilities Authority (CCMUA) began upgrading the equipment in its wastewater treatment plant in response to daily odor complaints, the New Jersey Department of Environmental Protection (DEP) had placed CCMUA under an administrative consent order for compliance violations, due to excessive pollutant discharges and odor problems. The terms of the consent order, negotiated between CCMUA and the DEP, required CCMUA to construct about \$7 million in odor-control systems for the plant.

“It is essential for wastewater treatment utilities to make odor control a top agency priority,” said Andrew Kricun, the authority’s executive director and chief engineer. “If our neighbors are complaining about odors, then no matter how well you’re doing with water treatment, you are not a good neighbor. In addition, we need to make sure that our neighbors know that we value them and do not wish to detract from their quality of life with odors from our treatment plant.”

The authority’s Delaware No. 1 Wastewater Treatment Plant serves approximately 500,000 residences, plus commercial and

industrial customers in more than 30 municipalities. The plant is designed to handle 80 million gallons of sewage per day, and currently handles an average of approximately 58 million gallons per day. The 1999 consent order and remediation measures imposed on the plant presented Kricun, who had just been promoted to deputy executive director, with a challenge: Could the utility find ways to invest in upgrading its equipment, allowing it to mitigate the odor complaints and comply with the consent order, without exposing its ratepayers to large rate increases? He thought it could.



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Investing in Water Infrastructure

A forthcoming report from the Jersey Water Works collaborative looks at CCMUA's two-pronged approach to the problem, and the results it yielded. First, because the cost of upgrading the plant's equipment would be significant, Kricun looked for ways to borrow money at very low interest rates. Second, he made sure that upgraded equipment not only improved outcomes, but also improved efficiency and reduced operating costs.

Lowest-Cost Financing

Even before 1996, CCMUA had been a frequent borrower from the New Jersey Water Bank (Water Bank), a financing program administered jointly by the newly named New Jersey Infrastructure Bank (NJIB), formerly the NJEIT, and the Department of Environmental Protection (DEP). The Water Bank offers qualified borrowers low-interest financing on loans for system upgrades, and its funds were used for the original construction of CCMUA's wastewater treatment plant in the 1980s.

Beginning in 1996 and continuing over the next 20 years, CCMUA has borrowed a total of \$190 million from the program to fund a series of upgrades at the plant, with an average of 70% of these funds coming from the State at 0% interest and the remainder of the projects' costs financed through NJIB's AAA-rated bonds. As the report illustrates, the result has often been an effective interest rate of less than 1% due to the combination of the NJIB's AAA credit rating and the DEP's 0% funds, a substantial decrease versus the interest rate CCMUA would have paid, had it financed these projects on its own. By utilizing the Water Bank for financing, CCMUA minimized its cost of borrowing, which, in turn, allowed the authority to borrow a significantly larger sum and invest in more equipment than the bond market would have permitted.

After accounting for funds received from the state at 0% interest and \$8.14 million of principal forgiveness funds granted to the CCMUA, the NJIB estimates that from 1996 to 2016, had CCMUA borrowed the same dollar value of funds on its own and paid the NJIB's AAA interest rate on 100% of



About the New Jersey Water Bank Financing Program

The recently renamed New Jersey Infrastructure Bank (NJIB), formerly NJEIT, is an independent state financing authority responsible for providing and administering low-interest loans to qualified municipalities, counties, regional authorities, and water purveyors in New Jersey for financing water quality infrastructure projects that enhance ground and surface water resources, and ensure the safety of drinking water supplies.

The financing program initiative through which NJIB, in association with the New Jersey Department of Environmental Protection (DEP), offers these loans is known as the New Jersey Water Bank Financing Program. The program makes funds available for the construction of wastewater conveyance and treatment facilities, drinking water distribution and treatment facilities, stormwater management, combined sewer overflow systems and other point and non-point source pollution management projects. The program also provides funds for activities with defined water-quality benefits, such as open space land purchase and conservation, projects that involve remedial action (including brownfield remediation) and well sealing.

Long-term financing available from the program is sourced from both the DEP in the form of a zero-interest-rate loan, and from NJIB as a loan financed with proceeds from the NJIB's issuance of long-term, AAA-rated municipal bonds on the open market. Since being established by the Legislature in 1985, the program has issued over \$7.1 billion in loans, saved tax- and ratepayers over \$2.46 billion through interest savings and loan forgiveness, and created an estimated 123,000 direct construction jobs.

those funds, CCMUA would have spent an additional \$71.4 million in interest expenses, or 38% of the funds borrowed. Instead, it was able to invest those savings into additional projects that increased the plant's efficiency and helped minimize its operating costs, while addressing many of the underlying causes of the original consent orders.

Improved Efficiency

By investing in equipment upgrades, the authority didn't just want to bring itself into compliance with DEP mandates, it wanted to leverage the opportunity to lower operating costs. To do so, it targeted three key drivers of cost at the plant:

Disposal costs Treating sewage generates two byproducts: clean, liquid effluent, which is discharged into local waterways, and the remaining solids, called sludge, which require disposal. Disposing of sludge can represent a significant part of a treatment plant's operating cost, depending on how much water, and its associated weight, the sludge still contains at the end of the treatment process. Despite a 48% increase in wet sludge capture, CCMUA's purchase of a new and highly efficient dewatering machine enabled it to reduce the overall weight of its sludge by 75%, from the equivalent of approximately 160 wet tons per day to approximately 40 dry tons per day, generating a 40% reduction in annual disposal costs and a savings of approximately \$3.5 million per year. In addition, the increase in wet sludge capture resulted in a significant increase in effluent quality, resulting in improved water quality in the Delaware River. Using funds from the Water Bank, the CCMUA was able to improve its environmental performance, while also reducing its annual operating cost.

Energy is another significant cost of the wastewater treatment process, and the authority was able to reduce its energy use in two ways. First, it decreased the amount of energy required to run its operations. The utility upgraded its sludge collection equipment to force a greater part of the sedimentation process to be accomplished by gravity, which requires virtually no energy, than was previously

possible. And second, it used the plant itself to generate a portion of its own energy demand. In 2012, CCMUA installed solar energy panels across much of the plant. These panels currently generate between 8% and 10% of the authority's energy needs, at a cost of less than 5 kWh, or less than 50% of the 10 kWh it pays on average for energy from the grid.

Energy savings from these solar panels has totaled approximately \$642,000 since they were installed. In addition, CCMUA is currently constructing a sludge digester and combined heat and power (CHP) facility at the plant that will generate biogas and then convert that gas to electricity. This initiative is expected to generate 50% to 60% of CCMUA's energy needs.

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About Jersey Water Works

Jersey Water Works is a cross-sector collaborative working to transform New Jersey’s inadequate water infrastructure through sustainable, cost-effective solutions that provide communities with clean water and waterways; healthier, safer neighborhoods; local jobs; flood and climate resilience; and economic growth.

Staffing Newer, more efficient equipment, requiring fewer people to operate and repair, has allowed CCMUA to reduce its staff, from approximately 230 full-time-equivalent employees in the 1990s to 135 in 2016. This was done gradually through natural attrition and retirements rather than layoffs, resulting in an annual savings of approximately \$6 million in salaries and benefits.

Benefits of Being a Good Neighbor

Kricun used savings garnered from these plant-wide investments to purchase odor control devices. The newer, more efficient equipment enabled CCMUA to reduce odor complaints from the hundreds per year it received prior to completing the upgrades to just five since 1999.

The authority has also reduced its discharge of untreated solids by approximately 20,000 tons per year, representing a significant environmental improvement in that part of the Delaware River.

CCMUA’s approach to investment for better air quality and water quality in South Camden has served as a template for its stormwater management initiatives, like the new Phoenix Park, which

offers community members access to the Delaware River on what was once the site of heavy industry. These efforts have helped make the city’s riverfront more beautiful and accessible for Camden residents, and have helped keep nearby neighborhoods more attractive and clear of storm-related sewage backups and flooding.

The Result: Keeping User Rates Low

As the report illustrates, the efficiencies these investments have brought, combined with the low borrowing costs achieved through the Water Bank, have allowed CCMUA to keep its rate increases well below the rate of inflation. The utility did not increase rates from 1996 through 2011 and from 2012 to 2015 it increased its user fees from \$337 per year per household to just \$352, a 4% change. Had the fees

paralleled the Consumer Price Index during those 20 years, they would now exceed \$500 per household, an increase of almost 50%.

However, by systematically returning to ratepayers some of the savings generated by equipment upgrades, and using the remainder for both debt service and further upgrades, the authority has been able to reduce the percentage of its budget a typical household pays for sewer service.

“No one really wants a sewage treatment plant as a neighbor,” said Kricun. “But in the past 20 years we have gone from being seen as an offensive necessity to being looked at as a true community partner. And we are striving to be an anchor institution in Camden City, building parks and green infrastructure throughout the city, and then hiring at-risk Camden youth to maintain those green spaces.

He adds: “We have also significantly improved our water quality performance, while holding our rates. In fact, due to internal efficiency and the help of the New Jersey Water Bank, we have actually reduced our rates by about 40% over the past 20 year, after adjusting for inflation. And we’re not done yet—by the end of 2019, we plan to be a net generator of energy, and we will be passing some of those savings onto our customers as well.”

@ For more information on the collaborative and how to join, visit jerseywaterworks.org.

The full report on the financial benefits of a robust asset management program will be posted on the collaborative’s website. If you are interested in being notified when it is released, please contact Jane Rosenblatt at jrosenblatt@njfuture.org or David Zimmer at dzimmer@njeit.org.

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Legislative Guide

2018

Working with the League,
Meeting Municipal Goals



New Jersey State League
of Municipalities

Your Voice in Trenton

Dialogue for the Future

NJLM President's Letter



Your League Government Affairs team looks ahead to New Jersey's next year of public policy development and the new political environment. A new Governor has taken office and a new Legislature has been convened. November's General Election campaigns provided a focus for much that will occur in the State House.

Despite all the changes, the League's mission remains unchanged: To challenge all assaults on local government, on our local liberties, and on the Home Rule principles that serve as their foundation. To reform our chronic overreliance on regressive property taxes to fund essential services. To encourage civic virtue and citizen involvement in collective decision making. To promote the health, safety, and welfare of our neighbors and their neighborhoods. And to do all of those things without regard to partisan considerations.

When you become involved on any League Committee or Task Force and you attend meetings, you realize you check your party affiliation at the door. We are there to support democrat and republican municipalities, whether they are urban, suburban, or rural municipalities. No matter what the makeup of a municipality's population or where it is located—whether it be along the Jersey Shore, the rolling hills of the northwest, in the shadows of New York City, along the banks of Delaware, and anywhere in between—we are one, fighting for those many issues that affect all of us.

For any New Jersey local elected officials, the goal will always be “To make the best of it.” And for the local elected officials, that phrase cannot be taken as a grim resignation to accept things as they are and to muddle through. For us, the emphasis is on the superlative. “To make THE BEST of it” is a clarion call to strive for ever higher levels of effectiveness, efficiency, and economy in government—not because it is what others expect of us, but because it is what we must demand of ourselves.

As New Jersey municipal officials, the League brings us together to promote the common good. And its Government

Affairs program takes it a step beyond. It brings our common perspective to those other public servants, who practice the art of statesmanship in the Halls of the Statehouse in Trenton.

“To make THE BEST of it is a clarion call to strive for ever higher levels of effectiveness, efficiency, and economy in government—not because it is what others expect of us, but because it is what we must demand of ourselves.”

I encourage you to get involved in that dialogue and these pages will tell you how. A host of interests try to influence State decision-makers. Maybe not all of them have, as their primary focus, the greatest good for the people of our State. Your Legislators will hear from them. Shouldn't they also hear from you? 🗳️

Very truly yours,
James Cassella
President, NJLM; Mayor, East Rutherford

New Tools for Better Policy Results

The League may be your eyes and ears here in Trenton, but we need local officials, both elected and appointed, to engage their representatives so that the voice of local government is heard loud and clear. Stay informed and follow our alerts and calls to action.

In the last year, we unveiled some new tools. Stay tuned for additional new tools in the coming months.

With the hope that we will be able to provide you with a more thorough discussion of State and Federal policy developments that might have a significant impact on your municipality and its property taxpaying citizens and businesses, and to enhance your ability to influence State and Federal decision-makers, the League launched two innovative new services that have been well received.

Subscribe to “The Town Crier,” to get the latest analyses on the largest questions facing policy makers in our State’s and our Nation’s capitals. “The Town Crier” is a blog focused on legislative and regulatory issues, using this tool to drill a bit deeper into important policy developments.

Past postings have dealt with issues like:

- The need to renew the 2% interest arbitration cap
- Regulatory updates
- The impact of the federal tax changes
- Legal updates

The League also has a very active social media presence. Follow us on Twitter, Facebook, LinkedIn, and YouTube for the latest legislative developments.

In March, a newly designed League website will be launched and, with it, new opportunities to engage the League Legislative staff on key issues. You’ll be hearing more from us on that soon.

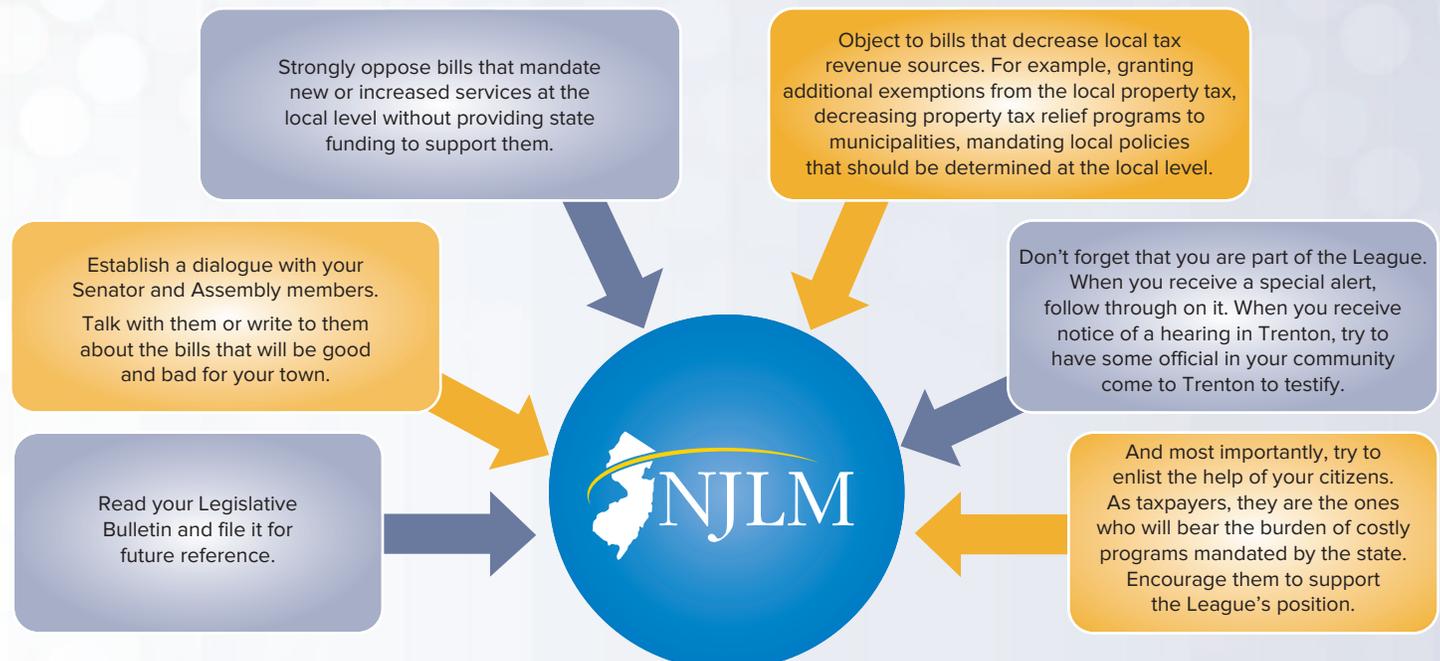
To access more information about Bills and other related information, which can be viewed and printed free to the public, visit the Office of Legislative Services’ website, njleg.state.nj.us. Digitized bills from the 1996-1997 session through today can be searched by Bill Number, Bill Sponsors, Bills in Committee, Keyword(s), and Bill Subject. 📄



Check the League Home Page, njslom.org, for the latest information on the League’s legislative activities.

Getting Active

The League of Municipalities speaks on your behalf, and to be effective, it needs you to take an active part. Here are some of the things you can do to help the League help you.



How the League's Legislative Action Team Helps You

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

Your League Legislative team keeps you informed about proposals put forward by all our State's 40 Senators and 80 Assembly Members, as well as by the Governor's Administration. And, they reinforce with key policy makers exactly how local officials feel about the major issues impacting the community.

The League has a veteran staff of duly registered Governmental Affairs Agents. Under the leadership of Mike Cerra, our Assistant Executive Director, Senior Legislative Analysts Jon Moran and Lori Buckelew monitor the weekly meetings of Assembly and Senate Committees and provide the Committee Members with background on the League's position on the bills under their consideration.

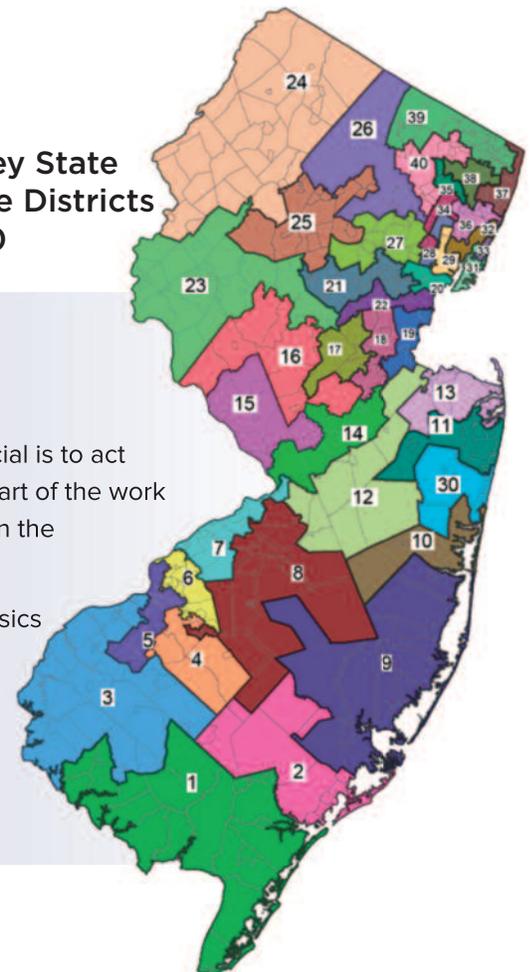
Many bills die, each session, with never a debate in any of the various Committees of the New Jersey State Senate and House of Assembly. But more receive attention in those forums, which represent the best of representative democracy in our Garden State. There, Legislators who have become experts in their committee jurisdictions—Judiciary, Law and Public Safety, Transportation, Local Government, Budget and



Appropriations, Insurance, Education, Environment, etc.—listen to arguments for and against passage of scores of proposals, over the two-year session.

Whenever they consider a bill on which the League has a position, your League Legislative team will let them know about it. They'll tell them what your position is and why you've taken that position. And often enough, it makes a difference.

New Jersey State Legislative Districts 2011-2020



What District Is My Municipality?

One of the most important responsibilities of a local government official is to act as a conduit between local residents and state officials. A regular part of the work of municipal leaders is keeping in touch with their representatives in the Assembly and Senate.

The first step in creating an open line of communications is knowing the basics about your state representatives.

Not sure which district your municipality is in?

Check out the map on this page or visit njleg.state.nj.us/districts/municipalities.asp for a complete rundown.

ALWAYS LISTENING To ensure that the League is representing the interests of municipalities First, they listen to you, person-to-person. They meet you at the League Conference, they come to your county league sessions, you call or write the office, you send them resolutions you've adopted.

Also, they read media reports and research pieces to learn your concerns and opinions and they meet you at various other functions and seminars. From time to time they seek your response to surveys.

The longer they've been listening, the better prepared they are to recognize proposed legislation that would present you with a problem or an opportunity.

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

That Committee is composed of over 100 local officials (see 2018 League Legislative Committee list), just like you. In fact, if you can spare one work day a month, 8 or 9 days a year, we encourage you to join that Committee. There you can help your colleagues from all around our State and serve on one of our Subcommittees: Taxation and Finance; Intra-Municipal Affairs; Land Use, Environment, and Community Development; or

General Legislation. Each Subcommittee has an agenda of 10 to 15 bills, which it studies, debates, and votes upon.

Then we convene in the Committee of the Whole, which takes final action on the recommendations of the Subcommittees.

FROM MEETING TO ACTION After the meetings, your League Legislative Action team returns to Trenton. Based on the Committee's debates and action, they draft position letters on the various bills.

These are sent to sponsors and to any Legislators who could be asked to vote on the proposals. Our Committee actions are also briefly summarized and published in our Legislative Bulletin, which enjoys broad circulation among municipal officials, State Legislators, and Executive Branch Officers. The Legislative Action team reports on several of them in the "Legislative Update" column—a regular feature of the award-winning magazine, *New Jersey Municipalities* and frequently updates the *Town Crier*, the League's up-to-the-minute blog.

When your help is needed on a deadline, the members of the League Legislative Action team rely on their "Legislative Alert" letters and, if aware of your interest in a particular matter, personal emails and phone calls. They use these tools most often whenever a particularly good bill needs a push and whenever an especially bad bill seems ripe for passage. At other times, they use these tools to inform you of the nature and consequences of new laws or regulations. 📧

The Right Way to Write

According to the NJ Legislators website, njleg.state.nj.us, "Legislators value the opinions and suggestions of their constituents. In addition, through their professionally staffed district offices, legislators are prepared to respond to requests for information about legislative matters or for assistance in dealing with State agencies."

They suggest the following communications methods:

- Call, write, or email legislators at their district offices. Consult the Roster of Members listing at njleg.state.nj.us for district office addresses and phone numbers.
- Or you may write to your representatives either in care of:

New Jersey Senate
State House
P.O. Box 099
Trenton, NJ 08625-0099

OR

New Jersey General Assembly
State House
P.O. Box 098
Trenton, NJ 08625-0098

- When addressing mail to a legislator, the title "Honorable" should precede the representative's full name.
- The letter's salutation should read "Dear Senator" or "Dear Assemblyman/woman."





Inside the Legislative Process



Idea Developed

A legislator from either the Senate or General Assembly may sponsor a bill individually or at the suggestion of a constituent, interest group, public official, or the Governor. The legislator may ask other legislators in the same House to join as co-sponsors.

Bill Drafted

At the legislator's direction, the Office of Legislative Services, a non-partisan agency of the Legislature, provides research and drafting assistance, and prepares the bill in proper technical form.

Bill Introduced

The prime sponsor delivers the bill to the House. Copies of the "proposed" bill are printed. The bill title is read aloud at the next session by the Senate Secretary or General Assembly Clerk. This is the first reading. The bill is made available in electronic form.

Committee Reference

The President of the Senate or Speaker of the General Assembly usually refers the bill to a committee for review, but may send the bill directly to second reading to speed its consideration.

Committee Action

When scheduled by the chair, the committee considers the bill at an open public meeting. The committee may report the bill to the House as is, with amendments, or by a substitute bill. If not considered or reported, the bill remains in committee.

Second Reading

When the bill is reported to the floor (or referred directly without committee review), its title is read aloud for the second reading. The bill can also be amended on the floor at this point.

Third Reading

When scheduled by the President or Speaker, the bill is given a third reading. As it is posted for a vote, members may debate the bill. To ensure thorough consideration, rules prohibit a second and third reading on the same day, except by an emergency vote of 3/4 of the members.

House Vote

A bill passes each House when approved by a majority of the authorized members (21 votes in the Senate, 41 votes in the Assembly).

Second House

When a bill is delivered to the second House, it will go through the same process from first reading, committee referral through final vote. If the second House amends the bill, it is returned to the first House for a vote on the changes. A bill received final legislative approval only when it passes both Houses in identical form.

Law

A bill becomes law upon the Governor's signature or after 45 days if no action is taken. If the House of origin is in recess on the 45th day, the time is extended until it reconvenes. (Different rules apply to bills passed during the last 45 days of a two-year session.) If vetoed, a bill can become law if the Legislature overrides the veto by a 2/3 vote in each house. A law takes effect on the day specified in its text or, if unspecified, the next July 4.

Governor's Action

After legislative passage, the bill is sent to the Governor.

The Governor may sign it, conditionally veto it (returning it for changes), or veto it absolutely. The Governor may also veto single line items of appropriation bills.

2018 League Legislative Committee

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

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Building Officials Association of New Jersey
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Municipal Electrical Inspectors Association of New Jersey
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New Jersey Planning Officials
New Jersey Society of Municipal Engineers
New Jersey State Municipal Prosecutors Association
New Jersey State Plumbing Inspectors Association
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Assemblyman R. Bruce Land
- 2 Senator Chris A. Brown
Assemblyman Vincent Mazzeo
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- 3 Senate President Stephen M. Sweeney
Assemblyman John J. Burzichelli
Assemblyman Adam J. Taliaferro
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Middletown After Sandy

Army Corps builds foundation for resiliency in Port Monmouth

By JoAnne Castagna, Ed.D., Public Affairs Specialist and writer,
U.S. Army Corps of Engineers, New York District

Nestled in the Sandy Hook Bay, the Port Monmouth section of Middletown Township has experienced flooding, blizzards, and major storms that have swept through the area throughout the years.

Lifelong Port Monmouth resident Charles Rogers reminisces about past storms that have battered the area and his experiences. “My father placed me on his shoulders and walked through four feet of water to take me to my grandmother’s house during the hurricane of 1944,” said Rogers.

The “1944 Great Atlantic hurricane” was a destructive and powerful tropical cyclone that swept across a large portion of the East Coast in September of that year.

During Hurricane Donna in 1960, the area was evacuated, and Rogers and his entire family were transported by the U.S. Coast Guard via an amphibious vehicle to the firehouse to safety.

“In 2012, Hurricane Sandy placed almost four feet of water in my house and six feet in my cellar and we lost our heating, electric, food, and personal items,” said Rogers.

Brighter outlook

The outlook on future storms is much brighter for Rogers due to the Port Monmouth Flood Risk Management Project being performed by the U.S. Army Corps of Engineers, New York District.

Anthony Mercantante, Middletown Township Administrator, said, “This project will provide a great deal of relief for the community. Often people do not realize that while major weather events like Hurricane Sandy are clearly devastating, they are also infrequent. The residents of Port Monmouth have lived with frequent nuisance flooding events, probably more than 10 per year. These events, whilst less devastating, do regularly impact the quality of life for hundreds of families.”

The Corps, in partnership with the New Jersey Department of Environmental Protection Bureau of Coastal Engineering, is working on this project that will make the community more resilient during future storm flooding and surge.

To help with this resiliency, the Corps decided to include an environmentally friendly soil stabilization process that has never been used by the Corps before on a flood risk management



The Port Monmouth, New Jersey shoreline was built up and widened and a fishing pier extended as part of the Port Monmouth Flood Risk Management Project in Port Monmouth, New Jersey. Credit: JoAnne Castagna, Public Affairs, USACE

project. The process makes the project stronger, improves the community’s quality of life, and saves tax dollars.

The project area is made up of low lying salt and freshwater marsh, and there are many residential and commercial structures sitting right on or near this marshland.

Erosion over the years has removed much of the natural beachfront and dune complexes that had provided coastal protection to the community from storm surge.

Hurricane Sandy further exacerbated the problem by causing millions of dollars in damages, destroying 750 homes and businesses in Port Monmouth, alone.

The project

The project includes two phases of work that together will reduce the risk of flooding throughout the entire community.

PHASE ONE The first phase was completed in 2015 and provides storm risk reduction from the Sandy Hook Bay.

This work included building up and widening the shoreline, constructing a 15-foot high protective dune—spanning a mile and half long—and constructing a new stone groin perpendicular to the shoreline. A structure extends out from the shore into the water and interrupts water flow and limits the movement of sand, to prevent beach erosion and increase resiliency.

In addition, a fishing pier was extended 195 feet and walking paths were built to provide the public access to the beach area.

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Middletown After Sandy

PHASE TWO The second phase is in progress and will provide a line of defense surrounding Port Monmouth.

The work includes constructing a concrete floodwall—the length of almost 22 football fields—to reduce flooding from the Pews Creek to the west and the Compton Creek to the east.

A floodwall is a vertical barrier designed to temporarily contain the waters of a river or other waterway which may rise to unusual levels during seasonal or extreme weather events.

Additionally, pump stations, road closure gates, and a tide gate at Pews Creek will be constructed.

A pump station pumps or drains water from low lying land and tide gates allow water to flow freely under normal conditions and close automatically to prevent flood waters from flooding a community.

In addition, a system of levees will be constructed. A levee is an embankment designed to prevent flooding. The levees that are being constructed need a strong foundation. The land is made up of low lying salt and freshwater marsh that is not strong and very saturated, so this soil needs to be removed and replaced with better soil to construct upon.

“Typically, it’s cost effective to remove and replace the unsuitable soil, but in the New York and New Jersey region it’s a different story,” said David Gentile,



A concrete floodwall is being constructed to help reduce flooding as part of the Port Monmouth Flood Risk Management Project in Port Monmouth.

Credit: JoAnne Castagna, Public Affairs, USACE

project manager, New York District, U.S. Army Corps of Engineers.

“In urban areas it’s hard to find disposal sites, so the soil would have to be picked up by trucks and transported to a location that can accept it and new more suitable soil trucked in, which is expensive, especially since we are moving a mountain of material,” said Gentile.

Gentile decided to move forward with a cost effective solution for the soil that has never been accomplished before by the Corps on a flood risk management project.

This solution is a process called In Situ Soil Stabilization. Instead of removing and replacing the marsh soil, this process allows engineers to leave the soil where it is. A material, such as common Portland cement and water is mixed

with the existing soil to strengthen the porous marsh soil, creating an impermeable foundation for a levee.

There are numerous benefits to this process, but the biggest benefactor is the surrounding community that sits just a few hundred feet from the project area.

This process eliminates the need for over 1,750 tri-axle trucks trips, carrying wet, mucky, and odorous material, through residential streets.

Rogers, an active member of the Port Monmouth community agrees, “When this process was put on the table, it sounded good then. Anytime you can use what is there and not have large truck loads of materials running up and down the roads you save money. It’s a big plus for the project, the residents, and the environment.”

Ken Johnson, engineer with the Corps’ New York District, added, “Less trucks means the local roads and bridges are spared from possible damage, there is less air pollution, noise complaints are greatly reduced, and there is an overall, savings of landfill space, along with financial savings.”

Gentile added, “The public is very supportive of the project and taxpayers will save an estimated \$700 thousand.”

This project is expected to be completed by 2020 and designed to provide flood protection that can withstand another Hurricane Sandy. 📍

Peace of Mind

The residents of Middletown will have a better quality of life after these projects are completed, avoiding the displacement and damages like those from previous storms.

Middletown Township Administrator Anthony Mercantante said, “As a result of Hurricane Sandy, I lost my home and was displaced for 26 months before finally being able to return home, so I have a very deep understanding of the benefits this project will bring to Port Monmouth residents, in the form of peace of mind.”

Resident Frank Rogers added, “I personally believe this project is a big plus for the residents of Port Monmouth. Over the years this area has suffered large dollar losses in property, homes and vehicles due to floods from hurricanes and storms. This project should cut those losses by at least 95% and our residents can sleep better at night.”

Dr. JoAnne Castagna is a Public Affairs Specialist and Writer for the U.S. Army Corps of Engineers, New York District. She can be reached at joanne.castagna@usace.army.mil.

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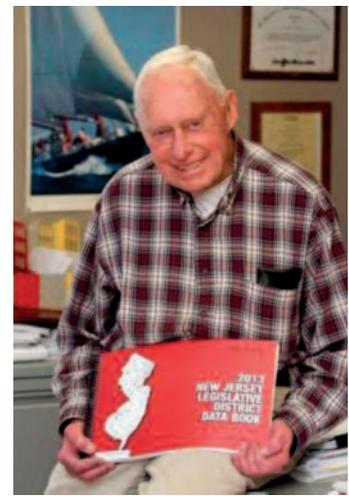
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NJ Data Book

Garden State reference tool radically widens access to information

By Jim Morris, Associate Vice President for Continuing Studies, Rutgers, The State University



For its role in “radically increasing public access to information,” the *New Jersey Data Book* (njdatatool.rutgers.edu) has been recognized with a Public Engagement Award by a professional association dedicated to sharing university research.

The Center for Government Services (CGS) at Rutgers University and the Fund for New Jersey, a foundation seeking to “improve the quality of public policy decision-making” in New Jersey, received the award from the University & Professional Continuing Education Association (UPCEA) at its Mid-Atlantic meeting held last October in New Brunswick. The award recognized the New Jersey Data book for its role in combining “the power of continuing education and Big Data to improve the lives of state residents” by providing free, on-demand access to customizable reports about New Jersey communities.

Ernie’s brain child

The New Jersey Data Book is a web-based source of official, current statistics and information about New Jersey communities. It combines multiple data sets to create searchable, customizable and downloadable information on New Jersey’s 565 municipalities, congressional and legislative districts, counties, schools, elections, and people. The data sets cover topics ranging from local poverty and employment levels to government spending and voter turnout.

The Data Book is the brainchild of Dr. Ernest Reock, an icon at Rutgers who served for more than 67 years as a researcher and Director at the Center for Government Services (cgs.rutgers.edu/) and its predecessor, the Bureau of Government Services (BGS). Reock, who continued to work weekly at CGS for 25 years after his official retirement in 1992, died November 12, just a month after UPCEA presented its award for the online version of the book he created more than 40 years ago (see box, next page).

In a 2014 interview, Reock recalled the *Data Book* was born out of necessity. For nearly a decade, legislators lacked reliable data on their own districts and constituents. To better align legislative districts with population size, New Jersey’s 1966 Constitutional Convention had eliminated county-based districts, but that change created an unforeseen data vacuum, he told mycentraljersey.com.

“The whole system of electing our legislators had changed

due to the 1966 convention,” Reock explained. “Little data was available to them about their actual districts,” he said.

First published as the *New Jersey Legislative District Data Book* in 1976, today’s online *New Jersey Data Book* organizes data by municipality and county as well as legislative district. The current version includes new data sets on preschool population, food assistance, unemployment, and crime in each municipality. The platform also includes data sets for population, geography, school performance, housing, government expenditures, property taxes, voters and voter turnout, election results, and income.

“It is so gratifying to see Ernie’s vision recognized by UPCEA’s award and valued by users every day in a world of instantaneous communication. It is a testament to the need Ernie recognized 40 years ago and is still with us today. People want and need information about the own communities,” said Alan Zalkind, Director of CGS at the Division of Continuing Studies at Rutgers.

Information in action

Serving more than 1,000 account holders, the *NJ Data Book* enables educators, policy makers, planners, journalists, and motivated residents to better understand their communities and manage them more strategically through data-driven analysis. By leveraging the power of its network of active users, the *Data Book* is able to sustainably serve and inform residents from the northernmost hills of Sussex County to southernmost beaches of Cape May County.

Carla Astudillo, Data & Interactive Graphics Reporter for the *Star-Ledger* and nj.com, uses the *Data Book* to create customized data sets, including unique analysis of local election trends and an examination of the financial health of New Jersey’s municipalities.

“I like to use it (the *Data Book*) as a one-stop-shop for New Jersey data. A lot of datasets are scattered among different websites,” Astudillo said. “It’s nice to have it all in one place and nicely divided by municipality, congressional, and legislative districts.” Her work reaches 116,000 daily readers of the *Star Ledger*, and the nj.com website reaches more than 12.9 million visitors each month.

Daniel Jaxel, Borough Administrator serving more than 6,000 residents of Raritan Borough, uses the *Data Book* to make better policy decisions about issues affecting his densely populated, tight-knit, 2-square-mile community in Somerset County.

“If (you) need social, economic, and/or political data throughout New Jersey, nothing compares to the *NJ Data Book*. When a New Jersey municipality is considering inter-governmental service consolidation, land planning, smart growth, or property tax reform policy positions, this is where it should go,” Jaxel noted.

Government officials at the state, county, and municipal level lost a devoted friend and an enduringly effective leader with the death of Dr. Ernest Reock in November.

“Ernie”—to all who knew and worked with him—was the founding director of the Bureau of Government Services at Rutgers University. Now called the Center for Government Services (CGS), it was Ernie’s home at Rutgers for 67 years, including 25 years after his official retirement in 1992. He worked at the computer in his 6th floor office every week until he was hospitalized in October before his death on November 12, 2017, at age 93.

“Ernie believed in the promise of government to improve lives, and he led by example with a kind and generous spirit he brought to work every day,” said Alan Zalkind, Director of CGS. “Through his quiet leadership, hard work, practical solutions, and patient service over six decades, Ernie helped professionalize government service immeasurably,” he said.

Reock’s impact is visible today in every New Jersey municipality and county, in the halls of Trenton and inside voting booths each November. In municipal and county offices, Reock helped professionalize local government by creating the first statewide training program—a municipal finance course—that became the cornerstone for 20 certification and training programs CGS now presents to more than 5,000 participants each year. In Trenton, he advised legislators and staff on issues ranging from property tax administration to the structure of municipal government.

And every November, votes are counted more equally as a result of the state’s 1966 Constitutional Convention, which his research helped inform and served as the topic of his 2003 book *Unfinished Business*.

Regardless of the impact of his work, Reock never sought nor coveted the spotlight. He was proud of his ability to work equally effectively with both Republicans and Democrats. He believed education could, and did, make government work more effectively and efficiently.

In a 2003 *New York Times* article, Reock remembered the meager resources of that first finance course. The instructor, a state Treasury official, used no textbook, nor even written notes, so he dutifully sat through every minute to take cogent notes that would ultimately become the course manual.

After “retiring” in 1992, he maintained an office at CGS to continue his work unabated. More than 20 years later, he still saw education, research and government service as inextricably linked to improving lives. “I hope to be remembered as a conscientious, nonpartisan researcher and contributor to government in New Jersey,” he said in a 2014 interview with mycentraljersey.com. “I have faith in government and believe that it really is for the common good and I want to make it better.”

Reock’s friends and colleagues agree he did just that. “Ernie attained the highest honor we all aspire to reach; he was able to make the world a kinder, better place,” Zalkind said.

Data affecting people

Data Book Editor Dr. Angie McGuire, Associate Director of the Center for Executive Leadership in Government at CGS, said Rutgers will seek to add new data sets in response to needs of elected officials, legislative staff, government professionals, researchers, educators, and motivated residents.

“Researchers save time using the *Data Book* rather than gathering that information from multiple sources. It gives voters free access to information that directly affects them—on issues like crime, employment, property values, taxes, election results, and more.” McGuire said.

To help make historical data available for free, CGS partnered with the Fund for New Jersey. The foundation provided \$15,000 to “support the expansion and roll out of the online *New Jersey Data Book* for the purpose of increasing government transparency by making public information more easily accessible to the public, the media, elected officials, and policymakers,” according to Kiki Jamieson, President of the Fund. ❧



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Town Center Microgrids

Improving towns' energy resilience to major outages

By Richard S. Mroz, Commissioner and Former President, New Jersey Board of Public Utilities

The New Jersey Board of Public Utilities (Board) is advancing the New Jersey State Energy Master Plan's (EMP) priorities of improving energy resilience and increasing the use of Town Center (TC) Distributed Energy Resource (DER) microgrid technologies by funding 13 Town Center DER Microgrid feasibility studies.

Microgrids are mini grids powered by onsite distributed generation that provide electric, heat, and cooling to critical facilities located in a small geographic area, such as hospitals, public safety headquarters, town halls, schools, and other buildings that can serve as emergency shelters during a crisis. These smaller grids operating on their own, "islanded" from the main power grid, can separate and protect themselves from any problems with the main grid and keep vital services in place.

Improving resilience

In the aftermath of Superstorm Sandy, it became a priority to improve energy resilience and the emergency preparedness and response of the regulated utilities. In addition to the need to improve the resilience of utility infrastructure, action was taken to address a clear need for local government agencies to improve and enhance the energy resilience of local critical facilities. As Chairperson of the State Energy Master Plan Committee, I was entrusted to incorporate these priorities within the New Jersey State Energy Master Plan and they became a new section in the 2015 Energy Master Update.

To implement the EMP Update policy supporting the development of microgrids to improve the grid's resiliency and reliability of critical facilities in the event of a major emergency, the Board is working to develop TC DER microgrids that are capable of providing on-site power, heat, and cooling to connected critical facilities within a local area or town center setting during electric grid outages. These town center microgrids

could include, local and/or state government critical operations, police and fire facilities, hospitals, shelters, and multifamily buildings that are all centrally located. The critical facilities would be connected to a single or series of DER technologies that can operate while isolated and islanded from the main grid when power is down.

New Jersey currently has 57 running microgrids, many of which have received funding from NJ's Clean Energy Program. Princeton University has become a national example of how to keep critical power on for residents, emergency workers, and crucial facilities when the grid goes down. Princeton's microgrid, an efficient on-campus power generation and delivery network, is an example I have shared many times when discussing the benefits of a microgrid.



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Microgrids

Report and recommendations

In 2016, with New Jersey Institute of Technology (NJIT) serving as the Board's consultant, the Board prepared and released the BPU Microgrid Report. The report provides detailed information on advanced microgrid systems and DER technologies and provides recommendations on policy considerations. In the report, we defined what a microgrid is and established three different levels of microgrids.

- **Level 1** microgrid is a single facility with a single owner.
- **Level 2** is single owner with multiple facilities, such as a college campus.
- **Level 3** is a microgrid connecting multiple facilities owned by multiple owners, such as town centers.

Upon the Board's acceptance of the Microgrid Report, staff established a stakeholder process to develop and implement town center microgrid pilot projects. Following the initial stakeholder process, the Board established a Town Center Distributed Energy Resource Microgrid Feasibility Study program with a budget of \$1 million to provide incentives for local and state government agencies to study the feasibility of microgrids. Applicants were limited to local government entities or state agencies, which own or manage critical facilities. However, after receiving and evaluating 13 applications for feasibility studies for proposed microgrids and the potential benefits offered, the Board decided to fund all 13 applications and



Power Priorities

Policy priorities in this new section of the New Jersey State Energy Master Plan are based on New Jersey's Plan for Action in the aftermath of Superstorm Sandy and include:

- Protecting critical energy infrastructure.
- Improving the electric companies' emergency preparedness and response.
- Increasing the use of microgrid technologies and applications for distributed energy resources (DER).
- Creation of long-term financing for resiliency measures.

more than doubled the program's budget to \$2,052,480.

Also approved was the State of New Jersey, Department of Treasury, with the partners Mercer County, and Mercer County Improvement Authority.

These projects are dispersed throughout the State and have several in the service territory of each electric company. They all have different attributes and capitalize on existing critical facilities and energy infrastructure. Some include biomass, water or wastewater facilities, hydroelectric, combined heat and power, and thermal generation.

These microgrid feasibility studies will provide great detail on options concerning designs, connections, financing options, and the types of buildings to be included in a town center microgrid. As

these microgrids are developed, communities will have the power and freedom to keep critical facilities operational and running, independent of the grid during emergencies.

We are pleased to collaborate with local government leaders, who have the vision to deliver these projects. We look forward to completing the Phase One Feasibility Studies, exploring the next phase of design feasibility, and then are hopeful for completion of these projects in the future. The BPU has been committed to supporting the use of these distributed generation resources to prove that microgrids can work in these communities, so that we can make New Jersey more resilient and ensure that we are anticipating how we can use the evolving energy grid. ♻️

Testing...

The Board approved funding for applications submitted by:

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Cape May County MUA

Galloway Township

Highland Park

Hoboken

Hudson County

Middletown Township

Montclair Township

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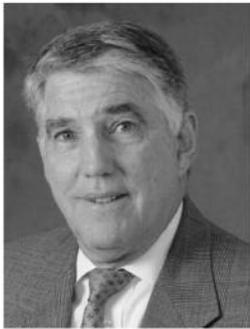
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Perth Amboy: A Sister Community of Puerto Rico

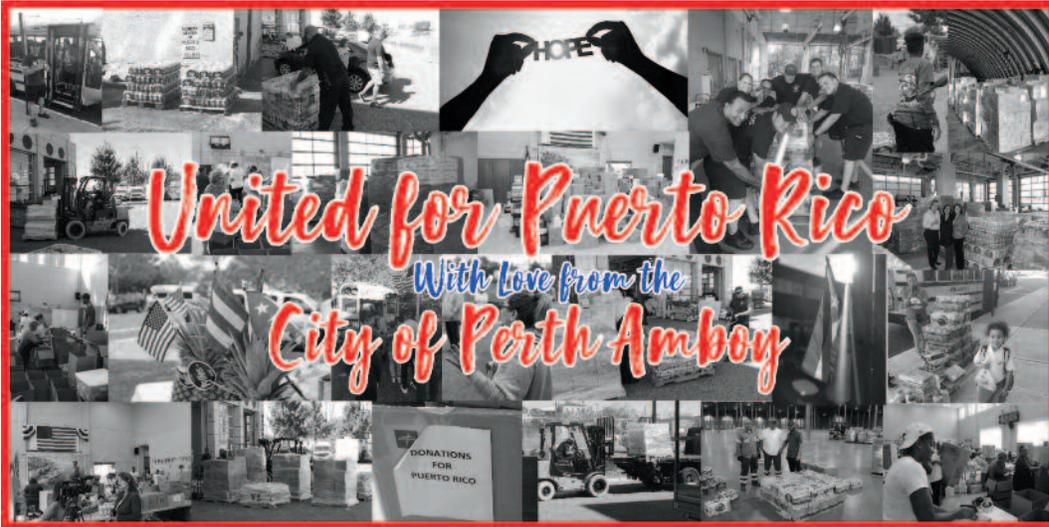
Hurricane Maria recovery efforts have personal connections between island and NJ city

By Wilda Diaz, Mayor, Perth Amboy



Hurricane Maria struck the Island of Puerto Rico almost four months ago and the island continues its recovery process, with many still lacking electricity and water.

Perth Amboy residents contributed to storm relief led by Mayor Diaz (above center).



its current condition, and to continue advocating and addressing the dire needs of our fellow Americans.

“ It was just a matter of hours into the storm on September 20 that we all realized what our families were facing.”

On December 15, 2017, I had the opportunity to visit Puerto Rico with the Gov.-elect Phil Murphy and a group of delegates. During my time there I was certain of one thing—Puerto Rico is still very much in a humanitarian crisis!

The State of New Jersey has the third largest Puerto Rican population in the United States. My parents and sister live in San Sebastian, Puerto Rico, and like

many members of our community this storm that hit landfall over 1,500 miles away, also hit us right here at home.

As our State’s only Puerto Rican female mayor, it has been my goal and our city’s goal to assist and provide essential goods to the people of Puerto Rico. I was so pleased to go on this mission to experience first-hand the island post-Hurricane Maria, to assess

Still recovering

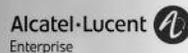
Five years ago we experienced the devastation of Super Storm Sandy right here in our hometown, we could not nearly compare it to the destruction faced by the victims of Harvey, Irma,



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Perth Amboy/Puerto Rico

and Maria, which all happened within just a matter of weeks from one another. While Texas and Florida are no longer experiencing a crisis, Puerto Rico and the Caribbean Islands still fall short of the basic essentials.



It was just a matter of hours into the storm on September 20 that we all realized what our families were facing. Day one, we brainstormed; Day two, we mobilized; Day three, we rallied our resources and every day since we've been on a single mission to get these resources to the people of Puerto Rico, specifically those in the most rural areas of the island, the Northwest Region.

Help from the community

A week before my visit to Puerto Rico, I had the pleasure of welcoming the Honorable Javier Jimenez Perez, Mayor of San Sebastián, Puerto Rico, and the Honorable Felix Lassalle Toro, Puerto Rico's 16th District Representative, to the City of Perth Amboy. The officials from Puerto Rico addressed the damage of Hurricane Maria, the needs of the families, and personally thanked the City of Perth Amboy for our community's generosity.

Giving Efforts

Perth Amboy Police Officers departed to Puerto Rico Oct. 21 to assist with relief efforts in the aftermath of the hurricane as part of the greater state effort to assist in the recovery of the island. In late September, then-Gov. Chris Christie signed an executive order designating municipal and county law enforcement personnel, as well as emergency responders, as state emergency forces. The State of New Jersey planned to send 1,000 responders, of which 150 to 200 would be local police officers.



Through the Celebrate Perth Amboy-San Sebastian Relief Fund, over \$45,000 were raised and an arrangement to send a shipment of eight full containers through Sea Freight Logistics was made.

The Honorable Mayor, Javier Jimenez and his staff distributed the goods to over 400 families.

The City of Perth Amboy shipped over 200 pallets of goods, meaning over 300 thousand pounds of essential supplies, including, first-aid kits, batteries, flashlights, hygiene products, and most importantly, canned goods and water.

In addition, the City of Perth Amboy has since welcomed over 100 families from Puerto Rico seeking relocation. Through the work of Perth Amboy staff and community partners, families have settled into the community seeking housing, employment, education and healthcare.





Fundraising efforts launched by New Jersey for Puerto Rico, spearheaded by the Puerto Rican Congress of New Jersey and statewide leaders, have fundraised tens of thousands of dollars for Puerto Rico. 🇵🇷

@Donations can continue to be made at www.nj4pr.org.

I am a witness to the goodwill of our community. Together, young and young at heart, volunteers and workers have united to assist in what is I know to be the largest response of our community to a natural disaster, since Katrina.



It's enough to say that what I do as Mayor could not be done without the community that supports me, and the same stands for the Island of Puerto Rico. We need to help our American brothers and sisters, looking beyond cultural boundaries and agendas. During a humanitarian crisis, all the luxuries afforded to us of opinions and differences must be set aside for the preservation of life.

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Sharing Municipal Knowledge

Disaster brings Texas and New Jersey mayors together



By Kathleen Koch, Founder and Executive Director, LeadersLink



Belmar's Sandy recovery taught Mayor Matt Dougherty many lessons which he shared with Mayor C.J. Wax of Rockport, Texas. Belmar shown left and Rockport shown right shortly after devastating storms.

As Belmar, New Jersey Mayor Matt Doherty watched television coverage of Texas city officials grappling with Hurricane Harvey's aftermath, he couldn't turn off the monologue in his head. "They should do this. They should do that. They can't do this. Don't do that! Because you've been there and you're like, 'Oh, man. I remember doing this wrong.'"

Belmar was hit hard by Superstorm Sandy in 2012. The storm destroyed the beach town's vital boardwalk and flooded or damaged more than 1,300 homes.

Then, Doherty was a hurricane novice. But a still-forming nonprofit offered to partner him with a mayor who had personal experience leading a recovery—in that case, from Hurricane Katrina.

He and Chipper McDermott, the mayor of Pass Christian, Mississippi, became fast friends. "You know, he told me things they did right, the things they did wrong, the trap doors with FEMA and HUD to stay away from," said Doherty. "That proved very valuable."

Paying it forward

So Doherty decided to pay it forward. Now himself a volunteer "disaster mentor" for the organization LeadersLink, he zeroed in on the City of Rockport, Texas. It too was a small waterfront community and had been devastated by Hurricane Harvey.

But Belmar residents wanted to help too. So on the all-important

Labor Day weekend, Doherty waived all parking and beach fees and the city instead asked for donations for Rockport. Between beachgoers and other donors who contributed, the mayor headed to Texas four days later with a check for \$70,000.

The cash was much needed in Rockport, where 35% of the community was destroyed. A month after the storm, Mayor C.J. Wax detailed how 28 of his city employees still had no homes and were living in cars, tents, or short-term rentals 60 miles away. The recovery has been a challenge.

"There is no handbook. We're building this airplane while we're flying it," he explained, quoting a community leader who is now managing the city's financial donations.

When Doherty arrived, Wax gathered his department heads, his emergency management coordinator, the county judge, and the mayor of Rockport's sister city of Fulton to get a detailed briefing from the disaster veteran. The group talked for an hour before the two mayors recessed for a private 45-minute discussion.

“He had already been through it and that was immensely helpful. Not only did he give us some of the lessons learned that he had, but he also told us some of the pitfalls,” said Wax.

“I was really pleased with that and I think it saved us from making those same mistakes again. Somebody else already made ’em. We don’t need to do it.”

Talking recovery

Both men agreed that one of the most important issues in the first month after a disaster is communication.

“We communicated great for about 14 days. And then I thought, ‘ok, we can start easing up on this,’” Doherty said, describing the aftermath of Superstorm Sandy. Rumors began filling the void, and the Mayor ended up spending more time tamping down falsehoods than he would have putting out information. “People crave information. If the Mayor is not communicating, then they look for another source.”

Wax explained that in his shattered town left without electricity, water, sewer, Internet or phone service, he has found text messaging the best way to reach his residents. Before the hurricane, the Mayor had signed up for a code red service where residents who went online and registered their phone number could receive a text message directly from the City on any pressing matter. “We’ve done that several times in the past month,” Wax said. “That is the single most valuable connectivity.”

The Mayor has posted a “Mayor’s message” on the Rockport webpage every day, but he said that has been less effective since so few people have power and Internet access.

As for social media, Wax insisted it has hurt more than it has helped. “It’s almost like a cancer. It gets started and then it spreads like wildfire.”

Among the rumors he has had to dispel: that someone in Rockport had been shot,

that eight people drowned in a yacht that sank in the marina, and that he had resigned. “None of that is true,” he said. “I’ve emphasized over and over and over: go to official sources of information.”

Doherty says he and Wax plan to stay in touch. Both men are now firm believers in the importance of similar-sized communities from anywhere in the country coming together after disasters to share what they’ve learned and hopefully speed ongoing recoveries. “Having the ability to share the experiences we had makes us feel like our small town was able to contribute a lot to another small town that’s struggling.”

This article was reprinted from the November issue of Texas Town & City, the magazine of the Texas Municipal League.

Kathleen Koch is founder and executive director of LeadersLink, a nonprofit that partners elected officials with peer mentors after disasters and educates leaders about disaster preparedness, response, and recovery.

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Legal Team

Supporting League Efforts



The League continued to advocate for municipalities in the courts this past year. Our legal department participated in a variety of amicus interventions in 2017, in matters that came before the appellate division and Supreme Court.

The legal matters at issue were diverse: business improvement districts, the Torts Claims Act, OPMA, and most frequently, OPRA. The League participates in these cases because they have significant legal precedent effecting municipalities statewide.

The League's General Counsel, William J. Kearns, Jr., assisted the League in monitoring

cases which will have an impact on municipalities and has shared his vast experience with our membership by conducting a number of training sessions during the year.

In addition, each month our staff attorney writes a "Q&A" article published in the League's *NJ Municipalities* magazine. The Q&A provides a look into some of the more common questions received by our legal department.

As always, the League's legal department has acted as a helpful resource to municipal attorneys. We act as a clearinghouse for ideas and practices. Municipal legal concerns include a broad range of topics with nuanced developments frequently occurring in each. Attorneys and local elected officials alike must continually adapt to this ever-changing legal landscape and our legal department is a strong resource to help them in this task. 📖

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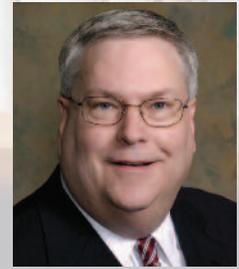
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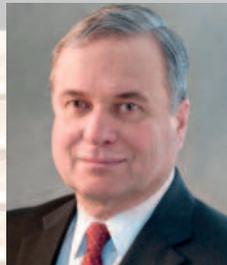
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FINANCE CENTER



Gearing Up to Finance a Resurgence

By John Moor, Mayor, Asbury Park

Upon my retirement as Deputy Director of Public Works, I continued the call of public service by running for elected office. On January 1, 2015, I became the first directly elected Mayor of the City of Asbury Park.

At the time, the City was just beginning a long-awaited resurgence. More and more visitors were flocking to our beach and central business district, and we were ill-prepared to handle the exponential growth. As a Transitional Aid municipality, resources were scarce. Responding to the growth would require advance planning and sound investment in our current and future needs.

As former staff, I knew the City lacked historical investment in infrastructure and equipment. Not one road had been paved since 2010 and our fleet of vehicles was rapidly aging. To help address these issues, the City began capital planning and investing budgetary funds.

EXAMINING DEBT First, we began by looking at our current and future debt obligations. We found that in future years, our debt service payments were going to decrease, so we reinvested these savings. From 2014 to 2015, the City's Capital Improvement Fund (CIF) budget line increased from \$50,000 to \$150,000, this was due to an approximate \$200,000 savings in debt service over this time. We reinvested a portion of these savings to begin correcting years of little investment in our infrastructure and equipment. With just an additional \$100,000, we were able to complete \$2 million more in capital projects. We looked at our existing debt service payment structure, analyzed the structure of the new debt we could issue, and reached the conclusion that we were comfortable that our debt service payments would not spike and would remain stable in the future.

LEVERAGING EXISTING GRANTS Second, we looked at our existing grants and how to leverage them to minimize the required down payments on new bond authorizations. The City also had unspent grant funds to fund road repaving. As the City's infrastructure had been neglected for

almost half a decade, this was top priority. The City adopted a Capital Ordinance for the 2015 Road Program for approximately \$4 million dollars and by mid-2016 the City awarded the first road improvement contract in six years.

“ Our vehicles were in disrepair; our computers were old, and in many instances, security risks; and staff was often frustrated that they didn't have the tools they needed to do their jobs well, or at times, to do their jobs at all.”

Even with these positive steps, we knew there was going to be an issue with adding new debt. Our net debt as the percentage of the equalized valuation of property would increase. From 2014 to 2015, the Annual Debt Statement reflected an increase from 1.392% on the three-year average of \$1.28 billion, to 1.602% on the three-year average of \$1.34 billion. In spite of the numbers, and the facts that we could not self-fund and would have to borrow to meet the City's needs, we chose to move forward as we had an outstanding service to provide to our residents, taxpayers, business community, and visitors. In addition, this increase in the ratio of net debt to equalized valuation was still well below the statutory 3.5% debt limit, leaving the City with adequate borrowing capacity in the event of future necessary capital requirements.

Although we had started making these investments, we still faced issues with equipment and operations. Our vehicles were in disrepair; our computers were old, and in many instances, security risks; and staff was often frustrated that they didn't

have the tools they needed to do their jobs well, or at times, to do their jobs at all. Everyone in civil service knows the complaints received when the street sweeper is running late—add to that tax payer complaints when the street sweeper doesn't show, and magnify it with tens of thousands of visitors on weekends seeing the City streets littered with trash. The City had to make a change.

In FY2016, we concentrated on giving employees the tools they needed to do their jobs more efficiently. We were again able to increase the Capital Improvement Fund line item by \$15,000 to \$165,000. With these down payment monies, the City authorized approximately \$2 million for operational improvements. New equipment, including trucks, computers, and furniture, was purchased across almost every department. More importantly, once we passed the Capital Ordinance and the estoppel period was over, the next Council meeting saw us authorize numerous purchases. These first steps of operations improvement energized the staff. We saw a boost in morale and productivity as staff realized we were making an effort to help them do their jobs.

Moving forward

While we were making these improvements, we never lost sight of the fact that as a governing body, we are the policy makers and have to have governance policies to help us manage ourselves moving forward. We adopted a Cash Management Plan and a Debt Management & Capital Policy to guide us on our improvements. These two documents are reviewed and adopted on a minimum of an annual basis.

In FY2017, we became ever better at capital planning. We introduced our Capital Ordinance in January, with a March adoption date, to allow for purchases with the goal of having equipment arrive before the summer beach season. As roads began to be repaved and sanitary sewers were reconstructed, the complaints of the past turned to compliments. As time went on, those compliments turned into complaints

Mayor's Advice

Asbury Park Mayor John Moor's advice to others:

- Do not try to do this on your own. Rely on staff recommendations, they know what they need to better do their jobs.
- Have discussions on positives and negatives of self-funding versus borrowing
- Use a spreadsheet to create a six-year plan that allows for department growth.
- Learn how to read the audit so you are aware of the financial wellbeing of your community.

These are all simple actions that can be taken to improve your municipality's finances and operations now and in the future.

that the road improvements were taking too long—which I view as a positive knowing where we were just two short years ago.

The City of Asbury Park's ability to create a sound and stable capital plan is one of my favorite accomplishments over the last three years of my term. 🍷

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GOLD DOME



Divided Democrats

By Ben Dworkin, Ph.D., Director of the
Institute for Public Policy, Rowan University

The humorist Will Rogers once quipped, “I am not a member of any organized party. I am a Democrat.” Even decades later, Rogers would find himself at home in New Jersey.

For the first time in eight years, the Democrats are in control of both houses of the Legislature and the Governor’s seat. Such electoral success is attributable to a favorable legislative map, the pendulum shift in gubernatorial politics, and the party’s remarkable discipline and coordination when campaigning.

But the party unity seen in elections is a poor reflection of the divisions that now beset Democrats under the gold dome of the state capitol.

Governor Phil Murphy, a newcomer to the Trenton scene, along with former Assembly Speaker, and new Lt. Governor/Department of Community Affairs Commissioner, Sheila Oliver, and his staff, led by experienced political operative and former Metuchen Mayor Pete Cammarano, will have their hands full as they try to cobble together coalitions for their ambitious agenda.

Tensions abound. For starters, New Jersey’s political system was designed to have the same kinds of checks and balances envisioned by the framers of the U.S. Constitution. Even when one party controls both the legislative and executive branch, each has its own prerogatives and a particular role to play. Thus, some level of discord will always be expected.

In addition, the political divide between legislators from the seven southern counties—Atlantic, Burlington, Camden, Cape May, Gloucester, Monmouth, and Ocean—and those north of I-195, who are not nearly as united, continues to fester. This split contributed to the ascension of Assemblyman Craig Coughlin of Middlesex County to the speakership, replacing Vincent Prieto of Hudson County.

In 2018, the geographical gulf is not quite as deep as it was. Democratic Senators across the state, with a few exceptions, have largely rallied around Sweeney. And while Coughlin’s speakership is widely seen as a product of a deal between the north and south, he enters the position quite strong on his own. His home county of Middlesex now has 10 unified votes in the 54-member Democratic Assembly caucus, a significant starting base. Thus, the Speaker’s political position is far from teetering due to the vagaries of geographic tension.

Another division among Democrats in Trenton revolves around the Murphy-Sweeney relationship. The Senate President

aggressively pursued the governorship for years, only to drop out last September when a majority of the party’s leadership hastily rallied around Murphy instead. It’s widely perceived that there are lingering resentments between the two men.

Many Trenton observers also believe that the fallout from the NJ Education Association’s multi-million dollar failed effort to topple Sweeney in last November’s election (the Senate President won by his largest margin ever) has had a residual negative effect on Sweeney’s relationship with Murphy. The new governor supported Sweeney but avoided pressuring the union to back off, as many of the Senate President’s advocates wanted. Overcoming that ill will might take some time.

All of this will play out as the new legislature and Governor make their way through a challenging first six months, highlighted by a long-dormant Democratic agenda and the need to fix a massive budget hole of potentially \$900 million.

The Murphy-Sweeney tensions will further elevate Coughlin’s influence, as both the Governor and the Senate President seek to curry favor with the “tie-breaker” Speaker whenever they knock heads. It will be interesting to see where Coughlin lands during the first legislative standoff. While very different in size, both Middlesex and Gloucester County (Sweeney’s home) were Democratic counties that supported Christie during his election of 2009. Thus, from a “political base” perspective, Coughlin and Sweeney may have similar perspectives as legislators who represent fiscally moderate, swing voters.

Past governors often tell their successors: Be friends with the Senate President if you want to see your ideas and nominations move. Longtime senators will advise newcomers: Always be friends with the Governor.

No one seems to say much about the Speaker. And therein lies the rub.

In a tri-polar system, having one friend isn’t enough. Unless all three leaders—Murphy, Sweeney, and Coughlin—can figure out how to work together, it will be a very long and difficult term for Democrats. There is no real science to it, just the basic premise of legislative politics that things get done when reasonable people find a way to reason together.

Despite Democratic control, there are plenty of party divisions—structural, political, personal—that will stand in the way of implementing a coherent agenda. They are not insurmountable, if the party’s top leaders have the will to do it. ♣

LEGAL



Closing Streets, Clearing Sidewalks

By Frank Marshall, Esq., NJLM Staff Attorney



Our town has a traffic problem. Motorists have started using our local streets in an attempt to avoid the highway. This has led to our local streets becoming congested and makes it difficult for emergency responders to get where they are needed. What kind of control do we have over our local streets to resolve this safety issue?



New Jersey's municipalities are provided with great authority to regulate the use of roads and streets within their boundaries. In general, a municipality may use its police powers to control the streets within its boundaries if such control is needed to provide for the public safety, health, or welfare. In addition, the Legislature has granted specific authority to municipalities to control their streets.

One example of this specific authority is, *N.J.S.A. 39:4-197*, which provides municipalities with the authority to adopt ordinances and resolutions covering a wide range of limitations over roads and streets including: speed limits, limiting the use of streets to certain class of vehicles, designating one-way streets, and the designation of passing and loading zones, among others.

Further municipal authority to control streets can also be found in *N.J.S.A. 40:67-16.9*, which authorizes a municipality to pass an ordinance giving the Mayor the authority to close, "any street or portion thereof to motor vehicle traffic on any day or days or during specified hours on any day or days whenever he finds that such closing is necessary for the preservation of the public safety, health, or welfare."

A review of these laws granting municipal authority should provide you with plenty of tools to consider when looking at ways to alleviate congested streets. For instance, you may choose to pass an ordinance that would prohibit larger trucks from using your streets during certain times of day, thus reducing congestions and allowing for emergency vehicles to more freely pass through. On the more extreme side, your municipality can use its authority to close streets to traffic during certain times except for use by certain emergency vehicles. This approach has been used recently by a few NJ municipalities and has been met with public outcry so any thoughts to take this approach should be thoroughly analyzed.

You should review these laws with your municipal attorney and engineer for further guidance on how you can control your local streets to ensure the health, safety, and welfare of your residents.



Our town has a lot of senior residents who have difficulty clearing snow from their sidewalks and driveways. We would like to provide assistance to these residents but our public works department does not have the manpower or the budget to provide the much needed assistance. Can we, as a town, organize a volunteer program to assist with this issue?



Yes. A law recently passed provides a municipality with specific authorization to do just that. There is no shame if you don't recall this law being adopted as it happened in the dogdays of summer when very few had snow removal on their minds. *P.L. 2017, C.212*, codified as *N.J.S.A. 40:65-12.3*, authorizes a municipality to establish a volunteer program for free removal of snow and ice from the entrance ways, driveways, and abutting sidewalks of certain residential properties within the municipality.

Only certain individuals qualify for the volunteer snow removal service. Generally, those that qualify include: seniors (age 62 or older), disabled persons, and persons living by themselves or with small children.

Should your municipality wish to create such a volunteer service there are certain requirements that need to be followed.

- First, a municipality choosing to create the volunteer service must appoint a coordinator to administer the program. The coordinator is responsible for recruiting and assigning volunteers to conduct snow removal under the program.

- Second, your municipality must post notice of the program in order to alert your residents to the availability of free snow removal as well as the opportunity to volunteer. This notice must be posted on your municipal website (if there is one) and in any other newsletter or communications provided to residents and must also be provided to the school board of each school district for it to be shared with the student body.

The new law also provides immunity from suit and liability for any claim for damage arising out of the actions of the program and its volunteers. In addition, the law exempts volunteers from being entitled to Worker's Compensation or any other benefits, and excludes them from being entitled to indemnification by the municipality.

If this is something your town wishes to pursue, you should review the new law with your municipal attorney for further information on how to best begin a volunteer snow removal program. ❄️



LABOR RELATIONS

The Building Blocks of a Successful Negotiations Strategy

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

Negotiations always seem like an endless cycle. Once you settle one contract, you still have others to negotiate. Anytime you sit down to negotiate a new contract, it feels like you just ended the negotiations with the same unit. Wherever you are in the process, you can be sure that another negotiation is right around the corner.

In preparing for negotiations, it is important that you are aware of the situation in your municipality, as well as what is happening elsewhere, to ensure you are as informed as possible in making the appropriate decisions at the bargaining table. This article will set forth a helpful checklist in making sure that you are sufficiently prepared for your negotiations.

You should follow these steps in any negotiations:

- **Read the contract** This is very simple, but so important. Whether you are negotiating a contract for the first time, or it is the 10th time you have negotiated with a unit, it is imperative to read the contract before drafting your proposals. To put it mildly, you may be surprised as to what is contained in your agreements. Some issues you would like to accomplish are already answered by your agreement. You also may have been involved in the contract for so long that you think you know what it says, but you may be mistaken. A review must be done to make you aware of what is there and begin to formulate what you might want to change, and of course what you need to maintain.
- **Talk to your management team** Whether you are dealing with law enforcement or non-law enforcement units, it is imperative to talk with your management team. It is necessary to understand their needs and formulate a plan as to the best way to achieve those goals. A working knowledge of the agreement, coupled with your management team's needs, will allow you to determine how to effectively draft proposals to accomplish these needs. In the public sector, since there are managerial prerogatives that do not need to be negotiated, some of the issues may be accomplished without negotiations.
- **Know your finances** This will, of course, drive your negotiations. It is essential to know the cost of your agreement. What do you pay in salary, stipends, longevity, health insurance,

etc.? The point is you should know how much everything in the agreement costs. Also, any proposal you craft should be done with knowledge of all your cap situations. In addition to the costs of the contract, your municipality's overall budgetary situation will factor into your negotiations. Preparation and anticipation of union arguments concerning your budget will be necessary when money is discussed at the table.

- **Past negotiations** What happened in the past does matter. You should be aware of proposals that were offered by the parties in the last rounds of negotiations. This helps anticipate what may be offered in the next round of negotiations by the union. It also serves as a reminder to your team as to what worked in the past and why it worked.

“In preparing for negotiations, it is important that you are aware of the situation in your municipality as well as what is happening elsewhere to ensure you are as informed as possible in making the appropriate decisions at the bargaining table.”

- **Grievances/unfair practices during last contract** Any grievances, unfair practices, or other contentious issues during the last term of the agreement should be analyzed. These were issues that have either been resolved, or are still outstanding. Negotiations can be a way to smooth the rough edges left by some disputes. The agreement does not start anew. The past matters. If some of these tension points can be examined and rectified, collective negotiations is sometime the best way to accomplish that.
- **Changes in the law** The law is constantly evolving. Legislation and decisions routinely affect negotiations. For example, in interest arbitration, the 2% cap and its future is

an issue that will clearly affect negotiations. Chapter 78 and health insurance is always an issue that must be known. Naturally, these are the biggest issues. However, any changes in the law affecting negotiations must be examined as to how to handle contract negotiations. The recent Supreme Court decision in Atlantic County and Bridgewater matters may change how a municipality negotiates the payment of increments on an expired agreement. These are just some examples of how changes in the law can dramatically affect your negotiations.

• Trends in negotiations

Nothing is more important in negotiations than what is occurring in your municipality and what is occurring with the bargaining unit which you are engaged in negotiations. However, trends in negotiations and outside settlements are guides that can be used in understanding the landscape of public sector negotiations. Anyone who has been involved in

negotiations knows that comparisons to others is used by both sides as a sword and a shield. It does provide an idea of expectations at the table and also can provide your team reality of what to anticipate in negotiations.

• Recent interest arbitration awards In the law enforcement and fire context, recent interest arbitration awards should also be reviewed. This in tandem with the trends in negotiations. It provides an understanding of not only wage awards, but also provides an insight as to the other issues that arbitrators are examining.

• Review your other collective negotiations agreements In your municipality it is likely you have multiple bargaining units. The agreements you make with one unit will certainly have an impact on your other negotiations. Therefore, differences between bargaining units on similar terms will affect negotiations. You

should know the differences and understand why they are there so that you can effectively respond to the unions when they are seeking a change or so you can effectively advocate your position if you are seeking a claim.

• Consult with your labor counsel The above should be done in consultation with your labor counsel. Negotiations must be a team approach. As you can see, there are many different facets of the negotiations process. All are equally important when preparing for upcoming negotiations. Counsel is just one part of that process.

The above is not an all-inclusive list, but it addresses the major issues and process that should be done in crafting an effective negotiations strategy. If the above steps are followed, your team will be ready to handle the process and it will enhance your ability to accomplish your goals. 📌

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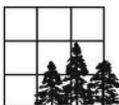


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Around the State



An Icy New Year

The Garden State started 2018 in a deep freeze. With record low temperatures and an unexpectedly productive Winter Storm Grayson making themselves felt, the chilly impacts could be observed throughout the state. New Jersey coastal towns dug out as much as nearly 17 inches of snow as the first week of the New Year included a snow day for entire families. Humans and wildlife alike were impacted by the freezing of waterways around the state, making life difficult for sea birds and commuters alike. Shown here, waterfowl napping on the Barnegat Bay while it is completely frozen over in Ocean Township (Ocean County).

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NJBOA's Active Membership is comprised of licensed Code Officials and Inspectors of all disciplines, as well as Technical Assistants. We have Associate, Subscribing, and Honorary memberships available to others engaged in the building industry, including housing, planning, zoning, and manufacturers' representatives. As always, we welcome people from many career backgrounds to consider joining our organization, or come to any meeting as our guest.

As we approach our 90th Anniversary, **NJBOA** is proud to be the **only** statewide association, inclusive of Code Officials and members of diverse backgrounds, that is recognized by the Department of Community Affairs. **NJBOA** will continue to actively support and participate in the Building Safety Conference of New Jersey, as we have done for 35 years. **NJBOA** is an organization that remains strong in membership, and have welcomed an increase of new applicants this year. **NJBOA** is a tried and true brotherhood whose success is written in our legacy. The **NJBOA** Executive Board would like thank our members, Past Presidents, and communities, for their unwavering support, which has helped pave the way to its success thus far. **NJBOA** will continue to forge ahead with strong leadership and the proven confidence of its members, through this decade and beyond.

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