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Please note our equal space policy of printing differing viewpoints on major New Jersey issues. Articles presented are not necessarily the opinion of NJCM. The NJCM Conference Magazine, (ISSN #1065-5610) Vol. 53, No. 1 is a published bi-annually in June and October for its members by The New Jersey Conference of Mayors, 1st Floor, 150 W. State St., Trenton, NJ 08608-1105. Periodical Postage paid at (Trenton, NJ) and additional mailing offices.

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From the President...

By: Mayor Deborah Buzby-Cope, Bass River Township, NJCM President

It is an honor and privilege to represent the NJCM this year as your President. I greatly enjoyed seeing so many Mayors at the 51st Annual Spring Conference and the 50th anniversary celebration.

My focus is to get as many Mayors involved and working together to accomplish our goals in unity. It doesn't matter if you are in a small town of 500 or a large town of 50,000, we still face the same issues and have to resolve them.

I am willing to work on any issue that you as a Mayor feel is important to you and your town. Any Mayor that was at the Spring Conference heard my platform on gun safety. I have had an enormous amount of support from all parties on this issue and look forward to working with the Gun Safety Committee on making a difference in educating the children on gun safety and to respect all firearms.

I will also continue in getting the deserving resources for the folks that were affected by Superstorm Sandy. Even though our town of Bass River Township in Burlington County was devastated by Superstorm Sandy, the Federal Government decided by formula not to designate our county and a few other counties that were hit hard. By this decision, the constituents in these counties were excluded from a majority of the funding.

I look forward to working with the NJLM and their President Suzanne Walters and NJUMA and their President, Wilda Diaz. As most of you have already seen, we have already sent out a letter to the Governors office on the 2% cap. It is the important issues such as these that show we must work together in unity. With a better presence in the State House and the Governors Office, we can move forward quicker on issues that the majority wants in order to get the job done.

We have had a rough few years with the economy, but looking at it in a positive way it’s getting better and business and real estate are picking up. We need to show moral support to our businesses and promote their successes to grow bigger and better. This will enable our hometown folks to gain employment to better support their families and communities.

New Jersey has many vacant buildings, both commercial and residential. We need to come up with ideas and solutions that can improve these parcels in our towns. As Mayors we are all in this together, making a difference in a positive way to make NJ a better State. We have a lot of work ahead of us, so let’s dive in and get it done - There’s no time like the present.

Thank you all for your time, energy and compassion. It’s going to be a great year. Looking forward to seeing you all real soon.

Sincerely,

Mayor Deborah Buzby-Cope
President - NJCM

Deborah Buzby-Cope,
NJCM President, has been elected Mayor of Bass River Township since 2008. Prior to becoming Mayor, Deborah Cope was Commissioner Director of Public Affairs and Safety for Bass River Township and Deputy Mayor and Director of Public Works and Property for the Township. Mayor Cope is also a licensed Chiropractor and owner of Buzby Chiropractic Health Center, Little Egg Harbor Township, a business she founded in 1995.
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Jobs Make Better Communities

By: Lt. Governor Kim Guadagno

Made famous by President Ronald Reagan, the phrase “the best social program is a job” remains an essential economic development reality. From the outset, a central priority of the Christie Administration has been to improve the New Jersey’s business climate and, with it, enhance the quality of life for our residents. To succeed, we have worked hand-in-hand with the State’s Mayors, many of whom are not only elected officials, but businesspeople as well. As such, our Mayors are uniquely positioned to know what is needed to spur investment and create jobs in their towns. In short, Mayors are our “boots on the ground job creators.”

Since 2010, we have made it a priority to listen. I can assure you this will continue; moreover, it must continue if New Jersey is to build on the success that, together, we worked so hard to achieve. Whether establishing the Partnership for Action, or pursuing policies that helped create nearly 126,000 private sector jobs, New Jersey is the home for growth in our region. Perhaps the best proof of this is the recent enactment of the bi-partisan Economic Opportunity Act (EOA) and the re-charting of the bipartisan Red Tape Review Commission (RTRC).

Simply stated, the EOA, signed into law by Governor Christie last November, is a game-changer for municipalities of all sizes and locations. Not only did the law streamline past incentives but it enhanced the scope and viability of their reach to meet a wider array of municipal economic development needs. Regardless of a town’s size or goals, the EOA presents stronger and more effective job creation tools than New Jersey has ever before enjoyed.

For example, bonus tax credits for “urban transit hub” areas will not only welcome greater investment in our largest cities, but promote development in other smart growth areas with existing infrastructure in place. Another priority of the EOA is to incentivize the growth of “mega projects” in designated Garden State Growth Zones to ensure that the State’s most underserved areas will have a seat at the economic development table.

Perhaps most importantly for New Jersey's Mayors, the EOA has lowered the eligibility threshold for small businesses in the essential industry sectors that define success in a highly-competitive 21st century economy, including manufacturing, energy, finance, logistics, and the life sciences. Investment requirements have been reduced to 25 jobs in these critical areas and from 100 full-time jobs to as low as 10 full-time jobs for technology start-ups. From our smallest towns to our largest urban centers, attracting and retaining these smaller companies is central to economic prosperity.

Equally beneficial for New Jersey's Mayors is the work of the renewed bipartisan Red Tape Review Commission. It is no accident that Franklin Township Mayor Brian Levine sits on the Commission. Even though its work doesn't garner banner headlines, the RTRC has been instrumental in improving the State’s business climate.

In past years, New Jersey’s Mayors often bore the greatest burden of an outmoded and duplicative regulatory environment that made it difficult for anyone to have any confidence in investing here. For this reason, it was no wonder that the RTRC was greeted with such enthusiasm by local officials. From extending the sunset provision and expediting the re-adoption of rules under the Administrative Procedure Act; to implementing “common-sense principles” across government to promote transparency and predictability in rule making; and to streamlining the process by which municipalities receive resolution of matters before various State departments and agencies, there is no question our efforts have made businesses feel welcome again. The RTRC will continue to address issues that are critical to municipalities - whether the issue is an expansion of general permits and permits-by-rule, or proactively addressing the unnecessary hidden costs of regulation. We invite your comments.

Through these initiatives and numerous others, the Christie Administration has offered a vision for a brighter and more prosperous future. That being said, success will be impossible without fostering a strong and ongoing dialogue with New Jersey’s Mayors who are on the front-lines of progress. We look forward to working with each of you to help create the jobs that will make your communities thrive.
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The 51st New Jersey Conference of Mayors Annual Conference was again an extremely successful event with an expanded venue providing many opportunities for Mayors and other elected officials to be brought up to date on legislative matter, as well as means to reduce operating costs.

Lt. Governor Kim Guadagno was the keynote speaker at the Grand Luncheon addressing economic development in New Jersey and captivated the audience of over 300.

Governor’s Cabinet Commissioners attended a face to face roundtable session with the Mayors, answering questions pertaining to their respective departments.

Representatives from the United States Conference of Mayors conducted a session on Federal legislation, addressing FEMA and CDBG funding, and the expanded panel session program provided for six additional state and local related topics, including the following:

- Shared Services and the current S1 legislation
- Property taxes, interest arbitration, COAH, energy tax receipts, and health insurance costs
- Revenue opportunities and energy cost savings for municipalities
- Communication technology improvements savings for municipalities
- Strategies for economic growth in your municipality
- School funding tax reform and relief

Many thanks to the panelists and moderators of the panel sessions, all of them very knowledgeable in the subject matter discussed, and very familiar with the needs of local government. The panels consisted of legislators, business leaders and NJCM Business Council members and Mayors.

Also conducted during the Annual Conference was an NJCM Legislative Committee meeting which was open to all Mayors. Current and proposed legislation was discussed with an emphasis on the pending interest arbitration bill and the 2% cap of interest arbitration awards. The Mayors in attendance and all members of the Legislative Committee unanimously voted to send A resolution to the Governor and the Legislative Leadership, expressing their strong position of the Assembly approving the proposed interest arbitration bill, which among other things, called for the continuation of the 2% cap in interest arbitration awards. Subsequent to the Annual Conference, such a letter was sent to the Governor and the Legislative Leadership jointly signed by the NJCM, NJ League of Municipalities, the New Jersey Urban Mayor’s Association and the Association of Counties.

The first Annual Conference meeting of the NJCM By Laws Committee with the NJCM Board of Directors resulted in approval of seven proposed changes to the existing by laws, most notable of which was the Legislative Committee Chairperson and Co-Chairperson being elected by the Legislative Committee and not the Board of Directors. Such election is to be conducted at the first Legislative Committee meeting following the Annual Conference.

At the first NJCM Legislative Committee meeting after the Annual Conference, Mayor Tim McDonough, Hope Township, was elected as Legislative Committee Chairman and Mayor Susan Howard, Monmouth Beach Township, was elected as Legislative Committee Co-Chair.

At the Legislative Awards Reception, Mayor Deborah Buzby-Cope was sworn in by Senator Diane Allen as the NJCM President for 2014-2015. As part of her acceptance speech, Mayor Cope announced she would be forming an NJCM Gun Safety Committee to help educate individuals, especially our youth in gun safety.

Also that evening, the award recipients were honored by the NJCM for their significant contributions at the Federal, State and local levels of government. A complete listing of award recipients can be found on the inside front cover of this edition of the NJCM Conference Magazine.

The last event of the Annual Conference was the 50th Anniversary Reception, celebrating the NJCM’s 50 years of service to the municipalities. Former Mayors and current Mayors, with their guests, gathered to renew acquaintances and view a slideshow depicting photos from the past. – A good time for all!

Special appreciation is extended to our many exhibitors at the Annual Conference who provided an array of goods and services that are available to municipalities and to our sponsors for their support of the NJCM and our activities.

Special plaudits are extended to the NJCM staff, Mary Zajack, Peter Oesterwinter, Gary Passanante and the NJCM Mayors Emeritus for all their many efforts in making the Annual Conference a success. A special thank you also, to the Borgata Staff.

As always, the Mayors attending the Annual Conference should be especially recognized for their continued support of the NJCM and its Annual Conference and striving to keep up to date with the many changes / challenges facing their communities, for the benefit of their constituents.

Thank you Mayors! 👏
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*Melvin Feiler, DDS  Aaron Feiler, DDS
Flexibility is the Hallmark of the Christie Administration’s Sandy Housing Recovery Efforts

By: Richard E. Constable, III, Commissioner of the NJ Department of Community Affairs

The State is making significant progress in helping New Jersey residents repair and rebuild thousands of houses and rental units damaged by Superstorm Sandy. The State also continues to assist officials in the hardest hit towns to stabilize their finances, given the massive loss of property. Now that the U.S. Department of Housing and Urban Development (HUD) has approved the State’s plans for a second round of federal disaster recovery funds, we expect the pace of construction will continue to accelerate.

Since the State received its initial $1.83 billion round of federal Community Development Block Grant (CDBG) Disaster Recovery funds in April 2013, we have funded nearly 6,000 homeowners through state’s main housing recovery initiative, the Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program. An additional 3,700 RREM homeowners are moving off the RREM program waitlist after HUD last month approved a second round of CDBG Disaster Recovery totaling $1.46 billion. We expect to fund every eligible homeowner who applied to the RREM program when New Jersey receives its third round of CDBG Disaster Recovery funding in the coming months.

The hallmark of our housing recovery effort has been flexibility. We have revised programs in response to feedback from Sandy-impacted homeowners, and we have worked with HUD to cut some of the red tape associated with federal funds. We adopted program changes that give people more freedom to make their own decisions as to how best to move forward and get back on track.

In one significant reform, the Christie Administration, working in a bipartisan fashion with New Jersey’s Congressional delegation, convinced HUD to reimburse homeowners for eligible repair and rebuilding work conducted before they submitted their RREM application. We wanted to make sure that those who began rebuilding immediately after the storm weren’t penalized for taking action.

Another important reform allowed homeowners in the RREM Program to select their own contractor to rehabilitate or reconstruct their homes. For homeowners like Christine and Fred Schreck of Manahawkin, Ocean County, that flexibility was crucial to empowering them to replace their home.

I met with the couple recently and they praised the RREM Program because, as Mrs. Schreck said, “We were able to get back what we lost.” They signed their RREM grant agreement late last year, picked the contractor they wanted and quickly got work underway. They moved into their new home on February 3, 2014: The first homeowners to complete the RREM process.

A drive along New Jersey’s coastal and tidal areas, through the nine counties most impacted by Sandy as determined by HUD, shows that large sections of our state are now actively rebuilding. As of the start of June, nearly 2,000 homes funded through the RREM Program were under construction. More than 50 houses are complete and their owners are home.

One of our other major recovery programs for homeowners – the Homeowner Resettlement Program – is 99 percent complete. More than 18,500 homeowners have received $10,000 Resettlement checks, and the Department is mailing out the remaining grant awards. Families have used these funds to pay their property taxes, pay down their mortgages, and meet other non-construction recovery needs, such as replacing storm-damaged furniture and appliances.

For renters, we’ve dedicated more than $624 million of CDBG Disaster Recovery funding from the first two CDBG Disaster Recovery funding rounds, spread across seven different recovery programs. This includes more than $179 million to our largest program, the Fund for Restoration of Multi-Family Housing (FRM), which repairs or replaces storm-damaged rental units and increases rental housing supply. Overwhelmingly, rental program funding benefits low- and moderate-income households. In FRM, for example, funding has been committed to 36 affordable housing projects to create nearly 2,500 housing units for low- to moderate-income residents.

In addition to helping homeowners, the Christie Administration continues to continued on Page 44
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Interest Arbitration Update - Alert II

By: Steven S. Glickman, Esq., NJCM General/Labor Counsel

On Tuesday, April 1, 2014, the NJCM provided our member Mayors an email alert on the Interest Arbitration legislation “dilemma”.

The Police and Fire Public Interest Arbitration Task Force had made recommendations, which were accepted by the Senate. Governor Christie conditionally vetoed this legislation as outlined in the April 1 Interest Arbitration alert. The Senate approved the Governor’s recommendations, but the legislation stalled in the Assembly.

Recently, after reaching an agreement with the Governor, the Assembly passed Interest Arbitration legislation. This proposed legislation mirrored both the expired legislation and the Governor’s proposed legislation, which made the following changes to the expired legislation: (1) the arbitrator shall conduct an initial meeting as a mediation session to effect a voluntary resolution of the impasse; (2) increased to 90 days the time period to complete the interest arbitration process; (3) increased to 60 days the time period for PERC to respond to an appeal; (4) increased to $10,000 the maximum fee for an arbitrator; (5) increased to 14 days the time limit for filing an appeal; and (5) eliminated the “one and done” provision.

The provisions of this act extends the two-percent cap until December 31, 2017 and makes the cap retroactive to April 2, 2014.

The only modification to the Governor’s proposed legislation is that the 2% cap is to be calculated on an annual basis instead of a contractual basis, thereby compounding the calculation. For example, if a municipality’s salary line item for police is $2,000,000.00 and the municipality is negotiating a three year contract the maximum an arbitrator can award on an annual basis is $40,000.00, for a three year total of $120,000.00. Under the Assembly’s version, the maximum an arbitrator can award the first year of the contract is $40,000.00. That $40,000.00 is added to the $2,000,000.00 base for a total of $2,040,000.00. The maximum an arbitrator can award the second year of the contract is 2% of the $2,040,000.00, or $40,800.00, instead of $40,000.00. This same “compounding” process would be followed for the third year.

After a short delay, the Senate has also approved this amended legislation, and Governor Christie has signed the legislation. The Interest Arbitration statute, as modified and outlined above, remains in full force and effect through the 2017 calendar year.

NJCM worked closely and feverishly with the Governor’s Office and the Legislature to insure that the Interest Arbitration legislation not only continued in full force and effect, but remained a viable piece of legislation for all municipalities.

Legislative Committee meeting which was held at the 51st Annual Conference Thursday, May 1, 2014
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We are the public sector benefits experts that over 300 New Jersey public sector entities rely on to provide the right advice and direction year after year.
On June 2nd the Council on Affordable Housing (COAH) published their new rules for public comment. This public comment period will end on August 1, 2014. In addition to written comments, COAH took verbal testimony at a hearing which took place Wednesday, July 2, 2014.

These new rules and Third Round Methodology are COAH’s response to the NJ Supreme Court’s decision earlier this year. The summary that follows is taken from the proposal which can be found at: http://www.nj.gov/dca/services/lps/hss/ (follow the link to the proposed rule).

The municipal fair share obligation period governed by the rules from 1987 through 2018 have been changed to 1987 through 2024, so that the period can reflect the entire housing cycle and emphasis has been placed on the core focus of the Mt. Laurel doctrine that zoning available land is the preferred means of meeting a municipality's affordable housing obligation, allowing, however, alternate means where available land is insufficient. To ensure that the sites selected for affordable housing are realistic from an economic perspective, the rules require an economic feasibility study. The rules also establish a minimum affordable housing set-aside of 10 percent subject to appropriate adjustments.

The municipal affordable housing obligation is comprised of rehabilitation share, unanswered prior round obligation, and fair share of the prospective need. The previous method for determining the growth share obligation has been replaced with a method that is similar to that used in the first and second rounds, as required by the NJ Supreme Court. The procedures for projecting household and employment projections and the residential and nonresidential growth share obligations have been removed as the new rules are not based on growth share but rather the methodology used in the first and second rounds.

Municipalities can request from COAH a substantial compliance reduction to reduce the unanswered prior round obligation when that municipality has substantially complied with the terms of any prior round substantive certification and has created a substantial percentage of its affordable new construction obligation during the 1987 through 1999 and 1999 through 2014 periods.

The 1,000 unit cap specifies that no municipality shall be required to address a fair share beyond 1,000 units within a 10 year period from the grant of substantive certification unless the municipality has demonstrated a capacity for more. The 20% cap ensures that a municipality’s fair share of prospective need obligation is not more than 20% of the total number of units located in the municipality as of the 2010 census.

The formulas for the low-mod split, RCA cap, rental housing requirement, family housing requirements, and criteria for rental bonuses have been deleted from the rules as they are either no longer necessary or, in the case of the low-mod split, are addressed in the Uniform Housing Affordability Controls.

The requirements for a Housing Element are based on the requirements set forth in the Fair Housing Act and are focused on land use and zoning mechanisms that will foster municipal achievement of access to affordable housing in addressing the municipal affordable housing obligations. The submission requirements associated with the Fair Share Plan include an explanation of the delivery techniques and funding sources that will be used to address the municipal affordable housing obligation and the required submission of an economic feasibility study for all proposed zoning. The criteria for receiving credits from prior rounds have been deleted.

The procedures for a municipality seeking a vacant land adjustment to its unanswered prior round and/or prospective fair share obligation are set forth showing what lands a municipality should exclude from its vacant land inventory and sets out the review process. The new rules require that a municipality requesting a vacant land adjustment due to a lack of available land resources to submit an economic feasibility study in addition to a certification stating that the zoned densities and affordable housing set-asides are not capable of providing a realistic opportunity given the use of density bonuses and other devices and that no other suitable sites are available for construction of affordable housing. The vacant land adjustment will reflect the obligation reduced by the number of units that can be provided either through inclusionary development with set-asides or other affordable housing delivery techniques. The procedures for determining assignment of Realistic Development Potential, unmet need, durational adjustments, and adjustment of household and employment growth projections have been deleted.

The municipal rehabilitation investment has been continued on Page 46

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Civil Service: Maintaining the Balance Between Public Employees and Needs of Local Government

By: Assemblyman John DiMaio, District 23

F or as long as there have been public employees, there has been the need to manage those individuals; to develop a system of hiring, promoting and terminating. Practices that are equitable to the employees, reasonable to the taxpayers and cost-effective for the governing officials have not always been utilized.

Our nation’s history is rife with favoritism and political spoils such as Boss Tweed’s Tammany Hall and President Garfield being assassinated by a man who felt slighted, that he deserved an appointment after helping on the campaign. At the turn of the century, it was clear that change was needed. The Progressive political movement helped end the spoils system which promoted governmental appointments that impeded citizen’s ability to compete equally for government positions. In 1908, New Jersey became the sixth state in the union to establish a Civil Service Commission.

To see the future, one must only look to the past; civil service is necessary to ensure for the protection of public employees from political patronage and retribution. However, elected officials must not confuse this with, nor obstruct, the ability of local governments to reorganize their public services based on NEED rather than individual employment longevity and tenure. The ability to restructure and align resources to current constituent needs is essential to managing a responsible budget and meeting our fiduciary responsibilities to all taxpayers of New Jersey.

The regulations set forth by the Civil Service Commission are regularly amended as needed to meet the changing needs of the appointing agencies, as they were last month, when the Commission changed the manner in which promotional positions are filled. Previously, promotional exams were used to determine the eligibility and ranking of employees being considered for the promotion. The rule change would allow managers to fill positions at their discretion, without standardized testing, which they felt will be more and less costly.

More than 125 individuals submitted comments to the Commission during the public hearing process address the rule changes.

Following the public hearing, the proposal was amended to exclude law enforcement and public safety positions and limit “job banding” to state positions - not local, county or other agencies. The Commission clarified that the testing for initial hires and ranking with veterans’ preference will not change and that employees who feel they have been treated unfairly have the right to a review by the Commission.

While this particular change does not affect local jurisdictions, there are a number of bills pending that would apply to towns in the civil service system:

Assembly Bill A139, sponsored by Assembly members Parker Space and Allison McHose, would allow for the layoff of an employee with more seniority in place of a more recent hire, if the employee with less seniority possesses specialized skills or qualifications that the more senior employee does not.

Assemblymen Anthony Bucco and Parker Space are sponsors of Assembly Bill A159, which among other things would change working test period from 3 to 6 months, remove an individual from a special reemployment list when they have refused the same or substantially similar job, and would require that examination be announced and administered on a continual basis where practicable.

There are also bills pending that would allow counties and municipalities to opt-out of the Civil Service System.

Certainly, New Jersey is not alone in our challenge to maintain a system of human resource management that balances fair hiring practices and equitable treatment of the employees with the need for flexibility in recruiting and retaining qualified staff in a cost effective manner.

In 2012, the Tennessee legislature passed the Tennessee Excellence, Accountability and Management (TEAM) Act, which made substantial changes to their civil service system. It instituted an employee performance evaluation system to be used in determining merit pay and ranking when reductions in staff are needed. It also ended the practice of transferring employees whose jobs were being eliminated into positions held by employees with less seniority, “bumping” the less experienced workers.

Arizona, Colorado Michigan and Maine have also made significant changes to their civil service systems in the past several years.

When faced with growing debt, continuous increases in operating costs and onerous property tax burdens, government agencies of all levels need to take a hard look at all aspects of their operations, including management of their human resources.

On the state level, small but powerful reforms are needed such as passing legislation that will authorize local governments to appoint and/or share part-time positions including county tax administrators, etc. If their discretion; removing obstacles preventing local municipalities from sharing specific services and resources where they deem appropriate and addressing the sunset provisions in the current health-benefit reforms are just a few ways to begin the process of implementing real reforms.

Assemblyman John DiMaio

DiMaio began his political career at the age of 23 serving on the Hackettstown Community Council. DiMaio became Mayor in 1990. He served many other positions including Warren County Freeholder, Freeholder Director and President of the NJCM. DiMaio took office in the General Assembly of the 23rd District in 2009.
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Mayors Emeritus Volunteer Their Strong Support to the Annual NJCM Conference

By: John F. Morrissey, Chairman, NJCM Mayor Emeritus Advisory Council

The Mayor Emeritus Advisory Council (MEAC) once again put forth extraordinary time and effort in supporting this year’s expanded New Jersey Conference of Mayors Annual Conference, 50th Anniversary Reception and the NJCM Business Council Golf Outing.

Starting late December, the MEAC’s started weekly meetings to start preparations for the Annual Conference. The Meetings during the week and on occasion, Saturdays, lasted through April. Mayors Emeritus also came to the NJCM Trenton office to assist staff in Annual Conference related matter as well as other administrative matters. Many of the Mayor Emeritus took Annual Conference flyers home with them to compile and post out in addition to the ones sent out from the weekly meetings. These meetings involve collating, folding, stuffing, sealing, labeling close to 600 and sometimes 1200 pieces of mail in one evening, in addition to formulating plans for the Annual Conference.

The Mayor Emeritus provide support at the Annual Conference in many diverse ways, including moderating some panel sessions, monitoring all the many events, assisting with registration, dais seating, visitor information, escorting, distributing door prizes, posting signs, supporting the Golf Classic, manning the Mayor Emeritus booth, and so forth.

At the NJCM Board of Directors dinner meeting, Wednesday evening, the Mayor Emeritus presented the Annual Lee Veale award to Mayor Emeritus Augie Longo for his many years of support to the New Jersey Conference of Mayors, and his continued support in many ways to his community and other volunteer organizations.

This award was created to recognize supporters of the NJCM who have demonstrated dedication to the NJCM and community activities similar to those provided by Lee Veale, the revered late, long time former NJCM Operations Manager. Congratulations to former Mayor Augie Longo, who is a long time member of the core of the Mayor Emeritus Advisory Council.

The Mayor Emeritus held their Annual Conference meeting at the conclusion of the last Annual Conference event to conduct a debriefing amongst themselves regarding the events of the Annual Conference with suggestions of changes for next year. Also discussed were remaining NJCM events for this year including the Commemorative History Book, a Fall summit and a Winter 2015 summit. Newly elected NJCM President Debbie Buzby-Cope attended the meeting to show her appreciation of the Mayor Emeritus support.

This year’s 51st Annual Conference again went very smoothly with an expanded agenda and a large audience. The support of the Mayors Emeritus is invaluable and a very significant factor in the success of the Annual Conference event as well as any other activities of the NJCM. The Annual Conference could not succeed without them.

A very large thank you is extended to the following Mayor Emeritus and their spouses for their support before and during the many activities of the NJCM Annual Conference: Tony Beatrice, Theresa Beatrice, Ted Dorn, Betty Dorn, Bea Cerkez, Elwood Hampton, Elena Hampton, Mike Kay, TC Kay, Augie Longo, Charlie Pritchard, Mike Mevoli, Mary Mevoli, Joe Wolk, Kathy Wolk, Jack Tarditi, Jeanne Passanante, Ted Wardell, Joe Venezia and Janet Morrissey.

I extend my sincere appreciation and that of the NJCM Executive Board to the MEAC volunteers and their spouses who contribute so much to the success of the NJCM events. Again, THANK YOU!

And, thank you for electing me as your Chairman.
legends were born in

1939

- Superman comic strip debuts
- Ted Williams hits his first home run
- John Steinbeck’s The Grapes of Wrath is published
- First official screening of Gone With the Wind
- Frank Sinatra makes his recording debut

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In hope those attending this year’s conference and golf outing found them educational and entertaining! While these events are challenging for the office staff and volunteers, this year’s golf outing proved particularly daunting. A forecasted severe weather storm forced us to reschedule the event for the first time in our five year history. Unusual for golf outings, we rescheduled 3 days early and the Atlantic City Country Club was gracious enough to accommodate our request. This proved to be a wise decision as the original scheduled day saw monsoon-like weather and would have certainly been a wash out! The rescheduled date turned out to be a beautiful day and we had a great attendance as well as a great time networking and enjoying the club’s amenities. For those of you who could not make it this year, I hope you put the date on your calendar for 2015 as it is always a wonderful outing. I would like to personally thank our sponsors, the NJCM staff and our Mayor Emeritus volunteers for all of their help and hard work in making this event such a great success.

The Business Council sponsored two panel sessions at the conference this year. Our “Energy Session” drew a great crowd and representatives from numerous utilities and private industry shared information and insight on the latest trends in conserving energy and saving money. Everything from energy auctions to aggregation and LED lighting was covered and our attendees learned about the newest opportunities to effectively manage their municipal energy consumption as well as offer their residents an opportunity to save on their electric bills through a growing trend in municipal electric aggregation.

The “Technology Session” addressed the latest trends in cloud based operations, networking and voice over IP technologies as well as software solutions to manage municipal department operations and identify the growing number of abandoned properties in our communities. Attendees heard from industry leaders and saw online demonstrations of products and software that can revolutionize the way we manage our communities, offering streamlined management solutions that interface with our long-standing software/hardware systems while improving efficiency and cutting costs.

The conference was a tremendous success with record number of mayors in attendance and because of the extended conference schedule, increased opportunities to network with our businesses and fellow mayors. A special thanks goes out to Mary, Peter, Jack and our Mayor Emeritus volunteers for their hard work and dedication to the organization. Congratulations to our incoming President, Mayor Buzby-Cope and to all of the newly elected and appointed board and executive board members. Be on the lookout for some new Business Council programs this year and have a great summer!

By: Gary Passanante, Director, NJCM Business Council

Gary J. Passanante is the Director of NJCM Business Council and the Mayor of Somerdale

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April 30 - May 2, 2014
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Nearly two years after Hurricane Sandy, communities around New Jersey are still recovering from the damages inflicted by that historic storm.

The cost of cleaning up debris, clearing waterways and roads, repairing damaged sewer systems and other critical infrastructure, and rebuilding homes and businesses assaulted by wind and water is well into the tens of billions of dollars.

The idea that a storm like Sandy could happen again isn’t one we want to contemplate. But the fact is, not only could it happen again, chances are good that it will.

It’s just a matter of time.

The good news is that it’s possible to take steps now to reduce your community’s vulnerability to flooding and strengthen its resilience before another Sandy comes to town.

One way to accomplish that is to participate in the Community Rating System, a hazard mitigation program administered by the Federal Emergency Management Agency.

The goals of the CRS program are to reduce losses caused by flooding, facilitate accurate insurance ratings and promote awareness about flood insurance.

Residents of towns that participate in CRS pay reduced flood insurance premiums. The premiums are discounted in five percent increments based on the level of flood protection each community has achieved.

Communities raise their CRS rating via their achievements in four categories: Information, Mapping and Regulations, Flood Damage Reduction, and Flood Preparedness.

Sixty-one communities and the Meadowlands area in New Jersey are presently enrolled in the CRS program, saving more than $17 million combined on their flood insurance premiums.

Joining the CRS program is free, but it does require the commitment of the community. Mayors of towns that want to participate must send a letter of interest to the regional office of FEMA, which for New Jersey is:


FEMA representatives will then arrange a visit to review the community’s floodplain management status and ensure that it meets federal regulations.

Once the community is granted a “letter of good standing,” it receives a verification visit from the Insurance Services Office, a FEMA contract agency, to verify the community’s eligibility for the program and to determine its rating.

Once accepted into the program, towns must file annual reports showing the measures they have taken to reduce their flood risks. Every five years, each town must undergo a complete audit to ensure that they remain in compliance with the CRS program.

Most communities enter the CRS at Level 9, which immediately entitles residents to a five percent reduction in their flood insurance bills. Communities achieve the maximum premium discount of 45 percent when they reach level one.

More importantly, they will have strengthened their ability to withstand the whims of Mother Nature when storm clouds gather and waters rise.

As of May 1, 2014, 11 communities in New Jersey had achieved a Level 5 in the CRS, earning property owners a 25 percent reduction in their flood insurance premiums. Those communities are: Avalon, Beach Haven, Long Beach Township, Longport, Mantoloking, Margate, Pompton Lakes, Sea Isle City, Stafford Township, Stone Harbor and Surf City.

With another hurricane season on the horizon, now is the perfect time to increase your town’s ability to weather a future storm.

Learn more about NFIP’s CRS program online at http://www.fema.gov/business/nfip/crs.shtm.
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Understanding Cost Recovery Programs for your Fire Department

By: Michael Grady, President, Fire Department Cost Recovery

There are a number of New Jersey municipalities that have recently implemented some sort of cost recovery program. It is in the best interest of the municipality and its tax payers to find out how such programs can benefit you.

So what is “cost recovery” and how does it work? This article will focus on the Program rather than the Process. After gaining an understanding of the program, readers can simply research (cost recovery & fire department) online to obtain more detailed information about how the program actually works.

The Program

New Jersey fire departments, whether paid, volunteer or a combination of both, respond to various types of incidents around the clock. These incidents cost your municipality, specifically your tax payers, money. There are NO COST programs available, that your municipality can utilize to help defray some of the expense you incur to operate your fire department, and there are cost recovery companies which can help you recover a portion of those incurred costs. These cost recovery companies, also referred to as billing companies, operate on a contingency fee basis and take a percentage of what they are able to collect for you.

There are 4 basic elements to any program.

1) Your municipality enacts a local ordinance allowing the use of a third party vendor to assist in developing and implementing a cost recovery program. These vendors can assist municipalities in drawing up an ordinance.

2) Your fire department responds to a call in an effort to save lives and/or protect property.

3) In many cases this property is insured by either a residential/commercial fire policy or an auto policy.

4) Fire policies are required by law to include a special provision, referred to as the “Fire Department Service Charge”, which offers a stated amount of insurance coverage that fire departments are entitled to collect when they respond to certain calls. Cost recovery companies will submit a claim under the applicable policy and administer the entire claim process until the policy proceeds are recovered. Procedurally, recovering costs for structure fires varies slightly from motor vehicle responses, but there are many similarities.

The following are questions often asked by municipal leaders:

So why haven't we ever heard of this type of program?

The answer is simple, these programs have been utilized by fire departments in other parts of the country for many years, but its use in New Jersey is relatively new. Insurance carriers acknowledge this provision and have been collecting premiums on it for decades.

Will this affect the policy premiums of our tax payers?

The short answer is no and there are a number of reason why. A third party vendor can elaborate.

Why don't we administer this type of program ourselves and save the fees otherwise paid to a third party vendor?

This is a legitimate question. However, it does not factor in the complexity of the claims process. The reality is, claims processing and management is cumbersome and very time consuming. A third party vendor, with automated systems, are far better equipped to deal with the insurance carriers. In the end, the fees you will pay a third party vendor are less than a municipality would incur attempting to administer the program themselves. To state it bluntly, any administrative staff that you would put in charge of such a program, without additional compensation, would undoubtedly come to loath the responsibility! A third party vendor will also provide a higher and more expedient collection per incident, thus justifying the associated fees.

Isn't local taxes supposed to pay the cost of our fire department?

Yes they are. However, with tax caps, reduced private donations and a decline in willing volunteers fire departments are finding it increasing more difficult to purchase much needed equipment, gear and training for that matter. Municipalities are searching for creative ways to acquire funds that are not tied to the budget. It has been acknowledged by the officials throughout the state that these cost recovery programs do not in any way circumvent the Governor’s 2% annual tax cap. Of course there are certain groups who support the insurance industry that may attempt to offer a differing opinion but the legislature has spoken and cost recovery programs are legitimate and completely legal.

Will such a program affect the tax exempt status of your fire department?

No. Recovery of incurred costs through an insurance claim is not recognized as revenue.

In summary, the aforementioned 4 elements are what cost recovery is all about. When the fire department rolls out, if the affected property and/or at fault driver is insured, a claim is made against the applicable insurance company (never the owner of the property) and the company you chose to administer your cost recovery program handles the rest.
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“Being Part of your Future is our Specialty”
Henry James may have penned it best when he said “summer afternoon” are the two most beautiful words in the English language.

For many of us, the joys of summer can come from a simple walk, hike or ride through one of New Jersey’s state forests, parks or wildlife management areas. With nearly 170 public lands across the state to enjoy, most residents of the state are mere minutes from experiencing scenic trails, beautiful trees and flowers and lakes and brooks. These getaways are yours; created or preserved through taxpayer dollars.

Yet, there are those who choose to make these pristine areas their dumping grounds. And in the midst of enjoying these beautiful green spaces, you’re confronted with unsightly piles of trash or debris, anything from household garbage and piles of automobile tires to mattresses and construction materials and even intact old vehicles.

Sadly, this has become an all too common occurrence across our state, one that never ceases to anger or disappoint us. These are acts obviously done by people with no regard for our environment, certainly with no thought to the potential negative impacts to the safety of people using our parks or wildlife management areas, or to the potential negative impacts to the flora and fauna, or to our wallets – as cleanups of this debris often come at great cost to taxpayers.

Here at the Department of Environmental Protection, we certainly take these blatant offenses to our properties to heart. Yet, we’re also confronted with the reality that we have more than 813,000 acres of publicly-owned lands – including state parks, state forests, wildlife management areas and natural lands – to preserve and protect.

So in April, the DEP launched a one-year pilot program, which we are calling the “Don’t Waste Our Open Space” initiative, to help combat illegal dumping on our state lands. Though it is being spearheaded by the DEP, especially by our State Parks and Fish & Wildlife teams, we need the help of our towns and counties across the state to make it a real success.

“Don’t Waste Our Open Space” is both a major enforcement and education effort involving 10 different programs within DEP. On the enforcement side, we have strategically deployed motion-sensor cameras in select state parks and wildlife management areas to help nab violators.

So far, the program has been very successful. State Park Police and State Conservation Officers, through investigations, made 10 arrests within a few weeks of the launch. To be sure, our pursuit of civil and criminal complaints against violators is more aggressive. Penalties for illegal dumping in state parks and in fish and wildlife areas include criminal fines of up to $5,000 per violation and civil penalties of up to $1,500 per violation. Violators also face forfeiture of vehicles they used to commit their crimes. In addition, the state is also seeking stiffer penalties for major violations through the Solid Waste Management Act, which authorizes the DEP and county health departments to initiate civil actions for illegal dumping violations.

We are also having our State Park Police and Conservation Officers, as well as our Compliance and Enforcement personnel in our Solid Waste Division, commit more time and resources to investigations of dump sites.

Secondary deterrents, such as new road barricades and new or enhanced lighting, have been added in some of our green spaces.

continued on Page 46
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Hurricane Sandy on the Delaware Bay, 19 Months Later

By: Mayor Bob Campbell, Downe Township

A Little History. Cumberland County includes 40 miles of Delaware Bayshore. Downe Township is situated approximately in the center of that 40 miles and includes five villages. Three of these villages are situated on the bay front. Fortescue is a key central port on the entire Delaware Bayshore and is the home of the Fortescue State Marina, A US Coast Guard station, one of the key southern New Jersey water rescue teams, and a large recreational charter boat fleet. Gandy’s beach includes a private Marina and is what you might call a more upscale beachfront community. Money Island also includes a private Marina and is the transportation hub of the oyster industry in the northern bay.

After reeling from Hurricane Irene, our three bay front communities were devastated by Superstorm Sandy. Although the magnitude of the damage on the Oceanside of the State dwarfed the amount of devastation we had here on the Bayshore, the pain-and-suffering was the same. People lost their homes, their memorabilia, and their lives were changed, just not as much as the Oceanside.

That doesn’t diminish the need for aid and recovery here on the Bayshore. When I am asked how we’re making out with the Sandy recovery efforts, I have to answer not just for Downe Township but for Cumberland County as a whole. When it comes to the $3 Billion of Sandy recovery money, we have received zero, not just Downe Township, but countywide. Over the past 20 months I have asked the same question, ad nausea, to anyone who would listen as to where the formula came from that excluded everyone except the nine big counties on the Oceanside for Sandy recovery programs. Now I’m not the smartest guy in the world, but it seems logical to me that somewhere, at some point in time, a team of HUD experts sat around a table and came up with a formula as to which Counties may qualify for Sandy recovery funding. To date no one has been able to identify who those experts may, or may not have been. We continue to be excluded.

As for resiliency, the only resiliency I have seen has been from the local folks who were devastated by the storm and have rebound on their own with little or no aid from anyone. Volunteers and volunteer organizations have been significant in aiding people with little to no resources of their own.

The flood insurance agency, (NFIP) certainly has not been a help to either year-round or seasonal homeowners, in a lot of cases only paying them pennies on a dollar of their claims. No one here in Cumberland County qualifies for the elevation mitigation money to raise their homes, because we are not one of the nine qualifying counties. The real slap in the face is, we recently received our new FEMA flood maps that show the flood zone elevations along the bay front at “V 13”, which means our homes along the Bay would have to be built to Elevation 15. What surprised me about that was shortly after the storm, most of the oceanfront counties were designated to potentially have the “V” zones and the discussion was the Bayshore wouldn’t have any change in the flood elevations. (9 at the time). It wasn’t long after that all the “V” zones on the Oceanside disappeared and the Delaware Bayshore was designated as “V 13” zones. Now, if common sense prevailed, which we know doesn’t most of the time in government, it would seem that the elevation mitigation funding should have been directed to economically depressed Cumberland County, where the homes were going to be required to be elevated to Elevation 15 to receive the lowest flood insurance premiums.

On the public property side, from the municipalities’ perspective, we have had success with FEMA reimbursement programs for repairs that were made immediately after Hurricane Sandy. If you remember, we were bombarded with Administrative Orders from Gov. Christie, I’m sure with all good intentions, telling us to do what we needed to do, just do it, get it done, cut the red tape, and we took that to heart. Now we are trying to make more permanent repairs for long-term recovery and protection against future super storms, but it seems that the Administrative Orders are withering on the vine and the Regulatory Agencies are quickly rebuilding what I call the “Regulatory Wall”. Even with our creative funding sources, our engineering, our technology, and professional guidance, when it comes time to implement the protective infrastructure for long-term sustainability of our communities, we hit the “Regulatory Wall”. I’m sure this is no big news to individuals that may be reading this article, but it’s something that the legislators, both State and Federal need to address yesterday. When public and private community investments and people’s lives, health, and public safety are put in jeopardy because the regulatory agencies move at a snail’s pace, it’s time for action. It is inexcusable that with the amount of funding and spending that goes into maintaining these regulatory agencies it takes not months but years for projects to be reviewed and approved. The overlap and redundancy in the regulatory approval process is rampant. At 20 months, as we struggle just to get things moving, we are suddenly facing the “Rise of the Regulators”.

Blue Acres Buyouts. Superstorm Sandy resulted in a loss of almost 20 percent of our municipal ratables. As time goes on, we have continued requests for tax appeals related to Superstorm Sandy. We anticipate that this will continue into 2015. In short, our local municipal government does not...
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As a lifetime resident of New Jersey and a Comcast employee, I am proud to say that customers here are directly benefiting from the advances and investments we are making.

The Garden State was among the first to have access to several new and compelling products and services — from Xfinity Home and the full suite of Xfinity mobile applications, to the new X1 Platform for television and the X1 DVR with cloud technology.

The world’s first entertainment operating system, the X1 Platform takes the brains of the traditional set top box and moves it to the cloud to seamlessly merge entertainment with the rest of the Xfinity services customers depend on for communication and information. The X1 DVR with cloud technology takes that experience even further and allows customers to live stream their entire channel line-up and watch DVR recordings on a mobile device while inside the home, or to download DVR recordings to take with them to watch on the go.

As a network-based entertainment experience, X1’s rich navigation and services will eventually carry over seamlessly to computers, mobile devices and game consoles. That means a user’s preferences, subscriptions, saved programs, parental controls and other personalized selections are always with them, wherever they watch.

We are also harnessing the power of the cloud for our Xfinity apps. We launched the first one in 2010 and now offer a variety of Xfinity apps for the entire home. Customers can now use their smartphones to control their television, set or change recordings on their DVR and even stream and download video. The X1 remote app allows customers to use voice commands as well as motions and finger swipes to control their TVs with phones and tablets.

Television is not the only service Comcast is improving through cloud innovation. Some of the most appealing features of Xfinity Home, our home monitoring and automation service, are made possible by the cloud. In addition to optional professional monitoring for home security and fire, Xfinity Home allows customers to control and monitor the home remotely with mobile devices or a computer. They can view home security cameras from anywhere with an Internet or WiFi connection, adjust the temperature of the home, receive custom text or e-mail alerts based on events — like a door opening during a specific window of time — check the status of the system and arm or disarm it, and more. All from a mobile device or computer.

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For our business customers, Comcast is doing more than providing the scalable bandwidth and speeds necessary to use cloud applications. Our Business VoiceEdge service offers a cloud-based communication solution with universal features and constant connectivity. Customers can use their computers to make phone calls, seamlessly reroute calls in the event of an emergency, forward calls to a desk phone from anywhere in the world, and more. We also recently launched Upware, an online marketplace of business-grade cloud solutions. From security and collaboration to data back-up, Upware lets Comcast Business customers choose from a carefully selected suite of hosted services and applications, and manage all of those applications with one log-in and customer support contact.

Back on the ground, New Jersey communities have benefited from large investments in infrastructure, including fiber build-outs for business customers and thousands of WiFi hotspots so that our Internet customers can access secure and fast Internet connections while on the go. Comcast also routinely opens these hotspots up to the public in the face of emergencies such as widespread power failures.

Cloud innovation is allowing Comcast to lead and redefine the communications industry which we expect will evolve faster in the next five years than all of the previous combined. With the power and inspiration of the cloud, Comcast looks forward to introducing even more exciting new services to keep our customers in New Jersey and across the country connected and entertained.
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Looking Back; 8 Years as Mayor

By: Mayor Edward P. Zimmerman, Rocky Hill

By the time this issue goes to press the June 3rd deadline for filing for a “Nominated by Petition” place on the November ballot will have come and gone. After eight years as the Independent elected Mayor of the Borough of Rocky Hill, Somerset County, my family and I decided it was time to move on and we did not place my name on the ballot for re-election to a third four year term.

As I look back over my eight years as Mayor, I can honestly say they were years of great pride and joy, as well as some misery and frustration. We did some great things for Rocky Hill but as you all know, being a Mayor can be quite a roller coaster. The one thing that has always been constant is the great friendships built at the NJ Conference of Mayors. These friendships mean a lot to me personally and helped me navigate through some of my toughest times as Mayor.

For example, early on in my first term, the Corzine Administration decided to eliminate state aid to the 192 municipalities with less than 5000 residents. It was at the Conference of Mayors that year that Mayor Heck of Millstone and I worked to organize the STAR (Small Town And Rural) Mayors to fight back. Together we made enough noise to restore a good portion of our state aid.

Just a few months later, the administration mandated that the 89 municipalities that are patrolled by State Police would pay a new police fee, surprising close to the amount of aid that had been restored. Working together with 28 other Mayors and municipalities including Shiloh, Deerfield, Southampton, and Buena Vista, to name a few, we successfully challenged it as an unfunded mandate and the fees were declared unconstitutional and ordered removed from the state budget.

Not every challenge was successful. In 2009, when 13 “Non Operating” School Districts were forcibly merged, Rocky Hill and Millstone Borough together lost our appeal of the decision that denied our municipalities any fair shot at representation on the new Boards of Education. Sure, I understand you can’t win them all, but working together with a like minded Mayor helped prepare for and litigate our case the best way possible.

The friendships and working partnerships built as an active member of the New Jersey Conference of Mayors are important for any Mayor, but most important for any new Mayor. There is rarely something that comes before you as a Mayor that some other Mayor hasn’t seen before. The advice and counsel of your peer Mayors is invaluable to helping your residents and the one thing I am sure of, is that none of us is afraid to give you advice or tell a similar story. The potential for a shared service idea for example, coming up during a casual conversation at a conference panel is higher than you would think.

Rocky Hill enjoys many inter-local agreements, some of which came about because of the good working relationship with neighbor Mayors or other entities that participate with the Conference of Mayors. For example our Roads Department, Health Department, Recycling Coordinator are all done by Somerset County. Our Construction Officials are with DCA. Schools, Sewer and some recreation are with Montgomery Township. Police Services are with the New Jersey State Police and South Bound Brook Police. Animal Control and leaf pickup are with South Brunswick as well as shared employees for water, sewer and finance. Our staff is made up of part time employees, many of which are with us based on recommendations of the Mayors of their full time towns. When you have a need, as we did, for a shared employee or service, there is no better place to go than to you fellow Mayors for ideas.

In closing, as I look back over my two terms as Mayor I feel good about the fact that we have held the tax rate steady and improved our financial status from good to excellent. We’ve improved recreation, better equipped our emergency services, repaved streets and sidewalks, continued such services as curbside garbage and leaf collection and built good working relationships in Trenton and with our neighbor Mayors. We made it through the devastation of flooding during Irene and damage during Sandy and five other storm based flood events. My constituents know how much effort I’ve put in and how deeply I care about my home town and its residents, but I think what I will miss most next year is the camaraderie of my friends at the New Jersey Conference of Mayors.
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Technology is the Core of EMEX, LLC

By: John A. Smith, Director, National Accounts, Energy Market Exchange

The Energy Market Exchange (EMEX) was created in 2007, when Todd Segmond - working as a traditional energy consultant - conceptualized the idea for a real-time energy procurement platform that would facilitate the buying and selling of energy the same way the NYSE facilitates stock trades. Today, Segmond’s conceptualization has become a leading online marketplace for procuring energy. EMEX’s pioneering technology encourages and supports the real-time procurement of energy, and enables government entities and businesses alike to get true market prices for electricity and natural gas.

The benefit to consumers is clear: EMEX provides an open, transparent trading platform that eliminates pricing premiums and lets the market determine the price of the energy being procured. A big element of EMEX’s success is its Reverse Auction platform, a DCA-approved platform that streamlines the RFP process and allows any government agency, municipality or business with an internet connection to securely, easily and quickly procure their electricity and natural gas online.

Technology That Transforms Energy

From its inception, EMEX has leveraged the power of the Internet to make a measurably positive impact on energy procurement methods. At the core of EMEX is the key principle of integrity: Its engineers are focused on the integrity of the Reverse Auction platform, its analysts are focused on the integrity of the savings opportunities that are presented to clients, and management is focused on the integrity of company-wide operations. Through this core principle and the technological innovations that drive the platform, The Energy Market Exchange has enabled people to trust one another during an online transaction – this is what makes EMEX’s technology work; the transparency behind its reverse auction and the accountability of the human beings who run it.

The process of the EMEX® Reverse Auction platform is a noteworthy innovation that has created a strategic shift in how energy is bought and sold throughout the country. Real-time competitive bidding technology has become a “game-changer” in terms of how it works and is an important procurement methodology that will continue to be utilized over the long-term. The process ensures fair competition, which benefits suppliers who want to win more business and challenges the entire market to offer competitive rates. When it comes to securing a new electricity or natural gas contract, a reverse auction will allow a government agency or municipality, as the buyer, and all participating suppliers (each of them a seller) to meet at the price point that is reflective of both parties’ needs for the particular energy product being bid on. It is pure economics at work. Thus, each supplier has to weigh its own view of the overall marketplace (in which prices for items and services of energy are commodities and can swing greatly), and its own desire to gain that particular contract in setting its overall bidding strategy.

Behind the Scenes

The unique process of the Energy Market Exchange is unlike any other electronic or online procurement technology available. EMEX’s Reverse Auction Platform is field-proven and unsurpassed in engineering excellence. EMEX’s engineering team is continually developing online energy procurement solutions with reliable, cutting-edge technology that helps reduce the cost of electricity and natural gas with complete transparency. The online platform and the type of energy products available are constantly evolving and adapting to the best-practices of the current market. The more sophisticated the energy market becomes, the more EMEX is able to take its software to the next level including both customer interface enhancements and a supplier portal written with the algorithms that allows for a “well-tuned”, seamless process for everyone.

“Our technology is at the core of our success,” commented EMEX, LLC’s President Dan Marzuola, “EMEX’s Reverse Auction Platform and Energy Market Exchange together have harnessed technology to change the way energy is procured and the result is that municipalities have impacted their communities’ lives for the better, being mindful of the way tax payers’ energy-dollars are spent. That’s what true innovation is all about.”

John A. Smith, Director, National Accounts for Energy Market Exchange (EMEX, LLC) has over 25 years in the Telecom industry and still serves as a managing partner of Capable Communications. Smith is the key point person in the relationship building process between EMEX and the New Jersey and Pennsylvania Municipalities, local governments, and school districts. Smith holds a BA in Information Systems and Business Administration from Rutgers, NJ and has served as the past president of Central Jersey Business Association.
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Over the years I have worked with many Councilmembers, and yet we all have kept the same goals of making Hamburg a better place. In the beginning we faced many fiscal problems that all towns do but as we worked through them we managed to resolve most issues. Better services and lower taxes are always the goal. Hamburg is also involved in many shared services with neighboring towns.

Our two biggest projects in the past twenty years have been the redevelopment of State Highways 23 and 94. The project was a state project plan with town approval. It involved the acquisition of properties, demolition and removal of old buildings which allowed for road widening and turning lanes which helped significantly reduce the traffic tie up in the Borough.

The second project was the construction of our recreational fields for soccer and baseball. The fields are located by a river which is across from the Gingerbread Castle. The project was made possible by acquiring the property through a land swap with the State of New Jersey. The swap consisted of Hamburg giving the State Department of Environmental Protection the historic Limekiln property in return for the state Department of Environmental Protection gave Hamburg the property which is presently the Hamburg Recreation Fields. The park has been open for three years.

In addition to these two projects, we also have a new 7-11 Store coming to town soon. This store will be built on our last vacant lot on rt. 23 and is expected to attract business from both locals and travelers along the highway.

In 2012 we hired a Civilian Police Director in our Police Department, the first town in Sussex County to do so. Mr. Wayne Yahm worked for thirty years in the Bergen County Sherriff’s Department. In the past two years he has accomplished many things such as getting grants for equipment. He has brought leadership and has been very involved in the community.

On behalf of myself and the Borough Council we work to find new ways to continue to improve our town in the future.
Richard E. Constable III continued from Page 9

support to support hard hit, financially-strained municipalities. We’re providing a total of $145 million for the Essential Services Grant Program to assist Sandy-impacted local government entities in maintaining essential services, such as police and fire protection, while their communities rebuild. Among other things, these funds reduce the stress on hard hit municipalities to increase taxes in order to address unanticipated storm-related expenses. The State has also set aside $25 million to demolish unsafe Sandy-damaged residential structures, remove debris, and perform any additional activities related to demolitions.

New Jersey had never experienced a disaster on the scale of Superstorm Sandy. The recovery has been a learning experience for everyone: households, local governments, and those of us here in Trenton. While we are proud of the substantial progress we have made together so far, we remain committed to finding ways to streamline the recovery process, leverage additional resources to support New Jersey’s recovery effort, and to see this recovery from the most devastating natural disaster in our state’s history through to effective completion.
Each year, countless lives are lost due to the poor-decision making of reckless drivers. We do not stand for such behavior in Evesham Township. Driving drunk doesn’t just make you a danger to yourself, but the entire community. This community has already lost too many young lives since 2007, when I became mayor. There’s no need to lose another life. With that in mind, the Evesham Township Police Department will be doubling its efforts to curb drinking and driving with more DUI checkpoints throughout the township, through grants. Our officers will be placed in undisclosed locations to ensure drunk drivers are removed from roadways.

According to the Centers for Disease Control and Prevention, in 2010, 10,228 people were killed in alcohol-impaired driving crashes, accounting for nearly 31 percent of all traffic-related deaths in the United States. As they rise across the county, they have dropped in Evesham Township. Last year, Evesham had zero vehicular deaths, according to Police Chief Christopher Chew, and we intend to keep it that way. With the use of the Data-Driven Approaches to Crime and Traffic Safety (DDACTS), our police department has been able to track and curb crime in a revolutionary way. According to the department’s website, DDACTS integrates location-based crime and traffic data to establish effective and efficient methods for deploying law enforcement and other resources. Geo-mapping is used to identify areas that have high incidences of crime and crashes. The goal of DDACTS is to reduce the number of crimes, crashes, and traffic violations in Evesham Township. This includes drunk driving.

We wish to promote safety and having a clear mind to make good choices. I recently attended D.A.R.E. graduations at four elementary schools, where our children had finished a course on learning the dangers of alcohol and drugs. This includes what happens when adults choose to drink and drive.

We must practice what we preach and set a good example for our youth so they can make good choices as well. Residents, please make the best decisions while consuming alcohol. If you cannot drive, call a cab, a friend or family member. Never get behind the wheel after drinking.

Stay safe, Evesham Township.

Mayor Randy Brown, Evesham Township

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set-aside is ten percent and may be adjusted upward or downward based on the economic feasibility study determination.

Accessory apartment programs, market to affordable programs, assisted living residence, regional contribution agreement, affordable housing partnership, and extension of expiring controls, as well as the section on other innovative approaches, have been deleted as delivery techniques for the Prospective Fair Share Need because these proposed rules focus on zoning as the appropriate technique for the production of affordable housing.

In order to further the production of affordable housing and expand opportunities for affordability assistance, the rules continue to permit a municipality to spend affordable housing trust funds prior to substantive certification, provided the Council has approved the municipal spending plan. In accordance with the Fair Housing Act, 30% of all development fee revenue must be used for low-income households to address the statutory requirement reserving 13% of low-income units for very low-income households.

The rules now set forth the process, pursuant to a 2008 amendment to the Fair Housing Act, by which funds may be transferred to the statewide affordable housing trust fund account in the event that a municipality had not committed to expend or expended funds within four years from the date of collection.

This is only a cursory review of the proposed changes. Anyone who is interested in learning more is encouraged to go online to the site mentioned at the beginning of this article to see the proposal and to submit comments before the August 1st deadline.

We also have created a website – www.stopdumping.nj.gov – which serves as a hub for the initiative and will list the names of people who have been charged or convicted of illegal dumping. In addition to publicly identifying those charged for illegal dumping, we will also be posting photos from our hidden cameras of those caught in the act of illegal dumping.

No longer will illegal dumpers in the state be nameless and faceless. They will be identified and reported on by the media through our communication efforts. We hope these steps will act as a strong deterrent and make potential illegal dumpers think twice before performing trashing our parks and natural areas.

The education and public outreach components of this initiative also are crucial to its success. By visiting www.stopdumping.nj.gov you can learn how to inform DEP of illegal dump sites that you discover and what to do if you see illegal dumping as it happens. The site also offers information on how to legally and properly dispose of various materials and to learn about clean-up events and opportunities around the state. We ask that towns and school districts across the state help us in this public education effort.

Also coming soon is a new, free mobile app that will allow park-goers to identify and notify new dump sites as they are found.

The DEP believes the success of this program will be founded on raising awareness. If someone who is about to trash our pristine lands is cognizant of the potential ramifications to themselves and the environment, maybe they’ll think twice about it. We feel the more people we reach with this education and enforcement effort, the better the chances that people do the right thing.

At the end of year one, we intend to evaluate the progress of the “Don’t Waste Our Open Space” initiative. Did we see less illegal dumping? Can we enhance our effort? What other measures can we take to curtail this ugly practice? These are just some of the questions that will be asked by our team.

As stewards of the state’s parks, wildlife management areas and open spaces, we have a duty to provide our residents and visitors with a safe and enjoyable recreational, learning and contemplative experience, free from trash and debris that pollute these wonderful lands. It is simply wrong to allow a small minority of people in our state to shirk the law and ruin what should be a great experience.

We support Blue Acre Buyouts. Eighty percent of our 54 square mile community is already tax exempt protected open space. We will not support any program that reduces our tax base at any level.

The Delaware Bayshore is a unique part of the State of New Jersey. It’s often referred to as a blue-collar resort community where you can rent a boat slip for $300 a year, or a beach house or apartment for $800 a week. Fortescue and its Charlesworth Hotel/Restaurant were just named on the Top Ten Most Endangered Historic Sites in New Jersey. The history and culture of these 200 year old fishing communities needs to be preserved and protected for the benefit of future generations.

“NO RETREAT – Save Our Bayshore Communities”
New Jersey Expands Protections for Pregnant Employees

New Law Requires Accommodation Regardless if “Disabled”

By: Douglas Diaz, Esq. Partner, Labor and Employment Department, Archer & Greiner P.C., Haddonfield

New Jersey has joined a growing trend among states to provide more protections to pregnant employees. Under legislation adopted earlier this year, New Jersey employers, including public sector employers, are required to provide employees who are pregnant or who are new mothers with specific protections.

The new law is an amendment to the New Jersey Law Against Discrimination (NJLAD) that expressly adds “pregnancy” as a protected category against whom employers may not discriminate. However, the bigger impact is the law’s specific reasonable accommodations that employers must now provide to a female employee who “the employer knows, or should know, is affected by pregnancy,” or who has recently given birth. These accommodations are required regardless if the employee is “disabled” and regardless if they are necessary for the employee to perform the essential functions of her job.

The inclusion of “pregnancy” within the NJLAD’s list of protected categories is not startling. Whether under federal or state law, employers already had a duty not to discriminate against pregnant employees, under a variety of legal theories. This new law confirms that pregnant employees are protected, and employers must not discriminate against them. It also provides the same anti-discrimination protections to employees who are recovering from childbirth.

Yet, the new law goes much further than just adding pregnancy and new mothers to the list of protected categories. This law specifically lists the types of accommodations that employers must consider for female employees it knows, or should know, are pregnant, or are recovering from childbirth. Examples of the accommodations that must be considered are bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual tasks, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work. Critically, all that is required is a request for an accommodation based on “needs related to the pregnancy” and, once the request is made based on the advice of a physician, the employer in most cases must provide the requested accommodations.

With a physician’s note, the only way an employer can avoid having to provide the accommodations is if the employer can show that the accommodations would impose an “undue hardship” on its business operations. This is typically a very high burden under the law, and is not easy for employers to meet. Some factors to consider in this “undue burden” analysis are: the overall size of the business; the size of the budget; the nature and costs of the accommodation; and the extent to which the accommodation would involve waiving essential requirements of a job as opposed to a tangential or non-business necessity requirement.

This new law goes beyond protections extended to disabled employees. In the context of disability laws, such as the NJLAD and the federal Americans with Disabilities Act (ADA), employers must consider providing reasonable accommodations; yet, those accommodations only have to be granted if the employee is still able to perform the essential functions of her job. This new pregnancy law requires accommodations that would make a pregnant employee (or new mother) more comfortable in the workplace or which are otherwise designed to protect the employee’s health, so long as they are requested on the advice of a physician. And, by listing specific accommodations, employers will be hard-pressed to argue that the accommodations in the statute are unreasonable, which is typically an argument that can be made with disabled employees.

New Jersey’s new law is part of a growing trend to provide more protections to pregnant employees. California, Maryland, New York City and Philadelphia have recently passed similar legislation aimed at providing comfort based accommodations for pregnant employees. Given this significant change, employers should review their policies on reasonable accommodations and ensure that their Human Resources and other managers are properly trained on the new accommodation requirements created by this new law. Failure to do so could result in significant liability because the law provides employees with a private right action that includes the recovery of a variety of damages, including attorneys’ fees.

Douglas Diaz is a Partner in the Labor and Employment Department of Archer & Greiner P.C., one of New Jersey’s largest law firms, with a statewide network of five offices. He concentrates his practice in labor and employment law matters, helping clients resolve issues and disputes in order to achieve their goals.
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Bethlehem Precast
Britton Industries, Inc.
Broadview Networks, Inc.
Brown & Brown Benefit Advisors
Catastrophic Illness in Children
CME Associates
Code Green
Comcast
Commercial Recreation Specialists
CrosStar Network Solutions
DARE NJ
Dejana Truck of Greater Philadelphia
Devo & Associates, LLC / IMS LLC
Eastern Dental
EMEX, LLC
Energysolve
ESGR - NJ
Excel Environmental Resources, Inc.
Federal Emergency Management Agency
FieldTurf
Fire Department Cost Recovery
Foley, Incorporated
Good Energy, LP
Hatch Mott MacDonald
Jersey Central Power & Light
Johnston Communications
Lutheran Social Ministries of NJ
Maser Consulting, P.A.
Mobile NOW!
Musco Sports Lighting
My Downtown Mobile
New Jersey American Water
New Jersey Natural Gas
New Jersey’s Clean Energy Program
NJ Council on Developmental Disabilities
NJ State Association of Chiefs of Police
NJ Municipal Management Association
NJ Subsustainable Energy Joint Meeting
NJHMFA
Otto Environmental Systems
PNC Bank, N.A.
Promedia Technology Service
Property Pilot
QuickChek Corporation
Republic Services of NJ
Ricoh USA, Inc.
Rileighs Outdoor Décor
Safeguard Properties
South Jersey Gas
Unique Paving Materials Corp.
United Water
Utility Service Co., Inc.
Verizon
FUELING THE CHARGE
EMEX, a partner and trusted consultant putting the POWER to save money in the hands of the local decision-makers.

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

JOE PANNULLO
Mayor, Township of East Hanover, NJ

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

GARY PASSANANTE,
Mayor, Somerdale, NJ

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

ALBERT AKERMAN,
Mayor, Lakewood Township, NJ

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

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

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