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A Greeting and a Challenge, President's Message

Gary B. Giberson, NJCM President

S2: Sharing Services, Creating Savings, Making Government More Efficient

Senate President Stephen Sweeney

Energy Tax Receipts Program

Mayor Janice Mironov, East Windsor Township

FEMA Funds and Grant Programs

Senator Robert Menendez

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A Greeting and a Challenge

By: Mayor Gary B. Giberson, City of Port Republic, NJCM President

Hello Fellow Mayors,

I would like to sincerely thank all of you who participated in our successful Conference in Atlantic City in April. This was truly a rewarding experience. The attendance was gratifying as we exceeded last years numbers. Being sworn in as your new president was quite a moving experience, as it takes six years to take reins of this New Jersey Conference of Mayors through the ranks of the Executive Committee. There has been six years of understudy under great Mayors who have preceeded me. We Mayors, when standing together have a strong influence on our State's ability to pass legislation and mandates for the good of all.

Some of my goals as your president of the NJCM are as follows:

First, I will initiate a PUBLIC SAFETY COMMITTEE, to address full funding for, and do away with attrition to the New Jersey State Police. As Mayors, we know the responsibilities of these great Troopers as they perform their duties to insure public safety and how very involved they are in the field of Homeland Security with New Jersey's proximity to New York City. I have asked Mayor Timothy C. McDonough of Hope Township to chair this committee. Mayor Tim has stepped up to accept this challenge. Also, Mayor Tim and I serve on a state wide emergency management team, and know our way around the needs of the New Jersey State Police in Trenton. Along with a public safety initiative, I would like this committee to start a movement of NEW JERSEY MAYORS AGAINST DRUGS, calling on all of our great state's Mayors to tackle this society draining problem, and share resources to cope with this topic. We will be looking to you for input and suggestions. We will also need a slogan and a lapel ribbon or pin to witness to all,

showing our commitment to our stand on this important needed theme. The State wide DARE organization would like to be involved.

My second new committee will be a committee to have legislation changed, to protect our municipalities against VINDICTIVE OPRA REQUESTS by those individuals who would abuse this needed system, who cause undo and excessive cost, time and labor spent by our clerical staff who must comply. This topic is of such importance we need this subject to be addressed singularly, and let our legislative committee handle other important pending legislation.

Gary B. Giberson, NJCM President has served the City of Port Republic as Mayor for 27 years.

We all favor that all records should be accessible to the public for review and I urge all Cities, Towns, Townships and Boroughs to place all public meetings and agendas on their community web sights. I am looking for a sitting Mayor to chair this committee and accept the responsibility of leading it. We have many standing in the wings to assist this leader.

I am looking forward to visiting all of the State's County organizations of Mayors. I will need invitations to do the same. My main wish in this endeavor would be to bring every Mayor in the State, into this NJCM and show them how our organization of state wide Mayors can help them achieve their goals and wishes.

Goals and wishes should be a part of every good leader who has been given the responsibility to lead, as a Mayor should. I have a wish, a dream that I would like to share.

I would like to see every sixth grade student and above in the New Jersey's educational system have an iPad or a Kindle device to eliminate the twenty to thirty pound book bag from their shoulders, and give them a tool that will put them on a level learning curve with other students around our shrinking globe. I am not an educator or totally computer wise person, but I do love the youth who will be future Mayors and would love to see pilot program plans put forth to investigate these needs.



Fellow Mayors, we know how important it is to always skip the red tape, get to the bottom line, make a black and white issue gray, be a problem solver not a problem maker and by standing shoulder to shoulder as Mayors, together achieving challenges we thought were unreachable....

May GOD continue to bless us! 🙏

Sincerely,



Mayor Gary B. Giberson
President - NJCM



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S2: Sharing Services, Creating Savings, Making Government More Efficient

By: Senate President Stephen Sweeney

Over the past two years, we have tackled many difficult problems that are behind New Jersey's ever escalating property taxes. Together, we have achieved pension and benefit reforms, a new interest arbitration system and a strict new property tax cap. But there is a critical reform we still need to tackle together, and that is shared services. I know that Mayors throughout the state are sharing services in new and innovative ways. But we are still letting politics and home rule stand in the way of implementing shared services to the fullest. The taxpayers of New Jersey deserve better.

That is why I have introduced shared services legislation that would result in taxpayer savings through the elimination of government redundancies. It would do so by creating concrete fiscal consequences for local government entities that refuse to enter into sharing agreements that would save money. In putting together the legislation, I met with numerous local elected officials who provided valuable input.

The legislation would require New Jersey's Local Unit Alignment, Reorganization, and Consolidation Commission (LUARCC) to study municipalities to determine where taxpayer dollars could be saved through sharing of services. If the study shows that savings can be realized through sharing services for two or more local governments, and the State Treasurer verifies the savings amount, the question of whether to share the service may be put to a public referendum in all municipalities involved. Any municipalities that strike down the public question or refuse to implement the shared service would lose state aid. The state aid cut would equal the amount they would have saved had they shared the service. If one town approves it but another denies it, only the town that denied it would lose aid.

Civil service rules would temporarily be suspended for employees impacted by any shared services that are implemented, including shared arrangements not initiated by LUARCC. This would address a

concern raised by local government leaders that civil service rules serve as a barrier to sharing services. The bill also suspends state laws that grant special protection to police brass and local health officers when services are shared.

The taxpayers of New Jersey simply can't handle their property tax burden anymore. It is well past time we stop just talking and really do something to provide the incentives needed to get us moving in the right direction on shared services. Simply put, if a town can save money through sharing services and decides not to do so, they are going to lose out on state aid. If you do not want more cost-effective government, than the taxpayers of New Jersey should not be footing the bill. I know this concept

Senate President Stephen Sweeney

is tough medicine to swallow. For years we have heard talk about the need to share services, but we haven't seen enough action. We have tried the carrot approach when we offered state aid to encourage sharing services, but it simply hasn't done enough.

Let me be clear. Many municipalities and counties already do a phenomenal job of sharing services. They have set an example we could only hope other local governments would follow. But many still refuse to do so. In my own home county, municipalities refused to share county wide EMS services despite demonstrated savings and reduced response times. This kind of mindset must end.

I realize many Mayors will say this is another example of Trenton sticking its nose where it doesn't belong. I know that sentiment because I ran a local government for over a decade. When I was Freeholder Director in Gloucester County, we achieved \$30 million in savings through shared and regionalized services. That included sharing such county wide services as 911 police/fire/EMS dispatching, tax assessors, stormwater

management, trash disposal savings, animal control, deer carcass removal and health department inspections. The numerous shared services implemented between the County and its 24 municipalities save an average 18 cents off the tax rate. These are real savings that have real impacts on your municipal budget and on the taxpayers.

I have also heard concerns that this legislation will unfairly penalize towns and counties that already share services. That is a highly unlikely outcome. LUARCC's function is to examine those areas of the



state that could be doing more with less. The places that have been reluctant to change for the benefit of their taxpayers are where those efforts will be centered. Communities that have done their part to share services have little to worry about. Moreover, LUARCC is not going to show up and simply demand towns start sharing. They are going to carefully analyze the issue, working with all municipalities involved to gather as much data and make as informed a decision as possible.

Sharing services is about efficiency. It is about making government work better at a cheaper price. Together, we can do this without losing our sense of community. For too long, home rule has dominated our way of thinking and prevented real savings. The times we live in simply don't allow for that kind of thinking anymore. ♡



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Energy Tax Receipts Program

By: Mayor Janice S. Mironov, East Windsor Township

Over the past two years, the Governor and legislative leaders have grappled with and made difficult decisions on many financial and benefit reform proposals such as unfunded mandates, pension and arbitration reform. We appreciate many of these steps to help control the many local costs imposed by past State actions.

Notwithstanding, our top priority continues to be to urge State officials on behalf of Mayors throughout the State, and even more importantly, on behalf of the property taxpaying citizens of our State, to end the State's chronic dependence on our local revenues to balance the State budget and to provide full funding for vital municipal revenue replacement programs by restoring to local budgets our energy tax dollars that have been unfairly diverted for years.

New Jersey's two main formula-driven general municipal property tax relief programs are the Energy Tax Receipts Property Tax Relief program (Energy Tax) and the Consolidated Municipal Property Tax Relief Act program (CMPTRA). Though often referred to as "State Aid" programs, both are actually revenue replacement programs, intended to replace property tax relief funding that was, formerly, generated through taxes assessed and collected, specifically, to fund municipal programs and services.

The Energy Tax Receipts/Property Tax Relief program is the direct descendant of the Public Utility Gross Receipts and Franchise Tax (PU-GRAFT) which was a tax on regulated public utilities originally assessed and collected at the municipal level. In the early 1980's at the request and for the convenience of the taxpaying utilities, the State became the collection agent for this assessment. The law that effected this change promised that the proceeds would be distributed back to the municipalities which provide services to utility facilities and are the source of the utility profits.

Modernization and deregulation led to a major State "reform" of utility taxes in the

mid-1990's, which legislation validated and supposedly capped the state's annual skim. The law further included a "poison pill" requiring the state to annually increase the municipal distribution of energy tax proceeds at the rate of the Implicit Price Deflator – used to measure the impact of inflation on governmental, or to risk the forfeiture of the state's authority to collect the tax (Chapter 168, P.L. 1999). According to a decision rendered by our State Supreme Court in the 1980s, however, the State budget trumps all laws and can supersede permanent statutes simply by including a provision to that effect in the Annual Appropriations Act. For the past ten years, that is exactly what has happened; state budget-makers have dipped into these property tax relief reservoirs to plug budget gaps and fund state programs. And since the Consolidated Municipal

tax relief. And the total amount diverted from property tax relief in order to cover State spending over the past 10 years is a staggering \$3.4 billion.

Bottom line: No one can dispute that this money was meant to supply towns with funding to meet local needs without having to raise property taxes. Municipalities collect taxes for school districts, counties and other public entities. And even though collection rates never reach 100%, the municipality, through its budget, provides those entities with every dollar they require. Similarly, the State collects revenues for municipalities and similarly, the State rightfully should be passing these funds back to municipalities.

Janice S. Mironov is Mayor of East Windsor Township, NJCM Board Member and First Vice President and Chairperson of the Energy Tax Restoration Committee, NJSLOM



Property Tax Relief Aid (CMPTRA) is not "poison pill" protected, State budget makers skirted the law by annually reducing the CMPTRA payments by the same amount that it increased the Energy Tax payments.

The State strayed even further from the legislative and historical intent when combined Energy Tax and Consolidated Municipal Property Tax Relief Aid (CMPTRA) funding were reduced by a dramatic \$331 million in in Fiscal Years 2009, 2010, and 2011, while also denying scheduled incremental funding. If the State had complied with the statutory funding requirements, the \$1,590,292,000 which municipalities shared in 2001 would have grown to \$2,182,502,000 in 2011. Instead, only \$1,293,794,000 was distributed in 2011. Thus, the State budget last year alone was balanced by \$888,708,000 that should be returned to municipalities for property

Years of underfunding have left many municipalities with serious needs and higher property taxes. As a result of this State diversion of municipal revenues, a number of municipalities have had to increase property taxes despite the fact that they will spend less in 2012 than they did in prior years. The State's diversion of municipal tax relief resources has overwhelmed local efforts to control property taxes.

The diversion of our municipal resources to cover State spending needs to end. State leaders need to honor the letter and spirit of the law, and to provide municipalities with this most important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey. 🇺🇸



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Restoring Power is a Complex Process

By: Art Guida, Director-External Affairs, PSE&G

Those of us in the electric delivery business are comforted by the fact that our customers have become so accustomed to the reliability of our electric service that you don't have to think about what it takes to provide safe and reliable power to every apartment, home, business, public institution, health care facility, school, and I could go on and on. As consumers, we expect to flip a switch and the lights turn on.

During major storms such as Hurricane Irene and the October 2011 wet snow storm; and other major weather events, we experienced first hand the 'inconvenience' of being without electric power for an extended period of time.

The power grid, from its origin at the generating station to your home or business, is a complex set of grids that transport large volumes of electricity through a series of 'step-down' transformers and finally to the end user. During storms the like of Hurricane Irene and October's snow storm, fallen tree limbs, lightning strikes, and high winds wreak havoc on the electric distribution grid. Unfortunately, the damage is rarely localized so that we can concentrate the necessary restoration resources to one location. Wide spread outages by defini-

tion take time to rebuild the network, and rebuild is an accurate term.

The safety of the public and our work force is the first priority. Not a single service will be restored until we are certain the working men and women, who themselves may be out of power at home, have a safe work environment. This sometimes means that the storm must pass before crews are able to

After critical facilities are restored, the order in which repairs are made follows the path that electricity takes as it comes from the power plants to the customer.

In summary, restoration crews begin with primary lines that can restore power to per-

Art Guida has served as Director-External Affairs since he joined PSE&G in 1997, with responsibility for managing the local and county government and community outreach. Prior to joining Public Service, Art held various government relations and community relations positions with Verizon. He also serves on several business and community boards and is immediate past Chairman of the Newark Regional Business Partnership.



begin to assess the damage. Then and only then does the restoration process begin.

Power Restoration Process

Restoration plans following outages are designed to get power back on to the most people in the shortest time. Crews rely on a process recognized as an industry standard best to get power back on as quickly as possible. Hospitals, police departments, fire stations and other public health and safety facilities are priority number one.

haps thousands of people. Then they move to lateral lines that can affect hundreds; secondary lines that affect dozens; and finally to service drops at individual homes. This is why homes in the same neighborhoods can be restored at different times and why businesses are sometimes restored first because of their high traffic locations along primary lines.

Partnerships Work Best

Every lesson learned exercise I've participated in following a major weather related event highlighted the importance of communications prior to, during, and after the storm. Among every level of government, utility companies, all essential service providers and the residents we serve. What is equally apparent is that the partnerships that are required to manage through a crisis must be developed and nurtured now in order to be prepared for the next event. Many years ago, a colleague taught me that, "When you need a friend is not the time to make a friend."

For local officials I would think it is invaluable for you to understand what it takes to restore power after a major storm so that you to communicate effectively to your residents. In the end we are all working toward the same goal so our communities and individual lives can return to normal.

Power Restoration Process



Step 1 – Substations

Repair any damage on the main distribution lines that leave the substations. This initial step restores power to the largest number of customers.

Step 2 – Neighborhoods

Repair damage on the tap lines that branch off the main line into groups of homes or neighborhoods.

Step 3 - Individual Service

After the larger main lines and neighborhood lines are repaired, work begins to restore power to individual residences.

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Legislative Committee Meeting at the NJCM Annual Spring Conference

The NJCM Legislative Committee held a meeting at the NJCM Annual Spring Conference on Wednesday, April 25th, 2012 at 3:30pm, prior to the Board of Directors Dinner at the Borgata. Issues addressed at the meeting included discussions of the Senate and Assembly Budget Committee meetings through June 28, which is the last voting session. The State budget must pass midnight, June 30.

Mayor Mahr addressed the issue of energy gross receipts and stated that this is a top priority issue, as municipalities are incurring reduced energy tax relief. This tax was originally a tax on utilities assessed and collected at the municipal level. In the early 80's, the State became the collector of this tax, and was to redirect it to the towns. Since then, the State has dipped into the fund to balance their budget at the loss of the municipalities. We suggest you, our Mayors to call upon administration to seek a solution.

Lastly, Mayor Mahr brought up affordable housing stating that the deadline to commit to Affordable Housing Trust Funds deadline is July 17, 2012. To date, towns have approved 3rd round spending claims approved by courts and are trying to figure out what to do with it. Senator Bucco, of Morris County would like to extend the four year requirement that a municipality has to commit to expend its trust fund dollars (A-2717). Senator Lesniak is concerned what an extension would do to the bill. \$175 million is up for grabs by the state. We need to watch Assembly Bill 2717 and Foreclosure Bill S-1566.

About the NJCM Legislative Committee

The NJCM Legislative committee formulates official positions on behalf of the NJCM, and proposes those positions at various committee hearings at the State House. Mayor Mahr stated "We are all here because we answered the call to be part of the Legislative Committee because we know there are things going on in Trenton that cause us great contention. We are now here to talk about what would we like to see accomplished as we move forward."

The NJCM Legislative Committee is geographically and politically balanced to ensure that issues will be addressed fairly, quickly and effectively.

The NJCM Legislative Committee



Colleen Mahr, Fanwood
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Timothy McDonough
Hope Twp.
Committee Co-Chair



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Port Republic
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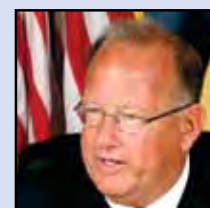
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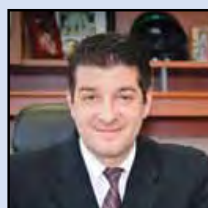
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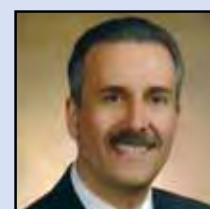
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FEMA Funds and Grant Programs

By: US Senator Robert Menendez

Dear Friends:

As a former Mayor, I appreciate the pressures in providing critical services to residents while balancing budgets and keeping the cost-of-living affordable. From the town library and public school system to trash collection and public safety, Mayors are in touch with the day to day lives of every family. And now more than ever, with budgets stretched thin, Mayors are forced to do more with less.

As a U.S. Senator, I'm working to make your job a little easier by fighting for critical FEMA funds and grant programs to help you get the most for our constituents.

Since 2001, the Assistance to Fire Grant (AFG) program has provided local fire departments with critical equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. I have been a steadfast supporter of this vital program at the national level, fighting for increased funding so more towns and cities in New Jersey can benefit. Since I became a Senator in 2006, local fire departments in New Jersey have received more than \$73 million in AFG funds.

Another critical program is the Securing Adequate Fire and Emergency Response (SAFER) grant program, which helps maintain adequate staffing levels in local fire departments. While New Jersey has received more than \$68 million in SAFER grants since I took office in 2006, I know full well that the need for these grants far outweighs the available funding. That's why I have advocated for increased funding, supported waiving local cost-share

requirements and giving communities the flexibility to use funds to retain current firefighters, so communities that need the most help aren't shut out of the process.

But no matter how brave, professional, and prepared our local first responders are, large-scale natural disasters can overwhelm the resources of even our largest cities. Geologically, New Jersey is a peninsula surrounded by water on three sides with a multitude of rivers and tributaries cutting through its landscape. This is a big reason

Senator Robert Menendez

why we suffer from so many floods and perennially rank in the top five, including owning the number one spot in 2011, for flood insurance claims. We saw this all too well last summer when New Jersey was hit by three major storms in the span of about a month, including record flooding from Hurricane Irene and Tropical Storm Lee. Joining President Obama on a tour of the areas affected by Irene, I made it my mission to ensure New Jersey received the disaster assistance it needed to rebuild. I was pleased that the President heeded my requests and issued Presidential Disaster Declarations, which made New Jersey eligible for millions of dollars to repair the damage and mitigate against future floods.

One of FEMA's most successful mitigation programs is the Severe Repetitive Loss (SRL) Program, which provides millions of dollars to buyout properties that have been repeatedly flooded. These buyouts are completely voluntary and not only help control


flood insurance premiums, they allow homeowners to escape constant flooding and improve the surrounding area's ability to handle runoff. Since September of last year, New Jersey has received more than \$30 million in SRL funds and has only been required to provide a 10 percent local match, the lowest allowed by law.



In addition to facilitating the buyouts of repeatedly flooded properties, the Hazard Mitigation Grant Program (HMGP) allows towns to retrofit properties, elevate structures, and build localized flood control projects, such as certain ring levees and floodwall systems. The federal government provides a 75 percent match for all such projects and has rewarded New Jersey more than \$54 million in HMGP funds since September 2011. Other FEMA grant programs include Repetitive Loss, Flood Mitigation Assistance and Pre-Disaster Mitigation and I encourage you to take full advantage of all these programs.

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Egg Harbor Township Mayor 'Sonny' McCullough Advocates for Wounded Warriors

By: Donna Clementoni, Director of Employer Outreach, ESGR

Egg Harbor Township Mayor James 'Sonny' McCullough shares a collective hurt with other Americans who feel our nation turned their back on a generation of warriors that fought in an unpopular and highly protested war in Vietnam.

In his way, in his sprawling Southern New Jersey Township, he wants to do his part to make it right.

As a young man, McCullough was not able to serve his country due to sports injuries, but he never forgot how the Vietnam veterans returned home. The Mayor's emotions are still raw when he reminisces about their generation, and how they were treated upon their return. "I feel bad that I didn't do more for those guys and girls."

As the Wounded Warrior organization will remind us, "the greatest casualty is being forgotten."

For today's returning veterans, it is a dramatically 'kinder and gentler' nation that they are returning home to. The U.S. Military has many programs in place to help transitioning soldiers and their families through the adjustment such as the 'Yellow Ribbon Reintegration Program' and the "Transition Assistance Program."

Some injuries, however, cannot be counseled away.

It is these multi-generational veterans that inspired Sonny McCullough to take action. He wanted to advance their mission, "to honor and empower wounded warriors."

Mayor McCullough knew the small but powerful players to contact in the community to advance a fundraiser to benefit wounded warriors. With several veterans and some passionate advocates they planned a golf outing in October, 2011 to benefit the mission of an organization whose vision is "to foster the most successful, well-adjusted generation of wounded service members in our nation's history."



Their goal was \$10,000 and the stars were in their favor. They were rewarded with great weather and a dozen wounded warriors were warmly hosted to a day of golfing and camaraderie by Mayor McCullough and his committee. The community and business associations rallied their support around Sonny's charity and at the end of a wonderful day, they had raised over twenty four thousand dollars.

The bar is set. Mayor McCullough doesn't intend on going backward.

He has a passionate respect for the men and women of the Armed Forces and he acknowledges the "sacrifices the families have to make. The general public has no idea," he mused.

In Egg Harbor Township, the military is deeply embedded in the community. It is home to the 177th Fighter Wing and the United States Coast Guard Air Station Atlantic City which is located at the William J. Hughes Federal Aviation Administration Technical Center at the

Atlantic City International Airport. Three of the township's police officers are members of the Guard and Reserve and are assured 90 days full pay and health benefits when they are in training or deployed for military service.

The next Golf Outing will take place October 5th, 2012 and will also benefit Warfighter Sports, a program of Disabled Sports USA, which offers sports rehabilitation programs in military hospitals and communities across the U.S. Since 1967, Disabled Sports USA has proudly served wounded warriors, including those injured in the Iraq and Afghanistan wars, offering more than 30 winter and summer sports at more than 100 events each year. Embracing the most severely wounded warriors, Warfighter Sports rebuilds lives through sports by improving self-confidence, promoting independence and uniting families through shared healthy activities.

Without even realizing it and as a single civilian, Mayor McCullough is modeling the mission that the VFW's have, "honor the dead by helping the living."

The 2nd Annual Wounded Warrior Golf Outing will be held at McCullough's Emerald Links Golf Club in Egg Harbor Township, NJ on Friday, October 5th. It will begin at 8 a.m. To participate, inquire about sponsorships, make a contribution and/or donate an auction item, contact Donna Clementoni at 410 812-6677 or email her at poet4pop@aol.com.



Donna Clementoni is the Director of Employer Outreach for the New Jersey Committee of Employer Support of the Guard and Reserve (ESGR.) ESGR is a Department of Defense, mostly volunteer agency that seeks to create a culture where all American Employers value the military service and sacrifice of their employees. For more information, visit esgr.org.

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Using the Grow New Jersey and NJRA Programs to Bolster Redevelopment

By: Robert W. Bucknam, Jr., Chair of the Land Use, Environmental Permitting and Regulatory Compliance Group at Archer & Greiner P.C.

In recent years, New Jersey municipalities have been encouraged to utilize redevelopment law and incentives as tools to revitalize distressed, underused or neglected property within their borders, and to otherwise spur local economic growth and development. Many municipalities have taken advantage of the seemingly broad powers they could exercise under the Local Redevelopment and Housing Law and the State Constitution, to encourage landowners and redevelopers to undertake and invest in redevelopment of their communities.

However, as economic conditions worsened, the powers of many municipalities also seemed to diminish. Court decisions forced municipalities to undertake a much more structured and conservative analysis before being able to declare an area in need of redevelopment. Other Court rulings served to limit or modify the use of the power of eminent domain by municipalities in redevelopment situations. State agencies also played a role in this local power diminution process. An example is the State Local Finance Board's mandate concerning the sharing of payments in lieu of taxes received from redevelopment projects with school districts, even when projects did not generate new school children. Those judicial and governmental actions began to restrict municipalities in exercising their previously unfettered ability to utilize the redevelopment process in innovative ways to improve local economic conditions.

Through all of this, there has been a general recognition, in various quarters, that it will take more than just the use and implementation of the redevelopment laws, as they are currently constituted, to improve the economic conditions of a municipality.

On January 6, 2012, Governor Christie signed into law legislation that served to create the new Grow New Jersey ("Grow NJ") Assistance Program. Utilizing tax credits as incentives, the Grow NJ Program can be utilized to target businesses that are considering moving into staying, with the

intention of making a large capital investment (at least \$20 million) and either retaining or creating 100 full-time jobs. These businesses can earn up to \$8,000 for each new or retained job for each of ten years.

Similar tax credit incentives have been available in the past through programs such as the Urban Transit Hub Tax Credit ("UTHTC") program. However, unlike the UTHTC, the Grow NJ Program is not limited to the few municipalities and locations that meet the geographic and technical requirements necessary for UTHTC eligibility.

Robert W. Bucknam Jr. is Chair of the Land Use, Environmental Permitting and Regulatory Compliance Group at Archer & Greiner P.C. in Haddonfield. He concentrates his practice in planning, zoning, development, permitting and regulatory compliance. He has worked on some of the most significant projects in New Jersey and the Delaware Valley in the past 25 years.

provides financing, technical assistance and other support geared towards furthering redevelopment projects that "improve the quality of life" in New Jersey's cities.

The NJRA's financing programs include flexible debt and equity financing for business and real estate ventures through the NJRA Redevelopment Investment Fund; revolving loans for site preparation, redevelopment of properties within an urban redevelopment plan and municipal bridge financing to acquire title to property and offset acquisition-related costs through the NJ Urban Site Acquisition Program;



Grow NJ eligibility extends into planning areas and areas zoned for growth pursuant to the State Development and Redevelopment Plan, and there are far fewer hurdles to overcome. Although it has its limitations, Grow NJ has lower qualification thresholds geared towards broader geographic application, lower capital improvement requirements and a greater focus on job retention.

For businesses that cannot make the \$20 million investment or employ the 100 full-time employees required for Grow NJ, other incentives may be available for encouraging them to redevelop and move into or stay in a local community. Currently, 69 communities in 16 different counties are eligible for assistance by the New Jersey Redevelopment Authority ("NJRA"). The NJRA is a State financing authority charged with assisting with redevelopment of urban areas and with providing "a unique approach to revitalization efforts in New Jersey's cities." The NJRA

funding certain predevelopment activities, including feasibility studies, architectural costs, environmental and engineering studies and other costs associated with redevelopment through the New Jersey Predevelopment Fund; and the issuance of both taxable and tax-exempt bonds to stimulate revitalization in New Jersey urban areas at reasonable interest rates, through the NJRA Bond Program.

Recent events have demonstrated that both the public and private sectors continue to view redevelopment as a positive way to improve the local economy. That fact is evidenced by pro-redevelopment and development incentive legislation recently introduced in Trenton. Thus, it appears that the redevelopment process is still alive and well in New Jersey, with many advocates recommending the use of programs such as Grow NJ and those overseen by the NJRA as ways to help keep it that way. 📌



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Examining Fair School Funding

By: Assemblyman John DiMaio, District 23

The mission to provide state residents with property tax relief is nothing new – it has been a constant challenge to governing bodies for decades. Homestead rebates, the Senior Property Tax Freeze and other similar programs have provided some relief to some residents. Indeed, high property taxes remain the biggest concern of New Jersey citizens. We need to come up with a solution to address the largest portion of our residents' tax bills. The fair school funding formula I am proposing is a step in the right direction.

While local governing bodies are not directly responsible for the budgets or operation of the school districts, the effect on our residents is monumental. In many municipalities, as much as 65% of property taxes support the schools. Educating our children is inarguably of paramount importance, but how to fund the system is a source of continued debate.

Funding to the school districts comes in the form of federal and state aid and local property taxes. The ratio of these funding sources varies greatly. According to data provided by the state Department of Education, the Westfield school system receives 2% of its funding from federal aid, 13% from state aid, and 85% from local property owners. Conversely, the state funds 72% of the operation expenses of the Newark School District, with 18% coming from federal aid and 10% for local property taxes.

Where does the money come from that the state distributes to the school districts? Article VIII of the New Jersey Constitution states that entire net receipts from state income taxes shall be "...placed in a perpetual fund designated the Property Tax Relief Fund and be annually appropriated, pursuant to formulas established from time to time by the Legislature, to the several counties, municipalities and school districts of this State exclusively for the purpose of reducing or offsetting property taxes."

As a progressive tax system, the more one earns, the more one pays. The top 1% of wage earners pays 38.5% of all state income taxes. The 33% of residents with

the lowest reported earnings pay no state income taxes.

The ratio of the income taxes collected by the state to the amount distributed back to the local school districts is significantly disproportionate.

Montville Township's approximate 22,000 residents pay more than \$56 million in state income taxes. For every dollar they contribute, the local school district gets back just 2 cents. Asbury Park's 12,000 residents pay less than \$4 million in income tax and get back more than \$15.00 on every dollar.

To open the conversation of establishing a more balanced funding system, I am sponsoring Assembly Bill A545, the companion to S280, sponsored by Senator Michael Doherty. These bills would establish a base school funding formula in

Assemblyman John DiMaio

which the amount of money collected through the state income tax is equally divided among all school children and credited to the school district on an equal basis. Every student gets the same amount of funding. Based on current figures, that amount would be approximately \$7,481 per student.

For the majority of residents, this formula would result more of their own money being returned to their local district. Montville's current 2 cent per \$1 rate of return would increase to 57 cents. Districts with less contributions into the fund would still receive more back than they put in. Asbury Park would get back more than \$4.50 for every dollar paid.

Opponents of the bill have expressed concern that losing the additional money will hurt the students in the economically-disadvantaged districts. I believe it will force the boards of education to more closely examine how they spend each dollar.

In the well-known Robinson v. Cahill and Abbott v. Burke cases, the courts reasoned that the quality of education was proportionate to the quantity of money being spent on it. Now, 40 years later, that is clearly not the case.

According to an Education Funding Report issued earlier this year by NJ Department of Education Acting Commissioner Christopher Cerf, only 45% of third through eight graders in economically disadvantaged districts were deemed proficient in the Language Arts Literacy portion of the 2011 New Jersey Assessment of Skills and Knowledge, compared to 76% of students in economically advantaged communities.



The report noted a similar proficiency gap in the mathematics portion of the ASK, despite the former Abbott districts spending \$3,000 more per pupil than the state's wealthiest districts.

Certainly, students in districts that could use a boost, deserve our assistance in achieving success, but we cannot continue to funnel money into underachieving schools. We must hold all districts accountable for every dollar they spend.

We have been battling the question of property tax relief for years. "Solutions" have been bantered about, yet nothing of significance seems to make a difference. Band-aid solutions have not worked. It is time to raise the level of debate with a solution that truly will affect all residents—fair school funding is a start. 🦋



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By: Brian Turano, Director of Government Banking, Investors Bank

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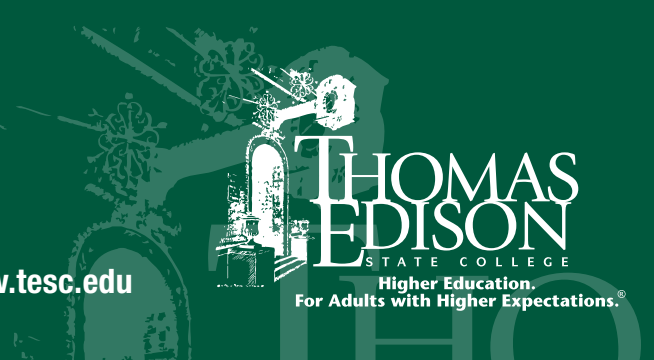
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Extremely Successful NJCM 49th Annual Conference

By: Jack Morrissey, NJCM Executive Director

This year's 49th Annual Conference, held at the Borgata was a huge success for Mayors, Business Council Members, Exhibitors and other special attendees. All events flowed smoothly and the information flow and networking before, during and after the Panel Sessions were extremely rewarding to all parties. The opportunities to interact with the members of the Governor's Cabinet, The Senate President and other members of the State Legislature as well as FEMA representatives from Washington was invaluable to the Mayors.

Mayors also had a unique opportunity to participate in Panel Sessions, and were brought up to date on current legislation and were able to ask questions regarding discussed legislation. The make-up of the Panels was diverse and Bi-partisan with all views presented, and questions answered as time permitted.

On Wednesday, the members of the NJCM Business Council spent the day at the Annual NJCM Business Council Spring Atlantic Golf Classic at the Atlantic City Golf Club. Also, on Wednesday morning found the NJCM staff and the volunteer Mayor Emeritus Advisory Council (MEAC) Members setting up for the Conference registration, Exhibitors, and booth attendees. At 3:30pm the NJCM Legislative Committee met to discuss not only legislative matters, but also how the Committee would be functioning throughout the year. Committee Chairpersons Mayor Colleen Mahr and Mayor Tim McDonough conducted the meeting. Wednesday evening at 6:30pm saw the NJCM Board of Directors Dinner Meeting / Reception at which time the "Lee Veale Spirit of NJCM" awards were presented. (See listing of recipients on inside front cover). Following the Lee Veale award presentation the NJCM Business Council members were honored and presented with their awards.

Thursday morning, at 9:00am the exhibit area was opened by a ribbon cutting ceremony by NJCM President, Lambertville Mayor, David DelVecchio, assisted by

incoming NJCM President, Port Republic Mayor, Gary Giberson. A Continental Breakfast was provided on the exhibit floor allowing Mayors and others to meet with the exhibitors and receive information about their products and services. The breakfast sandwiches added to the breakfast this year proved to be a big hit. At Thursday's Grand Luncheon, the Keynote Address was delivered by DCA Commissioner Richard Constable, III who also swore in Port Republic Mayor, Gary Giberson as the new President of the New Jersey Conference of Mayors. Mayor Giberson outlined his agenda for the coming year and presented Commissioner Constable with a plaque, hand carved by him to be provided to Lt. Governor Guadagno who was unable to attend due to the passing of her father.

Immediately after the Luncheon, the cabinet members from the DCA, DEP, DOT and Treasury met with Mayors at roundtables to answer questions posed to them by the Mayors. Immediately after the Cabinet Roundtable discussions were conducted, a panel session with representatives from the FEMA office in Washington DC, addressed lingering problems from last fall's storms and also the availability of grant money.

From 3:30 to 5:00pm on Thursday a Panel Session was held regarding "The 2% CAP, State Mandates and revenue sources". Moderated by Barry Lefkowitz, the Panel consisted of Senator Connors, Senator Singer, Assemblyman Burzichelli, Assemblyman Bramnick, Hon. Jack Tarditi and Todd Segmond, Emex, Inc. The impact of unfunded mandates on municipal budgets, the appeal process regarding mandates and the potential for municipalities to reduce costs by "Out of the Box" moves such as energy savings programs available to municipalities.

On Thursday evening at the Legislative Awards Reception, the NJCM recognized elected officials from all levels of government for their outstanding contributions to their constituents. Honored were: Legislators of the year: Senator Thomas H. Kean, Senator Jefferson Van Drew,

Assemblyman Gary R. Chiusano and Assemblywoman Linda Stender. Mayor of the Year: Lambertville Mayor David M. DelVecchio, Former Mayor of the Year: Hon. Charles Pritchard, Hamilton Twp., Freeholder of the year: Freeholder Thomas Arnone, Monmouth County, and Freeholder Robert Damminger, Gloucester and US Representative of the year, Congressman John Adler (Posthumously). The Business Member of the Year Award was presented to Verizon for their continued support of the NJCM.

Immediately following the Legislative Awards Presentation, the newly elected members of the NJCM Board of Directors were sworn in into office by Senator Thomas Kean and the newly elected members of the NJCM Executive Board by Senator Jefferson Van Drew. (Please see page 1 for list of the year 2012/13 NJCM Directors and Officers).

Congratulations to those Mayors for their willingness to accept these leadership positions in the New Jersey Conference of Mayors.

At the Friday Morning "Mayors Breakfast", Colonel Allen Smith (Ret.) of the Employer Support of the Guard and Reserve gave an informative talk to the Mayors regarding programs available to our returning veterans and how the ESGR provides them with support.

Following the Friday breakfast, two more Panel Sessions were conducted. The first Panel Session entitled: "Tax Reform, Shared Services, Consolidation, State Aid" was moderated by Mayor Gary Passanante. Seated on the Panel were Senate President Stephen Sweeney, Deputy DCA Commissioner Charles A. Richman, Assemblyman John F. Amodeo, Freeholder Thomas Arnone, NJLOM President Mayor Art Ondish and LUARCC Commissioner Jack Fisher. Most of the session involved itself with the Shared Services Senate Bill S2 and its impact on municipalities and the possible loss of state aid in certain instances of non-compliance to recommendations made by the LUARCC Commission.

continued on Page 33



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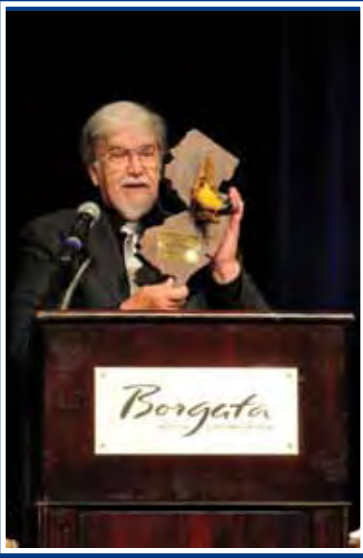
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Mayor Gary B. Giberson, Port Republic, is sworn in as NJCM President for 2012-2013 by DCA Commissioner Richard Constable, III, at the Grand Luncheon, Thursday, April 26, 2012



2012 NJCM Annual Spring Conference





CMI

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Panel Sessions

Thursday and Friday



Conference of Mayors Panel Sessions

Co-written by Moderators: Barry Lefkowitz, MGR, Inc. and Mayor Gary Passanante, Somerdale

Thursday afternoon's standing room only crowd of Mayors listened to a panel of experts discuss and debate "2% Cap," "State Mandates," and "Revenue Sources." Moderator Barry Lefkowitz, President of Management and Government Resources, Inc., and a member of the Mayor Emeritus Association, led what turned out to be a very lively discussion between panelist, panelist and audience, and panelist and moderator.

The panel was made up of Senator Robert Singer, Assemblyman John Burzichelli, Assemblyman Jon Bramnick, Honorable Jack Tarditi, member and former Chairman of the Commission on State Mandates and former longtime Mayor of Haddonfield, Todd Segmond, President of Energy Market Exchange and Michael Grady, President of Municipal Fire Department Cost Recovery.

All three legislators were candid and very responsive to questions and issues raised by the Mayors, Moderator and amongst themselves. Jack Tarditi led off an informative discussion about the purpose of the Commission on State Mandates and the role it plays as an independent body. Moderator Lefkowitz raised the issue of OPRA requests creating a crisis for Municipalities with excessive OPRA requests. It was pointed out the OPRA request, although an unfunded mandate by the state is not subject to the "State Mandate, State Pay" law since the OPRA law preceded the "mandate" act. Mayors pointed to OPRA being used as a tool by the opposition party to harass the other party in power and other types of abuses. One Municipality had incurred over \$60,000 costs due to OPRA requests. It was agreed amongst the three legislators that they would be willing to introduce legislation, at the behest of NJCM, that would both curtail frivolous and unwar-

ranted OPRA requests and place it under "State Mandate, State Pay" scrutiny.

There was a lively discussion about separating out the school tax budget from the local purpose tax, which would require the School Board to be responsible for sending out their own tax bills. All three legislators voiced opposition to having a Constitutional Convention on Educational Funding. They felt that having such a convention was fraught with many grave dangers and could create a process that would open up the Constitution to other changes. They would support the formation of a commission to study alternative funding.

The legislators spoke in favor of the 2% Cap including the recent legislation that provided for School Board elections being moved to November with the codicil that if their budgets were at or under the 2% Cap the public would not vote on the budget. They felt that the old system of defeat a budget, Council redoing the school budget, appeal to the Commissioner was a waste of time and resources.

Municipalities are desperately looking for ways to find cost savings without resorting to cutting services. Todd Segmond of Energy Market Exchange (EMEX) gave a power point presentation on how every municipality can save over 20% on the electric bills using a third party provider through what is referred to as "reverse auction." The "reverse auction" process is exempt from the RFP requirements and only needs a Municipal Resolution.

Michael Grady, Municipal Fire Department Recovery, explained how Municipalities are not aware that every time there is a fire in your community, the Municipality through its Fire Department can apply for monies from the insurance company for a financial reimbursement. His firm handles all the paperwork and the Municipality

recovers the money at no cost of time or resources of local government. The town of Hope was the first Municipality in the State to see the benefit of engaging Grady's firm.

Friday Panel Session:

Panel session Two, "Tax Reform, Shared Services, Consolidation, State Aid" was moderated by NJCM Business Council Director and Mayor of Somerdale, Gary Passanante.

Seated were Senate President Stephen Sweeney, DCA Deputy Commissioner Charles A. Richman, Assemblyman John F. Amodio, Freeholder Thomas Arnone, NJLOM President Mayor Art Ondish, and LUARRC Committee Chairman Jack Fisher. This was yet another "standing room only" crowd of Mayors.

One particular item of interest was the pending shared services senate bill S-2 which is sponsored by Senate President Sweeney. Discussion with the panelists, all of whom were well versed in the bill, led to a common, bi-partisan agreement that shared services were not only beneficial but necessary for municipalities to survive in a 2% cap environment. Some myths and some realities surrounding the bill were clarified during the session. The Mayors were also able to hear directly from the legislature and administration on their viewpoints concerning the return of the energy tax receipts to our municipalities.

The final panel session, School Funding Reform, Constitutional Convention, Charter School Impact on Municipal Taxes was again moderated by Mayor Gary Passanante, and included Assemblyman John DiMaio, Mayor Jerry Tarantolo, Oceanport, and Mayor Jerry Fried, Robbinsville.

continued on Page 39

Exhibitors

Many thanks for our Exhibitors who brought an array of different product and service offerings.





The NJCM thanks our Business Council Members for their support. The Annual Conference gives them the chance to meet and interact with our Mayors.



Mayor's Golf Classic



NJCM Business Council

NJCM Business Council & Spring Conference

"Perfect Together"

By: Gary Passanante, Director, NJCM Business Council

This year's Spring Conference once again proved to be the perfect forum for friendship, networking, and the valuable exchange of ideas and information for our Mayors and Business Council members. The conference began on a Wednesday with our third annual golf outing sponsored by the NJCM Business Council and was held in conjunction with our Annual Spring Conference. Nearly 90 golfers and over 100 attendees gathered at the Atlantic City Country Club in support of our great organization. The weather co-operated and it turned out to be a great day for all that attended.

On behalf of the Conference leadership, I would like to thank our golf event Platinum sponsors; Comcast, PNC Bank, Magna Care, Investor's Bank, Belfor USA, New Jersey Natural Gas, Remington & Vernick Engineers and Fiore Solar Products for their support in making this a tremendous success. I would like to especially thank the Mayor Emeritus Advisory Council for their generous support before, during and after the event. We would not have been able to achieve this great success without their unwavering support.

Following golf that evening was our annual Board of Directors Dinner Reception held at the Borgata. This was well attended and provided the conference an opportunity

to honor our Platinum and Gold Business Council members.

The next two days were packed with seminars featuring guest speakers from our Business Council, the legislature, administration and Mayors from across the state. The NJCM Spring Conference continues to be one of the best forums for Mayors to share information, get new ideas and network with our business partners.

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

organization where the best and brightest minds in our respective arenas can gather and work in unison to restore economic stability in our communities. Now is the time to invest in our future by creating new jobs and expanding our tax base through the streamlining of regulations and laws.



As a member Mayor, you are automatically invited to participate in our Business Council and related activities. If you are or do business in the state of New Jersey and have not yet joined the Business Council, I urge you to contact me by email Gary@njcm.org or by phone (856) 207-9142. I would be happy to discuss our membership and the full set of benefits available. 📞

For those readers not familiar with the Business Council, we are a subsidiary of the New Jersey Conference of Mayors. Our mission is to bring Mayors and businesses from across New Jersey together in a unique public/private partnership. We are now in our fourth full year and continue to grow as both Mayors and businesses from across the state acknowledge our value. As the 2% cap and our economy continues to exert pressure on our municipal budgets, Mayors and business leaders must think outside the box in order to navigate their way through this mine field of economic disasters. As we work together to solve our budgetary challenges, the NJCM Business Council continues to act as the "go to"

Extremely Successful NJCM 49th Annual Conference continued from Page 23

Session Two, the final session was entitled: "School Funding Reform, Constitutional Convention and School Impact on Local Taxes". Mayor Gary Passanante moderated this session. The panel included Assemblyman John Dimaio, Mayor Jerry Tarantolo, Mayor Jerry Fried and Mayor Emeritus Chuck Chiarello.

All three Panel Sessions were filled to capacity, standing room only and for good

reason. The knowledge given, shared and received by all was invaluable. Please see article on page 29 for detailed synopsis of the Panel Sessions.

The 49th Annual Conference concluded with high remarks from all who came. Mayors, attendees, Exhibitors all walked away with what they came for. Regardless if they came to be educated, to network, or to grow their business, the NJCM Annual

Conference gave them all something to take home with, and that is what makes it a truly successful Conference. We thank all who made the event the success it was, including the exceptional support of the Mayors Emeritus Advisory Council and our NJCM Staff Mary Zajack and Peter Oesterwinter. We look forward to seeing you at next years 50th Annual Conference! 📞



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Mayors Emeritus Provide Strong Support at 49th Annual Spring Conference



— *By: Jack Morrissey, Chairman, NJCM Mayor Emeritus Advisory Council*

Once again, The Mayors Emeritus Advisory Council (MEAC) was very actively involved with this years NJCM Annual Conference at the Borgata. The MEAC's started preparations for the Conference in December of last year, conducting weekly meetings. Plans for the Conference were formulated and during many of the meetings, the MEAC's and their spouses also prepared many of the mailings that were sent to Mayors, Mayors Emeritus, exhibitors and Business Council members.

The Mayors Emeritus Volunteers are involved in all aspects of the Annual Conference including: mailings, securing Panelists, obtaining sponsors, generating and securing handouts for the sessions, monitoring panel sessions, registration support, setting up the dais, meet and greet guests, Golf Outing support, making badges, conducting headcounts at events, traffic control, monitoring access points, distributing NJCM Mayors gifts, manning the Mayors Emeritus booth, and much more. With the MEAC's supporting the NJCM staff, and the support provided by the Borgata staff, all aspects of the 49th Annual Spring Conference went exceptionally well. What a great team effort! There were many compliments from all quarters.

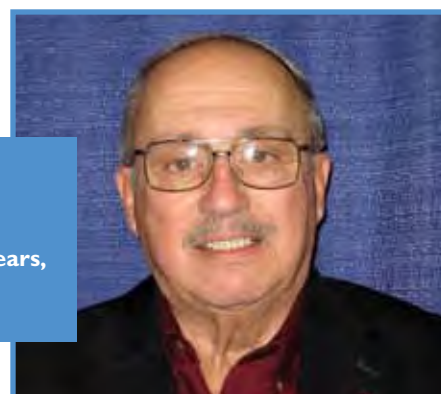
This years Annual NJCM Conference, in spite of the economy, had more attendees, more Mayors, more exhibitors, more sponsors, and more of everything. The event is growing each year and the MEAC volunteers have provided the additional

support required including many trips to the NJCM office in Trenton. The MEAC's were recognizable on the floor of the Annual Conference by their red shirts on Wednesday, white shirts on Thursday and blue shirts on Friday.

Congratulations to the Honorable Bea Cerkez for being honored as a recipient of the Lee Veale "Spirit of NJCM" award. Also honored with the Lee Veale "Spirit of NJCM" awards were the following spouses

Jack Morrissey, Chairman, Mayor Emeritus Advisory Council, Executive Director, NJCM, and Former Mayor, 18 years, Merchantville.

Mayor of the Year" by the NJCM. Charlie, former Mayor of Hamilton Township-Atlantic County, was recognized for his continued community and volunteer efforts after serving in Elected Office. He is also a member of the NJCM Mayors Emeritus Advisory Council.



of Mayors Emeritus who, for very many past years provided so much support to the NJCM: Theresa Beatrice, Betty Dorn, Elena Hampton, Mary Mevoli, Janet Morrissey, and Kathy Wolk. A great group of supporters indeed!

The late Lee Veale was the long time Operations Manager of the NJCM and demonstrated an intense desire and spirit in supporting the success of the NJCM. The Mayors Emeritus created this award in memory of Lee and present it annually at the Conference to those who have demonstrated the same spirit of support to the NJCM.

Congratulations to the Honorable Charles Pritchard for being honored as the "Former

Many thanks to the following Mayors Emeritus and spouses who contributed so much to the success of the NJCM Annual Conference. We could not have done it without you!

Tony and Theresa Beatrice, Mike and Mary Mevoli, Ted and Betty Dorn, Elwood and Elena Hampton, Janet Morrissey, Joe and Kathy Wolk, T.C. and Mike Kay, Jack Tarditi, Bea Cerkez, Augie Longo, Ted Wardell, Charlie Pritchard and Barry Lefkowitz.

Thank you, also, for your support of myself as MEAC Chairman—I cherish your friendship! 🍷



Staff of the 2012 NJCM Annual Spring Conference

Back Row, Left to Right:

Barry Lefkowitz, Mike Mevoli, Elwood Hampton, Gary Passanante, Elena Hampton, Mike Kay, Jack Morrissey, Peter Oesterwinter, Mary Zajack, Tony Beatrice, Joe Wolk, Ted Wardell, Ted Dorn, Greg Halka (Borgata)

Front Row:

Janet Morrissey, Kathy Wolk, Mary Mevoli, Theresa Beatrice, Betty Dorn, Beatrice Cerkez



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Lives and Property Depend on Legitimate Cost Recovery for Emergency Services

By: Michael Grady, President Fire Department Cost Recovery, LLC

The NJ Legislature is in the process of passing Senate Bill 1914, introduced by Senator Sweeney. Efforts to amend S1914 to exempt, among other things, third party insurance recovery for Fire Departments, were initially successful. Unfortunately for our Fire Departments that amendment was immediately taken out, at whose direction we can only speculate. Ironically, its removal could jeopardize recovery on legitimate claims (those exceeding the 2% cap) against insurance policies already approved by the Legislature. Whether through an amendment added by the Assembly or some form of written understanding from the Governor's office, this is a significant issue and must be formally addressed. Insurance claims meant to reimburse Fire Department costs will provide an enormous benefit to municipalities and tax payers alike. I fully support the underlying intent of Senator Sweeney's bill (fiscal conservancy and responsibility). However, common sense will tell you who would be opposed to such reimbursement and I caution that it not be misrepresented as a "user fee" meant to circumvent Governor Christie's 2% tax cap. It is nothing of the sort.

New Jersey has 8M+ residents living in 3M+ homes driving 5M+ vehicles and supporting hundreds of thousands of businesses, with the majority of this real property being insured. Of the \$15B in premiums collected annually approximately \$30M is allocated towards emergency response (i.e. fires, vehicle accidents) and S1914 could unintentionally restrict claims against those premiums.

Despite this, municipalities and fire districts are moving forward with insurance recovery programs to offset Fire Department costs. Professional insurance recovery firms can help create programs designed to collect proceeds already allocated in property/casualty policies. These firms operate on a contingency fee basis, meaning no administrative burden or cost to the municipality. Simply stated, property/casualty carriers would reimburse Fire Departments to the extent stipulated in their policies.

The "Fire Department Service Charge" provision can be found in the "Additional Coverages" section of virtually all fire policies. If you look you will find it in your own policy. The intent of this provision is to allow Fire Departments to recover a stated amount when they have been called to save or protect property. In order to collect under this provision, municipalities must first enact a local ordinance. No deductible applies to this provision, meaning there is no financial impact on policyholders. The policyholder is not involved in the claims process at all.

This provision has 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. Despite col-

Michael Grady is a member of the NJCM's Business Council and the President of New Jersey based Fire Department Cost Recovery, LLC. Mr. Grady has been a claims professional for nearly 25 years, serving as an advocate for municipalities, business owners and home owners.

lecting significant premiums, these carriers have paid virtually nothing towards claims that could have otherwise been made by New Jersey's Fire Departments.

If a municipality chooses not to take advantage of this policy provision, its residents will continue to pay premiums for a service that they will never collect on. Fire Departments are entitled to these proceeds and legislation should not unknowingly hinder attempts to collect.

Will this program increase policyholder premiums? Not likely, NJ insurers collect billions annually and it is the cost of the fire that actuaries use when determining insurability and premiums, not a small supplement meant to reimburse the Fire Department. It may seem counter intuitive but these programs can potentially reduce premiums. To set premium levels, municipalities are rated on their fire suppression capabilities by the Insurance Services Office (ISO). Factors such as additional hydrants, better equipment, and advanced training

all improve a municipality's ISO rating which can lower premiums throughout the municipality. Better funded departments will provide a higher level of fire protection, which saves lives and insured property. Carriers arguing against this are doing nothing more than putting huge profits before the well being of policyholder's, which must never happen.

These programs should be thoroughly explained to the public before implementing. This collection model is often misunderstood by taxpayers as a charge that they are responsible for. The notion that property taxes are not sufficient to fund fire suppression is a sticking point.



Unfortunately, most residents do not fully appreciate the dynamic requirements of keeping Fire Departments running efficiently and effectively. Factors attributing to unbudgeted costs include wild fires, equipment damage, increased mutual aid (resulting from under staffed/equipped Fire Departments), and the additional fire prevention and hazmat response capabilities that accompany increased commercial/residential development. Educating the public as to the real source of these insurance based funds is important and can help avoid an unnecessary backlash.

Since virtually all residents, business owners and municipalities themselves are already paying insurance premiums meant to cover Fire Department costs, not making claim for these costs wastes an opportunity to substantially improve fire suppression capabilities and alleviate the strain on that significant portion of the municipal budget. ♣



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The Importance of P.I.L.O.T. Funding for Rural Communities and Support for Open Space” (payment in LIEU of taxes).

By: Mayor Joe Venezia, Estell Manor

There are over 200 towns in the state of New Jersey in which open space has been purchased by the State with Green Acres funding. However, there are 30 towns that have a vast majority of open space preserved where the State owns near, or more than 50% of such town.

The city of Estell Manor, in Atlantic County is 54 square miles, and the State coincidentally owns 54% of Estell Manor. Some towns have more than 75% of State ownership. Here down in Southern New Jersey, we are referred to as Pineland Towns. Up north is referred to as the Highlands region. Most of these towns were designed to be preserved as open space because of the abundant trillions of gallons of precious drinking water, and because of the need to have open space for recreational use, as well as many towns being pristine and environmentally sensitive. These rural communities are also known as “Water Shed” communities. The State of NJ was paying a municipality \$10 per acre if it owned less than 60% of that town and \$20 per acre if greater than 60%. However, a 1/3 cut in state P.I.L.O.T. funding took effect this year.

The State has always promised to pay these “Host Communities” compensation because of the permanent lost ratable that a town will suffer. Since New Jersey is such a small state, also known as the Garden state, protecting open space for preservation was a very smart thing to do for the environment, ecology, and the quality of our lives. Air is the most important element of our

Mayor Joe Venezia, of the city of Estell Manor, is the first Independent Mayor of Atlantic County. Mayor Venezia entered city as a councilman in 1994, and has served 9 years as Mayor.

While it is known that nearly all 120 state legislators and our Governor, past and present, support the acquisition and preservation of open space, I ask what Mayor will support these acquisitions in their towns knowing they will lose a valuable ratable with no just compensation returned.



body needs. Water is the 2nd most important element. Open space protects both of these elements!!!

Unfortunately, cuts in funding to our municipality will cause financial devastation, and may even mean that our towns may not survive this economic impact. The 1/3 cut of P.I.L.O.T. funding to all these towns is \$3 million dollars. With the state having a 33 billion dollar budget, I ask is this fair to hurt our towns?

We are the towns who have supported in the past the preservation of open space in our communities to preserve the quality of life for the environment, air, and the water. Water that the people of New Jersey have the privilege of drinking, including all the 120 state legislators and our governor. “Let’s not poison the well with cuts from a poison pen.”

Barry Lefkowitz & Gary Passanante continued from Page 29

This session focused on the impact of school funding on the municipalities and their collective property tax burden. Assemblyman DiMaio outlined his proposed solution to a fairer, more evenly distributed school funding formula as did Mayor Tarantolo who chairs a League committee working on the total removal of school funding from the

property tax bill. Both concepts are non-traditional and represent a paradigm shift in the taxing and funding methodologies in the school funding arena.

The NJCM spring conference is the perfect forum for the introduction and relevant discussion of such “outside the box” concepts.

Mayors from across the state gather once a year and spend quality time together with each other, state representatives and municipal business partners exploring new ideas and management approaches that can improve our services and reduce costs to our constituents.



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Creating a Modified Duty / Return-to-Work Program

By Robert Schiller, AIC, Director, AmeriHealth Casualty Services/CompServices Inc.

Escalating workers' compensation insurance and related costs adversely affect the profitability and efficiency of many organizations. Because workers' compensation insurance premiums are determined partially by employee injury total costs, it is in the best interest of any municipality to take measures which will reduce the frequency and severity of employee injuries. One way to accomplish injury cost containment is to develop and implement a Modified Duty/Return-to-Work Program. A Modified Duty/Return-to-Work Program represents an effort to minimize the length and costs of temporary total disability associated with a work-related injury. The program allows an employer to provide an injured employee (who cannot perform the full duties of their pre-injury job classification) with work requiring limited physical requirements.

Why Develop a Modified Duty/Return-to-Work Program?

- 1. Reduces Workers' Compensation Insurance Costs:** Workers' compensation premiums are determined in part by employee injury frequency and cost. If these costs are reduced as a result of the Modified Duty Program, insurance premiums will also be reduced.
- 2. Reduces Lost Time Injury Direct Costs:** By assigning the injured employee to modified duty as soon as medically feasible, Temporary Total Disability (TTD) payments are minimized. Medical and rehabilitation expenses are better controlled because the employee is coming to work each day and feeling productive.
- 3. Reduces Lost Time Injury Indirect Costs:** By returning the injured worker to their job as quickly as possible, costs associated with the temporary loss of the employee such as decreased production, time lost by supervision, hiring and training a replacement, and decreased efficiency of work, etc. are minimized.

- 4. Facilitates Injured Employee Recovery:** Employee involvement minimizes the potential for malingering, sets an example to other employees, and facilitates the injured employee's return to their regular job.

Robert Schiller is currently the Director of Claims Operations for AmeriHealth Casualty Services / CompServices, Inc. Mr. Schiller serves as a lecturer for the Insurance Society of Phila, The Council on Education, The Workers' Compensation Judges' Conference, & The Pa. Workers' Compensation Claims Association. He also sits as a member of the Pa. Chamber of Business & Industry for Workers' Compensation reform.



Tips and Guidelines for Successful Implementation:

1. Appoint a Program Coordinator who has the skills and authority to ensure that basic program parameters are observed consistently. They should also serve as a liaison to injured employees, supervisors, and medical providers.
2. Develop, endorse, and distribute a Modified Duty policy statement that can be shared with all employees. Distribute this as part of your new hire program and make sure employees understand the benefits and parameters of the program before it is implemented. Limit program to employees having temporary physical restrictions which are the result of a work-related injury.
3. Develop a written Modified Duty program and train applicable managers and supervisors about the benefits and processes of the program. They should meet on a regular basis to ensure that the jobs being performed by the injured employees are not causing any additional damage and are assisting with the rehabilitation process.
4. Develop a list of potential Modified Duty jobs and prepare job descriptions that include a list of the limited physical

demands. The positions do not need to be existing jobs; you can create any modified position that you deem acceptable. Work assignments should be innovative and

make effective use of the employee while observing any applicable restrictions.

Examples of Modified Duty jobs may include:

- Equipment Cleaning
- Filing and Clerical Work
- General Housekeeping
- Inventory
- Repair Work
- Security Patrol/Fire Watch
- Tool Room Attendant

5. Meet with your occupational health care provider to review your program and job descriptions. Encourage them to have specific physicians treat your employees and visit your work site so that they understand job responsibilities and requirements for return to work. Physical restrictions should be specified in writing by the panel physician. Ensure that your providers understand that uniformed employees may also work in a modified duty capacity.

6. Ensure periodic health surveillance (based on medical provider recommendations) for all employees returning to work with restrictions. Supervisors and Human

continued on Page 49



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Wellness 101: Where to Start

—By: Dr. Lisa Blondin, Senior Medical Director, AmeriHealth New Jersey

Anytime is a good time to make a change for the better and there is no time like the present.

Maybe you're trying to quit smoking or you promised yourself you will exercise more often. Whatever your goal is, it's definitely a great time to commit to you and make a change to help improve your overall health and wellness.

It's so easy to be distracted on a daily basis by family, work and just life in general. For most people, it's a natural inclination to put others first, but it's really important that we all take good care of ourselves so that we can be fully present and efficient in all of the aspects of our lives.

It's never too late to make health and wellness a priority. The following tips can help you get started:

- Schedule a well visit with your Primary Care Provider (PCP). If you haven't done so already this year, consider scheduling an appointment as soon as you can.
- Perform a medication inventory. Discard all expired medications and make a list of all medications you are currently taking. Be sure to include everything – prescribed, over-the-counter, and herbal remedies. Take this up-to-date list of medications with you to your well visit – it will help the doctor identify any possible drug interactions.
- Make a list of all doctors who are currently treating you. Also include any information you have from recent hospitalizations. This will help your doctor get a complete picture of your health and be able to best treat you and coordinate your care.
- Know Your Numbers. It's important to have your blood pressure, blood sugar, cholesterol, and body mass index (BMI) checked. These screenings also provide an opportunity for your doctor to recommend

other preventive health screenings that may be appropriate for you.

- Make a list of questions for your doctor. Your well visit is an excellent time to discuss ways to improve your health such as making dietary changes or how to add more exercise into your daily routine.

Eye health in focus

In addition to scheduling an annual well visit with your PCP, it's very important to schedule a periodic eye exam. If you do not have a regular eye doctor, you could ask your PCP for a referral (if required) during your well visit. Many people may not realize that a comprehensive eye exam is important to maintain good vision.

Dr. Lisa Blondin, Senior Medical Director for AmeriHealth NJ, oversees all aspects of Clinical Services including Clinical Services Operations, Quality Management and Credentialing and Commit2WellnessSM, the company's case management and wellness programs.

your vision. Salmon and tuna, which are high in omega-3 fatty acids, also help.

As we get older the risk for serious eye disease increases. For example, glaucoma, a leading cause of irreversible blindness, is the result of optic nerve damage. While it can affect anyone, it is particularly a concern for people who are 60 years old and older.

Optic nerve damage, vision loss and increased eye pressure are all signs that a person may have glaucoma. If you experience once or more of these symptoms, you



According to the Glaucoma Research Foundation, it is estimated that over 2.2 million Americans have glaucoma, but only half of those know they have it.

Poor vision may be commonly associated with the elderly, but eye health should really be a priority for everyone. It's important for parents to know when their kids should have any eye exam and how often. Instilling those habits early on can only benefit a child later in life.

As we get older there are some simple things, beyond having a regular eye exam, that we can all do to help contribute to our eye health.

Something as easy as incorporating certain foods into your diet can help keep your eyes healthy. A diet rich in vegetables and fruits, especially dark, leafy greens, is beneficial to

should make an appointment with your eye doctor right away.

During your visit, the optometrist will perform a series of tests to determine whether glaucoma is present as well as the severity of the disease.

If a person is diagnosed with glaucoma, they should come up with a list of questions for their doctor. Based on your individual case your doctor will help you put a plan in place to manage the disease.

A good way to remember to make these important appointments is to consider making them at the same time each year – perhaps on your birthday. After all, good health is the best gift you can give to yourself. 🦋

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Compressed Natural Gas Fueling our Future

By Jeffrey E. DuBois, President and Chief Operating Officer, South Jersey Gas

Advancements in the development of compressed natural gas engine technology, coupled with increasing environmental and fuel cost constraints on traditional fuel sources and the stability of natural gas pricing has recently made CNG a very attractive transportation fuel choice for consumers. As a readily available alternative to gasoline, it's made by compressing natural gas to less than 1 percent of its volume at standard atmospheric pressure.

For South Jersey Gas, the implementation of natural gas vehicles into our business is something we've been considering for years. In the past, the economics of the decision were pretty challenging. Natural gas and oil prices would track one another, making it difficult to justify a large scale investment in a new fueling technology. But today that's changed. Abundant supplies of natural gas found in underground shale throughout the United States have been discovered and are being brought to market. Oil and natural gas prices now seem to consistently move in opposite directions. Today, the decision to implement compressed natural gas fueling technology throughout our organization has never made better sense.

So what is it that makes CNG so attractive? To start, its increased use directly supports the objectives laid out in New Jersey's Energy Master Plan. From an environmental perspective, enhanced CNG use will help to reduce greenhouse gas emissions by approximately 30 percent over gasoline or diesel fueled vehicles. To paint a clearer picture of what that means – the conversion of one diesel fueled refuse truck to CNG is equivalent to removing 300 cars from the road.

In terms of encouraging the greater use of domestically available energy sources, CNG helps to support a national objective

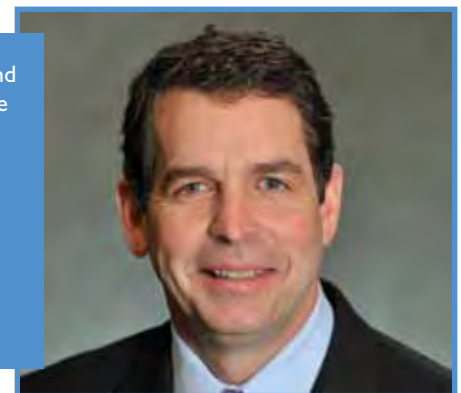
of reducing the \$1 billion per day our country pays out in support of foreign oil supplies. And speaking of domestic production, because natural gas prices are staying consistently low, CNG prices should hold very stable for the foreseeable future.

Currently, at a local level, the most significant impact of CNG vehicles can be realized by municipal governments and/or

Jeffrey E. DuBois serves as President and Chief Operating Officer of South Jersey Gas, the principal subsidiary of South Jersey Industries (NYSE:SJI). The company provides natural gas service to over 350,000 residential, commercial and industrial customers in Atlantic, Cape May, Cumberland, Salem, and significant portions of Gloucester, Burlington and Camden counties in New Jersey. Visit www.southjerseygas.com to learn more.

realize approximately \$800,000 in annual fuel savings through the conversion of our entire fleet to CNG. These stations will also provide a reliable fueling network to promote the growth in CNG vehicle usage across our service territory.

In addition, in early May, we filed a petition with the New Jersey Board of Public



commercial fleet operators. The economics just work so well – with savings of between \$1.50 and \$2.00 per gasoline gallon equivalent over traditional gasoline or diesel fuel, CNG is the most attractive financial choice for fueling these customers.

As a company, we're already seeing a lot of expressed interest from local municipal officials across our service territory about what CNG has to offer, spurred in large part by the March opening of our first fueling station in Glassboro. With the continued financial upswing and overall inconsistency of traditional fueling supplies, many commercial and municipal fleets are feeling a financial pinch and finding it difficult to budget fuel costs from year to year. They want another option.

The good news for those with interest is that we're just at the beginning of our plans for CNG. Over the next three years, we plan to add up to six more stations throughout our service territory. With the construction of these stations, we ultimately expect to

Utilities to continue and enhance a series of energy efficiency programs we began offering in 2009. As part of this updated series of programs, we would like to offer grants to municipal fleet vehicles throughout our service territory interested in converting to CNG.

As you can see, this is a significant initiative that directly supports the continued growth of our business. It is our hope that not only will our organization recognize the substantial cost savings and benefits of this technology, but that we can help to stimulate the market for others who are interested. ♡

For more information on using CNG for your fleet, please contact Todd Gordon, SJG's Manager of Commercial and Industrial Energy Efficiency, by calling (609) 561-9000, ext. 4217 or emailing tgordon@sjindustries.com.



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Congratulations to the Governor and those who worked so hard to secure the Amazon deal for New Jersey

Great late breaking news as Amazon.com, the worlds largest online retailer will construct two major distribution centers here in New Jersey and collect 7% sales tax for our State's coffers beginning in the summer of 2013.

Every Mayor in the State who has a shopping center on their list of rateables will be very well pleased. The internet buying has hit these multiplex stores just like these same stores/malls had impacted mom and pop business all over New Jersey.

So hats off to you Honorable Governor Christie and the Legislators who made this happen!

For all New Jersey's Mayors, sincerely;

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Brian Turano continued from Page 21

Bond Anticipation Notes – Investors can provide bond anticipation notes, which are a type of short-term governmental bond issue, the proceeds of which are generally used to pay the startup costs associated with a future, long-term, bond-financed project.

Tax Anticipation Notes – These are securities issued by a municipality against expected tax collections. They have a maximum maturity of one year and are used for cash management purposes.

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For more information about how Investors Bank can help your public-sector agency, contact Brian Turano at 973-766-2427 or visit myinvestorsbank.com.

Robert Schiller continued from Page 41

Resources personnel should routinely check with employees about these jobs and the progress of their rehabilitation. The duration of this limited activity should be specified and followed by an examination for the purposes of reevaluation. Indefinite periods should not be accepted.

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For more information, contact Mark Adams at mark.adams@ahcasualty.com

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