

CITIZEN  
POWER  
&  
THE ART OF  
NO-BLAME  
PROBLEM  
SOLVING

■  
*A 21<sup>ST</sup> Century Citizens Manual*



Harry S. Pozycki

■ NEW JERSEY EDITION ■

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POWER  
&  
THE ART OF  
NO-BLAME  
PROBLEM  
SOLVING**

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*A 21<sup>ST</sup> Century Citizens Manual*



**Harry S. Pozycki**



450 Main Street, 2nd floor  
Metuchen, NJ 08840  
[www.TheCitizensCampaign.org](http://www.TheCitizensCampaign.org)  
Phone 732-548-9798

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**■ DEDICATION PAGE ■**

*This book is dedicated to all citizens who want  
to learn how to become No-Blame Problem Solvers  
and restore the values of service, civility,  
and pragmatism to America's political culture.*

## ■ AUTHOR'S NOTE ■

### **BUILDING A 21ST CENTURY DEMOCRACY**

Our elected representatives are overwhelmed with the volume of problems they are expected to resolve. For example, at the birth of our nation, one member of the House of Representatives dealt with the problems of approximately 30,000 voters. Today they are trying to shoulder the problems of approximately 700,000 voters in their districts. Combine this with the fact that in the 21st century, technology and globalization have accelerated the formation and complexity of public problems, and you can begin to appreciate why our government representatives are having a hard time keeping pace. Even worse, the resulting finger-pointing is increasingly replacing problem solving and causing dangerous divisions in our society.

To meet this challenge, we need to expand our Country's problem solving capacity. To do that, we need to envision a new role for citizens – one that goes beyond the ballot – one in which citizens can tap recent technological advances to turbocharge their search for proven solutions and exercise their new 21st century legal rights to participate in government problem solving decisions.

This book provides you with basic training in the use of these significant 21st century citizen powers and, importantly, it adds a step-by-step guide for No-Blame Problem Solving© that incorporates the strategies and tactics of highly successful practitioners of city and school district government.

Using these new legal and technological powers and this proven step-by-step problem solving process, we citizens can

lead our Country back onto the path of civility and pragmatism. We don't have to sit on the sidelines while our government gridlocks and problems compound. We can become skilled problem solvers who know how to use the levers of government power to advance practical solutions. We can become "citizen leaders," and we can help our elected officials meet the challenges of this new century.

Even better, we can do this without leaving our hometowns. This book will introduce you to a variety of "non-elected," local, citizen leadership positions in which you can apply the powers of practical, No-Blame Problem Solving with both local and national impact. Terms of service in these positions range from one to three years, and the time commitment is quite manageable. This book will teach you how to access these positions and prepare you to participate in them.

One of the newest, and many say one of the most rewarding of these positions, is service as a Civic Trustee. This book will show you how to train for and apply to serve as a Civic Trustee in your own community.

Your participation and that of other citizen leaders will not only produce a pipeline of practical solutions, it will provide a powerful example of service, civility, and pragmatism that can heal today's political divide.

So I hope you choose to become a 21st century "citizen leader," to inspire your fellow citizens and rekindle the spirit of the great American barn-raising, when we put our judgments of each other aside to get the barn built!

A handwritten signature in black ink, reading "Harry J. Reynolds". The signature is written in a cursive, flowing style with a small flourish at the end.

## ■ ACKNOWLEDGEMENT ■

The Contents of this Manual are the result of twenty years of trial and error and lessons learned in the pursuit of state-of-the-art citizen empowerment education. The input of dozens of Citizens Campaign staff, volunteer experts, and hundreds of citizens went into this work. Their observations of what worked and what didn't were invaluable to the writing of the 21st Century Citizens Manual and I would be remiss if I did not publicly acknowledge their contributions here.

I would also like to thank Rob Horowitz for his constant emphasis on "solutions that benefit the community as a whole" as the purpose of citizen empowerment. Power is useless unless it has purpose.

Last, but certainly not least, I want to thank Ellen Clarkson, Esq., Chief Operating Officer of The Citizens Campaign, for her research, writing and editing contributions. To say that this manual could not have been produced without her would be a gross understatement. Her deep appreciation of the "No-Blame" philosophy and the need to exercise it, not just in the governmental realm, but in all aspects of our lives, is inspiring to all of us.



# OP RA



## ■ CHAPTER ONE ■

# CITIZEN POWER

## IN THE 21<sup>ST</sup> CENTURY



- ✓ Expanded citizen problem solving power through advances in technology
- ✓ Expanded citizen rights to participate in government decision-making
- ✓ Accessing current policy details (the Open Public Records Act)
- ✓ Introducing your solutions (the Open Public Meetings Act)



### THE 21<sup>ST</sup> CENTURY HAS USHERED IN NEW CITIZEN POWERS AND NEW WAYS TO EXERCISE THEM

This can have a tremendous impact on our historically passive and reactive roles. We don't have to wait on the sidelines for our government officials to act. We are no longer limited to protesting or "voting the bums out." We now have the power to become proactive citizen leaders solving problems and advancing practical solutions to today's challenges without waiting for the political establishment to act.

## USE TECHNOLOGICAL TOOLS AND RESOURCES TO EXPAND YOUR CITIZEN POWER.

The phrase “knowledge is power” may be a cliché, but it is more true than ever in today’s civic arena. If we want to play a role as practical problem solvers, working to find and offer solutions to the real and pressing issues facing our communities, we have to be able to research, compare and share solutions that have been successful in cities and towns across the nation and even around the world.

In the past, time-consuming comparative analysis of government policies in other cities or school districts was largely the province of full time government staff, like city administrators, and often required some expertise. But now, using the internet, and search engines like Google and Bing, this type of research can be done by regular citizens with limited time.

Citizens can research workable solutions that have produced cost effective positive effects in other cities and offer them for adoption in our own hometowns.

## YOU HAVE EXPANDED CITIZEN POWER THROUGH MODERN ADVANCES IN TECHNOLOGY.

The meteoric rise of the internet in our time has had a profound effect on our ability to engage and take an active role in the governing of our communities and country. Now, citizens can play a significant role in improving government problem solving by searching for successful policies at work in similar communities and offering them for consideration in their own towns. Citizens can expand government problem solving capacity and shift the political focus from who has the power to who has the solution.



Now, Citizen problem solvers can commit to better their communities by researching and advancing practical solutions to community issues and challenges. Practical solutions are based on evidence of success – which means they have been demonstrated to work in communities similar to our own.

“Searching” on the internet via Google or any search engine allows us to find, analyze and compare policies that are working well in other communities, while also researching news articles, expert opinions, studies, public documents, and more. At the same time, we can rely on technology via social media channels and apps to “share” our findings with fellow problem solvers, with government officials, and with the greater community.

## **OPRA** OPEN PUBLIC RECORDS ACT

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YOU HAVE A “RIGHT TO KNOW” UNDER NEW JERSEY’S OPEN PUBLIC RECORDS ACT (OPRA) (CODIFIED AT NJSA 47:1A-1 ET. SEQ.)

**OPRA is one of the most powerful tools in the citizen arsenal. It ensures your right to access and examine the details of government policies made by a government or public agency in the course of public business, including your local government and board of education.**

Records including paper documents, electronic files, audio recordings, etc., reveal such policy details as costs, the staff responsible for policy implementation, time limits for action, and more.

Historically, most records were legally considered government property, accessible only to government officials, and this did not include ordinary citizens like you and me. Passage of OPRA reversed that thinking, and now such records are considered the property of the people. This puts all of us, citizens and the government officials who represent us, on a level playing field in terms of access to information.

FOLLOWING ARE THE BASICS AND PRACTICAL HOW-TOs FOR EXERCISING OUR NEW CIVIC POWERS.

## HOW TO USE OPRA

**So once you've made the decision to become a problem solver and have determined the issue you are passionate about, you can investigate what your city or town has done in the past, and is currently doing.**

You can begin your research by simply exploring your city's website for information, reading news items and checking for any media coverage on the issue, or calling and speaking with the city clerk, or other government office, which may have information.

But the most powerful way to get this information is by exercising your rights under OPRA. Filing an OPRA request gives you the most effective and thorough way to find out if and how your city is dealing with your chosen issue. This gives you the ability to compare your town's existing policy to those solutions you find to be successful in cities and towns similar to your own.

## GET AN OPRA REQUEST FORM

**Anyone can file an OPRA request form**

For all municipalities, the City Clerk has the form and is formally designated to process it once you fill it out and submit it. *(PLEASE NOTE: THE OPRA FORM IS OFTEN AVAILABLE ON THE CITY'S WEBSITE.)*

If you want records or documents from the school board, you first have to find out who the designated custodian or keeper of the board's records is – try contacting the school board secretary or checking the school board's website for this info.

For any other public body or agency, you must also find out who is the designated custodian.

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## FILLING OUT THE OPRA REQUEST FORM THIS IS AN IMPORTANT STEP FOR SEVERAL REASONS

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**OPRA does not give you the right to simply ask for information. You need to ask for a document.**

If your request is not specific enough, you may get voluminous copies of documents you may have to sift through to get the information you really need. Ask for documents that reveal the policy you are researching. You don't want to have to file several requests that would extend the time for you to get all the information you need.

So remember, an OPRA request is for written records or documentation, **not** general information!

**Here is a list of possible documents that may be requested if you are researching municipal policies:**

- Ordinances
  - Executive Orders
  - Resolutions
    - identify public body; and possible date parameters
  - Government memoranda
  - Government contracts – identify possible parties
  - Audits
  - Minutes of meetings
    - if possible, narrow down on meeting dates
  - Closed session meeting minutes
  - Budgets (including staff salaries)
  - Reports
  - Emails – identify sender or recipient
    - a reasonable date range
    - a reasonable subject matter
-

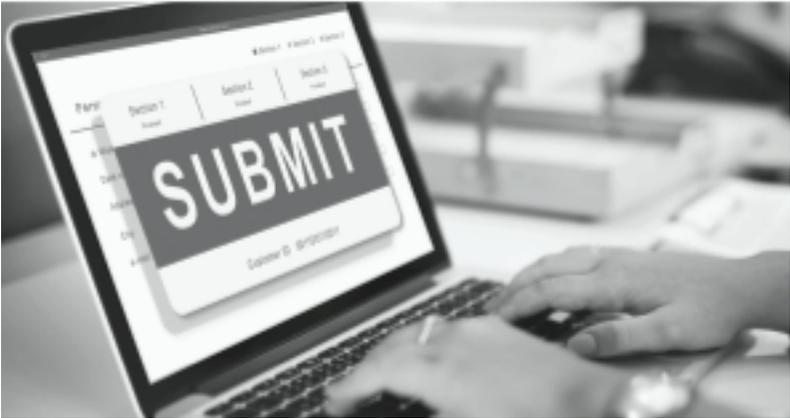
## SUBMITTING THE OPRA REQUEST FORM

You can submit the OPRA request form by delivering it in person during regular business hours, or by mail, fax or electronically to the appropriate custodian of records.

For requests relating to your municipal government, this would be the municipal clerk.

For all other requests including school boards, submit to the legally designated custodian of record.

But in any case, you needn't worry, because if you submit the form to the wrong public employee, they are obligated to forward it to the correct custodian or tell you who that person is.



AND IF THEY DON'T HAVE A FORM AND YOU WANT TO FILE AN OPRA REQUEST, WRITE ONE FOR YOURSELF.

- Date your request
- Identify it as a request being made pursuant to OPRA
- Describe the records being requested
- Identify yourself and how you wish to be contacted

You also have the right to view and inspect records in person in the office where they are kept.

## OFFICIAL RESPONSE TO AN OPRA REQUEST & WHAT YOU CAN DO

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- **A municipality/public agency must respond to an OPRA request within 7 business days of its receipt by that agency unless it is particularly lengthy or otherwise difficult to fulfill.**

The response must be in writing and can either be granted or denied; ask for more clarity or ask for an extension of time to respond. Sometimes the clerk will call you if clarification is needed; and you can call the clerk's office if the 7 days have gone by and you haven't heard anything.

- **Such communication can afford you an opportunity to build a positive relationship with your local officials and the city employees who serve your community.**

They usually know a lot and can provide useful information on a less formal basis. They can also become a resource for you as you proceed to develop your solutions and down the road present them to public officials.

- **However, if the response is a denial of your request, look at the list of records that have been specifically excluded from public access under the OPRA statute and determine if your request legitimately falls within one of the exceptions.**

There are a limited number of sensitive items, like personnel matters, ongoing litigation materials and current contract negotiations, which are not available under OPRA.

- **A public agency can also deny your request if it concludes that such a request would substantially disrupt agency operations and a reasonable solution can't be worked out between you.**
-

But the burden remains on a municipality to demonstrate a compelling interest in keeping documents secret and out of the public eye.

So, if you don't agree with officials that the information you are seeking is legitimately private, you can try to negotiate with officials and/or revise your request so you might get the information you are seeking in another way:

- you can file an appeal to the state Government Records Council (GRC) which will resolve the situation through a mediation process,
- or you can start legal proceedings in the Superior Court of New Jersey.

An appeal to the GRC is free and is authorized under OPRA so it usually represents the better alternative when compared to the costs and time involved in litigation.



## **COSTS:**

**INSPECTING RECORDS IS FREE; COPYING/REPRODUCING RECORDS IS NOT; SOME SPECIAL FEES MAY ALSO APPLY IN CERTAIN SITUATIONS.**

You can go to a public agency office during normal business hours and request to look at public records.

There is no charge for doing this, however, if you want copies of records, OPRA currently allows public bodies to charge 5 cents per letter-size page and 7 cents per legal-size page under ordinary circumstances.

The agency can charge more if it can demonstrate that its actual costs for duplication is higher or it can pass on to requestors additional expenses where providing copies of such records “involves an extraordinary expenditure of time and effort to accommodate the request.” In any case,

the agency is required to inform you about any costs that may be involved and it may also require a deposit if the costs are above a certain amount.

**A Citizens Guide to OPRA published by The State of New Jersey is available on the state website at [www.nj.gov/opra](http://www.nj.gov/opra). The guide provides information and answers to frequently asked questions about OPRA.**

## **OPMA** OPEN PUBLIC MEETINGS ACT

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**You have a “Right to Speak” at meetings of government bodies under New Jersey’s Open Public Meetings Act (OPMA) (codified at NJSA 10:4- 6 et.seq.)**

This right guarantees citizens the opportunity to present their solutions for adoption at meetings of government bodies including city councils, school boards and planning boards.

Prior to passage of OPMA, citizens’ input was mostly reactive and restricted to comments on laws and policies proposed for adoption by government officials. Now, citizens have the right to introduce their own solutions, even during agenda meetings when officials are considering what actions they intend to consider (there are certain limitations on this right which are detailed with additional OPMA info below).

**Similar to OPRA, the Open Public Meetings Act or OPMA, also known as the Sunshine Law, was adopted to ensure transparency in our government decision-making processes. Citizens should be able to “witness in full detail all phases of the deliberation, policy formulation and decision making of public bodies.”**

**This purpose was considered by the Legislature to be “vital to the enhancement and proper functioning of the democratic process” as secrecy in public affairs undermines both the government’s role as well as that of citizens. OPMA applies to public bodies, which are voting bodies that are empowered to spend public funds or affect persons’ rights. Thus the city or town council, school board and planning board all fall under its purview.**

TO CARRY OUT ITS MANDATE, OPMA REQUIRES THAT PUBLIC BODIES DO THE FOLLOWING:

- Afford adequate advance public notice of their meetings
- Ensure that all citizens have the right to attend and video-tape those meetings
- Formally let the public know when the body is going into closed session and will be excluding the public and the reasons for doing so
- Keep minutes of all meetings which should be promptly made available to the public, as well as minutes of closed sessions, which should be made available at an appropriate time, meaning when the reason for keeping the matter closed no longer exists
- Set aside a portion of every meeting of the town’s governing body and school board for public comment on any governmental or school district issue “that a member of the public feels may be of concern to the residents of the municipality or school board.”

The set-aside time requirement for public input at city council and school board meetings is especially relevant to our role as problem-solvers. This right allows regular citizens to present their solutions to government officials and the public, and thereby becoming partners with their elected officials in expanding

their communities' problem solving capacity.

*(In Chapter 4 we will discuss the do's and don'ts for making an effective presentation.)*

It must be noted, however, that when a public body provides time for public comment, it may also adopt rules regarding how that right is exercised.

There can be a time limit placed on speakers; also there may be a requirement that speakers register to indicate their intention to speak in advance of the meeting or simply at the beginning of the meeting.

Although not identified under OPMA, citizens also have a legal right to audio and/or video tape meetings, with the same caveat that the public body has the right to adopt policies governing how the right is exercised. You should be aware of any restrictions or limitations the public body may have in place regarding such recordings.

## **PUTTING OPMA AND ITS PRINCIPLES TO WORK FOR YOU**

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There are various ways that your right under OPMA to attend and speak at government meetings can help you play a role in our government's decision-making process.



**FOR EXAMPLE:** You have the right to introduce proposed school curriculum changes and additions at a school board meeting. Or you may attend a planning board hearing to offer proposed revisions to your city's master plan.

You can also attend any and all council meetings (both agenda and voting meetings) to propose practical, evidence-based solutions which have been successful in similar cities or towns.

### **HERE ARE SOME GENERAL POINTERS WHEN YOU ATTEND PUBLIC GOVERNMENT MEETINGS:**

- **Get general information**  
about the meeting times, dates and locations of the meetings you are interested in attending
- **Know the rules for citizen input**
  - When during the meeting can citizens speak?
  - Do citizens have to indicate in advance that they want to speak at the meeting?
  - Are there time limits for speaking?
- **Be respectful at all times,**  
even when challenged or others are rude or dismissive to you – you will get better and more positive results if you are respectful of all participants whether you are asking a question or making a statement
- **Arrive early**
  - This will give you an opportunity to meet and maybe chat with government officials before the meeting starts;
  - You can see and pick up a copy of the meeting agenda so you know how meeting matters are prioritized;
  - You can speak with the clerk or secretary to ask if there's a sign-up sheet or any other information that may be helpful for the public to know;

- You can introduce yourself to public officials and to any media people covering the meeting
- You can meet your neighbors and other citizens who may also be interested in a specific issue.



PRACTICAL  
SOLUTIONS  
EVIDENCE  
SUCCESS  
BENEFICIAL  
COMMUNITY  
EFFECTIVE  
COSTWISE



## ■ CHAPTER TWO ■

## THE POWER OF PRACTICAL SOLUTIONS

### The **3** Principles of Pragmatic Problem Solving



- ✓ Solutions should be based on evidence of success
- ✓ Solutions should be cost-effective
- ✓ Solutions should be beneficial to the community as a whole

**To identify a problem is to complain, usually with no positive result. To identify a problem *and* offer a solution is to lead, and to better your community.**

Citizens often appear before their city council or school board when a problem arises, **FOR EXAMPLE**, a problem with flooding or a problem with student discipline. They feel that by bringing the problem to the officials' attention, they have done their duty; and they are right, but only in part.

They would be much more effective if they offered a solution, or even just a first step towards a solution, that could improve the situation and benefit their community.



Local public officials often shoulder an extensive list of ongoing responsibilities and face multiple issues in representing the communities they serve. They can use your help!

You can learn how to find and present practical solutions that have been proven to work, for adoption by your local government or school board.

**YOU CAN BECOME A PROBLEM SOLVER AND GET RESULTS ON THE ISSUES YOU CARE ABOUT!**

The democratic principles and values inherent in the role of citizen problem solver have roots going back to the ancient Greek city-state of Athens, the birthplace of modern democracy. Upon reaching maturity, young Athenians stood together in the public square and took an oath to uphold the public's civic duty to leave their city not less, but greater and more beautiful than it was left to them.

## **THE CIVIC PLEDGE**

**I pledge to leave my community and my country better than I found them.**

**To search for solutions instead of simply pointing out problems.**

**To work on solutions that are “doable”  
– that are Cost Effective  
and based on Evidence of Success.**

**To pursue the adoption of solutions  
with a No-Blame approach.**

In the same way, when we take action in the role of problem solver we are acting on a pledge “to leave our community and country better than we found them by pursuing practical solutions instead of just pointing out problems and assigning blame.”

TO BE A TRULY EFFECTIVE PROBLEM SOLVER, YOUR SOLUTIONS SHOULD BE IN KEEPING WITH THESE 3 PRINCIPLES:

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**THEY SHOULD BE BASED ON EVIDENCE OF SUCCESS.**

Simply put, this means the solution has been demonstrated to work in towns and cities similar to your own.

**THEY SHOULD BE COST EFFECTIVE.**

Basically, this means that the solution you are proposing is cost-saving or neutral in its impact on your town or city’s budget.

**THEY SHOULD BE BENEFICIAL TO THE COMMUNITY AS A WHOLE.**

This means that the solution you are proposing will be of benefit to the greater community, not just your block, your home, or your personal interest.

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*Practical solutions embody these distinguishing characteristics because when they are based on evidence of success, they are less vulnerable to ideological opposition. When they are cost effective, they are not constrained by tight budgets. When they benefit the community as a whole, self-interest does not become an issue.*

Thousands of citizens have been successful at finding, developing and advancing practical solutions in their cities and towns. These include policies that have improved police/community relations; policies that have saved millions of taxpayer dollars in government contracting; and policies that have helped make our communities more prepared to handle severe weather conditions. In the chapters that follow you will learn how to find, develop and advance “practical” solutions so that you will have the best chance of success in getting your proposed solutions adopted.

# NO BLAME POWER



## ■ CHAPTER THREE ■

## THE POWER OF THE NO-BLAME APPROACH

The “No-Blame” strategy for advancing solutions in the arena of politics and government is a lot more than a matter of courtesy.

It is a powerful and sophisticated political strategy which keeps the focus on your solution and increases your ability to make progress.



### A “NO-BLAME” APPROACH HAS SEVERAL BENEFITS

**FIRST**, and perhaps most importantly, it keeps you from being marginalized. When you approach an issue by blaming officials for a bad policy or for their failure to solve a problem, you can easily be cast as a gadfly or crank, and you lose credibility.

**SECOND**, a “No-Blame” approach keeps officials from becoming defensive and turning off to the benefits of your solution. The smart move is to find something in the current policy that you can agree with and offer to help make it better. Becoming “the helper” puts you on the side of the officials you are trying to convince.





ANOTHER WAY TO KEEP OFFICIALS FROM BECOMING DEFENSIVE AND WORKING TO SHUT DOWN YOUR PROPOSAL, IS TO RECOGNIZE THEIR GOOD INTENTIONS.

Working as a **“helper”** to achieve the good intentions of elected officials also permits you to be open-minded to their concerns and to shape your solution to deal with any of the official’s objections while still keeping the core tenets of your proposal intact. We call this **“doing the doable.”**

Finally, remember that you will need support from the media and the public as you pursue adoption of your solution.

In this case the old axiom that “if you give respect, you command respect” applies. In other words, you can keep the pressure on for adoption of your solution if you keep the respect of the press and the voters.

**It’s good to remember that as a citizen problem solver, your purpose is to serve together with your elected officials in the pursuance of practical solutions. It is not your idea versus their idea.**



A REMARKABLE EXAMPLE OF THE POWER OF THE NO-BLAME APPROACH CAN BE FOUND IN DR. MARTIN LUTHER KING'S SUCCESS.

Dr. King overcame immense opposition to the Voting Rights Act of 1965, 79 Stat. 437, by using a strategy of non-violence, in other words, a No-Blame approach that kept the focus on his solution until its adoption was unavoidable.



# PURSUIT DOABLE ISSUES PURSUIT ISSUES



## ■ CHAPTERFOUR ■

## USING THE STRATEGY OF NO-BLAME PROBLEM SOLVING



- ✓ Identifying Your Issue and Finding Solutions
- ✓ Adapting Your Solution to Make It “Doable”
  - ✓ Presenting Your Solution for Adoption
  - ✓ Respectful Pursuit to Implementation of Your Solution



### IDENTIFYING YOUR ISSUE AND FINDING SOLUTIONS

We know that today’s technology has often been used to communicate a global dimension to many problems, and that it has also expanded our awareness of pervasive and significant underlying problems like racial injustice. But we already know that many of the problems we face in the 21st century are complex and substantial.

**So, the first step to be taken regarding the issue you care about is to discuss and identify the broad policy areas that you (and your group) are passionate about.**

**FOR EXAMPLE:** are you interested in problems in the environmental arena, or in the area of education, or in public safety?

Some of the broad areas that most citizens are generally interested in are:



- Education
- Public Safety
- Environment
- Government Innovation/  
Reform & Waste-Cutting

Next, moving from these broad categories, “**drill down**” to a more specific problem that you believe you can tackle with a “**doable**” solution.

**SOME EXAMPLES OF MORE SPECIFIC PROBLEMS ARE:**

- safety in your city’s parks
- abandoned and deteriorating properties affecting your neighborhood
- discipline policies in your child’s schools.

NOW YOU MAY HAVE IDENTIFIED SEVERAL PROBLEMS, SO IT’S TIME TO PRIORITIZE.

Consider the following in doing so:

- if working in a group, which issues are of most concern?
- What community support can be expected in support of this issue?
- how politically difficult is the problem?
- how big is the scope of the problem?
- how opportune is the time to address the problem?

## SUBMIT AN OPRA REQUEST

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So, once you’ve made the decision to become a problem solver and have determined the specific issue you are passionate about, you need to investigate what your city or town has done thus far to address the issue.

IN OTHER WORDS, WHAT IS THE CURRENT POLICY IN YOUR TOWN OR CITY?

You can begin your research by simply exploring your city’s website for information, reading news items and checking

for any on the issue, or calling and speaking with the city clerk or other government official who may have information. But the most powerful way to get this information is through the exercise of your rights under OPRA (the Open Public Records Act).

FILING AN OPRA REQUEST GIVES YOU THE MOST EFFECTIVE AND THOROUGH WAY TO FIND OUT IF AND HOW YOUR CITY IS DEALING WITH YOUR CHOSEN ISSUE.

This gives you the ability to compare your city's existing policy to those solutions you may find to be successful in cities and towns similar to your own.

## MOVING BEYOND OPRA REQUESTS CONDUCTING BROADER EVIDENCE-BASED RESEARCH

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**Filing an OPRA request to determine how your city/town is dealing with an issue represents the beginning of your search for a solution.**

It will not only inform you about the current policy, it will suggest words that you can “search” and other details that will help you conduct broader evidence-based research, as you look at how other communities similar to your own have addressed the problem.

**This can be accomplished by pursuing several avenues. An internet search utilizing appropriate key words is the place to start.** FOR EXAMPLE:

If your chosen issue is in the area of “education” narrowed down to “bullying and student behavior” in schools, you could use the key words “best practices, student discipline policies” to begin your search. If the first 10 items that come up on your search don't appear relevant, try narrowing your search with other key words.



**NEXT**, check websites of colleges and universities and connect with specific departments or academic centers that deal with your chosen issue. Do the same for professional associations and organizations with a focus on local government or specialty subjects. **FOR EXAMPLE:** The Mayors Association; The New Jersey League of Municipalities; The New Jersey Association of Environmental Commissions.



In all of these research strategies, look for policy papers, news stories, articles in newspapers and respected publications, expert opinion columns, and the like, for information about the issue and solutions that have been implemented with successful results.

When evaluating your results, make sure the solutions you found have been implemented in cities and towns similar to your own, **FOR EXAMPLE:** in terms of amount of city or school board budget, size of population, economic demographics, etc.

Also, utilize media literacy skills when conducting your research to confirm the authenticity and value of the sources of information.

*(See Chapter 6 on Media Literacy in the Search for Solutions)*

## ADAPTING YOUR SOLUTION TO MAKE IT “DOABLE”

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**NOW** you’re at a point where you’ve determined the current policy through your OPRA requests and conducted your own evidence-based research for best-practice solutions. It’s time to sift through the information you’ve gathered and then shape it with information relating to the practicality of implementing the solution you are proposing.

Using the information gathered via OPRA and your evidence-based research for successful solutions, determine which type of solution may be the best fit, taking into consideration where your community's current policy is and where you want it to be.

**REVIEW** the details of the current policy you received through OPRA and determine what measures may be in place and what actions your city has taken with regard to the issue. Follow up with the appropriate parties, **FOR EXAMPLE:** The city clerk, the city official responsible for running a program, the budget officer, etc.

Also, connect with members of your community, professors and individuals at local academic institutions and associations who may have significant knowledge about policy implementation, program costs, challenges, evidence of success, etc.

- Most importantly, find out what, if any, new staff were required in implementing the solution you identified and how long it took to successfully implement.
- Then, analyze all the information you collected, and tailor your solution to build upon the positive aspects of the current policy and take into consideration any ongoing efforts by officials to improve it.
- Finally, consider the available staff and funding before you decide how big a change in policy you propose as the first step toward your ultimate goal.

## **MAKE SURE IT'S COST EFFECTIVE**



**ONE** of the most important aspects of any proposed solution concerns cost. How much will it cost to implement the solution & where would the money come from? Answers to these questions are especially relevant in today's fiscally-challenged and economically disadvantaged cities.

## DETERMINE WHAT COSTS WILL BE ASSOCIATED WITH IMPLEMENTING YOUR PROPOSED SOLUTION.



- Evaluate possible costs such as administrative costs, staff time and new hires, as well as any potential savings.
- Look at your city's budget with an eye on possible line items that might cover any new or additional costs.
- By the same token, look at the budget to determine whether there may be areas from which savings could be generated to offset possible new costs.

If it turns out that implementing the solution is NOT covered or only partially covered by the municipal budget, explore and suggest alternative funding sources such as grants, crowd-funding, and special campaigns.

Alternatively, you might determine that the solution is cost-neutral, with little or no impact, or better yet, that the solution results in cost savings, whether immediately or in the long-run.

UNDERSTANDING AND BEING ABLE TO EXPLAIN THE COSTS OF IMPLEMENTATION OF A SOLUTION IS A PREREQUISITE TO ANY PRESENTATION OR SOLICITATION FOR SUPPORT FOR ITS ADOPTION.

## DO THE DOABLE

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**Getting anything done in the politically contentious world is a challenge. Moreover, in trying to find solutions addressing the problems in our communities, it is helpful to understand that most issues in today's world are often complex and without simple or cost effective solutions.**

Therefore, when you are seeking to address a problem that may be considered pervasive or multi-faceted, or perhaps costly to take on, it is advisable to learn to "do the doable," that means breaking your solution down into parts or steps.



**FOR EXAMPLE:**

- Offering to “**phase in**” a solution accommodates implementing the solution over time, (i.e., phases), and may allow for building up the resources or financial support that may be required for full project implementation.
- Offer to do a “**pilot**” project, which in essence provides a trial period for your project, may address any skepticism or concerns and objections that government officials might have about the project.
- Allowing a “**trial time**” to experience a project may bring with it support for your project down the road.
- Another approach may be to formulate the solution by simply offering a “**first step**” in its implementation, thereby creating political traction and building momentum for the ultimate solution you want to see implemented.

## **GET EXPERT SUPPORT AND ADVICE AND DRAFT A READY-TO-ADOPT SOLUTION**

Now it's time to put pen to paper (figuratively speaking) and begin drafting a constructive proposal. A constructive proposal will form the basis for any presentation you make to a public body for adoption of your proposed solution. And when you share it with friends and other citizens concerned about your issue, it can generate public support for your solution.

## THE FIRST DRAFT OF YOUR PROPOSAL



Your proposal should start out as a brief report (2 to 3 pages at most) that you can share with experts and professionals who can furnish additional information to help you finalize your proposal and increase the chances of its successful adoption.

### THE INITIAL REPORT SHOULD INCLUDE:

- 1 ■ The details of the current policy from the response to your OPRA request that demonstrates the past and/or present efforts of local government officials to address the issue and any positive elements of the current policy worth keeping.
- 2 ■ Information about your proposed solution, especially its evidence of success and how you think it can fit in your city or town. This includes the information you gathered in your evidence-based research about the history or background of the issue in general and as it pertains to your community in particular. Include examples of the solution working in other places and explain why it should work in your community.
- 3 ■ Your cost analysis: This includes any cost saving or the information you got from reviewing your city's budget, such as how funds currently allocated to address this issue are being used or other possible sources of funding.

**SHARE** your report with professionals and experts who are knowledgeable about local government and your issue who can help you analyze and evaluate your proposed solution. These individuals may be members of your community with significant knowledge of the issue and/or firsthand accounts and experiences in working in the field or in serving in government positions.

**FOR EXAMPLE:** You might seek advice by speaking with the City Clerk or City Administrator, or a respected retired government official, or a local attorney.

Connect with professors at law schools and universities who have expertise in local government matters;

**FOR EXAMPLE:** The Bloustein School of Policy and Planning at Rutgers University, or the William J. Hughes Center for Public Policy at Stockton University; or experts at associations such as the Urban Mayors Association, or the New Jersey League of Municipalities.

***You might also find helpful information in the Menu of Solutions found on The Citizens Campaign’s website, or by forwarding your complete report with all of the above elements to The Citizens Campaign’s Law & Policy Task Force.***



### **THESE TWO FACTORS ARE RELATED AND IMPORTANT:**

Incorporating any feedback or additional information you receive from consulting with professionals and expert sources leads to the last two components of a constructive proposal:

- Determining which public body has the authority to take the actions you propose
- Crafting your solution into a ready-to-adopt format

**FOR EXAMPLE:** If your solution requires that a new law be adopted, your proposed solution would take the form of an

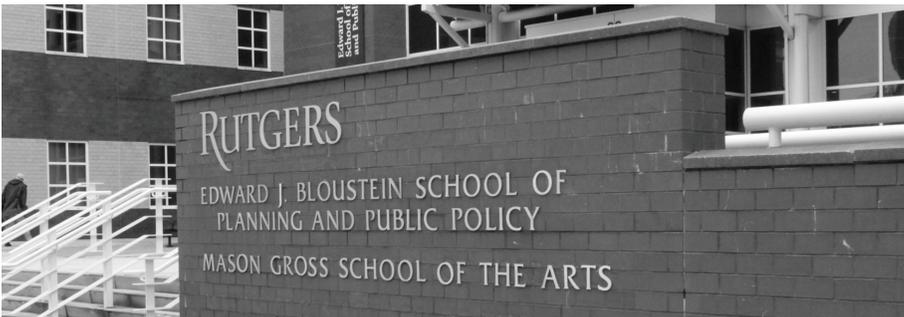
ordinance and would be directed to your local officials, i.e., the Mayor and City Council, the governing body with the authority to enact laws for our towns and cities.

On the other hand, **executive orders** are usually issued by the chief executive – this means the mayor. Also, different public bodies have different areas of decision-making power under the law. Thus, if your proposed solution is to change the construction code, you would need the approval of the state rather than your town.

So here is another time to consult with professionals and experts in local government for advice on the form of your solution and the appropriate forum for considering it. This is really a necessity. It insures that you're not wasting your time appearing before the wrong public body.

To make sure you are presenting to the right officials, other ways of determining the right forum include checking your OPRA response to see who adopted the current policy, or just asking the city clerk or school board secretary.

Also, experts and knowledgeable professionals in local government can be found at law schools and universities in your area such as: The Center for Government Services and/or Edward J. Bloustein School for Public Policy at Rutgers University, or the Rebovich Institute for New Jersey Politics at Rider University, or at associations such as the New Jersey League of Municipalities, the Urban Mayors Association, the League of Women Voters, New Jersey Planning Officials or the New Jersey School Boards Association.



**YOUR INITIAL REPORT SHOULD NOW BE DEVELOPED INTO A FINAL CONSTRUCTIVE PROPOSAL WITH THE FOLLOWING COMPONENTS:**

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- State the issue or problem for which you will be proposing a solution.
  - Provide background information about the issue or problem, including the fact-based reasons for addressing the problem in the manner which you will propose. This is where you state your findings resulting from your evidence based research, OPRA requests, and cost analysis.
  - Propose a solution that aims to rectify the issue, preferably in persuasive language that highlights the benefits of the solution.
  - Identify the power center responsible for implementing the proposed action.
  - Indicate how the solution will be enacted, i.e., the form of the solution – ordinance, resolution, executive order, etc.
    - Attach the legal form of your solution if one is available from your research, or from The Citizens Campaign Menu of Solutions, or if you have one you drafted with the help of experts.
    - Make sure the legal form of your solution includes recognition of the positive aspects of the existing policy.
-

## PRESENTING YOUR SOLUTION FOR ADOPTION

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Now that you have found and developed your solution, you should start preparing for the meeting where you will be presenting it.

BESIDES THE MEMBERS OF THE GOVERNMENTAL BODY THAT WILL BE HEARING YOUR PROPOSAL, ASK YOURSELF WHO ELSE MIGHT HAVE AN INTEREST IN YOUR PROPOSAL.

### **Reach out to those individuals and groups.**

**FOR EXAMPLE:** if your solution is going to be before the Board of Education, then it might be helpful to seek the support of the teachers union and/or the PTO. Tell them about your proposal, the evidence that it works and is cost effective, and let them know you plan to present it for adoption. Ask them if they have any suggestions and, if they are supportive, to come to the hearing and speak in favor of your proposal.



You can also share information about your proposal and the upcoming hearing with friends on social media and you might notify traditional media outlets as well.

Finally, if you think that the general public would be broadly supportive, you might request that the specific hearing date, time and place, with a brief explanation of your solution, be included on a community calendar in your local newspaper.

**Of course, before you arrange to go to a meeting and make your presentation, you should gather information about the meeting times, dates and locations for the public body that will be considering your proposal.**

Becoming familiar with the rules and the conduct of the public body which will be hearing your proposal is a very important component of planning for your presentation. There are two important ways to accomplish this.

**FIRST, you should consider attending a meeting or two, in advance of the meeting where you will be making your presentation.**

When you go to such meetings, you should arrive early—this will give you an opportunity to meet and maybe chat with government officials before the meeting starts; you can pick up a copy of the meeting agenda so you know how meeting matters are prioritized. You can also speak with the clerk or secretary to ask if there's a sign-up sheet or any other information that may be helpful for the public to know. In any event, whether at a prep meeting or the meeting for your presentation, introduce yourself to public officials and to any media people covering the meeting and say hi to your neighbors and other citizens you may know who are attending.

**SECOND, but equally important, is to obtain a copy from the city clerk or secretary to your school board or look online for the rules for citizen input at the meetings.**

While we know that citizens have a legally guaranteed right to speak, you should also know that there are rules affecting the practical exercise of this right. **FOR EXAMPLE:** Do citizens have to indicate in advance that they want to speak at the meeting? When during the meeting can citizens speak? Are there time limits for speaking? These practical considerations have an impact on your presentation, so you need to have the answers in advance. If citizens only get to speak towards the end of a meeting, you might have to make special arrangements for child care or other matters.



IT IS ALSO USEFUL TO KNOW HOW LONG YOU ARE PERMITTED TO SPEAK SO THAT YOU CAN TAILOR YOUR PRESENTATION TO FIT THE ALLOTTED TIME PERIOD.

Sometimes citizens can team up to make a presentation in parts when the complete presentation can't fit into a single citizen's allowed time period. If you have to sign up at the beginning or sometime in advance of the meeting, make sure you're on the meeting agenda to speak.

**IN SUMMARY**, it is always to your advantage to be familiar with the usual process and procedures of the meetings and hearings at which you will be presenting – you will feel more comfortable if you are prepared and know the lay of the land!



Being properly prepared also means dressing appropriately. Business attire is always a good choice, as that is what you'd expect council or board members to be wearing, and it is a fact that impressions are created even before we begin speaking. Thus, if you dress appropriately, you and your presentation will have a better chance of being taken seriously.

**NEXT**, after you've taken the lay of the land and know the rules for engagement, you should prepare to deliver a respectful, constructive and, therefore, politically effective presentation.

**ONE OF THE MOST IMPORTANT FACTORS TO CONSIDER IN PREPARING TO DELIVER YOUR PRESENTATION IS THE PRINCIPLE OF MUTUAL RESPECT.**

The most persuasive presentation will be a respectful one. Conducting a respectful presentation necessarily means using a No-Blame strategy. If you rely on a respectful, No-Blame approach, you will set the proper tone for the presentation and increase your chances for a more positive and successful outcome. Be respectful at all times, whether you are asking a question or making a statement, even when you are challenged, or others are rude or dismissive to you.

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**Remember if you give respect  
– you can command respect.**

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## **BEGIN BY THANKING THE OFFICIALS FOR GIVING YOU THE OPPORTUNITY TO SPEAK.**

Then lead off your presentation with a review of the current policy you found using OPRA and your personal inquiries.

## **IDENTIFY AND PRAISE THE PARTS YOU AGREE WITH.**

Go on to say that the solution you are presenting will positively build upon these aspects. Make sure you complement the public officials and any other appropriate officials on the progress they've made so far in the issue area your solution is impacting.

**It is important to note that here again, the No-Blame strategy means you do not criticize public officials who may disagree with your proposal, but rather that you find common ground in the current policy or at least recognize common goals and a belief that differences can be worked out.**

The good news is, however, that it is difficult for a public official to express disagreement with a proposed solution that is evidence-based (you have shown that the solution has worked in places similar to your own community), that is cost effective (you have shown that it will not have a negative impact on your city's budget), and you are utilizing your No-Blame strategy (exercising civility and respect throughout the process of finding and presenting your solution).



## HERE IS A SAMPLE PRESENTATION FORMAT

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**FIRST: Respectful opening remarks:**

*“Mayor \_\_\_\_\_ (or if the mayor is not in attendance Council President \_\_\_\_\_), members of the Council, my name is \_\_\_\_\_ and I reside at \_\_\_\_\_. I appreciate the opportunity to speak to you tonight and to hear your thoughts on what I hope you will consider a constructive proposal.”*

**SECOND: Recognize any past and present efforts of the council to deal with the issue you are speaking about.** Showing appreciation for their efforts will help them appreciate your effort.

**THIRD: Make your proposal with a realistic request for action.** Your proposal should include a request that specific action be taken with regard to the solution you are proposing. Asking the council to consider your proposal and take a practical “first step” is a constructive and politically-effective approach to doing this.

**FOURTH: Make closing remarks with a clincher.**

Not only should you request that action be taken, you should ask for the specific time frame for any action proposed. **FOR EXAMPLE:** if there is no response, or if the council decides to refer it to a department or a board or commission or to its professionals, you should ask “Respectfully, to whom is this proposal being referred, and when might we expect that your review of this proposal be completed and that we might receive a response from this committee?”

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This will avoid the situation that citizens often find themselves in after making a proposal, even a proposal that is delivered intelligently and responsibly— not knowing or being uncertain about what the public body thinks about the proposal and what, if any, action will be taken.

IF NOT ASKED TO SPECIFY HOW AND WHEN A RESPONSE WILL BE GIVEN, THE PUBLIC BODY WILL MERELY SAY THANK YOU AND MAY JUST MOVE TO THE NEXT ITEM ON THEIR AGENDA.

## RESPECTFUL PURSUIT TO IMPLEMENTATION OF YOUR SOLUTION



Follow-up after the presentation of your proposal is always needed. It would be rare indeed if a proposal is adopted at its initial presentation, and even in such an instance, a follow-up thank you to members of the public body would be in order. Here are some useful pointers in exercising respectful pursuit so that positive action on your proposal is the end result:

If at the hearing, your proposal is referred to a professional or subcommittee for further discussion or review, e.g., the town's lawyer or administrator or subcommittee of the council, always ask the following:

***“May I please ask for what purpose (IF NOT ALREADY STATED) this matter is being referred to the subcommittee or professional, and whether a report will be forthcoming, and if so, when?”***



### ADDITIONAL TACTICS OF RESPECTFUL PURSUIT INCLUDE:

- Offer to meet individually with Council members and/or town professionals to discuss the proposal and possible ways to move it forward and if an official makes a commitment to do something, always ask what time frame they feel comfortable with for fulfilling the commitment.



- After meeting with an official, follow up with a written thank you mentioning the commitments made by the official, the time frame they indicated they were comfortable with for fulfilling the commitment, and if it's an elected official who indicates that a department head or other staff person will act on the commitment, then copy that person on the thank you note as well. It's always a good idea to thank those people that offer assistance, including public officials and government workers; cultivating various sources is always useful.
- If there is a concern about the scale of your proposal or about inadequate resources to implement it, **offer a compromise** that might include implementing your proposal in phases or as a pilot program.

- Seek a resolution, or other recommendation of your solution, from an appropriate city or school district board or committee.
- Garner community support for your proposal from non-profit organizations, businesses, government employee associations or recognized leaders in your community; these individuals and entities can write letters of support, can show support by their presence at government meetings, and can advocate for your solution among their own constituents.
- Demonstrating that there are significant numbers of individual citizens in the community that actively support your proposal is another way to pursue its adoption. You can bring your friends and neighbors together to show support for your proposal by personally inviting them to a meeting at your home or other convenient location, posting flyers, or ringing doorbells.



- Enlist your neighborhood political party representative in support of your proposal. All municipalities in New Jersey are divided into election districts with male and female representatives of each district. These representatives are usually responsive to the concerns of their neighborhood constituents and can influence public officials. Speak to your neighborhood representatives about moving your proposal forward.
- Use conventional and social media channels to spread the word about your proposal and to have others publicly indicate their support for your proposal; you can speak about your proposal to a reporter or editor of a local



paper (both in print and online versions). You should also ask your social media contacts to spread the word about your proposal to their friends and contacts in an ever-widening circle of friends.

- Use communication tools and resources to follow up with government officials and build support for your proposal. Elected officials should pay close attention



to the mail, phone calls and emails they receive. You can conduct a letter-writing, phone call and email campaign reaching out to them. Personal letters in someone's own words can be very effective.

If you are contacting a council person or mayor and live in the official's voting district, when calling or emailing, always identify yourself as a constituent and give an address.

- You can create a blog that focuses on the issue and solution you are proposing and solicit comments.



- If it is legal in your town, you may use Initiative and Referendum if the solution does not require a change to the zoning ordinance or an appropriation of funds.

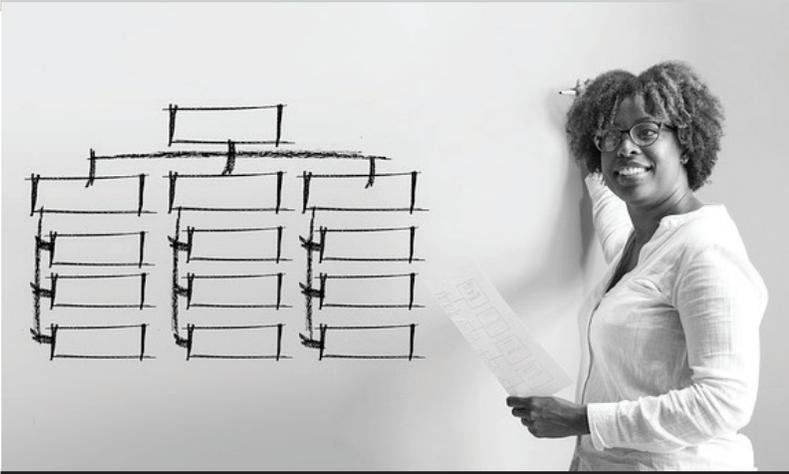


Initiative & Referendum should only be used as a last resort because it is very time consuming and may invite a legal challenge.

**NOTE:** Consult The Citizens Campaign’s Law and Policy Task Force regarding options for implementing your proposal that either may not necessarily require governmental approval, or may be accomplished by Executive Order rather than adoption of an ordinance.



# NO BLAME PROBLEM SOLVING SOLUTIONS



## ■ CHAPTER FIVE ■

# THE NO-BLAME PROBLEM SOLVING GUIDE



## The Guide

**In years of experience working with citizens and government officials, I have tried to develop a straightforward process that citizens can use to help them find solutions to the issues and problems they identify as important to them and their hometowns.**

**I have laid out this process in a “No-Blame Problem Solving Guide” which sets forth key steps beginning with identifying an issue, searching for and drafting a solution and, finally, getting it adopted.**

Each step involves certain aspects which should be considered, some requiring more time and attention than others. And while you may be passionate about an issue facing your community, it is often more effective to work with others, your friends and neighbors, in trying to address the problem and explore solutions. The Guide’s key steps allow for, and in fact encourage you to work together with others toward the betterment of your community. It is the Problem Solving Guide that is used by Civic Trustees and that has helped citizens pass over 300 local laws incorporating their chosen solutions.

*(Please go to chapter 9 to learn about becoming a Civic Trustee and/or creating a Civic Trust in your community)*

# KEY STEPS TO GET RESULTS

## STEP 1 IDENTIFY YOUR ISSUE FOCUS

### 1

DRILL DOWN TO A SPECIFIC PROBLEM YOU CARE ABOUT

- Engage in bottom-up conversations with your fellow citizens to identify consensus passions about specific issues
- Prioritize identified issues. Considerations may include: internal support (within the group), expected external support (from community and/or administration), timing, difficulty of the problem, scope of problem, etc.
- Drill down the issue(s) to a discernible problem that you believe you can tackle with a doable solution.

## STEP 2 SUBMIT AN OPRA REQUEST

### 2

FIND OUT HOW THE CURRENT POLICY WORKS

- First, investigate what your city is currently doing to address your priority issue by exploring the city's website, media coverage, or making phone calls to the office of the City Clerk.
- Dig deeper by preparing an OPRA (Open Public Records Act) request of documents creating the current policy for submission either to the City Clerk, or to the Secretary of the School Board, or to the appropriate party. Remember that you are requesting copies of existing records (e.g., resolutions, ordinances, written policies and procedures) so be as specific as possible.
- Find, complete, and submit the OPRA Request form to the appropriate party. Forms should be found on city websites; if not, call the City Clerk and have them email you a blank request form.

# KEYSTEPSTOGETRESULTS

## STEP 3 CONDUCT EVIDENCE-BASED RESEARCH

### 3 FIND PROVEN SUCCESSFUL POLICIES

- An internet search is the best place to start! Look up your priority issue to find policies with evidence of success in communities similar to your own. Look for news articles, policy papers, or websites on the topic.
- Dig deeper. Look into academic institutions, including university departments and centers that specialize in the issue area.
- Call or check websites of associations whose focus is local government (e.g. Urban Mayors Association) or who deal with your issue area (e.g. The New Jersey Association of Environmental Commissions).
- Review The Citizens Campaign's Menu of Solutions which contains evidence-based solutions developed by other Citizens Campaign participants and the experts from the Law and Policy Task Force.

## STEP 4 SHAPE YOUR SOLUTION

### 4 TAILOR YOUR SOLUTION TO FIT LOCAL CIRCUMSTANCES AND BUILD UPON THE CURRENT POLICY

- Dig deeper to determine what it took to implement your researched solution.
  - (1) How long did it take to put into effect?
  - (2) Were staff reassigned to implement it?
  - (3) Was any staff training required?
  - (4) Was the budget amended to reallocate funds for the new policy?

(STEP 4 CONTINUED ON NEXT PAGE)

# KEY STEPS TO GET RESULTS

## Step 4

- Review the current policy that you seek to modify or replace and determine if there are any parts of it worth keeping as is or with slight modification.
- Consider any feedback or concerns expressed by elected officials or government staff about your proposed policy.
- Now shape your solution to address the information you've collected in the reviews referenced above. The more your solution fits with and positively builds on the current policy, and the more it takes into consideration the feedback of government officials and the hurdles of implementation, the better chance of it being adopted and successfully implemented.

## STEP 5 MAKE SURE IT IS COST EFFECTIVE

THE KEY IS TO BE BUDGET NEUTRAL – OR BETTER

- From evidence you gathered in your research, determine whether there will be costs involved in implementing your solution such as: administrative costs, staff time, etc., or whether it will be cost-neutral (or better yet – cost saving).
- If there are costs involved, look at your city's budget to determine whether your solution would be covered by a particular line item, and if not, whether there are any other areas from which savings could be sufficient to offset the costs of your solution.
- If the solution is not covered by the city's budget and you cannot find any offsetting budget cuts, come up with alternative funding sources. Look for grants, consider crowd funding, etc. This is especially important if there are start-up costs that will disappear or be offset by savings in future budgets.

# KEYSTEPSTOGETRESULTS

## STEP DO THE DOABLE

### 6 THE ART OF PHASING AND PILOTING

- It's often better to start smaller and gain traction in order to build support and find funds for the overall solution.
- **“Phasing”** — implementing the solution in steps or phases — is a good tactic, especially when full funding is not available.
- **“Pilot”** projects are also useful when there is skepticism about your solution or when you need to show that start-up costs will be offset by savings in future budgets.

## STEP GET SUPPORT FROM OUR EXPERTS

### 7 SUCCESSFUL PRACTITIONERS CAN PROVIDE LEGAL AND STRATEGIC ADVICE

- Submit your research to The Citizens Campaign in a brief report that includes:
  - (1) The response to your OPRA request;
  - (2) Your proposed solution, evidence of its success and how you think it can fit in your city;
  - (3) Your cost analysis.
- After submitting the above research report, seek advice from The Citizens Campaign's Law & Policy Task Force to assist with your analysis and the development of your proposal, including the preferred legal action for adoption. Options include ordinances, resolutions, executive orders, and administrative policies or procedures.
- Incorporate changes suggested by the expert(s) or conduct any suggested additional research.

# KEYSTEPSTOGETRESULTS

## STEP **PRESENT A READY-TO-ADOPT SOLUTION**

### **8** PRESENTING A DRAFT LAW CALLS FOR A VOTE

- Get a copy of the legal document that created your chosen successful solution. It is a good starting point to begin implementing the solution in your town.
- Work with a volunteer lawyer or your town's attorney, if supportive, to incorporate your chosen solution into the preferred legal format. Options include ordinances, resolutions, executive orders, and administrative policies or procedures.
- Make sure to include language recognizing the positive aspects of your town's existing policy and any recent, related initiatives in the draft of the law to enact your solution.

## STEP **MAKE A RESPECTFUL PRESENTATION**

### **9** IF YOU GIVE RESPECT, YOU CAN COMMAND RESPECT

- Dress respectfully and address officials respectfully.
- Review your town's current policy and find what parts you agree with. Then come in complimenting the officials on that part(s) of the current policy and offer to build upon it.
- When speaking to the media, do not criticize public officials who disagree with your proposal. Be understanding of their positions and concerns and express confidence that you can work things out.

# KEYSTEPSTOGETRESULTS

## STEP RESPECTFUL PURSUIT

### 10 HOW TO DIPLOMATICALLY PUSH FOR ADOPTION

- If your solution is deferred for further discussion or review by government committees or experts, say: *“Please, may I ask to whom is this proposal being referred and when can we expect a response from this public body?”*
- When meeting with an official who makes a commitment to do something to advance your solution, always ask what time frame they feel comfortable with for fulfilling the commitment.
- After meeting with an elected official, follow up with a written thank you note mentioning the commitments made by the official and the time frame they indicated they were comfortable with for fulfilling the commitment.

If it's an elected official who indicates that a department head or other staff person will act on the commitment, copy that person on the thank you note.

- Ask the Law and Policy Task Force if there is a way to implement the solution without governmental approval.
- Keep your solution in the picture by using social media and conventional media and keep it “No-Blame.”
- Ask for help from a person of influence in your community.
- Seek a resolution, or other support recommending your solution, from an appropriate board or commission.
- Try an Executive Order (if the Law and Policy Task Force decides it's legal) if there aren't enough votes for adopting an ordinance.

(TURN TO NEXT PAGE)

# KEYSTEPSTOGETRESULTS

## Step 10 cont'd

- Seek support from a government employees' union.
- Wait until election time and seek sponsorship from an incumbent who is a candidate (presidential and gubernational election times are preferable).
- If you meet with continuing opposition from the decision-maker, offer a compromise, if possible, such as a pilot or phased-in approach.
- Use Initiative and Referendum if the solution does not require a change to the zoning ordinance or an appropriation of funds. Initiative and Referendum should only be used as a last resort.



# KEYSTEPSTOGETRESULTS



RESEARCH  
CREDIBLE  
FACTS  
RESEARCH  
CREDIBLE  
FACTS



## ■ CHAPTER SIX ■

## MEDIA LITERACY IN THE SEARCH FOR SOLUTIONS



**Technology enhances your ability to find successful solutions using search engines such as Google or Bing and share them with your fellow citizens on social media sites such as Facebook and Twitter.**

However, searching online isn't without its shortcomings. Information posing as fact has proliferated so widely that even the most discerning eye can be fooled. Poorly written articles by unqualified journalists and stories written to purposely misinform run rampant on the internet.

### YOUR CREDIBILITY RESTS ON THE VERACITY OF YOUR RESEARCH

If the research you present to a governing body, a journalist, or the public is misinformation, your credibility will be severely damaged. Fortunately, there are a number of ways to avoid getting tricked.



## **IT'S IMPORTANT TO APPROACH ANY INFORMATION YOU UNCOVER WITH A CRITICAL EYE.**



But how do you do this when even the most reputable sources may contain information that was misreported? The following tips are some of the ways you can evaluate the information you plan to use in your research.

### **FOREMOST, ENSURE THAT THE SOURCE/PUBLICATION WHICH YOU'RE READING IS CREDIBLE**

- Look for sites with a history of publishing credible information that are often cited by established organizations, such as major news outlets, think tanks, academic articles, etc.
- Look to see if the site you are researching publishes corrections to stories. No publication, no matter how reputable, has a perfect record of accuracy. Retractions and corrections show that their editors value facts.
- Find out if the site is referenced favorably by established opinion leaders. Do a search on Twitter to see what kind of conversations are taking place about the site you're looking at and if they are trusted.
- Snopes.com maintains a list of websites known to promote misleading news.

### **CONSIDER THE EXPERTISE OF THE STORY'S AUTHOR**

Authors have varied experiences as journalists and experts on any given topic. Sometimes news organizations assign inexperienced journalists to beats that require specialized knowledge, like court reporters and science writers. Do some research into their backgrounds — most have a LinkedIn or Twitter account — to help evaluate their experience. See if their reporting experience or academic history exhibits a competency in their beat.

## CONSIDER THE SOURCES THE STORY USES AS SUPPORTING INFORMATION

Online stories often contain links to primary documents, other news stories, personal testimonies, or statements on behalf of an institution.

## IF A QUOTED SOURCE CONTAINS A LINK, CHECK TO SEE IF THE LINKED STORY CORRESPONDS TO WHAT THE STORY IS REPORTING

If the source is a quoted individual, do a web search to find other stories quoting this person, find a company bio on the individual, or look for their social media profiles. Anonymous sourcing is a standard practice in journalism to protect a source who may be risking retaliation for talking on the record. However, sometimes individuals remain anonymous to avoid accountability and to provide cover when passing false information.

THEREFORE, WHEN RESEARCHING SOLUTIONS, YOUR EVIDENCE WILL HAVE MORE IMPACT IF YOU'RE WORKING FROM PRIMARY SOURCES RATHER THAN FROM SECONDARY OR THIRD-HAND SOURCES.

## BE SKEPTICAL OF SENSATIONAL HEADLINES

Headlines are often purposefully provocative or vague to compel the reader to click on the link. This is because the business model of most online news websites is derived from pay-for-performance advertising — the more impressions an article gets when people click on it, the more money the organization raises from the ads displayed on the page. Chances are the story is more benign than the headline implies. Remember, the headline is not the full story. Take the time to read the whole story and see if it is consistent with the headline before drawing a conclusion based on the headline alone.



MAKE SURE WHEN YOU SHARE A STORY ON SOCIAL MEDIA THAT THE HEADLINE ACCURATELY REFLECTS WHAT THE STORY IS REPORTING.

### **NOTE THE DATE THE STORY WAS PUBLISHED**

When you find articles while researching your issue, ensure that the date of the article reflects contemporary events. If the article is over a year old, there may be a chance that there is further reporting that strengthens or weakens the points highlighted in the article. Do further research to see if this is the case.

WHEN SHARING ON SOCIAL MEDIA, THE TIMELINESS OF A STORY IS IMPORTANT TO CONSIDER, ESPECIALLY IF IT REFERENCES A CURRENT EVENT.

Sometimes people share older articles that have the unintended consequence of distorting current events. People sharing old news may be mistaken to think it relates to a current situation (e.g., a story about a municipality bonding for a new capital project despite the fact the municipality is currently facing a budget crisis; the story is from several years prior and has nothing to do with the current budget situation). Before sharing on social media, make sure the story was published recently enough that it reflects current events accurately.

### **FIND EXPERT OPINION**

It is not unusual that the evidence you have found on your topic area is too complex to understand without having specialized knowledge. Documents like legal opinions, architectural plans, housing plans, environmental commission reports may require expert advice.

### **PERHAPS THE HARDEST ASPECT TO OVERCOME IS ONE'S OWN BIAS**

This is more widely known as 'confirmation bias' – the tendency to interpret new evidence as confirmation of one's

existing beliefs or theories. Personal bias is also the hardest to identify since people are reluctant to doubt their own beliefs.

### **COUNTER THIS BY REMAINING SKEPTICAL OF STORIES THAT CONFIRM YOUR WORLD VIEW**

If you read a story about misconduct involving a public figure you already do not trust, do not automatically assume the story to be accurate.

REMEMBER: THE NO-BLAME APPROACH REQUIRES YOU TO GET PAST YOUR PERSONAL BIASES WHEN RESEARCHING AND SHARING SOLUTIONS.

When you are not looking to place blame on a person or particular party, your personal bias can be set aside and your full attention can be directed to evaluating the evidence.



COUNCIL  
MAYOR  
SCHOOL  
PLANNING  
BOARD  
POLITICAL  
PARTY



## ■ CHAPTERSEVEN ■

# THE 4 POWER CENTERS

## Prime Decision-Making Arenas of Local Government



- ✓ The Local Governing Body (Mayor and Council) and Your Legal Rights to Participate in Decision-Making
- ✓ The School Board and Your Legal Rights to Participate in Decision-Making
- ✓ The Planning Board and Your Legal Rights to Participate in Decision-Making
- ✓ The Local Political Party and Your Legal Rights to Participate in Decision-Making



### INTRODUCTION

There are four major decision-making centers which are identified as “**power centers**” in this Manual. I refer to them as “power centers” because they are where power is exercised – where important decisions that will have major impacts on the community are made and, most importantly, where *final* decisions are made.

## THE FOUR MAIN POWER CENTERS ARE:

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### 1 ■ THE LOCAL GOVERNING BODY OR ELECTED COUNCIL & MAYOR



Generally, the elected council, along with the mayor, determine what to include in the town budget and the amount of taxes paid by community residents. It also decides most overall policy questions.

### 2 ■ THE SCHOOL BOARD



The school board makes key educational decisions and is responsible for putting together the school budget.

### 3 ■ THE PLANNING BOARD



The planning board, through its power to devise and update the master plan, controls the physical development of the community. It is central to deciding what a community will look like, the quality of its environment and its plans for the future.

### 4 ■ THE LOCAL POLITICAL PARTY



Lastly, the political party serves many powerful functions including choosing the candidates whom they endorse for public office, promoting citizens for influential appointed positions, and determining the issues to be prioritized in party platforms.

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It is important to know that local government power centers have rules that set forth how items are put on their meeting agendas for decision-making. They also establish procedures for citizens to speak at their meetings, whether the citizen would like to merely ask a question on a matter to be voted on, or ask for time to make a presentation of a proposed solution. Knowing these rules in advance when you are planning to go to a meeting and have a special purpose in mind, is always advisable. While such rules are increasingly available on government websites, if your city doesn't have it on their website, you can make an open records request (OPRA) for a copy.



## GOVERNING BODY (MAYOR AND COUNCIL)

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**The elected council, called a committee in many New Jersey communities, serves as the legislative body of a municipality. It is where key tax, budget and policy decisions are made.**

The council decides upon questions such as: should a municipality increase the number of police to cope with a rise in crime; should apartments be subject to rent control; should a tax abatement be agreed to.

**All New Jersey communities have mayors, but their power and legal relationship to the council vary from community to community.**

Some mayors are elected separately by a community wide vote; some are chosen by the council from among its members. New Jersey's cities and larger suburban towns tend to have mayors that are directly elected by the citizens. Most of these mayors function similarly to governors and presidents as the chief executive officer of a community. Most of New Jersey's smaller communities have mayors who are selected by the council members and who function more like council

presidents. A relatively small number of New Jersey municipalities have adopted the council manager form of government in which nearly all the executive power is delegated to a manager appointed by the council.

City and town councils also vary in how their members are elected: some by a community-wide vote, i.e., members are elected at large; and others, where the community is divided into council wards, has residents of each ward elect their own council member as well as electing members at large. In any case, councils, whatever their composition, decide most matters that come before them by a majority vote.

In almost all New Jersey communities, however, the mayor has the right to veto a measure passed by the council, and it usually takes a two-thirds vote of the full council membership to override a veto.

IN ORDER TO PARTICIPATE MOST EFFECTIVELY IN YOUR LOCAL GOVERNMENT, IT IS IMPORTANT TO KNOW HOW IT IS ORGANIZED.

The best ways to obtain this information are to call or write to the municipal clerk and ask them the following questions, and/or do some research and find this information on the town's official website:

- How is the mayor elected?
- How many council members are there?
- Are the council members elected community-wide, by ward or by some combination of the two?
- What power does the mayor have to veto council votes?
- How many council votes does it take to override a veto?

New Jersey state law requires that the Council hold a public hearing on all ordinances (local laws) before a final vote on their adoption.

This presents an opportunity for citizens to ask questions and to comment on or about the proposed ordinances. However, this opportunity is only present at “regular” meetings of the Council as opposed to “agenda” meetings where proposed ordinances can be “introduced” but not voted into law.

Councils are also required to set aside a portion of every meeting for public input, regardless of whether it is an agenda or regular meeting. This provides an opportunity for citizens to raise and speak about their own issues and proposals.



HOWEVER, IT IS IMPORTANT TO NOTE THAT COUNCILS USUALLY ADOPT RULES SETTING UP PROCEDURES FOR PUBLIC INPUT.

- Such rules may include the length of time a citizen has to make remarks;
- when they can speak at the meeting;
- and even a requirement that citizens sign up either in advance of the meeting or at the beginning of the meeting if they wish to speak at all.

It is again worth noting that local government power centers have rules that set forth how items are put on their meeting agendas for discussion or decision-making and procedures for conducting their meetings.

THESE ARE CALLED “ADMINISTRATIVE CODES.” KNOWING THESE RULES AND PROCEDURES IN ADVANCE WHEN YOU ARE PLANNING TO PRESENT A PROPOSED SOLUTION IS ALWAYS ADVISABLE.

And while such rules are increasingly available on government websites, if your city doesn’t have it on their website, you can make an open records request (OPRA) for a copy.

## **YOUR LEGAL RIGHTS WITH RESPECT TO CITY/TOWN COUNCILS:**

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### **YOU HAVE THE RIGHT TO ADVANCE NOTICE OF COUNCIL MEETINGS**

– Citizens have the right to adequate and advanced notice of council meetings (NJSA 10:4-7). Notice can be provided in one of two ways:

- 1-** By annual notice of the schedule for the year of council meetings that are adopted at the yearly reorganization meeting (NJSA 10:4-18)
- 2-** And/or by specific notices at least 48 hours in advance of the meeting (NJSA 10:4-7)

The schedules of meetings are required to be posted at the town hall. If the schedule is revised, the revisions must be posted as well. As a citizen, you have the right to a copy of the schedule and to be sent advance notice of meetings not put on the schedule. The municipality may charge a reasonable fee for this service (NJSA 10:4-19).

STILL, IT IS IMPORTANT TO CHECK PERIODICALLY EITHER AT TOWN HALL OR IN YOUR LOCAL NEWSPAPER BECAUSE MEETINGS CAN BE SCHEDULED ON SHORT NOTICE FOR “EMERGENCIES.”

### **YOU HAVE A RIGHT TO ATTEND COUNCIL MEETINGS**

– Citizens have the right to be present at all council meetings. Councils can meet in closed session, meaning the public can be excluded, under certain specified circumstances, i.e., there are emergent circumstances that threaten the rights of individuals or the public interest (NJSA 10:4-7). In practice, councils most often go into closed session to discuss personnel matters or lawsuits. Attending council meetings and observing council members in action and how they function individually and as a group, is great preparation for becoming a problem solver, helping you determine how best to approach them when you are advocating a solution.

## **YOU HAVE THE RIGHT TO THE MINUTES OF COUNCIL MEETINGS**

– Citizens have the right to the minutes of any council meeting and these minutes must be made available promptly (NJSA 10:4-14). The definition of “promptly” as determined by state courts is that the minutes need to be available before a topic, which has been previously discussed, is addressed at a future council meeting (*Matawan Regional Teachers Association v. Matawan-Aberdeen Regional Board of Education*, 212 NJ Super 328, Law Division, 1986). Minutes are the official record of the council meeting and are a source of valuable information for any citizen and often vital for a problem solver advocating for a solution!



## **YOU HAVE THE RIGHT TO MINUTES OF CLOSED SESSIONS**

– Citizens have the right to view minutes taken during closed sessions at an appropriate time, which is generally defined as the time when the reason the matter was originally discussed in closed session no longer exists (NJSA 10:4-13).

## **YOU HAVE THE RIGHT TO VIDEOTAPE COUNCIL MEETINGS**

– Citizens have the right to videotape a council meeting as long as they provide notice at least thirty minutes before the meeting begins (*Tarus v. Pine Hill*, 189 NJ 497 (2007)). On a practical level, to eliminate the possibility of a dispute over whether sufficient notice has been given, it is best to notify the council in writing a day or so before the meeting and bring a copy of your notice to the meeting.



Videotaping must be conducted in a way that does not interfere with the conduct of the meeting. Videotapes are useful to give citizens who are working with you on an issue and unable to attend the meeting a good account of what occurred. It also provides a record of what commitments individual council members may have made which in turn serves as a good accountability tool.

### **YOU HAVE THE RIGHT TO REVIEW PROPOSED LAWS BEFORE THEY ARE ADOPTED**

– Citizens have the right to review proposed local laws, referred to as “ordinances,” before they are adopted. From the time an ordinance is first introduced, referred to as a first reading, at least ten days must pass before it can be voted on. Further, proposed ordinances must be posted and copies must be made available at least seven days before a council vote on the ordinance (NJSA 40:49-2).

However, there is no need for advance notice in the case of action taken by the council via adoption of a “resolution,” which can be voted on in the same council meeting at which it is introduced (NJSA 40:49-1).

However, here again, unlike an ordinance, a resolution does not become part of the permanent law of the municipality; it only lasts for the duration of the term of the governing body or for one year (NJSA 40:49-1).

### **YOU HAVE THE RIGHT TO BE HEARD ON ORDINANCES BEFORE A FINAL VOTE**



– As noted above, New Jersey state law requires that the Council hold a public hearing on all ordinances (local laws) before a vote on their adoption. This presents an opportunity for citizens to comment on and to ask questions about the proposed ordinances. However, this opportunity is only present at “regular” meetings of the Council, as opposed to “agenda” meetings where proposed ordinances can be

“introduced” but not voted into law. If you would like to be heard about an ordinance, there normally are time limits set for citizen presentations, so it is important to prepare your comments and therefore be concise.

Find out in advance of the meeting whether there are any time limits by calling the municipal clerk’s office. And even when there aren’t formal limits, it’s usually best to be brief, i.e., no longer than 5 minutes. Also, it is not unusual to require that citizens sign up in advance or at the beginning of the meeting if they would like to speak.

### **YOU HAVE THE RIGHT TO SPEAK ABOUT YOUR OWN PROPOSALS OR CONCERNS**

**– Councils are also required to set aside a portion of every meeting for public comment, regardless of whether it be an agenda or regular meeting.**

This provides an opportunity for citizens to raise and speak about their own issues and proposals. However, as stated above, Councils can adopt rules regarding the procedures for this public comment as well. Such rules may include the length of time a citizen has to make remarks, when they can speak at the meeting and even a requirement that citizens sign up either in advance of the meeting or at the beginning of the meeting if they wish to speak at all.

Therefore, if you’d like to be heard at a council meeting, you should become familiar with any rules the town may have affecting your exercise of this right.



## **YOU HAVE A RIGHT TO KNOW WHERE YOUR TAX DOLLARS GO**

– Citizens have the right to obtain copies of the proposed municipal budget (NJSA 40A:4-8(1)(b)). The budget is usually the best document for seeing how a municipality spends its money.

## **YOU HAVE THE RIGHT TO EXAMINE AND GET COPIES OF MUNICIPAL RECORDS**



– Citizens have the right to municipal records including government policies, contracts and local government memoranda under the Open Public Records Act (OPRA). This is based on a presumption that municipal records belong to the public and should be accessible to them. In order to keep a document secret from a citizen interested in examining it, the municipality would have to demonstrate a compelling interest.

The municipality has 7 business days to fulfill a request from a citizen, unless it is a particularly lengthy or otherwise difficult request to satisfy. If a request for a record is denied, an appeal can be made to the state Government Records Council. During business hours, citizens can copy public records by hand or purchase photocopies of records for a fee specified by law.

It is a good idea to inspect the records before copies are made, particularly if you are not doing the copying yourself. This will insure that no mistakes have been made and the right records have been provided.

*(Please see Chapter 1 of this Manual for a more complete discussion of your rights under OPRA).*

## **YOU HAVE THE RIGHT TO FOLLOW THE MONEY**



– Citizens in New Jersey have the right to know the identity of any political contributor who gives \$400 or more to their mayoral and council candidates as well as the total amount raised and a detailed accounting of how this political money is spent.

Both elected officials and candidates are required to file fundraising and spending reports regularly with the New Jersey Election Enforcement Commission, ELEC (NJSA 19:44A-8). These reports can be viewed at the ELEC office in Trenton or citizens can order copies of the reports for a fee.

Municipal political parties must also file reports with ELEC. When following the money, it is important to check the party reports because at the local level, most of the political money is often raised through the parties.

### **YOU HAVE THE RIGHT TO RUN FOR COUNCIL**

Citizens who will be 18 years old by the election and who are registered to vote have the right to run for council. Many citizens who get involved by becoming No-Blame problem solvers, make very qualified candidates and council representatives! *(See the chapter on political party representative if you are interested in running on a major party ticket).*



## **THE SCHOOL BOARD**

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**The local school board oversees public education in a community from pre-kindergarten through high school. It sets overall policies which ensure quality teaching, sound fiscal management and adequate facilities. Thus, your local school board decides many important questions including:**

- how much teachers will be paid
- what professional development efforts to improve teacher performance will be funded;
- when to propose new school construction or renovations.

Importantly, the school board hires the superintendent of schools, who is responsible for implementing policies set by the board.



Further, while there are general statewide curriculum guidelines and required standardized tests, local school boards still maintain a broad amount of discretion with regard to decision-making around curriculum.

### **ABBOTT**



**IN NEW JERSEY, THE STATE PLAYS A MORE HANDS-ON ROLE IN THE THIRTY DESIGNATED ABBOTT DISTRICTS.**

These districts, which are mainly urban, lower income and contain a higher percentage of minority students, receive increased state funding as a result of a series of New Jersey Supreme Court decisions known as the Abbott decisions.

The basis for these decisions is the New Jersey Constitution's promise of a thorough and efficient education for all public school students. The increased funding is tied to specific requirements.

In a few cases, where school districts have consistently performed poorly and there are questions of mismanagement, the state has taken over the management of the school district; state law allows for this. In these instances, the state appoints a school superintendent and the local board of education's role is reduced to a largely advisory function.

In a small number of communities, the mayor appoints the members of the school board. However, the vast majority of communities in New Jersey have elected school boards. If you are interested in education issues, you should find out if your school board is elected or appointed as this may determine what strategies you employ to have an impact on the decisions made by the board.

If a school board is elected, it will be critical to make your case directly to them. If appointed, it will also be important to make your concerns known to the mayor as he/she is likely to have a fair amount of influence over the members he/ she has appointed. You can call your local school board to find out whether the board is elected or appointed.

In those few instances where the state has taken over the operation of the school district, citizens should concentrate their efforts on influencing their state legislators, the state education commissioner, the governor's office as well as the local school board.

**If you are interested in addressing education issues as a problem solver, you should become familiar with the workings of your Board of Education and your rights as a citizen to impact its decisions.**

Toward this end, you should obtain a copy of the Board's policies and procedures and review the sections on board governance. And similar to town councils, school boards are required to set aside a portion of every meeting for public comment; however, the board can adopt rules governing when and how long a person may speak at the meeting.



## YOUR LEGAL RIGHTS WITH RESPECT TO SCHOOL BOARDS

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### RIGHT TO ADVANCE NOTICE OF SCHOOL BOARD MEETINGS

– Citizens have the right to advance notice of school board meetings (NJSA 10:4-7). A schedule for the year is required to be published within 7 days of the school board’s annual meeting (NJSA 10:4-18). The schedule is required to be posted at the school district administration building and published in at least two local newspapers.

Specific individual meeting notices for additional meetings or to revise the schedule require 48 hours-notice and must be posted as well.

Citizens have the right to have the school board send them copies of the meeting schedules as well as advance notice of meetings not set forth on the schedule.

The school board is allowed to charge a reasonable fee for this service (NJSA 10:4-19).

Even if you order the meeting schedule and notice of revisions, it is important to read your local newspaper because in cases of an “emergency” the school board can call a meeting without advance notice (NJSA 10:4-7 & 10:4-9).

### RIGHT TO ATTEND SCHOOL BOARD MEETINGS



– Citizens have the right to attend school board meetings. Meetings must be held at least every 2 months while school is in session (NJSA 18A:10-6). However, most local boards of education choose to meet in certain cases, the public can be excluded from a part of the meeting if there are special or emergent circumstances that threaten the rights of individuals or the

public interest (NJSA 10:4-7). For these reasons, the school board will occasionally meet privately in executive session. In practice, closed sessions are usually held to discuss personnel matters, lawsuits or to deal with student disciplinary penalties. Attending school board meetings and observing board members in action and how they function individually and as a group, is great preparation for becoming a problem solver. It provides background for helping you determine how best to approach them when you have an issue of concern and are advocating a solution.

### **RIGHT TO MINUTES OF SCHOOL BOARD MEETINGS**

– Citizens have the right to the minutes of any school board meeting and these minutes must be made available promptly (NJSA 10:4-14). The definition of “promptly” as determined by state courts is that the minutes need to be available before a topic, which has been previously discussed, is discussed again. (*Matawan Regional Teachers Association v. Matawan-Aberdeen Regional Board of Education*, 212 NJ Super 328, Law Division, 1986). Minutes are the official record of the school board meeting and are a source of valuable information for any citizen and often vital for a problem solver advocating for a solution!

### **RIGHT TO MINUTES OF CLOSED SESSIONS**

– Citizens have the right to view minutes taken during closed sessions at an appropriate time, which is generally defined as the time when the reason the matter was originally closed for discussion no longer exists (NJSA 10:4-13).

### **RIGHT TO VIDEOTAPE SCHOOL BOARD MEETINGS**

– Citizens have the right to videotape a school board meeting as long as they provide notice thirty minutes before the meeting begins (*Tarus v. Pine Hill*, 189 NJ 497 (2007)). On

a practical level, to eliminate the possibility of a dispute over whether sufficient notice has been given, it is best to notify the school board in writing a day or so before the meeting and bring a copy of your notice to the meeting.

Videotaping must be conducted in a way that does not interfere with the conduct of the meeting. Videotapes are useful to give citizens who are working with you on an issue and unable to attend the meeting a good account of what occurred. It also provides a record of what commitments individual school board members may have made which in turn serves as a good accountability tool.

### **RIGHT TO KNOW HOW YOUR EDUCATION DOLLARS ARE SPENT**

– Citizens have the right to review the proposed annual school budget prior to its being placed on the ballot and prior to a required public hearing (NJSA 18A:22-12). The budget will give citizens a good sense of the school district's priorities.

### **RIGHT TO A PUBLIC HEARING ON THE SCHOOL BUDGET**

– Citizens have a right to a public hearing on the proposed annual school budget. In fact, the local board of education is required to hold one before final adoption of the budget. Boards of education must give 4 days notice of the public hearing by publishing it in a newspaper that circulates within the district (NJSA 18A:22-11).

### **RIGHT TO BE HEARD ON THE SCHOOL BUDGET**

– Citizens have the right to offer comments and objections to the proposed school budget at the required public hearing (NJSA 18A:22-11). While debates about school budgets at these hearings tend to center mainly around questions of whether the budget is too high and taxes will have to go up, citizens can also raise issues of educational priorities.

**FOR EXAMPLE**, if you think that your school district should be spending more on professional development for teachers or on new classroom materials, discussions about the budget provide a good forum for your views.

### **RIGHT TO VOTE ON THE SCHOOL BUDGET**

– Although New Jersey citizens have the right to a hearing on their school budgets, voter approval of school budgets is limited and depends on certain factors such as when a municipality's annual school board elections take place and whether the proposed budget conforms with the state tax levy cap for the year. You should ask your district school board if the school budget will be before the voters in the calendar year.

### **RIGHT TO VOTE ON SCHOOL BOND ISSUES**

– Citizens in all school districts have the right to vote directly on major school bond issues for new construction and infrastructure improvements. The election cannot be held less than 41 days after the school board adopts a resolution authorizing the issuing of the bonds (NJSA 18A:24-29). Smaller bond issues can go forward without voter approval. In the case of cities with appointed boards, if the bond issue passes by a 2/3 majority, a referendum is not needed.

### **RIGHT TO PROPOSE CURRICULUM CHANGES AND ADDITIONS**

– Citizens have the right to propose changes as well as new curriculum components to their local school board. Although there are curriculum standards adopted by the state, local school boards still have a great deal of discretion in curriculum matters.

### **RIGHT TO KNOW HOW MUCH SCHOOL OFFICIALS AND TEACHERS ARE BEING PAID**

– Citizens have the right to know the salaries of all school employees. This information must be made available on request. Salaries must be publicly approved at a school board meeting

and bills approved for payment at school board meetings must also be made available on request (NJSA 47:1A-100).

### **RIGHT TO PUBLIC RECORDS REGARDING THE SCHOOLS**

– Citizens have the right to school district records under the Open Public Records Act (OPRA). The presumption is that school district records should be accessible to the public. In order to keep a document secret from a citizen interested in examining it, the school district would have to demonstrate a compelling interest. In the case of school districts, there are certain narrow areas exempted from OPRA, such as student academic records. If a request for a record is denied, an appeal can be made to the Government Records Council.

During business hours, citizens can copy public records by hand or purchase photocopies of records for a fee specified by law. It is a good idea to inspect the records before copies are made, particularly if you are not doing the copying yourself. This will insure that no mistakes have been made and the right records have been provided. *(Please see Chapter 1 for a more complete discussion of your rights under OPRA).*

### **RIGHT TO CONTACT YOUR SCHOOL BOARD MEMBERS**

– Citizens have the right to have the home addresses of their school board members so they may contact them on issues of concern. An effective way to make contact is through a well-written letter from yourself and if possible, from other residents who support your proposal in an organized letter-writing campaign.

### **RIGHT TO ELECT YOUR SCHOOL BOARD MEMBERS**

– In most New Jersey municipalities, citizens have the right to vote for school board members; they also have the right to volunteer for the candidate of their choice. In the few districts where the school board is appointed by the mayor, citizens have the right to make the quality of the appointments one of the criteria they use in deciding whether to vote for the mayor's re-election.

## **RIGHT TO FOLLOW THE MONEY**

– Citizens in New Jersey have the right to know the identity of any campaign contributor who gives \$400 or more to school board members or candidates. Citizens also have the right to know the total amount of money raised by school board candidates and a detailed accounting of how the money was spent. Candidates for elected seats on boards of education must comply with campaign funding disclosure laws and file reports with the New Jersey Election Enforcement Commission, ELEC (NJSA 19:44A-8). These reports can be viewed at the ELEC office in Trenton or citizens can order copies of the reports for a fee.

## **RIGHT TO VIEW DISCLOSURE STATEMENTS OF BOARD OF EDUCATION MEMBERS AND SENIOR SCHOOL OFFICIALS TO DETERMINE CONFLICTS OF INTEREST**

– Board of education members and senior school officials such as the superintendent of schools, must annually disclose their sources of income, their employers and the employers of their immediate family members (NJSA 18A:12-25; 18A:12-26).

## **RIGHT TO MAKE AN ETHICS COMPLAINT**

– Citizens have the right to file a complaint with the state school ethics commission if they believe a school official, either a school board member or a school administrator, is taking bribes or engaging in other activities that put their personal financial interest ahead of their public responsibilities (NJSA 18A:12-29; 18A:12-24).

Before taking the serious step of lodging a complaint, it is advisable to obtain a copy of the School Ethics Act, which lists detailed guidelines for school officials and to make sure that the school official in question is really violating an ethics regulation.

The school ethics commission is a 9 member state body appointed by the governor and responsible for enforcing the School Ethics Act. If the commission receives a complaint,

it must determine, by majority vote, whether the allegations have sufficient merit to proceed with a hearing or whether the complaint should be dismissed. Hearings are conducted by the Office of Administrative Law (NJSA 18A:12-29(b)). After the hearing, the commission will decide whether the Act has been violated and issue a disciplinary recommendation to the Commissioner of Education.

### **RIGHT TO RUN FOR SCHOOL BOARD**

– Citizens who will be 18 years old by the election and who are registered to vote, who can read and write and who have been district residents for at least one year, have the right to run for school board (NJSA 18A:12-1). The only exceptions to this rule are current school district employees and current members of the local governing body (NJSA 18A:12-2).



## **THE PLANNING BOARD**

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**The planning board makes key environmental and growth decisions and, as a result, is central in determining the physical development of a community and its resulting quality of life.**

The planning board is comprised of a combination of elected officials, citizen members and governmental officials, who are appointed by the mayor and council.

Planning boards are composed of either 7 or 9 members. Membership consists of the mayor or a mayoral designee, a member of the council chosen by the council, a municipal government official chosen by the mayor, and citizen members usually appointed by the mayor. Under some forms of municipal government, however, the public members are appointed by the council.

The planning board is responsible for the development of a master plan for the community and for a review and update of the plan at least every ten years. However, please be aware that the master plan can be amended at any time.

**The master plan provides a road map for how a community will grow; it addresses questions such as what part of the community will be reserved for residences and at what density levels, and in what areas commercial development will be permitted. A housing plan element is a mandatory part of the master plan and includes provision for affordable housing.**

The planning board also has the legal right to include in the master plan a sub-plan for conservation of the town's environment and open spaces as well as several other elements such as an economic plan, circulation plan, recycling plan, and capital improvement plan, all of which help define and direct the town's future development and growth. Importantly, zoning regulations must be consistent with the master plan.

THUS, THE MASTER PLAN IS A DOCUMENT WITH TEETH, AND CITIZENS CAN PLAY AN IMPORTANT ROLE IN DETERMINING ITS CONTENTS AND IMPACTING THEIR COMMUNITY'S FUTURE.

The planning board also has the responsibility to review and hold public hearings on proposals for new development, but it's often too late to raise concerns when the planning board is hearing a proposal for development, especially when the proposal meets



all the standards set forth in the zoning regulations. Citizens have the most power to affect development when they make input on the town's master plan or master plan amendment, and as noted above, the planning board may amend its

master plan at any time. Given that the composition of the planning board is elected officials and people appointed by elected officials, it is not surprising that the municipal master plan is often subject to political influence.

CITIZEN ACTION AND ACTIVITY CAN ABSOLUTELY HAVE A MAJOR IMPACT ON PLANNING BOARD DECISIONS AND CAN OFTEN BE A COUNTERWEIGHT TO LOBBYING BY DEVELOPERS AND OTHER INTERESTED PARTIES.

## **YOUR LEGAL RIGHTS WITH RESPECT TO PLANNING BOARDS**

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### **RIGHT TO ADVANCE NOTICE OF PLANNING BOARD MEETINGS**

– Citizens have the right to adequate and advance notice of planning board meetings. Under OPRA, upon payment of a small fee, you are entitled to a schedule of all the regular hearing dates of your planning board. The fee also entitles you to receive notices of “special meetings.”

In addition, the schedule of meetings is required to be posted at town hall and if the schedule is revised, the revision must be posted.

Under the Municipal Land Use Law, (MLUL, NJSA 40:55D-12), you are entitled to receive certified mail or personally delivered notice of all major subdivisions, applications for conditional use approvals, and development proposals with a variance request, if your property is located within 200 feet of the proposed development.

Municipalities may also require notice of major developments even without variances, but this is up to the municipality. A copy of the development regulations for your town should be available at town hall. All notices must be written in terms that can be understood by a layperson.

### **RIGHT TO EXAMINE DEVELOPMENT DOCUMENTS**

– Citizens have the right to examine maps and other development proposal documents during normal business hours at the office of the clerk or zoning officer. Such filings must be available for public inspection at least 10 days before a scheduled hearing on the application. (NJSA 40:55D-10(b)).

### **RIGHT TO MAKE COPIES**

– Citizens have the right to make copies of all documents and forms that are filed as part of a development application, master plan or zoning process, for a fee. (There may be some restrictions on copies of architectural plans).

### **RIGHT TO A PUBLIC HEARING**

– Citizens have the right to a public hearing as applicants and as attendees, on all major development applications, with the possible exception of applications for minor subdivisions and site plans. Citizens also have the right to a hearing on the adoption, revision or amendment of the master plan. All hearings must be conducted in accordance with a set of rules adopted by the planning board and also made available to the public (MLUL, NJSA 40:55D-10 (a) & (b)). It is a good idea to get a copy of the rules and review them.

### **RIGHT TO QUESTION AN APPLICANT'S WITNESSES**

– Citizens have the right to question an applicant's witnesses about their testimony and any reports they may have submitted (MLUL, NJSA 40:55D-10(g)). However, the board chairperson does have the right to cut off repetitive or irrelevant questions and to run the meeting in accordance with the board's rules.

### **RIGHT TO TESTIFY ABOUT A PROPOSED DEVELOPMENT**

– Citizens have the right to testify about their knowledge of a proposed development and its relationship to the neighborhood, and to present expert testimony at the hearing for or against an application. (MLUL, NJSA 40:55D-10(d)). However, please note again, the board chairperson does have the

right to cut off repetitive or irrelevant questions and to run the meeting in accordance with the board's rules.

### **RIGHT TO HEAR PLANNING BOARD MEMBERS REASONS FOR THEIR DECISION**

– Citizens present at public hearings on development applications have the right to hear the board members resolve any conflicting testimony or other factual evidence and draw conclusions as to why the development meets or fails to meet the criteria for approval. (MLUL, NJSA 40:55D-10(g)).

### **RIGHT TO MINUTES AND TRANSCRIPTS OF HEARINGS**

– Citizens have the right to read and obtain copies of the minutes of planning board meetings. (MLUL, NJSA 40:55D-9(c)). Citizens also have the right to verbatim transcripts of hearings on development applications (MLUL, NJSA 40:55D-10(f)).

### **RIGHT TO A WRITTEN DECISION OF THE BOARD**

– Citizens have the right to a copy of a written resolution setting forth a decision on any application for development. The decision must state the reasons why the board approved or denied a development proposal (MLUL, NJSA 40:55D-10(g) & (h)).

### **RIGHT TO APPEAL BOARD DECISIONS**

– Citizens have the right to appeal all decisions of the planning board directly to the Superior Court. (MLUL, NJSA 40:55D-17). In most cases, appeals must be filed within 45 days of the date of publication of the board's written decision.



## **THE LOCAL POLITICAL PARTY**

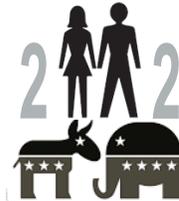
The local political parties represent a power center which many citizens know nothing about. Of those who are aware, most lack knowledge about how an ordinary citizen can access power and advance proposed solutions through them. This is remarkable when you consider that local party representatives, elected at the neighborhood level, not only get to award party

endorsements of candidates for town or city office, they also have power over candidate endorsements far beyond the local level.

Furthermore, they often have strong influence in the selection of citizens to serve in hundreds of government positions, both paid and unpaid. **FOR EXAMPLE**, party committee members often recommend the selection of election-day poll workers—a position that pays \$200 for the day and gives the citizen first-hand experience with the inner workings of our democracy (See section below on how to attain a poll worker position).

The lack of citizen awareness of local political parties and how they work is even more remarkable given that the office of neighborhood party representative, known officially as party “committee member,” is the closest and most accessible elected position for entry into public life.

**The posts of party committee member are filled by four citizens per election district who are elected during the primary election to represent a single neighborhood of roughly 700 to 1,000 voters. A male and a female are elected for both the Republican and Democratic Parties, usually for one or two year terms. This is the only office for which 50% of the seats are reserved, by law, for women.**



IT IS IMPORTANT TO UNDERSTAND THAT THIS POLITICAL SYSTEM PROVIDES THESE NEIGHBORHOOD COMMITTEE POSITIONS IN ORDER TO EXERCISE ITS POWER AT THE GRASSROOTS LEVEL.

Election to a party committee seat automatically results in your becoming a county party committee member and a local i.e., municipal party committee member. Even if one is not interested in or able to run for a party committee seat, it is important to know about the roles and powers of these neighborhood party representatives since they have influence over the elected and appointed officials of their respective parties.

In many cases, party committee members also have influence with officials elected in non-partisan elections, where party labels are not listed on the ballot but party endorsements and money and organizing power that come with it, remain a major factor. This is also the case since party committee members are often looked to by voters in their neighborhoods for information and advice about candidates for all offices.

Additionally, most officials, even if elected in non-partisan elections, do have a party membership. If they aspire to fill party posts or future public office on the party ticket, they know that party committee members are important to their dreams of advancement. **PLEASE NOTE:** all New Jersey elections for school boards are non-partisan, and in some places, citizens also elect their council and mayor this way.

THUS, WHETHER A PUBLIC OFFICIAL IS ELECTED IN A PARTISAN OR NON-PARTISAN ELECTION, IF A CITIZEN NEEDS TO GET THEIR ATTENTION, ONE OF THE MOST EFFECTIVE ROUTES IS THROUGH THE PARTY COMMITTEE MEMBER.

In order to find out who your neighborhood representatives are, or to run for the post of party committee member yourself, you first need to find out which election district you live in.

You can do this by calling your town or city clerk or the County Board of Elections. They have election district maps dividing your town into neighborhood “election districts.”

The clerk and the County Board of Elections officials can also give you the names of the four citizens selected from your neighborhood, their vote totals and a copy of the map showing the boundaries of your neighborhood election district.

### **YOU HAVE THE RIGHT TO RUN FOR A PARTY COMMITTEE SEAT IF YOU:**

- 1** ■ Will be 18 years old by the next election
- 2** ■ Are a resident of the election district
- 3** ■ Are registered to vote as a party member

If you meet these three qualifications, you can go to the municipal clerk and request a **“nominating petition”** form to run for a party committee seat. If you are not yet registered to vote as a party member, you can also ask for a **“party declaration”** form. Fill out the forms and get 10 signatures of your party members who live in your election district; your signature can count as one of the 10. File the form and your name will appear on the primary election ballot. The petition should then be filed with the county clerk by the deadline (53 days before the primary election).

### IT IS NOT ESPECIALLY HARD TO WIN A PARTY COMMITTEE SEAT.



Often committee seats are vacant, and in that case, if you run and vote for yourself, you win. In other cases, committee seats are often won with low vote counts, like 24 to 19. If you are willing to talk to a few dozen neighbors, you can drum up enough votes to win. You do not need a campaign war chest or a campaign organization. You just need to be willing to ask your neighbors to vote for you. You do not even need the permission of party leaders, although a politically smart candidate would almost always seek the party leaders' support as a first step.

### IF PARTY LEADERS DO NOT CHOOSE TO SUPPORT YOU, YOU CAN STILL RUN.

A typical time commitment required to run for a political party committee seat is about 2 hours a week for 6 weeks. If you consider that committee persons represent an average of 700 voters,



about half of those will belong to your party. At an average of two people per household, these 350 voters usually live within 175 houses or apartments. One could conceivably knock on 30 doors in two hours if on foot. It would ultimately take less than a total of 12 hours to campaign in your district!

ONCE ELECTED TO BE A PARTY COMMITTEE MEMBER REPRESENTING YOUR NEIGHBORHOOD, YOU GAIN CERTAIN LEGAL RIGHTS:

**YOU HAVE THE RIGHT TO ATTEND THE ANNUAL ORGANIZING MEETING OF YOUR TOWN'S AND COUNTY'S PARTY.**

The law requires that the local party meeting occur on the Monday immediately following the primary election at which you were elected. The County party meeting is required to be held on the Tuesday following the primary.

**YOU HAVE THE RIGHT TO THE ADOPTION OF A LOCAL AND COUNTY PARTY CONSTITUTION AT THE ANNUAL ORGANIZING MEETINGS.**

State law is explicit that municipal party committees can adopt constitutions and by-laws to govern their affairs. You should ask the party chair for copies of any existing constitution and by-laws. And even if these documents already exist, they may need to be amended. County parties are mandated by law to adopt party constitutions respecting the representative rights of county committee members.

The constitution can provide that the party-endorsed candidates for elected and appointed positions be chosen by a full vote of the committee members rather than a nominating committee of select officials. Other provisions can give the power to committee members to vote on levels of local campaign spending and on party platform priorities for your town or county. Setting platform priorities is a way to influence the adoption of solutions you care about.

**YOU ALSO HAVE THE LEGAL RIGHT TO VOTE ON THE ELECTION OF YOUR LOCAL PARTY CHAIR AND VICE-CHAIR AT YOUR LOCAL PARTY'S ANNUAL ORGANIZATIONAL MEETING.**

So if you combine this right with a party constitutional right to vote on the selection of party endorsed candidates for elective office, and the right to vote on the party's spending and party

platform, you have a party committee member that can wield great influence not only over party matters, but also over the local government itself. So even if you do not run for a party committee seat, it is important to know who the committee members are, especially the four from your own neighborhood election district.

**WHEN A VACANCY OCCURS IN THE LEGISLATURE, COMMITTEE MEMBERS OF THE PARTY OF THE VACATING LEGISLATOR ARE AUTHORIZED BY STATE LAW TO SELECT HIS/HER REPLACEMENT WITHOUT ANY FURTHER VOTE BY THE GENERAL PUBLIC.**

The replacement process involves a process in which the committee people of the legislator's district each have one vote in the selection of the replacement legislator. The law also provides that the committee people vote by secret ballot on the replacement. A surprising number of legislators are chosen in this manner. (N.J. Const. art. IV, § 4, par. 1; N.J.S.A. 19:13-20)

**ONE LAST POINT:**

Some towns have local chapters of "third parties" like the Green Party, the Reform Party, the Conservative Party and others. If the Democrat and Republican Parties do not represent your views or you feel you cannot have your voice heard in these parties, you should know that you do have a choice.



Unfortunately, state law sets a high threshold for third parties to satisfy in order to gain access to the primary ballot and at present, only the Democrat and Republican candidates appear on the primary ballot. Hence, only registered Democrats and Republicans and citizens unaffiliated with a party are permitted to vote in primary elections.

## SERVING AS A POLL WORKER

Poll workers are the people who organize and staff the polling places on Election Day. They do the nitty-gritty work of democracy: checking in voters, providing help if it is needed, recording the vote, and ensuring that the machinery is working smoothly.



Citizens, 16 and older, are eligible to be poll workers and they receive \$200 for the day. If interested, you would receive training and a first-hand experience in how elections really work. You can apply directly to the office of the County Board of Elections; however, it is normally more effective to tell your neighborhood party committee member, or the town party chair of your political party (if you have a party preference), that you are interested in serving.

**WANTED**  
**ELECTION  
 POLL  
 WORKERS**

- ★ Meet New Friends
- ★ Work Half or Full Day
- ★ Serve Your Community
- ★ Have a Good Time
- ★ Get Paid \$200.00  
*(Depending on Duties)*

## YOUR LEGAL RIGHTS WITH RESPECT TO POLITICAL PARTIES

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As we have seen, the municipal political parties play a central role in the politics and government of most New Jersey communities. Political parties select and nominate candidates for council and mayor and provide grassroots representation through the office of neighborhood committee member. And even in towns where municipal officials are elected in a non-partisan manner, political parties still frequently play a major informal role, the only exception being that they cannot have their endorsements appear on the ballot.

While there have been some efforts to organize third parties at the local level, at this time the 2 major national and state parties, i.e., the Democrat and Republican parties, have a near monopoly in New Jersey communities.

**You have several rights with regard to political parties:**

### RIGHT TO JOIN A POLITICAL PARTY

– Citizens have the right to join the political party of their choice. Parties are not exclusive clubs – they are open to any citizen that wants to become a member. In New Jersey, one becomes a member of a political party in one of the following two ways:

- 1 ■ If previously unaffiliated, by voting in the primary election of that party;
- 2 ■ Filing with the municipal clerk or the county board of elections secretary a signed declaration that he/ she desires to vote in the primary of that party.

The municipal clerk and the county board of elections secretary will have the appropriate form that needs to be filed. A citizen automatically remains a member of the political party unless she files a signed declaration saying that she desires to vote in the primary of another political party or that she wants to be listed on the voting rolls as an Independent. (NJSA 19:23-45).

Make sure you check the deadlines for changing parties on the county board of election website.

## **RIGHT TO SELECT THE CANDIDATES OF YOUR CHOSEN PARTY**

– Citizens have the right to vote in party primaries in which the party's candidates for mayor and council are selected along with neighborhood level committee people. You can vote in a party primary if you have already become a member of the party, or if you have never voted in a primary and are using this first primary to declare your party membership.

If you decide to change your party affiliation, you must file a form with the municipal clerk or the county board of elections secretary (NJSA 19:23-45). The easiest way to do this is to go to the municipal clerk's office in person and fill out the correct form.

You should also know that while you as a member of the party have the right to choose candidates, often, on the local level, the official party organization recommends a candidate, and that candidate runs unchallenged in the primary.

Additionally, some municipalities have non-partisan elections and so there are no primaries and therefore you have no choice in the nomination of candidates. You can find out if your municipality has primary or non-partisan elections by calling the municipal clerk's office.

## **RIGHT TO BILINGUAL SAMPLE BALLOT**

– Citizens in districts in which Spanish is the primary language of 10% or more of registered voters, have the right to a bilingual sample ballot for the primary. (NJSA 19:23-22.4). Sample ballots, which must be mailed out to voters before the primary and be a reasonable facsimile of the actual ballot in the voting booth, allow voters to familiarize themselves with the ballot and can cut down on balloting mistakes.

## **RIGHT TO FOLLOW THE MONEY**

– Citizens in New Jersey, regardless of whether they are members of a particular political party, have the right to know the identity of any political contributor who gives \$400 or more to a party or candidate. Municipal political parties must report their contributions and expenditures quarterly to the New Jersey Election Enforcement Commission, ELEC (NJSA 19:44A-8). These reports can be viewed at the ELEC office in Trenton or citizens can order copies of the reports for a fee.

## **RIGHT TO RUN TO BE THE PARTY'S NOMINEE FOR LOCAL OFFICE**

– In municipalities that conduct partisan elections, citizens have the right to run for their party's nomination for council or mayor. The only requirements are party membership, residency, and gathering the required number of signatures of citizens on a nominating petition (NJSA 19:23-7).

For municipalities with a population of 14,000 or greater, a candidate must get 50 signatures of party members; municipalities with less than 14,000 people only require 25 signatures (NJSA 19:23-8).

To assist in signature gathering efforts, lists of registered voters with party identification can be purchased from the town or county clerk.

To ensure that a nominating petition can withstand any legal challenge, it is usually a good idea to gather significantly more than the required number – 20% over is a good rule of thumb. In many cases political parties are looking for candidates to run for these offices, so it makes sense to express your interest to the party chair. If they are already



supporting another candidate, don't be discouraged. Many primaries are won by the candidate who does not have the official support of the party leaders.

### **RIGHT TO RUN WITH OTHER CANDIDATES AS PART OF A SLATE**

– Candidates who are running in a primary have the right to be grouped together as a slate (NJSA 19:23-25) and they can run together under the same slogan (NJSA 19:23-25.1).

**FOR EXAMPLE:** a group of Democratic candidates might run together on a slate under the slogan “Democrats for Change.” They would be grouped together on the primary ballot under their chosen slogan, but they will need to “couple” with at least two freeholder candidates with the same slogan. One can obtain a bracketing permission form from the municipal clerk if you want to bracket with other candidates.

### **RIGHT TO RUN TO REPRESENT YOUR NEIGHBORHOOD AS A PARTY REPRESENTATIVE, AKA A COMMITTEE MEMBER**

– As noted and discussed above, citizens in all New Jersey communities have the right to run to represent their neighborhood as a party committee member. The office of committee person is the only gender-balanced office required by statute (NJSA 19:5-4).

Municipalities are divided into election districts of 700 to 1,000 registered voters. In each election district, the major parties are represented by two committee members, one male and one female, elected by the party members annually during the primary. As noted above, committee members can have a voice in the selection of the party's recommended slate of candidates and various other party matters.

To run for this office, you have to be a resident of the election district you hope to represent, a party member, and you must gather at least 10 signatures of members of the party who reside in your election district on your nominating petition.

Check with the county Board of Elections to verify the number of signatures required in your district. This number can be as low as 1 in areas with low voter turnout!

Local committee members are automatically county committee members as well. An election district map and a list of committee members and any vacancies can be obtained from the municipal clerk and the county board of elections.



# CIVIC TRUSTEE SOLUTIONS ADVOCATE COMMITTEE MAN AND WOMAN



## ■ CHAPTER EIGHT ■

## POWERFUL ROLES FOR CITIZEN PROBLEM SOLVERS

Citizens who wish to engage in public service but don't want to dive into the world of campaign politics with its heavy fundraising demands, its blame-game personal attacks, and its major demands on time, can still engage in leadership service without having to run for public office. There are four ways to do so:

- 1 ■ Serving as a Civic Trustee
- 2 ■ Serving as a Solutions Advocate
- 3 ■ Serving in an Appointed Government Office
- 4 ■ Serving as a Neighborhood Political Party Representative



### SERVICE AS A CIVIC TRUSTEE

The most powerful, yet convenient, non-elected opportunity for public service is the position of Civic Trustee, a position facilitated by The Citizens Campaign. Information about qualifications and the rights and responsibilities of a Civic Trustee is available at [www.TheCitizensCampaign.org](http://www.TheCitizensCampaign.org). Civic Trustees are a new force for strengthening your community's ability to tackle tough issues. They are committed to identifying evidence-based, cost effective solutions to the serious problems facing their cities' and towns', and to advance and implement such solutions with a No-Blame approach. In this role, Civic Trustees embody the values of unselfish service, civility and pragmatism.



CIVIC TRUSTEES BEGIN SERVICE BY TAKING A PLEDGE TO “LEAVE THEIR COMMUNITY AND COUNTRY BETTER THAN THEY FOUND THEM BY PURSUING PRACTICAL SOLUTIONS INSTEAD OF JUST POINTING OUT PROBLEMS AND ASSIGNING BLAME.”

Practical solutions are those that are based on evidence of success in other cities and towns, cost effective in that they do not increase the tax burden, beneficial to the community as a whole rather than a special interest, and are advanced in a No-Blame manner.

Civic Trustees who receive training and follow the proven No-Blame problem solving approach in pursuing practical solutions, can access free expert support from The Citizens Campaign’s Law and Policy Task Force of lawyers, former government officials and other experts in local law, policy and policy implementation.

Civic Trustees come together in Civic Trusts. Civic Trusts provide the opportunity for Civic Trustees to meet in monthly “solutions sessions,” where they work together in a No-Blame environment to identify the issues they believe are most pressing in their community and then research and advance workable solutions.

**Each Civic Trust is comprised of about 12 to 24 Trustees depending on the community’s size. They serve for terms of one year and can serve up to three consecutive terms.**

Residents and other stakeholders in the community become members of the Trust based on their demonstrated leadership capacity, that is, they have been successful in getting others to work together to accomplish a goal and they have a passionate commitment to their city. They must also have the time available to work with their fellow Trustees by participating in the monthly “solutions sessions.”

Civic Trusts also provide the opportunity and structure for arranging Solutions Forums for their city’s decision makers with experts and professionals in issue areas that are being explored by Trustees. Bringing their town’s decision makers together in a No-Blame environment and exposing them to evidence-based solutions offered by experts, helps put their community on the path of practical problem solving.



**Civic Trustees also host “No-Blame” debates for candidates for city and school district offices before audiences of civic leaders from community based businesses, non-profits, faith-based organizations and academic institutions.**

Importantly, Civic Trustees share their solutions with citizens in towns and cities across the country causing their local actions to have national impact.

IF YOU ARE INTERESTED IN PUBLIC SERVICE AS A CIVIC TRUSTEE, YOU WILL FIND ALL THE NECESSARY INFORMATION AT [WWW.THECITIZENSCAMPAIGN.ORG](http://WWW.THECITIZENSCAMPAIGN.ORG).

## SERVICE AS A SOLUTIONS ADVOCATE

**Another powerful role you can take on to advance No-Blame problem solving in your community is as a Solutions Advocate. Solutions Advocates are citizens who find and promote evidence-based, cost effective, successful solutions to decision makers and the general public through media channels.**

Bringing such practical solutions to the attention of government officials, the media, and your fellow citizens, can impact and change the political and governmental climate from one focused on who has the power to one focused on who has the solutions. When our elected officials are provided with a constant stream of practical, workable solutions, they will have less time to point fingers and assign blame because their attention will be directed to responding to solutions. It is this discussion of solutions which elevates the political dialogue and makes our government work.

SOLUTIONS ADVOCATES BRING A POSITIVE FOCUS TO GOVERNANCE IN THREE WAYS:

**FIRST**, they share their solutions with their elected officials and fellow citizens through social media. **SECOND**, they send their solutions research to members of the media who are working on related stories; and **THIRD**, they write letters to the editor that showcase the successful solution.





## YOUR TOWN'S FACEBOOK GROUP

Facebook Groups may be the easiest and most efficient way to promote a practical solution in your community. Many towns have town-focused Facebook Groups where residents discuss current events and issues affecting their community.

During the course of your research you may find news articles from other communities that successfully implemented policies which address a similar issue facing your town. Share the story within the group and include a short write up on how the solution could be applicable to your community. Also, consider encouraging group members to share this with community leaders and offer any relevant information they might have about the proposed solution.

Facebook Groups have the added benefit of allowing you to post documents such as PDFs and Word documents – something you cannot share in a regular Facebook post. Document sharing can be useful if you want to distribute government documents you received from an Open Public Records Act request, or may have found elsewhere online or through other sources.

Oftentimes, members of the governing body and school board monitor these groups to see what is being discussed in town, sometimes even posting something of their own. Your solution may catch the attention of one of these officials who may ask for more information or offer to introduce it to their colleagues.



## DEVELOP A RELATIONSHIP WITH YOUR LOCAL NEWS EDITOR/REPORTER

– Local news organizations are scaling back their staff, affecting editors' and reporters' ability to research and amplify stories on local issues. And since the business model of many news

outlets is to draw clicks to drive up advertising revenue, stories tend to focus heavily on controversies rather than solutions. The saying “If it bleeds, it leads” is as relevant today as it has ever been.

**As a Solutions Advocate, you can help your local reporter by providing your evidence-based research on topics they are covering.**

Find stories in their publications that could benefit from your research and forward such information to them with a short cover note explaining how your research could benefit further articles on the subject.

## WRITE LETTERS TO THE EDITOR/OPINION PIECES



### Letters TO THE Editor

If you are politely declined by an editor or reporter or receive no response, consider writing a letter to the editor

for publication, referencing a recent article on the issue and describing your solution in the letter.

IN MOST PRINT NEWSPAPERS, LETTERS TO THE EDITOR RUN ON THE SAME PAGE AS THE EDITORIALS, AND PUBLIC OFFICIALS TEND TO MONITOR THEM CLOSELY.

Generally letters should be no more than 200 words. It’s a good idea to always check with the newspaper to see if they have a word limit, and if there are any other requirements for submission.

Another effective way to reach community leaders and the general public is through submission of an opinion piece. As a Solutions Advocate, your opinion piece would reflect the fact that there’s a solution to the issue that is the subject of articles and coverage by the paper.

Most daily print newspapers have an opinion page that includes syndicated columnists, the paper’s own opinion

columnists, and guest opinion columns. Traditionally, the limit for a guest opinion column is usually around 600 words. Here too, before submitting an opinion piece, you should check with the paper to find out what their word limit is and any other requirements they may have for a guest submission.

THE BEST WAY TO GET A SENSE OF HOW TO WRITE AN OPINION PIECE IS TO READ THE OPINION PAGES OF NEWSPAPERS IN WHICH YOU ARE INTERESTED.

This will give you a sense of how opinion pieces are structured and what kinds of pieces the newspapers tend to publish. Submitting your piece with an attached cover letter that briefly makes the case for why you think the newspaper should publish it, increases your chances of success.

The cover letter can include a brief explanation of No-Blame problem solving and the importance of focusing decision-making on evidence-based, cost effective solutions. As always, follow up with the opinion page editor and any other relevant contacts to also increase your chances of publication.

And as you work to develop relationships with reporters and news media personnel through your efforts as a Solutions Advocate, you may become positioned to suggest story ideas to them. This would be an opportunity to suggest writing an article about other solutions being advanced in your town.

## **SERVE AS A SOLUTIONS ADVOCATE FOR A CIVIC TRUST**

– Solutions Advocates also may choose to become Civic Trustees. They assist their fellow Civic Trustees with promotion and implementation of Trustee proposals by using social media to build a base of support for adoption of the proposed solution. Solutions Advocates may work in an independent way, but they can have greater impact when they employ their skills in a team effort with trained No-Blame problem solvers.

## SERVICE IN AN APPOINTED LOCAL GOVERNMENT OFFICE

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There are dozens of appointed leadership positions in local government boards and commissions and on task forces of local school boards.

**The Citizen Service Act, NJSA 40A:9- 9.1 et. seq., requires that every city and town create a directory of appointed offices, listing and describing the responsibility of each of its boards and commissions, their current members and terms, and any vacancies.**

THIS LAW ALSO REQUIRES THAT AN APPLICATION FORM FOR ANY CITIZEN WISHING TO SERVE IN AN APPOINTED OFFICE BE MADE AVAILABLE BY THE TOWN'S CLERK.

The usual term of service on municipal boards is three years, but sometimes a citizen can fill an unexpired term for a lesser period of time. While there is no similar law for school boards, you may file an OPRA request for any resolutions creating committees or task forces with one or more citizen members.

Every municipal government in New Jersey has a wide range of volunteer boards and commissions that deal with a variety of issues and that provide opportunities for public service. **FOR EXAMPLE**, for those interested in the physical development of the city, there are zoning and planning boards and historic preservation, open space and environmental commissions. For those interested in quality-of-life improvements, there are recreation and human relations commissions, economic development boards and arts councils. For those interested in specific constituent and enforcement issues, there are parking and housing authorities, rent control boards, youth councils and health commissions.

## DECIDING WHERE TO SERVE

– So the first step in seeking an appointed position is to get a list or directory of the boards and commissions in your city. This listing is available from your city clerk’s office and often can also be seen on your city’s website. The directory will tell you who the current members are and if there are any existing vacancies or terms expiring soon. Review the list and see which boards interest you.

Ask the clerk for a schedule of board meeting dates, times and locations. Then determine if your schedule would permit you to attend. It is very helpful to attend meetings of the boards you are interested in being appointed to, either to reinforce your choice or eliminate it from your list.

Attending meetings also allows you to introduce yourself to the people with whom you would be serving and find out what kind of issues are on the board’s current and upcoming agendas.

## APPLYING TO SERVE

– Next, get an application form, aka “Citizen Leadership Form” from the city clerk or city’s website or apply as instructed, e.g., some towns ask for your resume instead of using the Citizen Leadership Form.

You can apply even if there are no current vacancies. Your application still is placed on record for when a vacancy may occur. You may also apply to more than one board.

**FOR EXAMPLE**, consider applying to two boards that are related in function and subject matter, thereby increasing your options to serve in an appointed office in the area of your interest.

## PURSUING AN APPOINTMENT TO YOUR CHOSEN BOARD

– Find out who has the authority to make appointments to your chosen board and tell them that you applied. Introduce yourself to government officials, including your elected

representatives, and to political party leaders who may have sway in the appointment decision-making process. If you haven't yet done so, introduce yourself to the chair and members of the board you wish to be appointed to and express your interest in the work and service that they do. Attend board meetings regularly so you become a familiar presence. Take advantage of any opportunities to work with board members on any projects or events they are hosting in the community.

### **AFTER YOU'RE APPOINTED**

**– Understand the mission and goals of the board and how it is intended to serve the community by getting a copy of the ordinance or resolution that created the board or commission. It will state the purpose of the board and will describe the extent of its authority.**

Learn the rules of participation on your board by obtaining and reviewing the rules of procedure. Pay specific attention for placing an item on the board's agenda because this is the procedure for bringing your solutions up for discussion and decision-making.

Exercise No-Blame problem solving skills in carrying out your responsibilities as a board member and be guided by the principles of mutual respect and civil discourse in dealing with other board members and the general public.

**Most importantly, become an effective board member and citizen leader by researching to find evidence-based, cost effective solutions to issues or problems the board confronts.**

**NOTE:** If no board or commission exists in your town that deals with the policy issues in which you are interested to better your community, you can develop a proposal to put before your mayor and council or school board, as the case may be, to establish a new board or task force.

Conduct research to find out if other towns have such boards and how they were established. Then get a copy of the

ordinance or resolution establishing the board and prepare a presentation to your local council or school board suggesting they create one. Remember to follow the 10-step No-Blame Problem Solving Guide to increase your chances of success in this endeavor!

## SERVICE AS A NEIGHBORHOOD POLITICAL PARTY REPRESENTATIVE

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Another way to serve your community is as a neighborhood political party representative, also called a committeeman or woman, or district leader. Under Title 19 of the New Jersey Statutes, every municipality in the state is divided into neighborhood sized “election districts” of approximately 700 to 1,000 voters. The citizens in these neighborhood districts who are members with a party, elect a man and a woman at the primary elections to represent them in political party decision-making.

**The decisions made by neighborhood representatives are important ones, often having huge impact, like the endorsement of candidates for public office, the establishment of the party’s platform priorities for their town, i.e., the positions which party members who are elected to public office should focus on, and the choice of their towns’ party leaders.**

### NEIGHBORHOOD POLITICAL PARTY REPRESENTATIVES OR COMMITTEE SEATS ARE UNIQUE IN TWO WAYS:

**FIRST**, fifty percent of the positions are reserved for women, (i.e., this means that every political party election district’s representation **must** consist of one woman and one man) and **SECOND**, the holder of each seat serves in a dual capacity, both as a representative of their party on the town level and as a representative of their party on the county level. So, when you serve as a political party representative, you not only can exercise leadership in your town, you can become a player in the very powerful arena of the county party organization.

## SOME OF THE MANY IMPACTFUL DECISIONS COUNTY AND MUNICIPAL COMMITTEE PEOPLE MAKE INCLUDE:

### ■ **SCREENING AND CHOOSING CANDIDATES:**

The political parties control the “party line.” This is a slate of candidates bracketed together on the ballot under the unified title of the Democrats or Republicans. In most cases, people vote the party line of their political party without knowing anything about many of the individual candidates. In certain areas of New Jersey, having the “party line” in the primary is tantamount to winning the primary and ultimately the general election. The screening process for party endorsements in each town or county party varies depending on their by-laws.

### ■ **DECIDING WHO GETS FUNDING:**

The political party organizations raise campaign dollars and control the amount of money spent on campaigns, including how much goes to their endorsed candidate. And in New Jersey, advertising and mailings are costly and spending a lot of money is often needed to win elections. Thus, funding of candidates’ campaigns is a significant factor in determining the outcome of elections.

### ■ **ELECTING THE PARTY LEADERSHIP:**

The committee members elect their municipal and county chairs and vice chairs. Deciding who to put in charge can be instrumental in determining the direction of the party – its platform and its choice of candidates for public office.

### ■ **ADOPTING A CONSTITUTION AND BYLAWS:**

The constitution and bylaws are the governing documents for a political party. They establish the rules about how decisions are made, the election of the chair, officers and other platform priorities, and candidate endorsement screening procedures. These are decisions with significant impact.

**FILLING VACANCIES IN COUNTY AND STATE LEGISLATIVE ELECTED OFFICES:**

- If a state legislator steps down during a certain window of the year, the decision of who will replace them is not made by the voters in their district, but rather is made by a vote of the party committee people within their district. A significant percentage of the legislative seats both in the Senate and the Assembly, have been filled this way. When the normal election time rolls around, these seat replacement holders run as incumbents, a distinct advantage since incumbents can respond to constituents needs and thereby build support and they usually develop more name recognition and public exposure than a challenger or newcomer may have.

Usually party representatives serve for terms of 2 years and attend a number of meetings over the course of their term.

The County and Municipal party reorganization meetings are held approximately one week after the Primary election. The municipal party reorganizes on the Monday following the primary and the county reorganizes on the Tuesday following the primary.

During the year, municipal committee people usually will meet once a month, although each committee sets their own schedule in accordance with their by-laws. Committee people also meet to fill vacancies in committee seats. There are also candidate endorsement screening meetings.

**HERE'S HOW YOU CAN BECOME A NEIGHBORHOOD POLITICAL PARTY REPRESENTATIVE IN YOUR CITY OR TOWN.**

You can qualify to run for a Neighborhood Political Party Representative committee seat if you:

- Will be 18 years old by the next election
- Are a resident of the election district
- Are registered to vote as a party member  
*(if you are not yet registered as a party member, and want to run for a committee seat, you would request and file a party declaration form).*

## PREPARING TO RUN

– If you are qualified and interested in running, you should start doing some homework. Ask the Party Chair, or someone else involved with the party, when the Party meets and attend a meeting or two (some meetings or portions thereof may be closed to the public).

- Introduce yourself to committee members, especially to those representing your district. And before you attend the party meeting, visit or speak with your town clerk and find out which election district you live in and ask if the committee seats for your party of choice (Democrat or Republican) are up for election in the next primary. If you decide to run after attending the party meetings, request a nominating petition to run and ask how many signatures are required.

- Next, contact the county clerk or county superintendent of elections and get a list of current committee members in your town for the political party you are interested in serving and the districts they represent. Also, get the total votes they garnered in the last election. (This information may also be on the county clerk's website and may be available from the municipal clerk as well).



- Also request a copy of your town's election district map. Determine if there is a vacancy in your election district or if the seat is filled. Gather the required number of signatures on your nominating petition (this number is usually around or less than 10) from registered members of your party in your district. You

should try and get more than the required minimum just in case some of the signatures are invalidated.

- Submit your completed and notarized nominating petition to the county clerk and follow up to make sure your name will appear on the Primary ballot.
- You should also request a copy of the county party bylaws from the county clerk's office so you know how the party organization operates.
- If you haven't yet contacted the party chair to discuss your interest in the seat, you should let him/her know that you are running. And if the seat is currently occupied, you may also wish to notify the incumbent of your intentions. In this way, you are indicating the standard of mutual respect and civility you will set if elected to the office.

## CONDUCTING YOUR CAMPAIGN

– You can request a “**walking list**” (a list organized by street addresses) of registered party members in your municipal election district from the office of the county board of elections. Ask that the list be sorted by who voted in the last Primary election in which there was an election of party committee members.

- Walk through your election district and meet with “primary” voters; prioritize those whom you know or have some relationship to via mutual friends and the like.
- Also make sure you visit with those who voted in the last primary election which included committee elections.
- Introduce yourself and explain that you will function as the neighborhood's eyes and ears in matters of local government and politics.



- Ask them about their concerns for the neighborhood and for

the town and indicate that you will work with them and focus on finding practical solutions to community problems.

- Also indicate that you will take a No-Blame approach in your role as a party leader.
- If you are running against an incumbent committee person, don't criticize them, just emphasize that you have the time, energy, and interest to do a good job and would like the chance to do so.
- Ordinarily, it doesn't take many votes to win. So about a week before the Primary election, revisit the voters you spoke to and ask for their support; show your list to friends and colleagues in town to see if they know any of your voters and ask if they would call and endorse your candidacy; also remind the people whom you targeted as potential supporters to vote.
- No matter the final outcome, thank the people who supported you either in writing or in person. Congratulate your opponent on a good race.

**NOTES** – Under certain circumstances, you can be elected as a **write-in** candidate. If you are interested in running for a committee seat but decide to do so too late and have missed filing deadlines, you can still run and be a write-in candidate, i.e., using the keypad on the voting machine, voters would write your name in on the ballot when they are actually voting in the voting booth. You would prepare and campaign for the seat in the same way as if you had filed a nominating petition but with the following modifications:

- Request an “**Oath of Allegiance**” form from the County board of elections. It must be completed and filed within 7 days of the election if you win as a write-in candidate (NJSA 19:23-16). Also request information about the location and operating hours of your polling place.

- When walking through the neighborhood, explain the process of “writing in” your name using the keypad at the bottom of the voting machine; leave voters something with your name on it so they can write your name in without any problems.
  
- Under certain circumstances, you can also be elected by the municipal committee. If you’ve looked at the list of committee people in your election district and there is currently a vacancy but it is not an election year, you can contact the municipal chair and express your interest in serving on the committee.

The municipal committee can vote you in at a regular meeting with a quorum of the members present. A majority vote of those present determines the outcome.





# CIVIC TRUSTEES



# CIVIC TRUSTEES



## ■ CHAPTER NINE ■

## THE CIVIC TRUST



### CIVIC TRUSTS

A great opportunity to serve your  
community and your country

It's fair to say that most citizens are frustrated with the ideological extremism and resulting incivility of today's politics and government. They would prefer to work together in an atmosphere of mutual respect and focus on finding practical solutions.

The good news is that there is now a convenient opportunity for regular citizens to cast off their frustrations and get to work solving problems and, by their example, restoring the values of service, civility, and pragmatism to America's political culture. This opportunity can be found in serving as a member of a Civic Trust.

Civic Trusts are non-partisan associations of citizens who pledge to work together in a No-Blame pursuit of practical solutions to improve their city or town. They also foster a spirit of service and civility, not only by their example, but by engaging in a variety of activities including: the hosting of No-Blame debates for local candidates; the organizing of Solutions Forums for their town's elected officials and other decision makers; and the recruitment of young citizens to public service by being guest speakers at high school civics classes.

Service as a Civic Trustee requires a minimum commitment to attend monthly Civic Trust meetings for one year (meetings are not held in August and December).

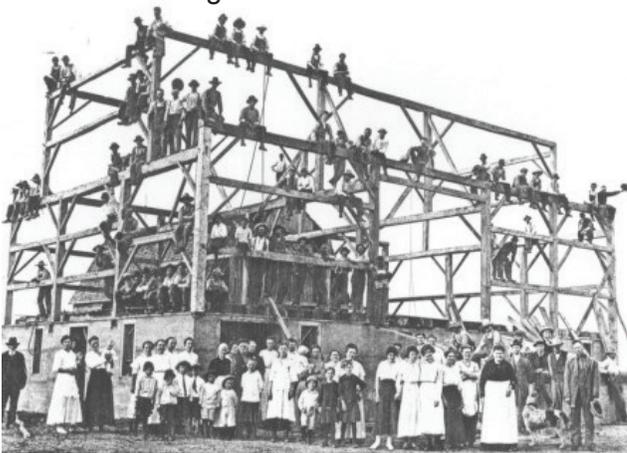
The meetings are approximately 2 hours long and begin with a lite supper. Trustees identify the issues that they want to tackle, and they use the 10-Step No-Blame Problem Solving Guide to keep them on track.

Any No-Blame Debates or Solutions Forums that Trustees wish to host are also discussed and decided upon at these monthly meetings.

Civic Trustees who commit to serve find their best reward in the company of citizens who share their commitment to foster civility and practical, non-ideological problem solving for their community. And they have the support of a dream team of experts in government law, policy, and policy implementation. Trustees also derive benefit from learning about successful solutions shared by Civic Trustees from other cities and towns.

Solutions are shared via an online Menu of Solutions, and Trustees are entitled to participate in an annual Solutions Contest and statewide Civic Trust Summit at which they learn about exceptional solutions that they can put to use in their own communities.

In the great American tradition of the community barn-raising, neighbors put aside their judgments of each other and set to work to address the practical necessity of getting the barn built. Civic Trusts represent a great opportunity to recapture the spirit of the American barn-raising tradition. If you would like to



become a Civic Trustee or want to help organize a Civic Trust in your community, please visit: The Citizens Campaign at: **[www.thecitizenscampaign.org/civic-trust/](http://www.thecitizenscampaign.org/civic-trust/)**.

**■ NOTE TO NON-CITIZENS ■****NEW JERSEY IS HOME TO IMMIGRANTS FROM  
ALL OVER THE WORLD AND  
MANY HAVE YET TO BECOME CITIZENS.**

Non-citizens cannot vote in federal, state or local elections nor can they run for office, but there are still many ways they can participate.

**FOR EXAMPLE:**

- Non-citizens have the right to attend and be heard at meetings of the local power centers and have the right to information such as public records.
- Non-citizens can volunteer on political campaigns and participate in non-profit groups.

Still, to completely participate in our democracy, it is important to gain citizenship. Some of the basic requirements include:

- 1 ■ Lawful permanent residence in the United States for at least 5 years
- 2 ■ The ability to write, speak and understand basic English
- 3 ■ Passing an exam on US history and government

To apply for citizenship, you must fill out form N-400, which can be obtained from US Citizenship and Immigration Services at [www.uscis.gov/n-400](http://www.uscis.gov/n-400).

Information on how to become a citizen and other immigration

issues can also be found on the website.



**U.S. Citizenship  
and Immigration  
Services**

**■ APPENDIX ■****SAMPLE SOLUTIONS**

In this Manual you've learned how to become a problem solver and offer solutions to the issues facing your community today and in the future. Listed below and fully incorporated in this Appendix, is a small sampling of solutions (with supporting materials) that citizens in New Jersey have successfully advanced for adoption in their cities. These solutions, in the form of ordinances and resolutions, have been demonstrated to be evidence-based, cost effective, and of benefit to the community as a whole. They can be tailored to work in your hometown.

**URBAN AUXILIARY POLICE FORCE**

– Public safety is usually a priority in all cities. Finding and advancing ways to ensure and improve the safety of residents and create better police/community relations can be very helpful. An Urban Auxiliary Police Force increases police visibility and improves public safety with minimal cost. Included in this Appendix is a policy statement, and a model ordinance to establish it.

**COMMUNITY BASED CODE OF STUDENT CONDUCT**

– Student discipline practices involving interventions can have positive impacts on educational outcomes. Schools in communities where citizen input plays a role in establishing such discipline policies have been shown to have better outcomes. In New Jersey, boards of education are required to adopt and annually review a code of student conduct that establishes standards and policies for student discipline. Included in this Appendix is a policy statement and model resolution for school boards to adopt to encourage community engagement in the development of codes of student conduct.

## **STORM AND FLOOD PROTECTION**

– Addressing the impacts of severe storm and flooding events in our cities and towns has become a serious issue in the 21st century. Adopting a policy that sets forth concrete steps that can be taken to plan and prepare for such events represents a positive move in dealing with this issue. Included in this Appendix is a policy statement regarding the need for planning for such occurrences, and a model resolution that your local planning board can adopt that advances comprehensive storm protection planning.



## **URBAN AUXILIARY POLICE FORCE**

### **POLICY STATEMENT**

#### **RE: ESTABLISHING AN AUXILIARY POLICE FORCE**

The creation and utilization of an Auxiliary Police Force can help provide extra support for local law enforcement, and create a better relationship between the community and the police.

Auxiliary Police can be effective tools in cases of emergency, and can be used in public events to aid in crowd and traffic control. By using Auxiliary Police in public events, the city or town can save money on police overtime, which will allow them to retain more police officers on staff in the long run.

Furthermore, Auxiliary Police forces provide job training that can be used for people looking for jobs in security and law enforcement.

Establishing a strong Auxiliary Police Force can be a vehicle enhancing public safety and community relations. Auxiliary Police are most useful in times of emergency.

In the wake of events like Hurricane Sandy, it is important that each city or town have the necessary support in place to respond to emergencies.

Auxiliary Police can be used to provide aid to the police department in different types of emergencies. Auxiliary Police can help keep people organized and respond to problems that regular police officers may not be able to prioritize. The extra police presence may also prevent looting and violence depending on the type of emergency.

With ongoing training, Auxiliary Police can be an affordable way to enhance a municipality's preparedness in cases of emergency. As part of their ongoing training, Auxiliary Police can be effective tools at public events.

Auxiliary Police provide the extra police presence necessary to control large crowds of people and keep the peace. The extra bodies make it more likely that the police can provide a quick response to emergencies and altercations. Furthermore, they can be used to control the flow of traffic, providing better safety for motorists and pedestrians in crowded events.

**Because Auxiliary Police are volunteers, the city or town can save money that can be better spent in retaining police officers.**

The money saved by using Auxiliary Police can save police jobs in the long run. As cities and towns lose money due to an uncertain economy, many New Jersey services and public sector jobs have been, or will be, cut.

When municipalities utilize police for public events, they pay a significant amount of money on overtime. At a time when cities have cut hundreds of police jobs due to the economy, that extra money spent on overtime could be better spent on retaining fully trained police and keeping the city or town safe. By using Auxiliary Police, our towns ultimately save money in the long run to retain much needed police officers.

Auxiliary Police provide an outlet for the police to connect with the community. Auxiliary Police are made up of volunteers from the community, which can foster a connection with community members and police officers.

The Auxiliary Police Force also provides training that can be used for applying to security and law enforcement-related jobs, providing an additional service to the community. A strong Auxiliary Police program can help bridge the gap between the police and the people they are charged with serving.



## MODEL ORDINANCE CREATING AN AUXILIARY POLICE FORCE

**WHEREAS**, N.J.S.A. 40A:14-146.10 provides for the appointment of Special Police (hereinafter Auxiliary Police) by municipalities to augment the forces of the regular police department in the event of unusual or emergency circumstances.

### **NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF (MUNICIPALITY):**

**Section 1:** Pursuant to N.J.S.A. 40A:14-146.10 et seq., there is hereby created within (Municipality), a class one Volunteer Auxiliary Police Unit. The Governing Body of (Municipality) may appoint Auxiliary Police for terms not exceeding one (1) year and may revoke such appointments for four months or less without cause or hearing. Auxiliary Police shall be under the control and supervision of the Chief of Police of (Municipality).

### **Section 2: APPOINTMENT AND QUALIFICATIONS**

**A.** No person shall be appointed by the Board of Police Commissioners or appropriate authority established by law as a member of the Auxiliary Police unless:

1. The appointee is a resident of the State during the term of appointment;
  2. The appointee is a resident of (Municipality);
  3. The appointee is able to read, write and speak the English language well and intelligently and has a high school diploma or its equivalent;
  4. The appointee is sound in body of good health;
  5. The appointee is of good moral character;
  6. The appointee has not been convicted of any offense involving dishonesty or which would make him/her unfit to perform the duties of his/her office;
  7. The appointee has successfully undergone the same psychological testing that is required of all full-time police officers in the municipality or, has successfully undergone a program of psychological testing approved by the Commission.
- B.** The Auxiliary Police shall not carry or be issued firearms or other similar weapons.
- C.** Every applicant for the position of Auxiliary Police who is appointed shall have fingerprints taken, which fingerprints shall be filed with the Division of State Police and the Federal Bureau of Investigation.
- D.** Auxiliary Police shall comply with the rules and regulations applicable to the conduct and decorum of the regular police within the municipality.
- E.** No person shall be appointed to serve as an Auxiliary Police officer in more than one local unit at the same time, nor shall any permanent regularly appointed fulltime police officer of (Municipality) be appointed as an Auxiliary Police officer in any local unit. No public official with responsibility for setting law enforcement policy or exercising authority over the budget of (Municipality) or supervision of the police department of (Municipality) shall be appointed as an Auxiliary Police officer.

- F.** Before any Auxiliary Police officer is appointed, the Chief of Police, or, in the absence of the Chief, the designee of the Chief of Police shall ascertain the eligibility and qualifications for the applicant and report these determinations in writing to the appointed authority.
- G.** Any person who at any time prior to appointment had served as a duly qualified, fully-trained, full-time officer in any municipality of this State and who was separated from that prior service in good standing, shall be eligible to serve as an Auxiliary Police officer.

### **SECTION 3: POWERS AND DUTIES**

- A.** The duties of the Auxiliary Police shall include but not be limited to service to the (Municipality) with regard to special events, or functions and traffic control. In addition, duly appointed regular Auxiliary Police shall have all the powers of on duty regular police officers at the following times only:
  - 1.** During any emergency, as defined in N.J.S.A. App. A:9-33 et seq., as amended and supplemented.
  - 2.** During any practice, drill or activity in preparation for such emergency duly authorized by the State Civilian Defense Director.
  - 3.** While actually engaged in training while attached to the Police Department.

### **SECTION 4: TRAINING UNDER THE POLICE DEPARTMENT**

The Auxiliary Police are hereby attached to the (Municipality) Police Department for the purpose of training. During the period of time that the Auxiliary Police are attached to the Police Department they shall be under the supervision of the Chief of Police.

**SECTION 5:** If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance shall be adjudged invalid for any reason whatsoever, such portion shall be

deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof which shall remain in full force and effect.

**SECTION 6:** That all other ordinances and parts of ordinances in conflict or inconsistent with the ordinance are hereby repealed, but only to the extent of such conflict or inconsistency.

**SECTION 7:** That this ordinance shall take effect after final passage and upon expiration twenty (20) days following publication unless otherwise provided by resolution of this Governing Body.



## COMMUNITY BASED CODE OF STUDENT CONDUCT

### POLICY STATEMENT

#### **Re: Community Based Code of Student Conduct - Community Engagement on School Discipline**

It's time to rethink and readdress school discipline practices and policy. While the primary function of public education is to lay the foundation for educational success and future opportunity for our youth, certain disciplinary policies can undermine this mission.

**Years of research demonstrate that zero-tolerance policies or ad-hoc exclusionary discipline practices have a negative effect on student achievement. Instead of correcting student misbehavior and promoting positive development, these practices remove students from the classroom, depriving them of the chance to receive the**

**education and help that they need, making it more likely that they will drop out of school and enter the criminal justice system.**

The federal government has issued a guidance package that highlights the need for innovative, locally-developed approaches to discipline. Forward-thinking cities across the country are answering this call, and best practices are emerging that promote positive learning environments through prevention and intervention techniques, and through restorative justice practices that hold students accountable for misbehavior while ensuring that each student remains in school and completes their education. These techniques have had proven, successful results in increasing graduation rates and decreasing dropout rates.

In New Jersey, each district board of education is required to develop and implement a code of student conduct, which is the policy document that establishes the standards, policies and procedures for school discipline. The Code of Student Conduct must be reviewed and updated annually, and may be based on parent, student, and community involvement.

Research has demonstrated the powerful effect that engaged families can have on a student's educational outcomes, including improved behavior and academic success.

The Citizens Campaign has found that the best model on improving school discipline is not simply incorporating new innovative practices into the Code of Student Conduct. Rather, the entire school community and broader community must be involved in shaping and employing these positive approaches.

Without community buy-in, the Code of Student Conduct is just words on paper, and will not be as effective in changing the school climate and culture to one of a positive and collaborative relationship between students, teachers, parents and the entire community.

Based on this principle, The Citizens Campaign has developed a model resolution requiring a school district's annual review of the Code of Student Conduct to include a detailed outreach plan for input-gathering from the community, and the formation of a Code of Student Conduct Committee with broad representation from key community stakeholders to provide input and perform outreach.

By approving this resolution, a local school board would be promoting the New Jersey School Boards Association's policy of encouraging parent and community involvement in the development of education of our youth, and would ensure a climate of trust and cooperation whereby every member of the community would hold themselves to the same standards.

The model resolution developed by The Citizens Campaign will set the foundation for improving school discipline, the climate in our schools, and the educational success of our youth. The resolution is ready for adoption by local school boards.



## **COMMUNITY BASED CODE OF STUDENT CONDUCT**



## **COMMUNITY ENGAGEMENT ON SCHOOL DISCIPLINE**



## **A MODEL RESOLUTION FOR SCHOOL BOARDS**

**WHEREAS**, N.J.A.C. 6A-16-7.1 provides that each district board of education must adopt a Code of Student Conduct that establishes disciplinary standards, policies, and procedures in the district's schools; and

**WHEREAS**, (Board of Education) understands that the Code of Student Conduct is an effective tool in improving student achievement if it incorporates current best practices in school discipline, involves families, parents, and the community in its development and implementation, and if its policies are communicated to the entire school community regularly and clearly; and

**WHEREAS**, N.J.A.C. 6A-16-7.1(a)(1) provides that a school district's Code of Student Conduct may be based on parent, student, and community involvement that represents, where possible, the composition of the school district's schools and community; and

**WHEREAS**, research has demonstrated the powerful effect that engaged families can have on a student's educational outcomes, including improved behavior; and

**WHEREAS**, (Board of Education) recognizes that student dropout is a serious nationwide problem that stems from outdated discipline practices and policies that discourage or prevent young people from completing their education; and

**WHEREAS**, such practices include use of zero-tolerance practices and exclusionary discipline measures such as suspensions and expulsions, lack of opportunity for family and community participation in school decision making, and poor or limited teacher training and support; and

**WHEREAS**, school dropout can have severe and lasting consequences for students, schools and communities, including diminished academic opportunities, increased risk of youth involvement in the criminal justice system, diminished future job opportunities for youth, and community decline from the perpetuation of cycles of poverty, segregation and crime; and

**WHEREAS**, (Board of Education) understands that there are alternative disciplinary practices that promote positive learning environments through prevention and intervention

techniques, and through restorative justice practices that hold students accountable for misbehavior while ensuring that each student remains in school and completes their education; and

**WHEREAS**, N.J.A.C. 6A-16-7.1(a)(2) provides that the district board of education shall establish a process for the annual review and update of the Code of Student Conduct; and

**WHEREAS**, (Board of Education) is committed to updating the Code of Student Conduct with input and collaboration from school personnel, students, families and community members, and incorporating evidence-based best practices in positive student development; and

**WHEREAS**, N.J.A.C. 6A-16-7.1(a)(4) provides that the district board of education shall provide to all district board of education employees annual training on the Code of Student Conduct, including training on the prevention, intervention, and remediation of student conduct that violates the district board of education's Code of Student Conduct.

**NOW, THEREFORE, BE IT RESOLVED**  
by the (Board of Education) that it shall:

- 1.** Establish an annual process for the review and update of the Code of Student Conduct pursuant to N.J.A.C. 6A-16-7.1(a) (2), which shall include:
  - a.** Within ninety (90) days of approval of this resolution, a detailed plan for outreach to the community in order to gather meaningful input on the development of the Code of Student Conduct and feedback on school disciplinary policies, in formats such as informational meetings which invite constructive input and information materials which shall be made available in all languages primarily spoken and understood in the community; and

- b.** Within one-hundred and eighty (180) days of approval of this resolution, a process for ongoing evaluation, which will include a method of collecting data on all discipline incidents over the course of the year, consistent with the applicable privacy laws, which can supplement data schools may already be collecting, through which an Annual Outcome Review will be prepared and presented in a written report to the (Board of Education), which will address whether the issues identified at the prior Code of Student Conduct annual review have been improved upon, and provide suggestions for further improvement; and
- 2.** Within ninety (90) days of approval of this resolution, appoint an advisory Code of Student Conduct Committee to implement the process for annual review and update of the Code of Student Conduct; and
- 3.** Establish an annual training program of all (Board of Education) employees on the Code of Student Conduct required pursuant to N.J.A.C. 6A-16-7.1(a)(4)

**BE IT FURTHER RESOLVED** that The Code of Student Conduct Committee (“Committee”):

- 1.** Shall have a minimum of nine appointed members, who shall designate one of the members to serve as Chairperson and presiding officer; and
- 2.** Shall have broad representation from key stakeholders in the community, and specifically:
  - a.** Must include from the (School District) at least one teacher from each level; i.e. elementary, middle, and high school, one guidance counselor, and one other member of school personnel such as a bus driver, [crossing guard] food service worker, security officer, custodial staff member, or [teacher’s assistant] para-professional; and
  - b.** Must include at least one student, one parent, and



scheduled consecutive meetings of the Committee, shall be subject to removal by the (Board of Education); and

- d.** Each member shall serve as advocate for and liaison to the constituency whom they represent, and are encouraged to:
    - i)** Perform outreach specifically to their constituency beyond that which is required in the plan for outreach developed pursuant to 1(a); and
    - ii)** Hold regular meetings with their constituency to keep them informed of the Committee's work, gather feedback, and answer questions and concerns; and
- 5.** May form subcommittees of representative stake holder groups should the Committee deem it reasonable and necessary to do so.

## **STORM AND FLOOD PROTECTION POLICY STATEMENT**

### **Re: Planning Board Resolution for Comprehensive Storm and Flood Protection**

**After Superstorm Sandy, it has become apparent that storm and flood events cannot be treated as isolated incidents. Municipalities must assess their vulnerabilities and engage in planning and development of storm resilient infrastructure. This is of vital importance to the sustainability and future growth of New Jersey's cities.**

A recent federal Climate Assessment report specifically identified the vulnerability of cities in the northeast region of the United States to the impacts of climate change. Extreme precipitation events and coastal flooding are predicted to increase in the years to come, which have the potential to

cause devastating damage to a city's infrastructure, buildings, and public areas.

Understanding and accepting the realities of climate change and rising sea levels is the first step in planning for the future of our cities. The next step involves identifying specific policies and tools which can be used at the local level in order to move toward storm resiliency and an economically viable future.

The master plan is a policy document which guides the use and development of land within a municipality. It expresses the goals and objectives a municipality has for development. A master plan contains several elements which are relevant to storm protection planning.

The Master Plan should be adjusted to articulate a clear policy concerning storm protection and storm water management. This will provide the foundation for implementing both land use ordinances as well as redevelopment plans that have widespread economic, environmental, and social benefits.

Not only will responsible and innovative planning safeguard against flooding, it will also attract and promote development, cut spending in capital costs and maintenance, create green jobs, and, perhaps most importantly, position a city for federal and state grants.

In addition to federal and state infrastructure grants, there are other sources of funding that a city can pursue, such as state pooling of municipal bonds, partnering with other local governments to leverage funding for joint projects, forming public-private partnerships, or non-governmental grants such as those offered by the United Water Foundation, an American water company dedicated to encouraging innovative environmental programs.

A municipality can also generate capital dollars by charging commercial property owners for the amount of offsite storm water drainage their developments generate, and can seek

subsidized, low-cost funding from the New Jersey Environmental Infrastructure Financing Program administered by the NJDEP to accelerate water infrastructure projects.

Generally, cities and water utilities seeking state and local political support for innovative approaches to sustainability should aim to achieve early, visible successes, including changes in local policy that facilitate implementation of tangible solutions. This Master Plan Amendment would be a foundational success in resiliency planning and should be adopted by New Jersey municipalities.

Storm resiliency should not be viewed as a bar to development, rather it seeks to advance responsible planning and design criteria to better attract development and economic opportunities, and safeguard our cities against future natural disasters.

## **STORM AND FLOOD PROTECTION RESOLUTION IN FURTHERANCE OF COMPREHENSIVE STORM & FLOOD PROTECTION IN A MUNICIPALITY**

**WHEREAS**, studies have predicted increased rainfall and flooding, as well as increased major storm incidents in the next decade; and

**WHEREAS**, these changes will cause a dramatic rise in the number and severity of flooding events unless steps are taken to improve management of floods and storm water; and

**WHEREAS**, such flooding reduces the quality of life of residents, causes costly property damage and deters economic growth; and

**WHEREAS**, the City's combined sanitary and sewer system presents distinct challenges during storms and heavy rainfall within [Municipality]; and

**WHEREAS**, the New Jersey Department of Environmental Protection will soon issue a permit that requires [Municipality] to adopt a Combined Sewer Overflow Long Term Control Plan specifying how it will upgrade its sewer and storm water infrastructure to reduce combined sewer overflows; and

**WHEREAS**, the Planning Board has exclusive jurisdiction to evaluate and amend the municipal master plan, including its many elements relevant to storm and flood resiliency planning, and is statutorily empowered to provide recommendations for improvements to the city's development regulations; and

**WHEREAS**, the adequacy and capacity of drainage infrastructure (both green and grey) within [Municipality] is of vital importance in preventing flooding during heavy rainfall events, and is a critical tool for reducing combined sewer overflows; and

**WHEREAS**, comprehensive flood and storm protection planning and flood management development regulations put the City in a better position to obtain storm and drainage related grants and lower cost funding; and

**WHEREAS**, [Municipality] seeks to become a leader in storm resiliency by initiating an innovative and comprehensive approach to storm protection planning.

## **NOW, THEREFORE, BE IT RESOLVED**

by the [Municipality] Planning Board that:

1. The goals and objectives of the Master Plan under N.J.S.A. 40:55D-28b(1) be re-evaluated in light of:
  - a. Risks associated with increases in rainfall, flooding, and related impacts of climate change; and



2. For all site plan and subdivision applications not deemed to be minor under the City's development regulations, the applicant shall be required to submit a "Storm Resiliency Statement" which includes a detailed written description indicating how the development has addressed storm water and flood impacts.
3. The municipal storm water control ordinance be reviewed to ensure that development and redevelopment projects manage storm water effectively, and in a manner consistent with the municipal master plan.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the [Municipality] Planning Board that it hereby recommends that the City Government and the Board of Education, in conjunction with the Planning Board and any other relevant non-profits and city agencies, explore measures to reduce the amount of drainage entering the combined sewer system in [Municipality] using a variety of techniques.

*(See note 2 in the addendum for a list of possible techniques);*  
and,

Recognizing that coordination and collaboration represent an effective process of addressing issues of storm water and sewer overflow, the Planning Board further recommends that there be such collaboration

1. Among [Municipality] departments, agencies and non-profits regarding planning and capital investments that can advance green infrastructure projects, including the [Municipality] Department of Public Works, its divisions, bureaus and utilities, the departments of transportation, parks, planning and engineering where applicable; and
2. With other municipalities in the hydraulically connected combined sewer system, in order to combine their resources to develop, submit and implement a single Long Term Control Plan; and

3. With other combined sewer system municipalities to explore best practices for the Long Term Control Plan that will ensure regulatory compliance in a cost-effective manner and with the greatest additional community benefits.

**BE IT FURTHER RESOLVED** by the [Municipality] Planning Board, that it recommends that all sources of funding, whether in the public or private sector, be explored to plan for and implement the storm and flood protection measures described in this resolution in order that the City be considered a prime candidate for all available funding sources. *(See note 3 in the addendum for a list of possible funding sources)*

## ADDENDUM TO RESOLUTION

### NOTE 1: List of green infrastructure techniques:

1. Pervious pavement, where appropriate;
2. Vegetative swales providing bio-remediation of runoff and reduction of storm water volumes flowing into the City's sewers;
3. Rain barrels and cisterns which can reduce runoff and be used for irrigation and other non-potable water needs;
4. Green roofs to capture rain water and prevent runoff;
5. Green gutters to provide greater water infiltration;
6. Storm water planters on sidewalks to channel storm water from the street into the planter and then to inlets;
7. Storm water bump-outs to collect water for distribution to other inlets;
8. Tree plantings, including street trees, which extend along the length of subsurface trenches and can help infiltrate storm water;

9. Tree canopies to intercept rainfall through leaves and branches;
10. Bio-retention basins and rain gardens on site to maximize infiltration
11. Sediment traps to avoid the clogging of storm and sewer drains;
12. Vegetation and shade trees to break up large areas of pavement.

**NOTE 2: Techniques that can be utilized to reduce the amount of drainage entering the sewer system:**

1. Water conservation;
2. Design elements for government owned property including items in note 1 above
3. Reducing infiltration and inflow, including assessing the current integrity of water infrastructure using techniques such as:
  - Smoke testing, in which non-toxic odorless smoke is pumped into the sewer system to reveal the locations of inflow and infiltration;
  - Dye testing, to identify the origin of water that is accessing the system;
  - Developing a sewer rehabilitation program to replace outdated manholes and laterals;
  - Pipe-bursting method of putting a new pipe into the old pipe causing the old pipe to burst;
  - Cured in place pipe;
  - Relining existing pipes;
  - Green infrastructure, as listed in Note 1 above.

**NOTE 3: Possible opportunities and avenues to explore for funding of the recommendations made in the Resolution:**

- 1.** Subsidized low-cost funding from the New Jersey Environmental Infrastructure Financing Program administered by the NJDEP to accelerate water infrastructure projects
- 2.** Forming public-private partnerships via joint ventures and the like
- 3.** Redevelopment agreements can include sharing of costs of impacts on infrastructure
- 4.** Incorporate requirements for large scale developments to include measures for preventing offsite storm water drainage impacts
- 5.** Non-governmental foundation grants such as those offered by the United Water Foundation, an American water company dedicated to encouraging innovative environmental programs
- 6.** State pooling of municipal bonds
- 7.** Partnering with other local governments to leverage funding for joint projects
- 8.** In-kind support from non-governmental entities
- 9.** Include a “Storm Water/Sewer Impact Plan” requirement in any RFP’s
- 10.** Federal, state and county infrastructure grants

## ■ ABOUT THE AUTHOR ■

**HARRY S. POZYCKI**

CHAIRMAN & FOUNDER  
THE CITIZENS CAMPAIGN

**H**arry Pozycki is the Chairman and Founder of The Citizens Campaign, a non-partisan organization dedicated to bringing a solutions focus to our government and to restoring service, civility, and pragmatism to our political culture. Working as a full-time volunteer, with help from former Harvard President, Derek Bok, and other Citizens Campaign board members, Harry assembled a team of government law experts and distinguished former government leaders. Together, they developed a “power platform” that teaches citizens evidence-based, public issue solving with a “no blame” strategy.

Expanding the reach and impact of citizen power, Harry then developed a program for creating community based Civic Trusts, where citizens, trained in no blame problem solving, serve as Civic Trustees. Meeting in monthly “Solutions Sessions,” Civic Trustees work together to find practical solutions to the challenges facing their cities and our country.

In partnership with the University of Pennsylvania's Graduate School of Education, Harry also developed a high school curriculum known as Solutions Civics, and later an advanced college version called Power Civics. Combining the citizen leadership training of Solutions and Power Civics with the public service opportunity of Civic Trusts, Harry recently launched the "Civic City" initiative, with a goal of expanding the problem-solving capacity of cities and, via sharing local solutions nationwide, the country. Civic Cities are successfully operating in Newark and Trenton, New Jersey, and emerging in several other cities including Philadelphia, Pennsylvania, and Yonkers, New York.

For his substantial work and contributions in the civic arena, Harry received the Governor's Jefferson Award for Civic Innovation and was recognized by the Philadelphia Inquirer as its Citizen of the Year.

In 2001, Harry brought all sides together to pass New Jersey's Open Public Records Act, which gives citizens access to government information so they can initiate constructive solutions without waiting for the political establishment. He was also the lead author of the Citizens Service Act and the Party Democracy Act, state laws which open up opportunities for citizens to serve in appointed government leadership posts and grassroots political party leadership roles. For this work, Harry received a Doctor of Humane Letters from Monmouth University.

In 1992, after serving in a number of local political and governmental positions, Harry led a bottom up reform fight, and took over the chairmanship of what was then the most powerful political party organization in New Jersey; and in 1995, Harry was elected to a county government position with executive and legislative power serving 750,000 residents.

In this role, he authored and implemented a “Code of Conduct” requiring competitive hiring practices and competitive leasing contracts. To further ensure the integrity of government contracting on a statewide basis, Harry went on to lead the development and passage of what *The New York Times* reported was the strongest Pay-to-Play reform law in the nation.

Harry is a 1969 graduate of Brown University, and holds a law degree from Fordham Law School. In 1973, he founded a law firm specializing in growth planning and environmental law. He co-authored an encyclopedia of Land Use Law in 1985 (West Publishing Co.) and served as chairman of the committee that developed and passed New Jersey’s Fair Housing Act. He is also credited by former Governor Tom Kean for his leadership in developing and gaining passage of the State Planning Act.

Harry and his wife, Caroline, have two daughters and two sons-in-law and reside in Perth Amboy, New Jersey.



Civil Rights Icon, Ms. Edith Savage-Jennings



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“By teaching citizens to be informed participants in government problem solving and giving all citizens the opportunity for public service, The Citizens Campaign is laying the foundation for a new chapter in American democracy.”

THOMAS H. KEAN, SR.

Former Governor, State of New Jersey and Chairman, 9/11 Commission



Harry Pozycki and his wife, Caroline, co-founded The Citizens Campaign with 2 goals in mind:

First, to inform citizens about new legal rights and powers that enable them to drive government problem solving and decision making; and second, to provide a powerful opportunity for those interested in public service to work together in a “no-blame” environment for the betterment of our communities and our country.

For information about The Citizens Campaign’s high school, college, and online curricula in citizen power and “no-blame” problem solving, or to inquire about the opportunity for public service as a Civic Trustee in your community please visit

**[www.thecitizenscampaign.org](http://www.thecitizenscampaign.org)**

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