

52:27D-118.1 to 52:27D-118.10

LEGISLATIVE HISTORY CHECKLIST

(Safe and Clean Neighborhoods Act of 1979)

HJSA 52:27D-118.1 to 52:27D-118.10; Repeals 52:27D-108 to 52:27D-116

LAWS OF 1979 CHAPTER 118

Bill No. A3429

Sponsor(s) Fortunato

Date Introduced June 11, 1979

Committee: Assembly

Senate

Amended during passage ~~Yes~~ No

Date of Passage: Assembly June 21, 1979

Senate June 25, 1979

Date of approval June 28, 1979

Following statements are attached if available:

Sponsor statement	Yes	<del>Yes</del>
Committee Statement: Assembly	<del>Yes</del>	No
Senate	<del>Yes</del>	No
Fiscal Note	<del>Yes</del>	No
Veto message	<del>Yes</del>	No
Message on signing	<del>Yes</del>	No

Following were printed:

Reports	<del>Yes</del>	No
Hearings	Yes	<del>Yes</del>

974.90 N.J. Legislature. Assembly. Municipal  
M966 Government Committee.  
1978b Public hearing on the utility of the  
Safe and Clean Neighborhoods Program. Held  
9-20-78 and 9-27-78. Trenton.

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9/1/78

Cited in public hearing (Vol. 2--p.31):

The Safe and Clean Neighborhoods Program: Statement  
by Assemblyman Vincent Ozzie Pellecchia before the  
Joint Appropriations Committee, 3-21-79.  
(attached)

ASSEMBLY, No. 3429

STATE OF NEW JERSEY

INTRODUCED JUNE 11, 1979

By Assemblyman FORTUNATO

(Without Reference)

AN ACT to provide State aid to certain municipalities for the purpose of upgrading and augmenting certain municipal services and programs relating to safe and clean neighborhoods and repealing P. L. 1973, c. 46.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Director" means the Director of the Division of Local  
3 Government Services in the Department of Community Affairs;

4 b. "Qualifying municipality" means each municipality in the  
5 State which received State aid pursuant to P. L. 1978, c. 14;

6 c. "Approved program" means a program, project, or municipal  
7 services approved by the director pursuant to the Safe and Clean  
8 Neighborhoods Program established by this act.

1 2. This act shall be known and may be cited as the "Safe and  
2 Clean Neighborhoods Act of 1979."

1 3. The funds appropriated pursuant to this act shall be appor-  
2 tioned among the qualifying municipalities for the purpose of  
3 enabling such municipalities to upgrade and augment certain  
4 municipal services and programs relating to safe and clean  
5 neighborhoods, by providing for additional walking policemen,  
6 their related expenses, supervisors and other neighborhood im-  
7 provements, in the following manner:

8 a. In order to receive aid under this act, each qualifying munici-  
9 pality shall apply to the director for matching funds equal in  
10 value to \$1.00 for each dollar appropriated for an approved  
11 municipal program designed to upgrade and augment certain  
12 municipal services and programs relating to safe and clean  
13 neighborhoods;

14 b. Each qualifying municipality shall be limited in applying  
15 for matching funds equal in value to such amount as the qualifying

16 municipality was entitled to receive pursuant to the provisions of  
17 P. L. 1978, c. 56, as certified by the Director of the Division of  
18 Local Government Services;

19 c. A qualifying municipality that did not receive State aid  
20 pursuant to P. L. 1978, c. 56, and that is eligible for such aid is  
21 entitled to participate in this act in an amount not to exceed an  
22 amount equal to that which the qualifying municipality would  
23 have received pursuant to P. L. 1973, c. 46, as supplemented if it  
24 had been eligible at that time, as certified by the Director of the  
25 Division of Local Government Services;

26 d. If additional funds are appropriated, a qualifying munic-  
27 ipality may apply to the director for an increase in matching funds  
28 equal in value to a sum in proportion to that received pursuant  
29 to the provisions of subsection b. of this section;

30 e. If funds remain unapportioned as certified by the director  
31 after a qualifying municipality has had an opportunity to apply,  
32 there shall be established a discretionary fund, and participating  
33 municipalities may make application for such funds as still remain  
34 unapportioned as determined by the director.

1 4. There shall be annually appropriated a sum which shall be  
2 apportioned among municipalities which qualify for State aid  
3 under the provisions of this act.

1 5. In addition to any amount so apportioned there shall be added  
2 to the amount to be paid and distributed to a qualifying munic-  
3 ipality which is entitled to State aid pursuant to this act such  
4 amount as may be necessary so that the amount to which the  
5 municipality is entitled to receive in any year shall not be less  
6 than the amount which municipality received in the preceding  
7 year pursuant to this act.

1 6. Moneys appropriated to fund this act shall be distributed as  
2 follows:

3 a. Payments shall first be apportioned so that a municipality  
4 which received payments in 1978 pursuant to P. L. 1978, c. 56,  
5 receives the same amount which it received in 1978 pursuant to  
6 P. L. 1978, c. 56, even if after these payments are made, insufficient  
7 funds remain for increased distributions to municipalities which  
8 already are qualifying municipalities or for new distribution to  
8A municipalities which become qualifying municipalities;

9 b. Any municipality in the first year it qualifies for said State aid  
10 payments shall receive payments pursuant to this act before mu-  
11 nicipalities which had received such State aid in the preceding year;

12 c. Any provisions herein to the contrary notwithstanding, a

13 municipality which has received State aid pursuant to P. L. 1978,  
14 c. 14, but which is no longer a qualifying municipality pursuant  
15 to that act shall receive, in any year in which it has qualified bonds  
16 outstanding pursuant to P. L. 1976, c. 38 (C. 40A:3-1 et seq.) and  
17 which were issued prior to the effective date of this act, the amount  
18 which it received in 1978 pursuant to P. L. 1978, c. 56.

1 7. Such funds as a qualifying municipality shall acquire pur-  
2 suant to this act shall be appropriated by said municipality in  
3 compliance with the "Local Budget Law," P. L. 1960, c. 169  
4 (N. J. S. 40A:4-1 et seq.). Notwithstanding any provisions of the  
5 Local Budget Law, any municipality qualifying for State aid under  
6 the provisions of this act may anticipate the receipt of the amount  
7 of State aid certified to it by the director and may file such amend-  
8 ments or corrections in its local budget as may be required to  
9 properly reflect such amount in its budget for the year 1979.

1 8. The director is authorized to make and issue such rules and  
2 regulations in accordance with the "Administrative Procedure  
3 Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) and to require such  
4 facts and information from the municipalities and any agencies  
5 thereof as he may deem necessary. An application approved by the  
6 director shall provide for the accountability of a municipality for  
7 the expenditure of funds as allocated in its approved application  
8 and performance evaluations of programs to be provided by the  
9 Department of Community Affairs in carrying out the provisions  
10 of this act.

1 9. The director is authorized to hire, employ or assign such  
2 secretarial, clerical and other technical or professional personnel  
3 as shall be required for the purposes of providing technical assist-  
4 ance, conducting performance evaluations and otherwise securing  
5 the accountability of the municipalities for complying with the  
6 provisions of this act.

1 10. Any determination of the director pursuant to this act as to  
2 the amount of matching funds allocable to each qualifying munic-  
3 ipality shall be final and conclusive, and no appeal shall be taken  
4 therefrom or any review therefor, except in the case of an arith-  
5 metical or typographical error in the calculation of any distribu-  
6 tion of funds.

1 11. P. L. 1973, c. 46 (C. 52:27D-108 et seq.) is repealed.

1 12. This act shall take effect immediately.

## STATEMENT

The object of this bill is to continue to provide State aid to those municipalities which are eligible to receive State aid under the "Safe and Clean Neighborhoods Act of 1973" as supplemented by P. L. 1978, c. 56.

The State recognizes the financial difficulties that municipalities are faced with in providing for walking patrolmen and neighborhood improvements that municipal residents have come to expect as a result of the operation of the Safe and Clean Neighborhoods Program. This bill would make such aid a permanent commitment on behalf of State funding, however, pursuant to the recommendations of the Assembly Municipal Government Committee provision is made for additional funds for all eligible municipalities if the legislature should appropriate such funds.

A3429 (1979)

FROM THE OFFICE OF THE GOVERNOR

JUNE 28, 1979

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

KATHRYN FORSYTH

Governor Brendan Byrne today signed into law the following bills:

A-3382, sponsored by Assemblyman Robert Burns (D-Bergen) which appropriates \$12,147,000 from the 1973 State Facilities for the Handicapped Fund Bond Issue for construction of projects for the handicapped.

These projects are consistent with the regional day school master plan which calls for 11 schools to be constructed in four regions of the state.

The projects to be funded include:

- completion of the construction of an addition to the gymnasium at the Katzenbach School for the Deaf;
- completion of the construction of a regional day school in Bergen County for severely handicapped children;
- phase I of the designing, planning and construction of 10 other regional day schools in various locations throughout the state.

A-3429, sponsored by Assemblyman Buddy Fortunato (D-Essex) which establishes the Safe and Clean Neighborhoods Program as a permanent state project implemented by the Department of Community Affairs.

Designated the "Safe and Clean Neighborhoods Act of 1979", it provides state aid to certain municipalities for the purpose of upgrading municipal services and programs regarding safe and clean neighborhoods.

Under prior law, the program was established on an annual basis.

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THE SAFE AND CLEAN NEIGHBORHOODS PROGRAM  
STATEMENT BY ASSEMBLYMAN VINCENT OZZIE PELLECCIA

BEFORE THE JOINT APPROPRIATIONS COMMITTEE

MARCH 21, 1979

Senator Dwyer and Members of the Joint Appropriations Committee:

Thank you for giving me the opportunity to appear before this Committee. I realize that by now, a certain weariness may be setting in. I will be brief.

I wish to appeal for an increase, substantially beyond the proposed \$881,625 increase for the Safe and Clean Neighborhoods Program. Let me explain why. Last June 19, the Assembly Municipal Government Committee of which I am chairman, reported Senate Bill 1185 to continue the Safe and Clean Neighborhoods Program. Because the bill came to the Committee rather late in the fiscal year, we felt obliged to report it quickly to keep the program going. We decided at that time, however, that the five year old "experimental" program should be subject to a thorough review.

Last September the Committee held public hearings on the Safe and Clean program in Trenton and Paterson to determine whether the deployment of walking patrolmen was worth a State subsidy, to determine how the "clean" funds were being spent and whether there was coordination between the two sides of the program, and to consider the effects of a five year freeze on funding.

Thirty-five private citizens and public officials from around the State came to testify. Dr. George Kelling from the Police Foundation flew in from Washington, to provide us with some preliminary results from his independent study of the walking patrol system.

Witnesses from Trenton, Paterson, Camden, Newark, Elizabeth, Jersey City and smaller urban aid centers such as Neptune, Montclair, and Bridgeton repeated that this program-more than any other-demonstrates that the State is committed to the improvement of city neighborhoods.

A good deal of testimony focused on the unique walking patrol aspect of the program. No other state in the country explicitly provides for the funding of walking patrolmen; no money can be used for automobile patrols. Should we place such restrictions on such funds? Yes, absolutely.



Because most patrolmen prefer riding to walking, there is, as Dr. Kelling explained "a strong organizational pull away from foot patrol to radio cars." If we did not have this program, few cities would have foot patrols. We found, however, that high ranking police officials - the very people who might object to manpower deployment restrictions - recognized that fact and accepted the walking patrol concept and gave it very high marks.

For example, Captain John G. Brokaw of the New Brunswick Police Department compared two similar neighborhoods, one with the walking patrol and one without, and he discovered that the one with the walking patrol had a significantly lower crime rate. Quite apart from the crime reduction, the walking patrol is perhaps the single most important factor in improving police-community relations. The man walking a beat talks to neighborhood kids, merchants and residents. The automobile patrolman has few such opportunities.

The Police Foundation also provided our Committee with some preliminary results of a comparative analysis between motorized and walking patrol which indicates that the walking patrol results in substantial cost savings.

I am not saying that we should replace auto patrols with walking patrols. What I do say is that in certain densely populated areas, we need a balance between walking and riding and this program is absolutely critical in maintaining that balance.

The Clean side of the program, provides for the upgrading of street lighting, curbs, sidewalks and parks and for the demolition of dangerous abandoned dwellings. Our public hearings revealed that such improvements are the necessary complement to the walking patrol which serve to greatly enhance neighborhood morale. When residents see public improvements in their neighborhoods, they pitch in and begin investing money in their own homes. And home improvement is ultimately the soundest form of urban renewal.

Safe and Clean funding has been frozen at \$12 million for 5 years. Municipalities are now obliged to draw funds from neighborhood capital improvements to pay salaries and fringe benefits, especially

those of policemen. The original intent to the legislation, to provide for a broad range of neighborhood improvements, has been eroded. Even with the drastic shifting of funds from Clean to Safe programs some cities have been forced to drastically reduce the number of walking patrolmen. Jersey City had 94 walking patrolmen in 1974 but only 64 by 1977. In 1975 there were 72 walking patrolmen in Trenton but by 1978 there were only 48.

On behalf of the Assembly Municipal Government Committee, I wish to make the following recommendations:

1. After five years, the program has proved itself and should be made permanent.
2. Keansburg, Rahway and Bloomfield, the three new urban aid municipalities, should be permitted to apply for Safe and Clean funding. I understand that the level of funding recommended in this year's budget does make provision for those municipalities.
3. At present there is no appropriation to the Bureau of Local Government Services to administer this extraordinarily complicated program which involves the expenditures of \$24 million in State and local revenue. The Bureau is obliged to draw on its limited budget to provide supervisory personnel and has been forced to cut back the number of Safe and Clean supervisory personnel from 14 to 10. The initial Safe and Clean legislation made provision for the expenditure of up to \$75,000 for this purpose. That figure should now be properly raised to \$100,000 and this amount should be appropriated.
4. I suggest a 20% increase in funding above present entitlements. This would, in a very modest way, compensate for the effects of inflation on this program. Accordingly, the \$1 million ceiling on expenditures for the largest municipalities should be raised to \$1.20 million. This 20% increase is still well below the inflation rate from 1974 to 1979 and would seem to be the bare minimum necessary to prevent the program from being dangerously weakened.

The 20% increase recommended by the Municipal Government Committee makes sound fiscal sense. Failure to make such appropriation will contribute to neighborhood decline which in the long run will cost the State far more money than the modest increase in the Safe and Clean Neighborhood Program.

Mr. Chairman, thank you for your consideration. I wish at this time to present you with a transcript of the Municipal Government Committee hearings on this matter and with a list of municipal entitlements based on the Committee recommendations, and certain other relevant material.

<u>MUNICIPALITY</u>	<u>PRESENT BASIC ENTITLEMENT</u>	<u>FISCAL YEAR 1979 ALLOCATION</u>	<u>FISCAL YEAR 1980 PROPOSED ENTITLEMENT +20%</u>
Asbury Park	\$ 227,124	\$ 227,000	\$ 272,549
Atlantic City	610,291	609,291	732,349
Bayonne	118,433	118,433	142,120
Bloomfield	76,409 (a)	0	91,691
Bridgeton	242,283	121,229	290,740
Camden	1,000,000	1,000,000	1,200,000
East Orange	934,376	934,376	1,121,251
Elizabeth	890,336	890,336	1,068,403
Hoboken	711,104	629,305	853,325
Irvington	256,802	256,802	308,162
Jersey City	1,000,000	1,000,000	1,200,000
Keansburg	72,043 (a)	0	86,452
Lakewood	175,686	175,686	210,823
Long Branch	275,965	275,965	331,158
Millville	106,842	106,442	128,210
Montclair	78,960	78,960	94,752
Neptune	158,806	158,806	190,567
Newark	1,000,000	1,000,000	1,200,000
New Brunswick	290,771	290,562	348,925

<u>MUNICIPALITY</u>	<u>PRESENT BASIC ENTITLEMENT</u>	<u>FISCAL</u>	<u>FISCAL</u>
		<u>YEAR 1979 ALLOCATION</u>	<u>YEAR 1980 PROPOSED ENTITLEMENT +20%</u>
North Bergen	\$ 49,920	\$ 49,920	\$ 59,904
Orange	379,313	246,595	455,176
Passaic	403,005	403,005	483,606
Paterson	1,000,000	1,000,000	1,200,000
Perth Amboy	240,099	240,000	288,119
Phillipsburg	59,520	59,520	71,424
Plainfield	304,559	304,559	365,471
Rahway	41,479 (a)	0	49,775
Trenton	1,000,000	1,000,000	1,200,000
Union City	662,999	330,807	795,599
Vineland	254,580	220,000	305,496
West New York	259,920	259,920	311,904
	<u>\$12,881,625</u>	<u>\$11,987,519*</u> <sup>b</sup>	<u>\$15,487,951</u>
Administrative Costs			<u>+ 100,000</u>
			\$15,587,951

a. Figures given represent proposed basic entitlement upon municipality being added to the program.

b. \$12,481 of \$12,000,000 fiscal year 1978-1979 appropriation unallocated at time of budget preparation.