“Harry S. Pozycki has written a very timely and important citizens’ handbook.

Most Americans never get around to participating in government or politics. Many would like to participate, but say they don’t know how or where to begin. By telling people in simple, practical terms how to get involved in shaping government decisions in their hometowns and beyond, The Citizens’ Manual meets this need and makes an invaluable contribution toward a revitalized American democracy.”

— Derek Bok
President Emeritus
Harvard University

“The Citizens’ Manual charts the course to constructive citizenship and the fulfillment that comes with it.”

— Thomas H. Kean Sr.
Former Chair, 9/11 Commission
Former Governor, State of New Jersey

Paths to Power for Regular Citizens
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Empowerment Civics: A Resource Book of Legal Rights and Political Skills for Citizen Participation in Local Government

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AUTHOR’S NOTE

This citizens’ resource book is based on a new vision of American citizenship in which the standard for civic participation is more than voting.

Traditionally, civics education taught us to be spectators. Voting was the end product of our observations. We were taught to revere the founders and to be in awe of our government’s tripartite structure with its sophisticated checks and balances.

While it is important for civics to give us a knowledge of our history and an awareness of our government’s basic structural design, without more, traditional civics leaves us feeling distant from the workings of our democracy and unprepared for participation beyond the isolated act of voting.

Empowerment Civics was written to provide an expanded opportunity for civic participation - an opportunity that extends beyond the ballot box.

In order to enable an increased level of participation, Empowerment Civics takes a hometown-first approach to civics education. By identifying the power centers of local government and teaching the legal rights of citizens to access and influence these power centers, civic participation is made more attractive and government more accessible. Citizens are attracted to participation when they know the legal rules of play, and government is simply more accessible in our hometowns than in the state or national capitals.

However, hometown-first civics is not meant to facilitate participation solely at the town or city levels. There’s hardly a player in the major leagues who didn’t play little league or high school baseball. Likewise, learning the rules and techniques for civic involvement at the local level enables citizens to be prepared to access and influence government at the higher levels.

It is the author’s hope that citizens who are empowered by this hometown-first introduction to participation civics will share it with their fellow citizens.
While full responsibility for Empowerment Civics remains with its author, there are many individuals and foundations who have contributed to its development and publication. They are: The Fund for New Jersey; Sagner Family Foundation; Steven and Elaine Pozycki; Common Cause NJ; NJ League of Women Voters; NJ Public Interest Research Group Law & Policy Center; Gibbons Fellowship on Constitutional Law; Derek Bok, President Emeritus of Harvard University; Susan Fuhrman, Dean of the University of Pennsylvania Graduate School of Education; John Puckett, Associate Dean of the University of Pennsylvania Graduate School of Education; Dr. C. Roy Epps, President of the Civic League of Greater New Brunswick; Clement Price, Board of Governor’s Distinguished Service Professor and Director of the Rutgers Institute on Ethnicity, Culture, and the Modern Experience; Alan Rosenthal; William Cox Esq.; Michael Pane Esq.; Ronald Cucchiaro Esq.; Donna Ardizzone; David Wilkinson; Jeff Merritt; Rachel Pittard; Sandra Matsen, President, NJ League of Women Voters; Dee Corona, former Government Relations Director, NJ Education Association; Tom Byrne, Former Chairman of State Democratic Party; Chuck Haytaian, Former Chairman of State Republican Party; Richard McInerney; and Patricia Bernstein.

Special thanks are due to Rob Horowitz for his substantial research and editing assistance in the development of this handbook and to the Center for Civic Responsibility for its incubation of the Empowerment Civics education concept.
Citizenship means more than voting and paying taxes. In a representative democracy, a citizen’s responsibility is to be actively involved in public life.

Yet, study after study has documented the decline of citizen participation. For several decades, each generation has been less engaged in politics and public affairs than the generation that preceded it.

Today, citizens are increasingly removed from the public square. People view government and politics as an inaccessible game of money players and professional politicians. As a result, they feel increasingly powerless over the policy decisions that affect their lives.

Part of the reason for this disengagement is that people lack the knowledge needed to be effective in the political arena - to turn their ideas into practical action. To move from a spectator to a participant in our democracy requires understanding your rights as a citizen and how to use those rights in a constructive and responsible manner. Yet, the skills required for active citizen participation are not taught in our schools and adults have no place to go to learn them.

That is the reason for this handbook. It is a practical guide about how to effectively participate in the public life of our communities. In concrete detail it shows citizens that they do have power; they only need to learn how to use it.

The best place to learn how to be active citizens is closest to home in our own communities. Local government decisions determine how high your taxes will be, how safe your neighborhoods will be, the quality of the public schools, and the quality of the environment in your town.

It is exciting to play a role in determining the shape and quality of your community. This handbook will help give you the tools to succeed as you begin to get involved.

The handbook is organized into ten chapters. Chapter One discusses the three main power centers of town government - the
elected council or committee and the mayor, the school board, and the planning board. It highlights the rights that are most useful to citizens as they attempt to influence the decisions made by these critically important government bodies.

Chapter Two highlights the hidden power center - the local political parties. In most communities, the local political parties play a central role in public affairs, and understanding how they work and how to get involved in them can help citizens realize their policy goals. Yet, very few people are aware of the parties' importance.

Chapters Three-Five, provide the tools citizens require to exercise their rights effectively. Chapter Three provides a step-by-step guide on how to develop a sound, responsible proposal to present to the relevant government body. Chapter Four offers a detailed guide to making an effective, respectful presentation to a local government body. Chapter Five provides a road map to constructive citizen action, including the use of the media to get your message across to the public and decision-makers and involving your fellow citizens. The goal of Chapter Six is to highlight the power of the vote, especially when all the opportunities for its use are realized. Chapters Seven through Ten provide a detailed summary of citizens' legal rights organized by power center, as well as additional background on the power centers themselves. Finally, information on how to become a citizen and which major rights apply to non-citizens is included in a note at the end of the book as well as a glossary of terms.

— HARRY S. POZYCKI
CHAPTER 1
THREE POWER CENTERS OF TOWN AND CITY GOVERNMENT

CHAPTER 2
THE HIDDEN POWER CENTER: THE LOCAL POLITICAL PARTY
Among young people, 8 out of 10 know that the cartoon Simpsons live in Springfield, while only half that number can say which party controls the Congress. (National Conference of State Legislatures)

9 out of 10 college students believe that they need more practical information about politics before they get involved. (Harvard Institute of Politics)
CHAPTER ONE:
THE THREE POWER CENTERS OF TOWN AND CITY GOVERNMENT

The three main power centers of local government are the elected council or committee, the school board, and the planning board. 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.

The elected council or committee, along with the mayor, determines what to include in the town budget and the amount of taxes paid by community residents. It also decides most overall policy questions. The school board makes key educational decisions and is responsible for putting together the school budget. 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 and the quality of its environment.

These three power centers are also responsive to active participation by citizens - effective citizen action can make a large difference in what is decided. It is important to remember that people who serve on these government bodies are either elected or appointed by elected officials. As a result, they are usually responsive to the opinions of active citizens because they recognize that active citizens vote, and many times, influence the voting decisions of their friends and neighbors. Citizen action can determine whether a piece of property is designated for large-scale development or for open space or whether or not there is adequate funding in the municipal budget for after school youth programs.

The main power centers are described briefly below. More detailed descriptions are available in Chapter Seven through Ten.
ELECTED COUNCIL OR COMMITTEE

The elected council, called a committee in many New Jersey communities, serves as the main governing 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; or should a redevelopment plan be adopted.

All New Jersey communities have mayors, but their power and legal relationship to the council vary from community to community. New Jersey’s cities and larger suburban towns tend to have mayors that are directly elected by the citizens. 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 whom function more like council presidents.

Councils range from as many as nine members to as few as three. They decide nearly all matters by 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 council to override a veto.

THE SCHOOL BOARD

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. 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 actual curriculum.

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 NJ Supreme Court decisions, stating that the amount of money spent per pupil throughout New Jersey must be more equal. 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. But even in these districts, many important curriculum decisions are made at the local level.

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.

Most communities have elected school boards. In a small number of communities, the mayor appoints the members of the school board. In the overwhelming majority of communities, school budgets usually require voter approval. Call your local school board for more information about your school district.

THE PLANNING BOARD

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

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

The planning board is responsible for the development of a master plan for a community and for a review and update of the plan at least every six years. 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 level;
and in what areas commercial development will be permitted. A housing plan is a mandatory part of the master plan. 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.

The master plan is a document with teeth. Zoning regulations must be consistent with the master plan.

The planning board also has the responsibility to review and hold public hearings on proposals for new development.

### BASIC CITIZENS’ RIGHTS WITH RESPECT TO LOCAL GOVERNMENT POWER CENTERS

While there are a number of rights that are specific to each power center, there are certain, basic, common citizens’ rights - ones that citizens can use whether they are dealing with the planning agencies, the elected council or the school board. Mastering these basic rights is essential to becoming an effective citizen.

**Citizens have the right to the information they need to participate intelligently.** This includes the right to government records such as memos and budget documents; to advance notice of meetings of any of the power centers; to advance copies of meeting agendas for items to be voted on by the power center; to review proposed laws and proposals before adoption; to attend council, school board and planning board meetings; and the right to the minutes of these meetings.

Taken together, these rights enable citizens to arm themselves with the facts required to develop a sound proposal, or to offer constructive comments on an existing proposal - whether it is a planned new library that is being considered by the council or a proposed new shopping center being discussed by the planning board. The phrase “knowledge is power” has become a cliché but it still rings true. For example, if you are interested in expanding after-school recreation
programs in your community, it is helpful to know how much money is currently being spent and what percentage of the overall municipal budget it represents. You have a right to this information as a citizen.

Citizens also have the right to be heard during a council, planning board, or school board meeting. While the specifics will vary depending on the power center and the community, citizens have the right to comment on ordinances proposed by council members, new development proposals in front of the planning board and school budgets proposed by the school board, to name a few examples. Further, in nearly all New Jersey communities, citizens have the right to present a proposal of their own during public comment times that are built into the meetings of these government bodies. In addition to this, a new state law guarantees the right of citizens to be heard at council meetings on any issue they believe is of concern to the community. However, the right to be heard is not unlimited. It must be done in accordance with the rules, which usually include a time limit of five minutes or so. Further, a council may prohibit citizens from speaking on agenda items at an “agenda” meeting.

Citizens have the right to organize; to involve their fellow citizens in their efforts to realize their public goals for their community. Citizens can invite their neighbors, friends and associates to attend meetings of the “power centers” to demonstrate support for their position. Citizens can also ask members of the community to contact members of government bodies to let them know how they feel about a particular issue. In a democracy, it is not only appropriate to encourage the public to participate - it is essential. After all, these are public bodies that are making decisions that impact the entire community (An extended discussion of ways to activate fellow citizens can be found in Chapter Five).

Finally, citizens have the right to their day in court. Citizens have broad standing to challenge decisions of government bodies in court if they believe they are unconstitutional or illegal. Legal actions tend to be expensive and as a result are usually used as a remedy of last
resort. However, New Jersey’s new Open Public Records Act, which gives citizens greater rights to access public records, offers a free mediation and appeal process.

Of the rights we discussed, the right to information, the right to be heard, and the right to your day in court are guaranteed by state law, principally by the Open Public Meetings Act and the new Open Public Records Act. The right to organize is derived from the freedom of association guaranteed by the First Amendment of the Bill of Rights. These rights are what give substantive meaning to the phrase, “a government of the people, for the people and by the people.”

A more detailed explanation of these rights, tips for using them, and the appropriate legal reference are available in Chapters Seven through Ten. A much more extensive list of rights, many specific to the particular government body or local political party, are also covered in Chapters Seven through Ten.
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 through them. This is remarkable when you consider that local party representatives, elected at the neighborhood level, not only get first choice in the nomination of candidates for town or city office, they also have power over candidate selection far beyond the local level. In addition, they are often involved in the selection of fellow 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 Chapter Six for specifics on how to attain a poll worker position).

The lack of citizen awareness of local political parties is even more remarkable given that the office of neighborhood party representative is the closest and most accessible elected position for entry into public life. The position, known officially as “party committee member,” is a post to which four citizens are elected during the primary election to represent a single neighborhood of 700 to 1000 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 involve as many of its citizens in the representative process as possible.
Even if one is not interested in or able to run for a party committee seat, it is important to know about the role and power of these neighborhood party representatives, since they have influence over the elected and appointed officials of their respective parties. If a citizen needs to get the attention of the government, one of the more effective routes is through your neighborhood party representatives.

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 (All New Jersey elections for school board are non-partisan and some citizens also elect their council and mayor this way). This is because party committee members are often looked to by voters in their neighborhoods for information and advice about candidates for all local offices. Additionally, most officials elected in non-partisan elections have party membership and may aspire to party posts or future public office on the party ticket, and know that party committee members are important to their dreams of advancement.

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 neighborhood party representative known as party committee member.

But, in order to find out who your neighborhood representatives are or to run for this post of party committee member yourself, you first need to find out in 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 elected from your neighborhood 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:

a) Will be 18 years old by the next election;

b) Are a resident of the election district; and

c) 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, get 10 signatures of your party members who live in your election district, one of which can be yours. Your name will appear on the primary election ballot. The petition should then be filed by the deadline with the county clerk (53 days before the primary election). It is not especially hard to win a party committee seat. Often committee seats are vacant, and, if you run and vote for yourself, you win. In other cases, committee seats are won with 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 the party leaders, although a politically smart candidate would almost always seek the party leaders’ support as a first step. If they do not choose to support you, you still can run. The commitment required to run for a political party committee seat would take a maximum of 2 hours a week for 6 weeks, and no money. 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 are contained within 175 houses. One could conceivably knock on 30 doors in two hours if on foot. It would ultimately take less than 12 total hours to campaign in your district! Once elected to be a party committee member representing your neighborhood, you gain certain legal rights:

1. **You have the right to attend the annual organizing meeting of your local party.** The law requires that this meeting occur on the Monday immediately following the primary election at which you were elected.

2. **You have the right to move for and seek adoption of a local party constitution at the annual organizing meeting.** State law explicitly states that municipal party committees can adopt constitutions
and by-laws to govern their affairs. You should ask the party chair for an existing constitution and/or by-laws and for copies of those. Even if these documents already exist, they may need to be strengthened.

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. Other provisions can give the power to committee members to vote upon levels of local campaign spending and on local party platforms, which address the issues of your town or neighborhood.

3. 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 organizing meeting. With the right to vote on the selection of party endorsed candidates for elective and appointive office and the right to vote on the party’s spending and platform, a committee member can wield great influence not only over party matters, but also over the local government. 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 neighborhood election district.

4. When a vacancy occurs in the legislature, committee members of the party of the vacating legislator are authorized by state law to select the replacement without any further vote by the general public. The replacement process involves a convention to which the committee people of the legislator’s district each have one vote in the selection of the replacement legislator. A surprising number of legislators are chosen in this manner. (N.J. Const. art. IV,§ 4, par. 1 and 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 by these parties, it is important to know that you have a choice.

Unfortunately, state law sets a high threshold for third parties to gain access to the primary ballot. Presently, only the Democrat and Republican candidates appear on the primary ballot, and only registered Democrats and Republicans are permitted to vote in the primary election. A comprehensive list of the legal rights of citizens, with respect to local political parties, is contained in Chapter Ten of this handbook.
BECOMING A POWERFUL CITIZEN LEGISLATOR

CHAPTER 3
THE CONSTRUCTIVE PROPOSAL

CHAPTER 4
THE RESPECTFUL PRESENTATION

CHAPTER 5
POLITICAL POWER LEVERS

CHAPTER 6
THE VOTING BOOTH
To identify a problem is to complain. To identify a problem and offer a solution is to lead. Citizens often appear before governmental power centers when a problem arises which affects their neighborhood, for example, a traffic safety issue at a particular intersection or a problem with drug dealing at a nearby park. They feel that by bringing the problem to the officials’ attention, they have done their job; and they are right, in part. However, they would be much more effective if they offered a solution or at least a first step towards a solution.

Local public officials often work long hours dealing with an extensive list of ongoing responsibilities. Holding another problem to their plate without even trying to help find a solution can appear to be complaining. This is especially so when an official puts in a full-day’s work at their private job and then rushes to the Council or School Board meeting to put in another several hours of work.

A citizen who offers a constructive proposal to address the problem that he or she identifies will not always get the solution proposed. However, he or she will usually receive a better response because they are clearly trying to help, rather than just adding another problem to an already overflowing plate of public business.
STEP ONE: RESEARCH PAST DISCUSSIONS AND ACTIONS OF THE POWER CENTER

This helpful approach to community problem solving is improved when the citizen takes the time to research what discussions the officials have had and any actions they may have taken with respect to the particular problem in the past. This can be done by making a government records request for any minutes of meetings where the problem was discussed or any resolutions of the power center to take action on the problem, or to refer it to a board, committee, or advisor for consideration.

A citizen who shows respect for any past efforts of officials to address the problem at hand will always be better received. Furthermore, a solution that takes these past efforts into account will be less likely to be rejected with an official’s assertion that the power center is already working on the issue or has referred it to “such and such” committee. Simply put, a proposal that builds upon past efforts will usually draw the officials into a dialogue about furthering the solution and will be less likely to generate a defensive reaction.

STEP TWO: MAKE SURE YOUR PROPOSAL IS WITHIN THE POWER CENTER’S AUTHORITY

It is also important to determine that the power center has the authority to take the action suggested. For example, a proposal to install a stoplight at a dangerous intersection may be rejected by the town or city council because the road in question is a county or state road. If the citizen has determined in advance that this is the case, the citizen can ask the council to adopt a resolution requesting that the county or state take action to address the dangerous intersection.

Information about the jurisdiction of the power center to address the identified problem can be obtained from the town, the city administrator, or sometimes the town clerk. Also, the New Jersey
League of Municipalities, which can be reached at (609) 695-3481, and the New Jersey League of Women Voters, which can be reached at (609) 394-3303, can be helpful in this regard.

**STEP THREE:**
**IDENTIFY A FUNDING SOURCE**

One final matter should be taken into account when developing a constructive proposal. If the solution requires funding, and most solutions do, it is important to identify a source of funds. For example, if the proposal is to add a police officer to patrol problem parks against drug dealing, it is helpful to determine if there are any community policing grants available from the state or federal government. If not, and one must look to the town or city government’s budget, the citizen might ask if the problem could be referred to the police chief to see if existing patrols could be rearranged or if it would be preferable to add funding for additional patrol capacity to next year’s budget.

To sum up, citizens who provide a constructive proposal to address a problem are more likely to get a positive response. A constructive proposal has three components: (1) it acknowledges past discussions and actions of the power center’s officials; (2) proper authority to act has been identified; (3) It identifies the source of any funding needed for the solution.

**A helpful hint:**

For community problems that do not have a clear, easy solution, it is advisable to offer a “first step” as the constructive proposal. For example, if the problem is drug dealing in one or more parks, the citizen may propose that the town or city council adopt a resolution asking the police chief and the recreation committee to discuss the problem and present their recommendation to the council within a specified period of time. It is hard for officials to reject the idea of looking into the problem and this first step will often get the ball rolling toward a satisfactory solution. However, this approach should not be used as an alternative to doing the recommended research. Whether the constructive proposal is a final solution or a first step, a citizen who has done the research will always be better received and more successful.
“Good, the more communicated, more abundant grows.”

- John Milton, Paradise Lost

“A riot is the language of the unheard.”

- Martin Luther King Jr. address in Birmingham 1963
The most persuasive presentation is the respectful presentation. A respectful approach commands a respectful response. Even in the rare instance when a member of a power center treats a citizen’s offer of a constructive proposal disrespectfully, the citizen’s respectful approach will command the respect of the newspaper reporters in attendance and of other members of the power center. Furthermore, the public is watching, often by local cable televised coverage, and it is the public who will vote upon the official’s re-election.

A respectful opening statement is most important to set the tone for the presentation, and it must include the citizen’s name and address for the record.

**EXAMPLE OF A GOOD OPENING IS:**

“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.”

Here are some additional tips on how to be most effective when presenting a constructive proposal:
TIP 1: OBTAIN A COPY OF THE RULES FOR CITIZEN INPUT

Local government power centers usually have rules that establish the procedure for a citizen to speak to the Council, School Board or Planning Board. These rules generally provide for two different opportunities for citizens to address the power center.

At the town or city council there is the opportunity for citizens to comment on and to ask questions about proposed ordinances (local laws) that have been introduced and are ready to be voted upon. State law (N.J.S.A. 40:49-2) requires that there be a public hearing on all ordinances before a vote on their adoption. This opportunity exists only at so called “regular” meetings of the Council, as distinguished from “agenda” meetings where proposed ordinances can be “introduced” but not voted into law.

The other opportunity for citizens to speak often permits citizens to raise their own issues and proposals. This right to speak exists at both agenda meetings and “regular” meetings of the Council and is guaranteed by state law (N.J.S.A.10:4-12).

Citizens who wish to speak to the council on their own issue or proposal, as opposed to questioning or commenting on proposed ordinances, may be required to sign up in advance. While usually require that the citizen sign up to speak at the beginning of the Council meeting, at least one city requires the citizen to sign up days before the meeting.

The rules also often specify at what point during the meeting citizens may speak on their own proposals. Find this out in advance of the meeting because the public speaking portion may not come until late in the evening and babysitting or other arrangements may need to be made.

Another important part of the rules is the length of time each citizen has for their remarks. It is useful to know how long you are permitted to speak so that you can tailor your remarks to fit this time period. Sometimes citizens team up to make a presentation in parts that could not fit into a single citizen’s time period. If a citizen is required to sign up, all citizens who are teaming up should sign up in the order in which they intend to speak.
TIP 2: PREPARE YOUR PRESENTATION

Since most rules governing citizen presentations at council meetings set a time limit for each citizen to speak, it is smart to prepare your presentation in advance. Preparation not only helps you to fit your remarks within the permitted time, it also gives you a better chance to cover the points necessary for a respectful, constructive, and therefore politically effective presentation.

Here is a sample presentation format:

**STEP 1: 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.”

**STEP 2: 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.

**STEP 3: Make your proposal with a realistic request for action.** Asking the council to take a practical, “first step” is a constructive and politically effective approach. For example, it’s hard for a council to refuse to take a look at a problem by assigning its review to an official or a committee with a request for a report back to the council.

**STEP 4: Closing remarks with a clincher**

“This proposal is respectfully made to the council (or mayor and council, if the mayor is present) for its consideration. When, may I ask, will the council give its “response.”

Citizens often make intelligent, responsible presentations, but if they do not make a realistic request and ask for the time when the council will respond to the request, the council may thank the
citizen for the information and proceed to the next proposal. In the process, the citizen is left uncertain about what, if any, action will be taken and is often uncertain about what the council thinks about the presentation.

**TIP 3: DRESS APPROPRIATELY**

In most cases business attire is best, especially if the officials wear business attire at the meetings. At a minimum, casual business clothes are required. Dressing appropriately is part of showing respect, and it is a basic fact of life that impressions are formed based on how we dress. If you dress seriously, you will have a better chance of being taken seriously.

**TIP 4: ARRIVE AT LEAST 15 MINUTES EARLY**

This will usually provide an opportunity to introduce yourself to the government officials and to members of the media, as well as to pick up and review the agenda and copies of proposed ordinances that are usually available. Also, ask the clerk if there is a sign-in sheet. All of this will prevent you from feeling rushed.

**TIP 5: BE POLITE; YOU’RE ON THE RECORD**

If you want to get respect, you need to give respect. Government officials, like most human beings, do not respond well to rudeness, shouting or personal attacks. It is best to make your case in conversational tones and to begin by thanking the officials for giving you the opportunity to speak. Remember, “you catch more flies with honey,” so do not become argumentative.

**TIP 6: REALIZE YOU ARE ON THE RECORD**

It is important to realize that reporters are usually present at meetings of government bodies. As a result, it is possible that you may be quoted in newspaper articles about the meeting, and that occasionally part of your remarks may be filmed and used as part of a television news account. This is an opportunity to make your case to a broader audience. You will increase the possibility of getting media coverage if you think about ways to attract media attention.
as you craft your statement. At the same time, it is important to not say anything that would make you uncomfortable reading in the newspaper the next morning.

**TIP 7: BE PREPARED TO ASK FOLLOW-UP QUESTIONS**

Often the council or power center will hear a citizen proposal and then refer it to a subcommittee or government professional, e.g., the town’s lawyer or administrator. Follow-up on your proposal will be difficult if you do not ask the council the following questions:

1) **May I please ask for what purpose (if not already stated) this matter is being referred to the subcommittee or professional?**

2) **May I also ask when the subcommittee or professional will report back to this body and the public?**

These questions help to ensure that you will get a response to your proposal.
“Don’t tell someone what you know; tell them what they need to know, what it means and why it matters.”

-General David C. Jones, US Air Force Chief of Staff 1963
CHAPTER FIVE:
POLITICAL POWER LEVERS

If you have constructed a “responsible proposal” and made “respectful presentation” (see chapters three and four), you have not only been responsible and respectful, you have been politically effective. As a result, you have probably caused the power center to at least engage in serious consideration of your proposal. If the power center is unable or unwilling to give fair attention to your proposal, your respectful presentation of a responsible proposal puts you in a perfect position to use the political power levers of public debate. Further, even if the “power center” is giving your proposal the attention it merits, exercising these power levers can often mean the difference between realizing the adoption of your proposal and falling just short of success.

This chapter describes the four principal power levers:
1) Local party officials
2) Editorial boards
3) Community organizations
4) An organized citizenry

Sensible advice for how to generate positive press and stimulate a healthy debate is treated in a separate section called “The Press.” Finally, a section on “contact civics” is included which describes those power levers legally available to you if you are willing to put yourself on the line as a candidate for local party or government office, or as a petitioner for a voter referendum or for a recall vote.
POWER LEVERS

• **Neighborhood Party Committee-Members** - As outlined in the chapter on political parties, municipalities are divided into election districts of between 700 and 1,000 registered voters. In each election district the major political parties are represented by two committee-members, one male, and one female, elected by party members either once a year or every two years during the June primary. Committee-members have a voice in the selection of the party’s recommended slate of candidates and, as a result, when they weigh in on an issue, elected officials of their party listen them to closely. Enlisting party committee-members in support of your proposal can yield major dividends. As neighborhood representatives they are usually very responsive to concerns raised by neighborhood residents. While some cities and all school districts elect their officials in non-partisan elections. One might think that would reduce the influence of committee-members. However, party committee members usually have strong unofficial connections to these officials who tend to be active Democrats or Republicans, even if they run without a party label. In other words, no matter whether elected officials run in partisan or non-partisan elections, the party committee-member is still an important power lever (See chapter two for information on how to get the names and addresses of party committee-members).

• **Newspaper Editorial Boards** - Public officials pay close attention to the opinions of the local newspaper as expressed on their editorial page. Usually located in the back of the first section of the paper, the editorial page outlines the publishers’ opinions on local, state and national issues. Scheduling an editorial board meeting in which you outline your proposal to the editorial page editor and others in order to generate a favorable editorial is the best way to use this power lever to advance your goals. If a newspaper will not schedule a meeting with you, sending the editorial page editor the proposal, supported by a brief argument for why it should be adopted, can often generate a favorable editorial. In addition to leverage from editorial boards, you can also involve the reporters in your proposal.
Methods for gaining positive coverage for your proposal are found in the section of this chapter entitled “The Press.”

• **Community Organizations** - Gaining the support of unions, business organizations or public interest groups, particularly ones with significant memberships, will help build momentum for your proposal. Unions have a long history of influencing, organizing and mobilizing people. Business organizations can help generate popular and editorial support. Public Interest groups can help you gain the support of neighborhood activists. Depending on the content of your proposal, certain organizations will be more important than others. For example, an anti-crime proposal can be given a big boost if the local Police Benevolent Association supports it, while a plan to promote economic development and jobs can be given a boost by support from the Chamber of Commerce. Many local organizations need speakers on topics of interest for their monthly meeting. If you have constructed a responsible proposal, you can offer to speak at these meetings.

• **Fellow Citizens** - When citizens are organized and visible, public officials, particularly elected ones, are highly responsive to their views, if they are convinced they will act on them, especially around election time. Demonstrating that there are significant numbers of citizens in the community that actively support your position is one of the keys to gaining its adoption. Public officials are usually either elected or appointed by someone who is elected; as a result, they are highly sensitive to citizens’ concerns. After all, citizens are voters. The following outlines ways to gain citizen support and show that you have it:

1) **Hold an Organizing Meeting** - In order to encourage citizens to act, it is useful to bring them together with fellow citizens concerned about the same issue and to give them specific actions they can take. An organizing meeting serves this purpose. After you make a list of all known or possible supporters of your proposal, these citizens are recruited to attend through mail invitations, persistent follow-up calls,
generating media attention for the meeting and putting up posters at well-trafficked locations. Beginning and expanding an accurate list of supporters of your issue is the foundation of a successful organizing meeting and a key ingredient to any successful grassroots effort. This way you can stay in contact with them and generate activity when you need it. The list should include name, address, business, cell, and home phones, and e-mail address. Computerizing the list is important; it can save time by allowing you to generate mailing labels and by allowing you to easily add names. Any group meeting should have a sign-in sheet so that attendees can be added to the list. It should include name, address, business, cell and home phones. Other sources of names include getting the membership list of allied groups and asking supporters to supply the names of friends and neighbors they think would be interested in participating.

2) **Hold Neighborhood Meetings** - You may have heard the expression, all politics is local. Recognizing that the most local component of a town or city is the neighborhood, a good place to leverage political power is the neighborhood meeting held in your apartment or house or in a supporter’s home. Start by getting commitments to attend from at least six supporters; then invite the neighborhood’s party committee members, especially those of the party in power. Also, invite any members of the appropriate power center who live in the neighborhood (addresses of committee members and power center members can be secured from the town clerk). Elected and appointed officials, and local party committee members are most sensitive to proposals and concerns coming from their own neighborhoods. This is why a neighborhood lobby meeting makes a politically effective place to organize and leverage political power.
3) **Use the Internet** - Creating a web site for your issue concern or organization that tells people how to get involved and allows them to respond to you so that you know whom they are is another way to recruit citizens to your cause. Further, asking people and organizations that are already involved in your issue to send out an e-mail to their e-mail list to invite citizens to an organizing meeting, or to urge them to contact their local elected official is an inexpensive and effective tool.

4) **Build Alliances** - In most cases, natural allies that you can tap for support already exist within the community. For example, if you decide to work to farm vacant land in your community into a park which includes both open space and recreation areas, there is an opportunity to enlist environmental groups concerned with protecting open space, along with the area neighborhood organization and community groups who are concerned about increasing recreational opportunities for kids. These groups probably all have members that can be encouraged to attend city council or planning board meetings and write their local elected officials.

5) **Generate Turnouts at Government Meetings** - Public officials notice significant turnouts at their meetings. If you are making a presentation to a town council, school board or planning board, recruiting a significant number of citizens to join you at the meeting and having them indicate their support by applauding when you are finished will greatly enhance the impact of your presentation. Similarly, if there is a vote scheduled on your issue, it is helpful to generate a significant number of supporters.

6) **Conduct a Letter-Writing, Phone Call and E-Mail Campaign** - Elected officials pay close attention to the mail, phone calls and e-mails they receive. Generating significant numbers of these will dramatically increase your chances
of success. Personal letters written in someone’s own words are particularly effective - far more effective than postcards already filled-out by an organization, which politicians tend to discount. Phone calls and e-mails are also effective ways of contacting elected officials. If you send e-mail and the elected official is your councilman or mayor, please indicate that you are a constituent by mentioning it at the beginning of the email and including your home address. Otherwise, e-mail can sometimes be discounted because the elected official is not sure whether the sender is a constituent or not.

7) **Put on a Rally, Demonstration or March** - A well-attended demonstration, rally or march shows active support for an issue. It takes a lot of work to conduct successful ones. As a result, one should carefully consider whether it is probable that a large crowd could be generated before going ahead. It is also important that a demonstration strikes the right tone. If the participants are strident and seem out of the mainstream, even a well-attended one may not help your cause. Still, there are many examples of demonstrations that have had lasting positive impacts. The March on Washington in 1963 helped build momentum for the passage of the Civil Rights Act of 1964, and more recently, the Million Mom March helped build support for gun control measures. If you decide to go forward with a demonstration, it is critical to generate media attention because that is how most people will learn about it.

**THE PRESS**

Media - primarily newspapers, radio and television - is a valuable tool to get your message out to a broader audience. Citizens learn what they know about issues mainly from the media, and public
officials are sensitive to how they are portrayed in the media and to what issues are receiving coverage. An overall strategy for gaining media attention should be part of your plan for getting your solution adopted. One major component - generating favorable editorials - was highlighted as one of the power levers in the preceding section. Below are suggested other ways to get your issue into the news:

• Include “Sound Bites” in Public Presentations - Sound bites are brief sentences and phrases that relay your message in an interesting and clever manner. For example, a sound bite that could be used to summarize your position on the need for more neighborhood police patrols is: “It is easier to find a drink of water in the desert, than a policeman in our community.” Including sound bites in your public comments or in written materials increases the chances that your message will be seen on the television news, be heard on the radio or read in the newspaper the next day.

• Hold Media Conferences - One “tried and tested” way of gaining media attention is to hold a media conference. Media conferences are usually brief (10 to 15 minutes) formal presentations of information that you deem newsworthy, followed by questions from the media. Media conferences can be used to: announce a proposal; release a study documenting why a proposal is needed; announce significant community or political support for a proposal; announce that Councilman X will be sponsoring the proposal; or to announce other developments or new information that can be fairly described as major news. A media advisory to notify reporters and editors of the time, location and subject of the media conference is normally sent out at least two days in advance. It is important to follow-up the media advisory with phone calls in which you briefly make your case for why they should attend - what makes your media conference news. Participants should be prepared and a practice session should be held to review questions and suggested answers to anticipated media questions. A media release should be written that summarizes the information communicated at the media conference and includes quotes from participants. The release should be given to reporters
who attend, and more importantly, sent to reporters who do not attend so that they can still cover your “news.”

- **Respond to Breaking News** - Breaking news, such as the release of a new national study on your issue, announcements by the mayor or other local officials, or local events can also provide opportunities to get your message out. For example, if the school district releases new test scores and they show that area public schools still lag behind neighboring districts, it provides an opportunity to comment. On the day of the announcement, one can fax a brief statement to the reporters covering the issue. A paragraph or less often works best, since the reporter is looking for brief quotes he/she can insert in the story. Responding on the same day is what works best. However, sometimes on bigger stories, a more detailed response the next day, which helps a reporter do a follow-up story, will also work. For television and radio, one would want to fax a statement indicating that you are available to be interviewed at their convenience. As with any media effort, follow-up calls should be made after you send out the statement. As reporters become more familiar with you and your issue concerns, they will begin to call you for comment when events occur.

- **Submit Opinion Pieces** - While opinion pieces usually do not have the same impact as an editorial from the newspaper itself, they are still an excellent way to reach community leaders and members of the general public. Most daily newspapers have an opinion page that includes syndicated columnists such as George Will and Maureen Dowd, the paper’s own opinion columnists and guest opinion columns. The limit for a guest opinion column is usually around 600 words. Before submitting one, it is important to check with the newspaper to find out what their word limit is and any other requirements they may have for a guest submission. Perhaps the best way to get a sense of how to write one is to read the opinion page of the newspaper. This will give you a sense of how opinion pieces are structured and what kinds of pieces that 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 your piece increases your chances. A follow-up call to the opinion page editor also makes it more likely your piece will be published.

- **Submit Letters-to-the-Editor** - One way of quickly responding to a newspaper article, editorial or opinion piece is to send a letter-to-the-editor. In most newspapers, these 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. Still, check with the newspaper to see if they have a word limit and if there are any other requirements for submission.

- **Suggesting Story Ideas** - As you develop relationships with reporters through your media efforts, you will be positioned to suggest story ideas to them. Reporters are usually looking for interesting stories to cover, so recommending a good one can serve both of your interests. For example, if you are fighting a development proposal by a specific developer and you have research that shows that the developer has built substandard properties in other communities, sharing this information with a reporter and suggesting a story about the developer's past work is good for both of you.

CONTACT CIVICS

“Contact civics” describes the political power levers legally available to you if you are willing to put yourself on the line as a candidate for an elected or appointed board, local government position or a “petitioner” for a voter referendum or a “sponsor” for a recall vote. It also describes the political power you can gain by becoming an active participant in a labor union, business organization or neighborhood organization. They are described below:

- **The Right to Run for a Party Committee Seat** - You have the right to run for a party committee seat, if you will be 18 years old by the next election. You must also live in the election district, be registered to vote and be willing to declare yourself a party member. The town or
city clerk or the officials at the County Board of Elections will help you find out what election district you live in and what form to fill out to declare yourself a party member. Elections for party committee member are held on the “primary” election, which is the first Tuesday after the first Monday in June* (More information about the elected position of party committee member is found in Chapter Two).

**The Right to Run in a Party Election to be the Party Candidate of your Party for Mayor or Council** - You have the right to run to be the party nominee for mayor or council if you will be 18 years old by the next election. You must be a resident of the community, be registered to vote and be willing to declare yourself a party member if you are not one already. The town or city clerk or the officials at the County Board of Elections will provide the information you need to fulfill all the requirements to get on the June primary ballot.

**The Right to Run in a School Board Election or Election for Mayor or Council** - All New Jersey school board elections and some communities’ elections for council or Mayor are non-partisan - no party labels appear on the ballot. If you will be 18 by the next election, are registered to vote and a resident of the community, you have the right to run for these positions. The town or city clerk will provide the information you need to fulfill all the requirements to get on the May ballot for non-partisan council and mayor’s elections or the April school board ballot.

**The Right to Apply for an Appointed Position on a Local Government Board or Commission** - If you are 18 years old and a resident of a town or city, you may apply for an appointed seat on a board or commission. While there is no legal right to a formal application process, if you are 18 and a resident, you are legally qualified. To seek an appointive seat, you may submit your resume or a letter saying why you could be helpful if selected and indicating which board or commission

*At the time of this manual’s publication the New Jersey legislature introduced discussion of changing the date of our primary election from June to February. To track the progress of these discussions visit www.njleg.state.nj.us and enter the keyword primary.*
you wish to serve on. Individuals to whom you would send or give the letter include:

1) The city or town administrator or manager
2) The mayor, school board president and any other local elected officials
3) The local party chair of your political party
4) The elected neighborhood party committee members for your election district.

There are hundreds of board and commission seats in your community. They are a great way to enter the public arena. Other avenues for community involvement include joining the volunteer fire department or first aid squad as well as participating in community non-profit activities and organized youth sports such as Pop Warner football or little league baseball. These organizations all play an important role in the community and allow you to meet like-minded citizens who can become allies in your political and civic efforts.

• Become a “Petitioner” for a Town or City Voter Referendum - In 128 New Jersey municipalities, nearly one in four, citizens have the right to take their case directly to the people through the initiative process (call your town or city clerk to see if your community is one of them). Citizens in these communities may place a proposed local law on the ballot as a referendum question if they obtain the required number of signatures of registered voters. An initiative effort begins with at least five registered voters within the community designating themselves a committee of petitioners. You can get in on the ground floor of an initiative effort by being a “petitioner”. For a more in-depth discussion of the right to go directly to the people, see Chapter Seven Right #10 in the Elected Council section. In all New Jersey municipalities, the council can put a non-binding referendum on the ballot to get a sense of the views of the citizens on issues that can be decided on the local level. To demonstrate

Citizens can propose a local law if they obtain the required number of signatures of registered voters.
support for an issue, citizens may want to encourage their council to put a non-binding referendum on the ballot; this strategy probably is more useful in communities that do not have the option of taking their case directly to the people.

- **Become a “Sponsor” of a Recall Committee to Remove an Elected Official**
  Citizens in all New Jersey communities have the right to remove a council member, mayor or school board member through a recall petition that triggers an election to decide whether the elected official in question remains or is removed. A recall effort begins with the designation of a “recall committee.” If you are a registered voter, you can become one of the “sponsors” of a recall committee - the people who establish the official recall effort.

- **Participate in a union, business organization, or neighborhood organization**
  Becoming active in your local union, business organization or community group can give you political leverage and enhance your local political knowledge. For example, serving on the government committee of your labor union or on the government liaison committee of the Chamber of Commerce are excellent ways of developing contacts and gaining allies.
CHAPTER SIX: THE VOTING BOOTH

In this handbook, I have argued that a citizen’s responsibility is to be actively involved in public life and this means more than paying taxes and voting.

Still, it is important to vote. The right of the people to decide who will represent them is fundamental to democracy. It is a right denied hundreds of millions of people around the world who are still ruled by dictators. And in our country, women and African-Americans had to wage long hard battles to realize their right to vote.

Yet, less than half of Americans vote in most Presidential elections and for most local elections, it is often less than a third. School board elections, for example, often have turnouts of less than one-in-ten eligible voters.

Research data shows that older Americans vote at a rate more than twice that of younger Americans. For this reason, national elections and politics are dominated by discussions of Social Security and Medicare rather than discussions of providing adequate grants and loans, so that all qualified Americans, regardless of income, will have the opportunity to attend college. After all, elected officials worry about their re-election and as a result, pay attention to the people who vote.

On the local level, where turn-outs tend to be lower, your vote and the vote of your friends, neighbors and allies can play a major role in bringing about the changes you desire for your community.

This chapter provides a guide to fully exercising your right to vote and to participating in the voting process. It offers information on how to register to vote and how to find out where to vote. It details
all the major opportunities you have to cast your ballot - general election, primaries, school board elections, and special elections. It also highlights the importance of casting votes for the offices and referendum questions that are usually found further down on the ballot. Finally, it discusses ways to participate on election day other than voting: working as a poll worker; volunteering for an election day get-out-the-vote effort for one of the candidates or political parties; volunteering for a non-partisan effort to encourage a greater number of citizens to vote.

HOW TO REGISTER AND LOCATE YOUR POLLING PLACE

The first step in voting is to register to vote. The forms are usually available at town hall or through your school. To vote in an election, you need to be registered at least thirty days before the day it takes place. It is a good idea when you turn 18 or move to a new address, to immediately register; this will ensure that you will not miss any elections in which you are entitled to vote. To be eligible to vote you must be a United States citizen.

To locate your polling place, where you vote, call your town or city clerk or the County Board of Elections and give them your street address. From there they will be able to tell you what election district you reside in, and, if it is close to the election date, where that election
district’s polling place is located. As discussed throughout this handbook, cities and towns are divided into neighborhood election districts of 700 to 1000 voters. Once you know your election district, you can also find out your polling place by looking in your local newspaper for the list of polling locations that is usually published several days before the election. You will also receive in the mail a sample ballot, which identifies your polling place and contains a list of all the candidates and the questions, as they will appear in the voting booth. In New Jersey, polls are open from 7:00 AM to 8:00 PM.

THE MAIN VOTING OPPORTUNITIES

When most people refer to Election Day, they mean the GENERAL ELECTION held the first Tuesday after the first Monday in November. However, there are other days of the year, that are also election days - and they can mean as much if not more to the future of your community. They are discussed below:

- **Primary Election** - The primary election, held the first Tuesday after the first Monday in June, is when the candidates designated to represent the two major political parties, the Democratic and Republican parties, in the general election are selected. In communities, that are either overwhelmingly Democratic or Republican in voting patterns, the primary is often the real election. Neighborhood party representatives, known as committee members, are also elected in the primary.

  One can vote in a party primary, if one has already become a member of a party by voting in a previous primary or if one has never voted in a primary before. If it is your first time voting in a primary, all you need to do is go to the polls on primary day and tell the poll worker which parties’ primary you would like to vote in. On the other hand, if a Democrat decides that he prefers to vote in the Republican primary, or vice-a-versa, he must change party affiliation by filing a form with the municipal clerk or the county commissioner of registration (See Citizens’ Rights Regarding the Political Parties in Chapter Ten for a more detailed discussion of this issue).
Even in communities with non-partisan elections, in which by definition there are no primaries for local offices, the primary election is of importance because neighborhood party committee people are elected then and they have influence on the elected officials. And, of course, the party’s nominees for higher national and state offices including president and governor are selected in the primary.

• **School Board Election** - Most New Jersey communities have elected school boards. The elections take place on the third Tuesday in April. Since the elections are held at a separate time from regular elections, turnouts tend to be low. As a result, your vote, especially combined with the votes of your friends and neighbors, if they share a preference for the same candidate, can make a tremendous difference. School board members, while they tend to be active members of a political party, run in elections where there is no party label listed on the ballot.

• **Non-partisan Election** - Some communities including New Jersey’s largest city, Newark, elect their council and mayor in non-partisan elections. These are elections in which candidates run without party labels. They are held on the third Tuesday in May. In practice, most of the candidates are active participants in one of the major political parties - though their party affiliation does not appear on the ballot.

Special Election - There are certain special elections that take place at different times than the regularly scheduled primaries, general elections, non-partisan elections and school board elections. Not surprisingly, voter turnout for these elections tends to be especially low. For example, there is special school elections that can be called in certain New Jersey communities at specified times in January, March, September, or December. These elections are usually about financial issues that are not covered in the annual budget, such as a bond referendum for new school construction.

**DOWN THE BALLOT**

To fully exercise your right to vote, it is essential to go beyond the major offices that are usually listed close to the top of any ballot and
cast informed votes as you go down the ballot. Too many voters give up some of the power of their vote by not even making choices on referendum questions, bond issues and contested party committee seats that are usually listed towards the bottom of the ballot. If you are going to go to the trouble of voting, you might as well make your vote fully count.

Among the items you will get to vote on are the school budget and state, county and local referendums for money for open space and transportation. To inform yourself, study the sample ballot that should be mailed to your home close to the election. It will contain any referendum questions that are on the ballot. Also, read your local newspaper, as the election gets closer, as there will be some coverage of these “down-ballot,” issues. In addition, organizations such as the League of Women Voters usually have information about any referendum questions that may appear on the ballot.

PARTICIPATING IN THE VOTING PROCESS

There are opportunities for civic participation on Election Day in addition to voting. The major ones are summarized below:

**Working as a Poll Worker**

There is currently a serious shortage of poll workers - the people who organize and staff the polling places on Election Day. They do the nitty-gritty work of democracy: checking in voters, providing helps if it is needed, recording the vote, and ensuring the machinery is working smoothly. Citizens, 18 and older, are eligible to be poll workers and it pays $200 for the day. You will receive training and a first-hand experience in how 46 elections really work. You can apply directly to the office of County Board of Elections; however, it is normally more effective to tell your neighborhood party committee member that you are interested or the town party chair of your political party if you have a party preference.
Helping to Get-Out-The-Vote for a Candidate or Political Party

On Election Day, candidates and political parties are usually working hard to remind their supporters to vote through phone calls, door-to-door reminders or literature distribution. Volunteering to help the candidate or party of your choice on Election Day is an excellent way of participating. In many cases, people helping to get-out-the-vote are paid for the day. To get involved, contact the party or campaign of your choice a couple of weeks before Election Day. The phone numbers are usually listed, and many campaigns, even on the local level, have web sites with instructions about how to get involved.

Participating in Non-Partisan Turnout Activities

In some communities, non-partisan or civic groups organize get-out-the-vote efforts. They are not designed to help a particular candidate but simply to increase the overall number of voters - an undisputed civic good. You could involve yourself in an existing effort through organizations such as the League of Women Voters or the NAACP, or if one does not exist in your community, you could organize one.
INDEX OF CITIZENS’ LEGAL RIGHTS TO POLITICAL PARTY AND LOCAL GOVERNMENT PARTICIPATION

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CHAPTER SEVEN:
TOWN OR CITY COUNCIL

BACKGROUND

The elected council, called a committee in some New Jersey communities, serves as the main governing body for a municipality. The city or town council is where key tax, budget and policy decisions are made. 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 which strictly limits rent increases, or should a redevelopment proposal be adopted, are decided by the council. The sum total of council actions help determine the quality of life in our communities. That is why it is critical for citizens who want to improve their communities to actively work to influence council votes.

All New Jersey communities have mayors, but their powers and legal relationship to the council vary from municipality to municipality. 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 directly elected mayors who function similarly to governors and presidents as the chief executive officer of a community; smaller communities have mayors who in reality are closer in responsibilities to council presidents. Forty 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 are elected by the citizens of a municipality. In New Jersey, councils range from as many as nine members to as few as three.
City and town councils also vary in whether their members are elected by a community-wide vote, or whether the community is divided into council wards with residents of each ward electing their own council member. There are some New Jersey communities that have a combination of community-wide council seats, called at-large seats, and ward council seats. What is most important for our purposes, however, is that as elected officials, council members are sensitive to the opinions of citizens - particularly knowledgeable, engaged citizens with constructive recommendations.

Councils decide nearly all the matters before them by a majority vote. In nearly 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 council to override it. In order to participate most effectively in your local government, it is important to know exactly how it is organized. The best way to obtain this information is to call or write the municipal clerk and ask them the following questions:

1) How is the mayor elected?
2) How many council members are there?
3) Are the council members elected community-wide, by ward or by some combination of the two?
4) What power does the mayor have to veto council proposals?

In some communities, this and other useful information can be found on the municipal government web site.

CITIZENS’ RIGHTS WITH RESPECT TO COUNCILS

1. 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) annual notice of the schedule for the year of council meetings that are adopted at the yearly re-organization meeting (N.J.S.A. 10:4-18); 2) specific notices at least 48 hours in advance (N.J.S.A.10: 4-7). The schedules of meetings are required to be posted at Town Hall, and if the schedule is revised, the revisions must be posted. 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 township may charge a reasonable fee for this service (N.J.S.A. 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.”

2. **Right to Attend Council Meetings** - Citizens have the right to be present at all council meetings. Council can meet in closed session on a few specifically defined matters. The public can be excluded only if there are special or emergent circumstances that threaten the rights of individuals or the public interest (NJSA 10:4-7). In practice, most times, councils meet in closed session to discuss either personnel matters or lawsuits. Attendance at council meetings give citizens a first-hand impression of council members, which can be extremely helpful in figuring out the best ways to talk to them about issues of concern.

3. **Right to Minutes of Council Meetings** - Citizens have the right to the minutes of any council meeting and these minutes must be available promptly (N.J.S.A. 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 versus Matawan-Aberdeen Regional Board of Education, 212 N.J. Super 328, Law Division 1986). The minutes are the official record of the council meeting and are valuable information for any citizen.

4. **Right to Minutes of Closed Sessions** - Citizens have the right to view minutes taken during closed sessions at an appropriate time. An “appropriate time” is generally defined as the time when the reason the matter was originally discussed no longer exists (N.J.S.A. 10:4-13).

5. **Right to Videotape Council Meetings** - Citizens have the right to videotape a council meeting as long as they provide notice
thirty minutes before the meeting commences (Maurice River Twp. Board of Education versus Maurice River Twp. Teachers Association, 187 N.J. Super 566 (Ch. Div. 1982)). In order 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 to bring a copy of your written notification to the council meeting. Videotaping must be conducted in a way that does not interfere with the conduct of the meeting. Videotapes can be used to give citizens who are working with you on an issue and who are unable to attend the meeting a good account of what occurred. It also provides a record of what commitments individual council members made, which in-turn serves as a good accountability tool.

6. **Right to Review Proposed Laws Before Adoption** - Citizens have the right to review proposed local laws, referred to as ordinances, before they are adopted. From when an ordinance is introduced, referred to as first reading, at least ten days must pass until 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 (N.J.S.A. 40:49-2).

The exception to the need for advance notice is the consideration of a resolution, which can be voted on in the same council meeting at which it is introduced (N.J.S.A. 40:49-1). 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 (N.J.S.A. 40:49-1).

7. **Right to Be Heard at Council Meetings** - Citizens have the right to be heard at a public hearing that is required before an ordinance can be adopted. In practice, the public hearing usually takes place at the same council meeting in which the proposed ordinance will be voted on. Citizens are required to be given at least seven days notice for the public hearing (N.J.S.A. 40:49-1-2). There are normally time limits for your presentation, so it is important to prepare so you can be concise. Part of the
preparation is to call the municipal clerk to ask whether there will be a time limit and if so, how long. Even if there are not formal limits, it is best to be brief no longer than 5 minutes is a good rule of thumb. In most cases, if you want to speak, you will need to sign-up at the beginning of the meeting.

This is the meeting in which it is critical to get fellow citizens to join you in speaking out on your issue. Local council people tend to be highly influenced by the numbers of citizens who voice their opinion.

New Jersey city and town councils must also provide other times during council meetings when citizens can speak more generally about matters that they believe are important to the community (P.L.2002, c.80). These public comment times provide excellent opportunities to raise issues you would like to see the council consider. To find out about general public comment times contact the municipal clerk.

8. **Right to Know Where Your Tax Dollars Go** - Citizens have the right to obtain copies of the proposed municipal budget (N.J.S.A. 40 A: 4-8(1)(b)). The budget is usually the best document for seeing how a municipality spends its money.

9. **Right to Municipal Records** - Under a recent major revision of the Open Public Records Act, citizens now have the right to municipal records including government contracts and local government memoranda. The presumption is that municipal records should be accessible to the public. 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 seven business days to fulfill a request from a citizen, unless it is a particularly lengthy or otherwise difficult request. Further, if a request for a record is denied, citizens will soon be able to appeal to a new state agency created by the legislation, the Government Records Council, and this appeal will be heard for free (C. 47:1A-1).

During business hours, citizens can copy public records
by hand or purchase photocopies of them. Copies shall cost $0.75 per page for the first 10 pages, $0.50 per page for the next ten pages and $0.25 per page for all additional pages unless otherwise specified by law (N.J.S.A. 47: 1A-2). Sometimes, it is possible to get copies at a lower cost.

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.

According to the Star-Ledger, there are four basic steps to obtaining the records that will be most useful:

a) Identify the Records You Want - It is critical to be specific about what records you are requesting. For example, if you are researching a council’s past decisions on curfews for teenagers, it is better to narrow down the meeting dates when these matters were considered than to make an open ended request for the past 20 years of council minutes. The state has set up a web site, www.nj.gov/opra to provide guidance on these kinds of questions.

b) Determine Who Has Custody of the Records You Want - Every government agency is now required to designate a record custodian. For most municipal records the clerk will be the custodian. The League of Municipalities is recommending that police departments designate someone as a deputy custodian to handle frequently asked-for records, such as accident reports. School boards will designate their own custodians and they will vary from district to district, so it is best to ask before filing a request.

c) Obtain and Fill Out the Appropriate Form - A requirement of the new law is that record custodians develop their own forms to be used for record requests. Before submitting one, check with the record custodian so that you can get the right form or at least determine that you do not need to use it. If you are requesting records from a state agency and department that may shed light on a local issue you are concerned about,
you can do that on-line at www.state.nj.us:444/NASApp/DCA_OPRA/department.jsp.

d) **Know Your Rights** - As discussed above, the Public Open Records Act gives citizens new weapons. These include a free mediation process, a seven-business day requirement for fulfilling most record requests and a new presumption that records should be public unless there is a compelling interest in secrecy. Knowing these rights will help you gain the records you need.

10. **Right to Go Directly to the People** - In 128 New Jersey municipalities, nearly 1 in 4, citizens have the right to take their case directly to the people through the initiative process. Citizens in these communities may place a proposed ordinance on the ballot if they obtain, on a petition, the required number of signatures of registered voters who are municipal residents. The number of signatures required is more than 10% of the total votes cast in the municipality at the time of the most recent General Assembly election (N.J.S.A. 40:69A-34). When conducting a petition drive, the goal should be to get at least 20% more signatures than the required number, because signatures can be challenged for a variety of reasons not limited to whether the person in question is registered to vote or not. Therefore, it is important to have enough signatures to withstand a challenge. In addition, gathering signatures substantially above the amount required is a disincentive for anyone to launch a challenge.

11. **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 council members and to council candidates as well as the total amount rose and a detailed accounting of how this political money is spent. Elected officials and candidates are required to file reports regularly with the New Jersey Election Enforcement Commission (ELEC) (N.J.S.A. 19:44A-3, 19:44A-4). These reports can be viewed at the ELEC office, 28 State Street 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 usually raised through the parties.

12. **Right to Elect your Council Members** - Citizens, who will be 18 years old by the election and who are registered to vote, have the right to vote in council elections. Citizens also have the right to participate in council elections by volunteering for the council candidate of their choice. While the amount of money spent on local elections in New Jersey is steadily increasing, it is still the case that most council campaigns are dominated by grassroots activity and one active volunteer can make a big difference.

13. **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, first by advocating a local issue, end up running for council and winning. Service on the council is a great way to have a positive impact in your community and to fight for the issues most important to you.

14. **The Right to Remove a Council Member** - Citizens in some New Jersey communities have the right to remove a council member or the mayor through a recall petition, which triggers an election to decide whether the elected official in question stays or goes (N.J.S.A. 40:41A-88). Since it is easier to oppose an elected official when they run for re-election, the recall process is used sparingly and usually only for cases where the public perceives someone is neglecting their duties or doing serious damage to the community.

15. **Right to Your Day in Court** - Citizens have broad standing to challenge a variety of municipal government actions in court if they believe they are illegal or unconstitutional. These include:
1) challenging any proceeding that occurred in violation of the Open Meetings Act; 2) suing a municipality under federal law for actions contrary to the United States Constitution; 3) petitioning the courts to request an investigation of municipal financial practices; 4) challenging a municipal budget, a publicly awarded contract, a licensing ordinance or a business regulation. Legal actions tend to be expensive and, as a result, are usually used by citizens as a last resort.
Young people who have taken civics classes are more than twice as likely to report that they have engaged in civic activities than those who have not. (National Conference of State Legislatures)
CHAPTER EIGHT:
The School Board

BACKGROUND

The local school board oversees public education in a community from pre-kindergarten through high school. The board is responsible for setting overall policy for the local school district. Among the board’s areas of responsibility are ensuring quality instruction, sound fiscal management and adequate facilities. The school board hires the superintendent of schools who is responsible for implementing policies set by the board.

Further, local school boards have a broad amount of discretion in the area of curriculum. There are statewide curriculum guidelines that all public schools are responsible for following and there are standardized tests that all New Jersey public school students must take. However, the curriculum requirements tend to be general, which leaves a substantial amount of autonomy at the local level.

The state plays a more hands-on role in the thirty designated Abbott districts. These districts, mainly urban, lower income with a high percentage of minority students, receive increased state funding as a result of a series of NJ Supreme Court decisions. In these decisions, the Supreme Court has consistently ruled that the amount of money spent per pupil throughout New Jersey must be more equal in order to realize the New Jersey Constitution’s promise of a thorough and efficient education for all public school students. This increased funding is tied to specific requirements. For example, each school within an Abbot district must select and implement one
of the state approved whole school reform plans. Still, even in the Abbott districts, local school boards have a fair amount of discretion on curriculum matters and many important curriculum decisions are made at the local level.

Other important questions decided by local school boards are: how much teachers will be paid; what professional development efforts to improve teacher performance will be funded; and when to propose new school construction. As a result, citizens who care about public education need to pay attention and work to influence their local school board.

Most communities have elected school boards. In a small number of communities the mayor appoints the members of the school board. For citizens to determine what strategies to employ to get the best results, it is important to know whether their school board is elected or appointed. If a school board is elected, it will be critical to make your case directly to them. If a school board is appointed, it will also be important to make your concerns known to the mayor, because he/she is likely to have a fair amount of influence over the members he appoints. To find out what type of school board your community has, call the board of education and ask the clerk. Finally, when children in a school district consistently perform poorly and there are questions of mismanagement, there is a provision for the state to take over the operation of the school district. This occurs rarely - only three times since the state takeover provision was enacted into law in 1987. In these cases, the state appoints a school superintendent, and the local board of education is disbanded and replaced by one appointed by the state education commissioner. As a result, citizen action needs to be concentrated on the local state legislators, the state education commissioner and the governor's office as well as the new local board.

CITIZENS’ RIGHTS WITH RESPECT TO SCHOOL BOARDS

1. **Right to Advance Notice of School Board Meetings** - Citizens have the right to advance notice of school board meetings (N.J.S.A. 10:4-7). A schedule for the year is required to be published within seven days of the school board’s annual meeting (N.J.S.A. 10:4-
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 (N.J.S.A. 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 (NJS A10: 4-7,10:4-9).

2. **Right to Attend School Board Meetings** - Citizens have the right to attend school board meetings. Meetings must be held at least every two months while school is in session (N.J.S.A. 18A: 10-6). However, most local boards of education choose to meet monthly. 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 (N.J.S A. 10:4-7). For similar 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.

   Attendance at school board meetings give citizens a first-hand impression of the board members which can be extremely helpful in figuring out the best ways to talk to them about issues of concern.

3. **Right to Minutes of School Board Meetings** - Citizens have the right to the minutes of school board meetings and the minutes must be made available promptly. The definition of “promptly” as determined by state courts is that minutes that cover a topic that has been previously discussed must be produced before the topic is discussed again (Matawan Regional Teachers Association v. Matawan-Aberdeen Regional Board of Education, 212 N.J. Super
The minutes are the official record of the school board meeting and valuable information for any citizen.

4. **Right to Minutes of Closed Sessions** - Citizens have the right to view minutes taken during closed sessions at an appropriate time. An appropriate time is generally defined as the time when the reason the matter was originally discussed no longer exists (N.J.S.A. 10:4-13).

5. **Right to Videotape School Board Meetings** - Citizens have the right to videotape a school board meeting as long as they provide notice 30 minutes before the meeting commences (Maurice River Twp. Board of Education versus Maurice River Twp. Teachers Association, 187 N.J. Super 566 (Ch. Div. 1982). In order 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 to bring a copy of your written notification to the school board meeting. Videotapes can be used to give citizens who are working with you on an issue and who are unable to attend the meeting a good accounting of what occurred. It also provides a record of what commitments individual school board members made, which serves as a good accountability tool. In videotaping a meeting, citizens must be extra careful not to be disruptive.

6. **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 (N.J.S.A. 18A: 22-12). The budget will give citizens a good sense of the school district’s priorities.

7. **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 proposal that will be considered by

8. **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 (N.J.S.A. 18A: 22-11). This is an excellent forum to raise issues of concern. While debates about school budgets tend to center mainly around questions of whether they are too high and taxes will have to be raised, there is no reason why citizens cannot raise issues of educational priorities. If you think that your school district should be spending more on professional development for teachers or for new classroom materials, discussions about the budget provide a good forum for your views.

9. **Right to Vote on the School Budget** - Citizens have the right to vote directly on the school budget. The school budget must be submitted to the voters for approval at a regular election (N.J.S.A. 18A: 22-41). The only exception to this rule is for communities that have appointed school boards and state-run districts.

10. **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 (N.J.S.A. 18:24-29). Smaller bond issues can go forward without voter approval. In the case of cities with appointed boards, if the bond issue passes by a two-thirds majority, a referendum is not needed.

11. **Right to Propose Curriculum Changes and Additions** - Citizens have the right to propose new curriculum ideas to their local
school board. School boards have a great deal of discretion in curriculum matters. To be effective and increase the chances of seeing a new curriculum idea be adopted, it is important that a citizen do their homework. The citizen should look at the state Core Curriculum Content Standards to see if their curriculum idea advances a student’s ability to master them. This will make the idea easier to sell. In addition, a citizen should recruit other members of the community to support the proposal.

12. 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 (N.J.S.A. 47:1A-10).

13. Right to Public Records Regarding the Schools - Under a recent revision of the Open Public Records Act, citizens now have the right to school district records. 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. Further, if a request for a record is denied, citizens will soon be able to appeal to a new state agency created by the legislation, the Government Records Council, and this appeal will be heard for free (C.47: 1A-2).

In the case of school districts, there will be certain narrow areas exempted from the Open Public Records Act, such as student academic records.

During business hours, citizens can copy public records by hand or purchase photocopies of them. Copies shall cost $0.75 per page for the first 10 pages, $0.50 per page for the next ten pages and $0.25 per page for all additional pages unless
otherwise specified by law (N.J.S.A. 47: 1A-2). Sometimes, it is possible to get copies at a lower cost.

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. According to the Star-Ledger, there are four basic steps to obtaining the records that will be most useful:

a) Identify the Records You Want - It is critical to be specific about what records you are requesting. For example, if you are researching a school board’s actions on reading and math curriculums, it is better to narrow down the meeting dates when the issue was considered than to make an open ended request for the past 20 years of school board minutes. The state has set up a web site, www.nj.gov/opra to provide guidance on these kinds of questions.

b) Determine Who Has Custody of the Records You Want - Every government agency is now required to designate a record custodian. As a result school boards will designate their own custodians and they will vary from district to district, so it is best to ask before filing a request.

c) Obtain and Fill Out the Appropriate Form - A requirement of the new law is that record custodians develop their own forms to be used for record requests. Before submitting one, check with the record custodian so that you can get the right form or at least determine that you do not need to use it.

d) Know Your Rights - As discussed above, the new Open Records Act gives citizens new weapons. These include a free mediation process, a seven-business day requirement for fulfilling most record requests and a new presumption that records should be public unless there is a compelling interest in secrecy. Knowing these rights will help you gain the records you need.
14. **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. An even more effective way is through organizing a letter-writing campaign. Most school board members are elected officials and as a result, are sensitive to public opinion.

15. **Right to Elect Your School Board Members** - Citizens in most New Jersey municipalities have the right to vote for school board members and to volunteer for the candidate of their choice. Since school board elections are held at a separate time from regular elections, turnouts tend to be low. As a result, volunteer activity on a school board race usually can have a tremendous impact on the outcome. In the few districts where the school board is appointed by the mayor, citizens have the right to make the quality of these appointments one of the criteria they use in deciding whether to vote for his/her re-election.

16. **Right to Follow the Money** - Citizens in New Jersey have the right to know the identity of campaign contributors who give $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 Law Enforcement Commission (ELEC) (N.J.S.A. 19:44 A-3; NJSA 19:44 A-4). These reports can be viewed at the ELEC office, 28 State Street in Trenton, or citizens can order copies of the reports for a fee.

17. **Right to Judge Conflicts of Interest for You** - 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 (N.J.S.A. 18A: 12-25; NJSA 18A: 12-26).
18. **Right to Make an Ethics Complaint** - Citizens have the right to complain to the 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 (N.J.S.A. 18 A: 12-29; N.J.S.A. 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 breaking the law.

The school ethics commission is a nine 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 (N.J.S.A. 18:A 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.

19. **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 (N.J.S.A. 18A: 12-1). The only exceptions to this rule are current school district employees and current members of the local governing body (N.J.S.A. 18A: 12-2). Service on the school board is an excellent way to make a significant contribution to the quality of public education in your area.
PARENTAL AND STUDENT RIGHTS

20. Right to Advocate a Dress Code for Your Children’s School
- Parents have the right to attempt to enact a dress code at their children’s school requiring that students wear a uniform. The school board can approve a dress code for an individual school provided that the principal, staff and parents of that school (N.J.S.A request it. 18A: 11-8).

Separately, school boards are authorized to adopt a district wide dress code. If a board decides to adopt one, it must hold a public hearing on the issue and provide at least three months notice before the policy is implemented. The specific uniform would be determined by the principal, staff and parents of the individual school (N.J.S.A. 18A: 11-8(a)).

21. Right to Have Your Child Excused From Sex or Health Education Classes - Parents may sign a statement indicating that classes on sex or health education conflict with their values. Their children will be excused from these classes without penalty (N.J.S.A. 18 A: 35-4.7).

22. Right to Participate in Your Child’s School Through Involvement in a Parent Organization - Nearly all New Jersey public schools have a parent organization that provides an avenue of participation for interested parents. These organizations are not just about bake sales; they give parents first-hand impressions about what is happening in their child’s school and allow for the building of relationships with principals and teachers that can provide the opportunity for meaningful input. (N.J.S.A. 18A: 6-33.11).

23. Right to Participate in School Based Management Committees Required in the Abbot Districts - The thirty Abbot districts require individual schools to have school based management
committees that include parents and community members, along with students, teachers and principals. The purpose of these committees is to encourage a broad-based effort to improve student achievement by bringing together all the relevant stakeholders. Their fellow parents select parent members. If the parents do not select the required number, the principal selects the remaining parents. The principal selects community members. Training is provided. The term of office is two years (NJSA 6A: 24-2.1).

24. Right to a Quality Education - The New Jersey State Constitution provides that the New Jersey state legislature must provide a thorough and efficient system of free public schools for students between the ages of five and eighteen years (NJ Constitution part VIII). This part of the state constitution has given parents standing to sue to upgrade their child’s education. It is the basis of the Abbott v. Burke case in which the NJ Supreme Court ruled that urban schools in the state must be improved.

25. Right to Adequate Facilities and Equipment - School districts are required by law to provide students with appropriate school buildings, equipment and furniture (N.J.S.A. 18A: 33-1).


27. Right to Be Treated Fairly - Students cannot be discriminated against on the basis of race, color, creed, sex or national origin (N.J.S.A. 18A: 38-5.1).


29. Right to Freedom of Expression - Students have the right to express their opinions on the issues that matter to them at
school. This does not mean that they can disrupt classroom activity, but they cannot be penalized for their views.

30. Right Not to Be Strip Searched - Students cannot be strip searched by school personnel (N.J.S.A. 18A: 37:2- 1).

31. Right to Due Process in Expulsion Proceedings - Students subjected to expulsion proceedings have a right to procedural due process including legal representation (N.J.S.A. 18A: 37-6.1).
The planning board makes key environmental and growth decisions and, as a result, is central in determining the shape of a community and its quality of life.

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

The planning board is responsible for the development of a master plan for a community and for a review and update of the plan at least every six years.

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 level; and in what areas commercial development will be permitted.

The planning board also has the legal right if it wishes to include in the master plan a sub-plan for conservation of the town’s environment and open spaces. The master plan is a document with teeth; zoning regulations must be consistent with the master plan. The planning board also has the responsibility to review and hold public hearings on proposals for new development.

Boards are made up of either seven or nine members. The 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, the public members of the planning board are appointed by the council.

Given that elected officials and people that are appointed by elected officials comprise planning boards, it is not surprising that the goals of the town or city’s master plan subject to political influences. Citizen action and activity can absolutely have a major impact on planning board decisions and can counter heavy lobbying by developers and other interested parties.

CITIZENS RIGHTS WITH RESPECT TO PLANNING BOARDS

1. Right to Advance Notice of Planning Board Meetings - Citizens have the right to adequate and advance notice of planning board meetings. Under the open Public Meetings Act, also known as the Sunshine Law, upon payment of a small fee, you are entitled to a schedule of all the regular hearing dates of your planning boards. 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 revisions must be posted.

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

Under your local development regulations, you may be entitled to notice of major developments without variances, but only if your town’s development regulations require notice. A copy of the development regulations for your community should be available at town hall. Notice must be written in terms that can be understood by the common layman.

2. **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 for at least ten days prior to the hearing (Municipal Land Use Law Section 40:55D-10(b)).

3. **Right to Make Copies** - Citizens have the right to make copies of all documents and forms that are filed as part of the development application, master plan or zoning process (Open Public Records Act). Please note that copying of architect’s plans may be subject to certain restrictions.

Copies shall cost $0.75 per page for the first 10 pages, $0.50 per page for the next 10 pages and $0.25 per page for all additional pages unless otherwise specified by law (N.J.S.A. 47:1A-2). Sometimes it is possible to get copies at a lower cost.

4. **Right to a Public Hearing** - Citizens have the right to a public hearing on all major development applications; only hearings on minor subdivisions and site plans may be exempt (Municipal Land Use Section 40:55-10 (a)). All hearings must be conducted in accordance with a set of rules, which must be adopted each year by the planning board in each town (See Section 40:55D-10(b)).

5. **Right to Question the Developer’s Witnesses** - Citizens have the right to question the developer’s witnesses about their testimony and any reports they have submitted (Municipal Land
Use Section 40:55D-10(g)). However, the board chairperson does have the right to cut off repetitive or irrelevant questions.

6. **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 (Municipal Land Use Law Section 40:55D-10(d)). Citizens also have the right to present expert testimony for or against an application. The board chairperson has the right to cut off repetitive or irrelevant testimony.

7. **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 evidence and make conclusions as to why the development meets or fails to meet the criteria for approval (Municipal Land Use Law Section 40:55D-10(g)).

8. **Right to Minutes and Transcripts** - Citizens have the right to read and obtain copies of the minutes of zoning and planning board meetings (Municipal Land Use Law Section 40:55D-9(c)). Citizens also have the right to verbatim transcripts of hearings on development applications (Section 40:55-10(f)).

9. **Right to a Written Decision** - Citizens have the right to a copy of a written resolution setting forth a decision on any application for a development. The decision must state the reasons why the board approved or denied a development proposal (Municipal Land Use Law (Sections 40:55D-10(g) and (h)).

10. **Right to Appeal** - Citizens have the right to appeal all decisions of the board directly to Superior Court (Municipal Land Use Law Section 40:55D-17). In most cases, appeals must be filed within 45 days of the date of publication of the board’s decision.
CHAPTER TEN:
Local Political Parties

BACKGROUND

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 committee member - a neighborhood level elected party position. Even in cities and towns that elect their municipal officials in a non-partisan manner, in which candidates are not identified on the ballot by their party affiliation, political parties still nearly always play a major informal role. In most New Jersey local elections, the local political parties organize, run and provide most of the funding for local election campaigns. Differences on issues between members of the council or between the council and the mayor, more often than not, reflect party differences.

While there have been some efforts to organize third parties at the local level, for now at least, the two major national and state parties - the Democratic and Republican parties - have a near monopoly in New Jersey communities. However, some gains in third party organizations have been made by the Green Party, the Reform Party and others.

Political parties, particularly at the local level, are largely unknown forces, yet to those who are knowledgeable, they are wide open to citizen participation and influence. Citizens can become active in the political party of their choice by running to represent their
neighborhood as a committeeperson, volunteering on election campaigns or running to be the party’s nominee for mayor or council in a primary, to name just a few possible avenues of participation. Becoming active in local political parties is an excellent way to influence the quality of government in a community.

This chapter provides a comprehensive list of citizens’ right for each power center—the elected council or committee, school board and the hidden power center, the local political parties. Additional background on the power centers themselves is also provided.

CITIZENS’ RIGHTS REGARDING THE POLITICAL PARTIES

1. **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) voting in the primary election of that party; 2) filing with the municipal clerk or the county commissioner of registration a signed declaration that he/she desires to vote in the primary of that party. The municipal clerk and the county commissioner of registration will have the appropriate form that needs to be filled-out. A citizen automatically remains a member of that 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 (N.J.S.A. 19:23-45).

2. **Right to Select the Party of Your Choice’s Candidates** - Citizens have the right to vote in party primaries in which the party’s candidates for council and mayor are selected along with neighborhood level committee-people. One can vote in a party primary if one has already become a member of the party by voting in a previous primary or if one has never voted in a primary before. If a Democrat decides that he prefers to vote in the Republican party, he must change party affiliation by filing a form with the municipal clerk or the county commissioner.
of registration (NJSA 19:23-4.5). The easiest way to do this is to go to the municipal clerk’s office inperson and fill out the correct form.

A limitation on the practice of this right occurs in local elections particularly. The official party organization recommends candidates, and these candidates are often unchallenged in primaries.

A further limitation occurs in communities that have non-partisan elections, where there are no primaries for municipal offices. To find out whether your community has partisan elections in which there are local primaries or non-partisan elections, call town/city hall and ask the municipal clerk.

3. **Right to a 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 (N.J.S.A. 19-22.23.4). Sample ballots, which by law 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. This can cut down on balloting mistakes.

4. **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 party contributors who give $400 or more. Municipal political parties must report their contributions and expenditures quarterly to the New Jersey Election Enforcement Commission (ELEC) (N.J.S.A. 19:44-8). These reports can be viewed at the ELEC offices, 28 State Street in Trenton, or citizens can order copies of the reports for a fee.

5. **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 (N.J.S.A. 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 (N.J.S.A. 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 legal challenge, it is usually a good idea to gather significantly over the required number - 20% over is a good rule of thumb. This way your petitions can withstand any legal challenge. 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.

6. **Right to Run with Like-minded People as Part of a Slate** - Candidates who are running in a primary have the right to be grouped together as a slate (N.J.S.A. 19:23-25). For example, citizens running for council in a Democratic primary could decide to run together under the “New Democrat” slogan or the “Democrats for Change” slogan to name a couple of possibilities. They would be grouped together on the primary ballot under their chosen slogan. To bracket with other candidates, obtain and fill out a bracketing permission form from the town clerk.

7. **Right to Run to Represent Your Neighborhood as a Party Representative, Technically Called a Committee Member** - Citizens in all New Jersey communities have the right to run to represent their neighborhood as a party committee member. The office of committeepersons is the only gender-balanced office required by statute (N.J.S.A. 19:5-3). Municipalities are divided into election districts of 700 to 1000 registered voters. In each election district, the major parties are represented by two committee members, one male, one female, elected by the party members annually during the June primary. Committee members
can have a voice in the selection of the party’s recommended slate of candidates and a say in other party matters. To run for committee, one only has to be a resident of the election district, a party member and gather 10 signatures of members of their party who reside in the election district on a nominating petition. This number be as low as one in areas with low voter turnout! Check with the County Board of Election to verify the number of signatures required in your district. Local committee members are automatically county committee members as well. A list of committee members and any vacancies can be obtained from the municipal clerk.

RIGHTS OF PARTY COMMITTEE MEMBERS

8. Right to View Municipal Party Financial Records - In the six-day period between the primary and the annual municipal meeting mandated by law on the Monday following the primary, committee people have the right to examine the financial records of the municipal committee. Information must be supplied 48 hours after a request is made (N.J.S.A. 19:5-2.1). If a committeeperson wants to view the records, it is important that they make the request immediately following the primary given the brief timeline.

9. Right to Vote for Chair and Vice-Chair of the Municipal Committee - Committee members vote for the chair and vice-chair of the municipal committee at the annual meeting. The vice-chair is chosen from among the members of the municipal committee and do not need to be the opposite gender of the chair (N.J.S.A 19:5.2).

10. Right to Propose and Vote Upon the Adoption or Amendment of a Party Constitution and Bylaws - Committee-people have the right to recommend that the municipal party committee adopt a constitution and by-laws. State law explicitly states that municipal
party committees can adopt constitutions and by-laws to govern their affairs (N.J.S.A. 19:5-2). The constitution and by-laws, for example, can provide that the party-endorsed candidates are to be chosen by a majority vote of the committee-people under an open and fair procedure for candidate review. Other provisions can give the power to committeepersons to vote upon levels of local campaign spending and on recommendations for non-elected governmental posts.
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, fill out INS form N-400. This form can be obtained by calling the INS at 1-800-870-3676 or from the Internet at www.ins.gov/graphics/formsfee/forms/ n-400.htm.

Information on how to become a citizen and other immigration issues can be found on the INS web site, www.INS.gov.
Abbott Districts

The term “Abbott District” refers to a New Jersey school district that has received increased state funding as a result of a series of New Jersey Supreme Court decisions. Because of the history of a disparity in spending per pupil between Abbott schools and other districts, these school districts – mainly consisting of urban schools with a high percentage of low income and minority students – must undergo a state approved whole school reform plan to make both curricular and physical improvements.

Absentee Ballot

Absentee ballots are used to cast a vote for registered voters cannot vote at their designated polling place on Election Day. Absentee ballots are divided into two categories: military and civilian. To apply for an absentee ballot or to obtain requirements to vote absentee, contact the county or municipal clerk’s office by mail no later than 7 days before the election or in person by 3 p.m. the day before the election.

Alderman or Ward Council Person

An Alderman is a member of the municipal legislative body, whether it is a Board of Aldermen or the City Council. Many medium to large sized municipalities are divided into wards, represented by an Alderman or Ward Councilmember.

At-Large Election

An election held ‘at large’ is one in which the whole body of voters vote as one electoral district for the election of all the members of a representative government body.

Charter

A charter is a document or order that incorporates an institution and establishes its powers. For instance, a city charter establishes
the laws, powers and organization granted to a city by the state legislature. Smaller governing bodies, such municipal boards and commissions are created through charters as well. An institution created by a charter is subject to both its bylaws and those of the larger governing body through which it is established.

Citizen

A citizen is a native or naturalized member of a state or other political community and entitled to the full legal and civil rights of that community. In the United States, a citizen is entitled to vote (at the age of 18) and run for political office. Non-citizens can gain these rights by applying for citizenship given they meet the basic requirements for naturalized citizenship including lawful residence in the United States for at least 5 years, the ability to read and write basic English, and passing a citizenship exam on U.S. history and government.

City Clerk

The City or Township Clerk is the records custodian for most municipal government documents. This includes financial records, election information, vital records, city council minutes and agendas, ordinances, committee reports, etc. Requests for public government records and other city or township related inquiries can be submitted to the clerk’s office.

City Council

The City or Township Council, sometimes called the Committee, is the main legislative body of municipal government. Councils can consist of 3 to 9 members and are elected during the general election. The council is responsible for key tax, budget, and policy decisions in the community, as well as local roads and services. Members of the council can be elected “at large” or by “ward.”

Civic

The word “civic” refers to matters of, relating to, or befitting citizens as individuals. Civic life is the public life of the citizen concerned
with the affairs of the community and nation, as contrasted with private or personal life, which is devoted to the pursuit of private and personal interests.

**County Board of Elections**

The County Board of Elections is responsible for voter and election information and materials. Amongst the Board’s responsibilities are the supervision of voter registration, maintenance of eligible voter records, the provision of voting machines, and the settlement of election-related disputes and controversies. The County Board of Elections is composed of four commissioners – two Democrats and two Republicans – who are appointed by the Governor.

**County Executive**

The office of County Executive is an elected position which serves the same basic functions and purposes as a Mayor, but at the county level. The County Executive is charged with the major administrative and political roles and responsibilities for the county, including the appointment and hiring of county officials and employees, enforcing the county charter, preparing the county budget, etc.

**Election District**

An election district is a portion of a municipality, consisting of about 700-1000 registered voters, and represented by 4 local party representatives – one male and female Republican and one male and female Democrat.

**Electoral Primaries**

A primary election is when the candidates designated to represent the two major political parties in the general election are selected. Primary elections exist for each government election – local, state, and national – and determine which candidate will receive the party’s official endorsement. Local primaries are held the first Tuesday after the first Monday in June. To vote in a primary, your party affiliation must match that of the candidate for whom you are voting. If one
wishes to vote for a candidate not of their party, they must file a “change of party affiliation” form with the municipal clerk before voting for the candidate. This form can be obtained at www.state.nj.us/lps/elections/parties_doe.html

**Faulkner Act**

The Faulkner Act, or Optional Municipal Charter Law, establishes a structure by which citizens may adopt a formal structure of municipal government. The Faulkner Act plans favor an executive office (Mayor or Council Manager/Administrator). An important feature of the Faulkner Act is that it offers an “initiative and referendum” (see below) process for placing an issue on the ballot, as well as a process for recalling elected officials from public office.

**Freeholder**

The 21 counties of New Jersey are all governed by a Board of Chosen Freeholders. This board, consisting of three to nine members, is responsible for policy decisions and services related to the governing of the county. This includes roads and bridges, policy, emergency services, parks and recreation systems, and public health systems that are designated as county facilities. Freeholders are elected at large.

**Government Records Council**

The Government Records Council (GRC) was created by the Open Public Records Act (OPRA) to facilitate the provision of public records as mandated by OPRA. The GRC is mainly responsible for educating the public about OPRA and fulfilling inquiries made by the public or records custodians, in addition to aiding in the research of and mediating disputes about access to government records. For more information about the GRC, visit their website at www.nj.gov/grc or call their toll-free hotline at 1-866-850-0511.

**Home rule**

Home rule refers to the transference of power by the state to local governments in the regulation of municipal land use. This “tradition” has several important implications beyond the location
of new developments such as municipal taxes, migration between communities, employment, and environmental issues.

**Initiative and Referendum**

Initiative and Referendum (I&R) is the process through which citizens may place or remove questions on the electoral ballot. Each item on a ballot that is not a candidate is called a ballot measure. Ballot measures are issues offered for public consideration and adoption through the electoral process. Ballot measures that win a majority vote by the voting public are adopted as town or state policy. Citizens may add questions to the ballot through a petition-led initiative or reject laws and amendments, as proposed by elected officials, through a referendum. 21% of New Jersey’s municipalities are governed by the Faulkner Act, which allows for I&R in towns across the state.

**Local Political Party Representative**

Also known as a party committeeperson, local political party representatives serve on local chapters of the national party committees. Each committeeperson represents an election district consisting of 700-1000 registered voters. Party representatives may serve as conduits between the public and local government and endorse party candidates for political offices. The position of committee person is the only gender-balanced office by law – fifty percent of the committee seats are reserved for men and fifty percent of the seats are reserved for women. This position is also the only automatic dual office – local party committeepersons automatically serve as county committeepersons as well.

**Master Plan**

The master plan is a document that describes a municipality’s overall physical development. Consisting of both narrative and maps, the master plan determines the physical landscape of a city or town, as well as its future growth. Housing, school and government facilities, retail and business, parks and recreation, and roads and transportation infrastructure are all included in the master plan. By
law, the planning board is required to revise or readopt the master plan at least every six years, but have the authority to alter the plan more frequently.

**Mayor**

The Mayor is the official elected or appointed to act as chief executive or nominal head of a city, town, or borough. Working closely with the City council, the Mayor is responsible for decisions concerning the general administration of city government and services, including setting policy, providing management for local government agencies, and serving the needs of the general public.

**Meeting Agenda**

The meeting agenda determines what issues will be considered by the government body – council, school board, etc. – and in what order these issues will be reviewed. Both council members and citizens may propose to place an item on the meeting agenda. Agenda items can be passed by resolution of the board or formally adopted through a local ordinance.

**Municipality**

A municipality is an urban political unit having corporate status and powers of self-government. Like state and national level governments, municipalities have executive, legislative, and judicial offices and are responsible for providing many public services for the citizens within the community.

**Open Public Meetings Act**

The Open Public Meeting Act is a law that requires that all meetings of municipal governing bodies be open and accessible to the public. A meeting generally includes any situation in which a majority of the council or other governing body (including certain kinds of committees) meets and discusses the business of that body. In order to be valid, ordinances, resolutions, rules, regulations, orders, and directives must be adopted at public meetings. The Act contains specific provisions regarding: regular and special meetings, executive
sessions, types of notice which must be given, where meetings may be held, conduct of meetings, minutes, and penalties and remedies for violation of the statutes.

**Open Public Records Act**

As a compliment to the Open Public Meetings Act, the Open Public Records Act of 2001 provides access to non-confidential or litigious government records for public viewing or request. Records that are available to the public include the agenda and minutes of township meetings, town and school budgets, development maps and proposal documents, and many other documents of concern to the community. The Government Records Council settles any disputes arising from potential breaches of OPRA provisions.

**Ordinance**

A local ordinance is a statute enacted by the city or local government. Depending on the form of municipal government, ordinances may be adopted through any combination of mayor/township manager and council vote.

**Partisan/Non-Partisan**

The term partisan refers to political action involving the actors or policies of one or more political parties. This includes supporting a party candidate, platform, or initiative along the same principles or set of values of a political party.

**Planning Board**

The local planning board controls the physical development and growth of the city. Many “quality of life” issues – questions that concern how residents are affected by changes in the physical and environmental development of their community – are dealt with by the planning board. One of the planning board’s main responsibilities is the adoption and revision of the city’s Master Plan. Planning board members are appointed by the Mayor and Council, although the Mayor or his designee and one Council representative are often required to sit on the planning board.
Policy/Public Policy
A policy is a course or method of action by a government body or institution that determines present and future decisions.

Political Party
A group of people with similar ideas or aims, some of whose members are nominated as candidates in elections in the hope that they will be elected to public office. While there are several parties in the United States, the two major parties are the Democratic party and the Republican party.

Recall Election
A recall election is one in which a citizen-led initiative seeks to remove a government official from office. In New Jersey, Faulkner Act towns have the option of recall built in to their form of government. New Jersey is also one of the 26 states allowing recall elections at the state level.

Resolution
A formal expression of the opinion, intention, or decision by an official body or assembly.

School Board
The School Board oversees public primary and secondary (K-12) education for the local school district. All school related policy issues, including curriculum and instruction, the hiring and appointment of faculty and administration, fiscal and facility management, and extra and co-curricular programs are all determined by the school board. With the exception of 18 school districts in the state of New Jersey, school board members are elected to their terms in May.

Voting Down the Ballot
The term “voting down the ballot” refers to the practice of voting for all offices and ballot measures appearing on the ballot. Many voters only cast their vote for national or state offices, while local
and county elections, as well as ballot questions, or issues place on the ballot that eventually become local policy, see

**Zoning Board of Adjustments**

Each municipality determines its land use via zoning, i.e. designating certain areas for specific uses like housing, retail, hotels, etc. This information is contained within the town or city master plan. New developments must be in accordance with the zoning regulations of a specific area. Most often, the planning board determines whether proposed developments meet zoning regulations. If, however, a proposed development requires a variance, meaning the proposed land use is not permitted, the application may be considered by the zoning board, who determines whether the application will be approved.