

New Jersey

New Jersey ranks 24th among the states in number of local governments, with 1,412 as of June 2002.

COUNTY GOVERNMENTS (21)

There are no areas in New Jersey lacking county government. The counties are divided into the following six classes:

Counties not bordering on the Atlantic Ocean:

First class—550,000 or more inhabitants and a population density of more than 3,000 persons per square mile (Bergen, Hudson, Essex)

Second class—all other counties with 200,000 or more inhabitants

Third class—50,000 to 199,999 inhabitants

Fourth class—fewer than 50,000 inhabitants

Counties bordering the Atlantic Ocean:

Fifth class—125,000 inhabitants or more

Sixth class—fewer than 125,000 inhabitants

The county governing body is called the board of chosen freeholders.

SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (566)

The 566 subcounty general purpose governments in New Jersey comprise 324 municipal (borough, city, town, and village) governments and 242 township governments. These two types of governments are distinguished primarily by the historical circumstances surrounding their incorporation. In New Jersey, borough, city, town, village, and township governments have similar powers and perform similar functions.

Municipal Governments (324)

The term “municipality,” as defined for census statistics on governments, applies only to the boroughs, cities, towns, and villages in New Jersey. Townships, to which the term “municipalities” is applied by New Jersey statutes, are counted for census purposes as township rather than municipal governments (see below). Cities are divided according to population size and location as follows:

First class—150,000 inhabitants or more

Second class—12,000 to 149,999 inhabitants

Third class—fewer than 12,000 inhabitants, excluding seaside resorts bordering on the Atlantic Ocean.

Fourth class—resort cities bordering on the Atlantic Ocean.

There is no standing classification for other municipalities. All cities, towns, boroughs, and villages exist outside the area of any governmentally active township.

Township Governments (242)

Townships, although not differing in legally authorized powers from the types of municipal governments described above, are classified for census purposes as a separate type of government. All areas of the state are encompassed by township governments except areas within the boundaries of a borough, city, town, or village.

Most of the townships in New Jersey are governed by a township committee. However, several townships have adopted either the commission, the council-manager, or the strong mayor-council form of government.

PUBLIC SCHOOL SYSTEMS (624)

School District Governments (549)

Only the Type 2 school districts in New Jersey are counted as separate governments for census purposes. Type 1 school districts (see “Dependent Public School Systems,” below) are not counted as separate governments in census statistics on governments. Conversion from a Type 1 to a Type 2 school district, or vice versa, requires voter approval.

Type 2 school districts now include regional school districts. Regional school districts are further classified as “all purpose regional districts” that may provide all school services within their area and, thus, replace the basic school districts, and “limited purpose regional districts” that provide only one or a limited number of school services for their constituent districts.

An elected board of education governs each Type 2 school district. Each district may determine the amount of local school tax levies and issue bonds with the approval of the voters. Consolidated school districts are special types of Type 2 school districts.

Dependent Public School Systems (75)

New Jersey statutes provide for the following types of dependent public school systems:

Systems dependent on county governments (50):

- County vocational school systems
- County special services school districts
- County colleges
- Community college agencies
- Jointure commissions

Systems dependent on municipal governments (18):

- Type 1 school districts in boroughs, cities, towns, or villages

Systems dependent on township governments (4):

- Type 1 school districts in townships

Systems dependent on the state government (3):

- State-operated school districts

County vocational school systems are authorized by New Jersey law. The vocational school board is appointed by the chief elected executive officer of the county, or by the director of the board of chosen freeholders. The county superintendent of schools serves as an ex officio member. The fiscal needs of county vocational school systems are determined and provided for by the county governments. County vocational schools are classified as dependent agencies of the county government in census reporting, and are not counted as separate governments. In June 2002, 31 county vocational schools were reported in operation.

County special services school districts are established by resolution of the county board of chosen freeholders for the education and treatment of handicapped children. Each district is governed by a board of education, consisting of the county superintendent of schools, ex officio, plus six members appointed by the director of the board of chosen freeholders with the consent of the board. Fiscal requirements are determined by a board of school estimate and are provided by the county and state governments. For census reporting, county special services school districts are classified as dependent agencies of the establishing county government. They are not counted as separate governments. In June 2002, eight county special services school districts were reported in operation.

County colleges are classified as dependent agencies of the county government for census purposes. They are not counted as separate governments. Each county college is governed by a board of trustees consisting of the county superintendent of schools and ten persons, eight of whom are appointed by the appointing authority of the county with the consent of the board of chosen freeholders, and two of whom are appointed by the Governor. In addition, the student body elects one representative from the graduating class to serve as a nonvoting member for 1

year. When a junior college is established in more than one county, two additional members are appointed for each additional participating county. The membership of the board of trustees is apportioned by the commission according to the latest U.S. Decennial Census. Each county must have at least two members and the county superintendent of schools on the board. The county government may appropriate funds and issue bonds for the benefit of county colleges. In June 2002, 17 county colleges were reported in operation.

County colleges may also be formed by any private institution of higher education and any postsecondary institute of a county board of vocational education. Such colleges are otherwise under provisions similar to those governing county junior colleges. The Union County College was established under this law.

Community college agencies may be established in any county that had not established a junior college prior to 1974, by the board of chosen freeholders with the consent of the state commission on higher education. Such an agency is governed by a community college commission composed of nine members, seven of whom are appointed by the county appointing authority with the consent of the board of chosen freeholders, and two of whom are appointed by the Governor. These commissions have the same powers as the trustees of county colleges except the power to condemn property. For census purposes, they are classified as dependent agencies of county governments, and are not counted as separate governments. In June 2002, one community college commission (in Hudson County) was reported in operation.

Jointure commissions are established by two or more school districts to provide for education of the handicapped. These commissions consist of representatives from the constituent school district boards. Their fiscal needs are apportioned to the establishing districts. These commissions are classified, for census reporting, as dependent agencies of county governments. They are not counted as separate governments. In June 2002, two jointure commissions were reported in operation.

Each Type 1 school district is governed by a board of education appointed by the mayor or other chief executive officer of the borough, city, town, township, or village it serves. Its fiscal requirements are subject to review and final determination by a board of school estimate composed of two members appointed by the board of education from its own membership, two appointed by the municipal governing body from its own membership, plus the chief executive of the municipality. If the municipality has no chief executive, the governing body of the municipality appoints a third member. Funds of Type 1 school districts, however, are separate from other funds of the borough, city, town, township, or village governments they serve. Type 1 school districts are classified for census

purposes as dependent agencies of borough, city, town, township, or village governments, and are not counted as separate governments. In June 2002, there were 22 borough, city, town, or village school systems, and four township school systems reported in operation.

State-operated school districts are established by administrative order of the State Board of Education upon a finding by the commissioner of education that a local public school system is in need of reorganization in order to provide efficient schools. A district board of education, appointed by the State Board of Education, administers each state-operated school district. The amount of property taxes levied by the borough, city, town, township, or village governments served shall be sufficient to meet the amount the state appointed district superintendent certifies as necessary for support of the district. Once the state commissioner of education is satisfied that reorganization of the district is successful, local control of the school district may be reestablished. In that event, the voters decide whether the reorganized district is to be a Type 1 school district or a Type 2 school district. In June 2002, three state-operated school districts were reported in operation.

Other Educational Activities

Educational services commissions are created by the State Board of Education upon petition of five or more boards of education in two or more counties to carry on programs of education research and to provide educational and administrative services to the establishing districts. The establishing districts contribute to the support of educational services commissions. For census reporting, these commissions are classified as joint educational service agencies of the participating school districts. They are not counted as separate governments. In June 2002, ten such commissions were reported in operation.

County parental schools for juvenile delinquents (known as county youth houses) are also authorized.

SPECIAL DISTRICT GOVERNMENTS (276)

New Jersey statutes authorize the creation of a variety of special districts or authorities that are counted as governments. These are discussed in detail below.

County Bridge Commissions

County bridge commissions may be established to build, improve, and maintain highway bridges by the county board of chosen freeholders. A board of commissioners, appointed by the county board, governs each district. The district may fix tolls and issue bonds. Joint county bridge commissions also may be created; each participating county appoints three commissioners to the governing board.

County Improvement Authorities

These authorities which finance, construct, and operate public buildings and facilities for various purposes including public transportation, aviation, solid waste disposal,

financing of low income housing, and redevelopment projects, may be established by resolution of the county governing body. A board of five members appointed by the county governing body governs the authority; in some counties, by ordinance, the county executive or a county supervisor serves ex officio as a sixth nonvoting board member. The authority may fix and collect rents, fares, tolls, and charges; accept county and municipal appropriations; make loans; and issue revenue bonds.

Delaware River and Bay Authority

This authority is counted under “Delaware—Special District Governments.”

Delaware River Joint Toll Bridge Commission

This commission is counted under “Pennsylvania—Special District Governments.”

Delaware River Port Authority

This authority was established by special acts of the New Jersey and Pennsylvania legislatures to operate and maintain bridges, tunnels, ferries, railroads, and rapid transit systems; and to improve and develop ports in and near Philadelphia and Camden. A board of commissioners consisting of 16 members governs the authority—8 appointed by the Governor of New Jersey with the consent of the senate, 6 by the Governor of Pennsylvania, and the auditor general and the state treasurer of Pennsylvania serving in an ex officio capacity. The authority may issue revenue bonds, and fix and collect tolls and other charges for use of its facilities.

The Port Authority Transit Corporation, established to operate the interstate rail transit facilities, is classified for census reporting as a dependent activity of the Delaware River Port Authority. It is not counted as a separate government.

Fire Districts—1971 Law

A 1971 general law authorizes the creation of fire districts by ordinance of the governing body of any borough, city, town, township, or village that does not have a paid fire department, upon petition and after voter approval. An elected board of commissioners governs each district. The district may, after voter approval, levy ad valorem taxes and issue bonds.

Incinerator Authorities

These authorities may be established by one or more borough, city, town, township, or village governments to acquire, operate, and maintain garbage and refuse disposal facilities. A board appointed by the governing body of the establishing government governs each authority. The authority may fix service charges, receive grants, and

issue revenue bonds. Incinerator authorities which serve only one government are no longer counted as separate governments. See “Subordinate Agencies and Areas,” below.

Joint Water Commissions

The governing bodies of two or more cities, boroughs, towns, townships, or villages whose water supply is provided by privately owned waterworks may apply to the Superior Court to appoint a commission to acquire such waterworks by condemnation or purchase. Election or appointment of succeeding commission members is specified by agreement between the participating governments. The commissions may fix rates and charges for water and may accept appropriations from the participating governments. Bond issues for these commissions are made jointly or separately by the participating borough, city, town, township, or village governments, and are obligations of those governments. Similar provisions apply to the Passaic Valley Water Commission.

Municipal and County Utilities Authorities

These authorities may be established by resolution or ordinance of a county or of one or more city, borough, town, township, or village governments to provide water or sewerage facilities, for the collection, treatment, recycling, and disposal of solid waste. Members of the authority board are appointed by the governing body of the establishing government. Each authority may issue revenue bonds, accept grants, and collect rates and charges for services. Municipal authorities that serve only one government are no longer counted as separate governments. See “Subordinate Agencies and Areas,” below.

Parking Authorities

Parking authorities are no longer counted as separate governments. See “Subordinate Agencies and Areas,” below.

Passaic Valley Sewerage District

This district was created by a special act to provide sewerage facilities in the lower drainage basin of the Passaic River. A board of commissioners appointed by the Governor with the consent of the senate governs the district. The district may issue bonds, and receive payments from participating governments in proportion to the amount of sewage flowing in from each participating government.

Port Authorities—1948 Law

These authorities may be established to provide port facilities by ordinance of one or more city, borough, town, township, or village governments. Authority board members are appointed by the governing body of the establishing government. Port authorities may collect rates and charges for services and facilities, accept grants, and issue revenue bonds.

Municipal port authorities were created under a 1960 law. They are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

Port Authority of New York and New Jersey

This authority is counted under “New York—Special District Governments.”

Sewerage Authorities—1946 Law

These authorities to build, operate, and maintain sewerage facilities may be established by ordinance of two or more county, city, borough, town, village, or township governments. Authority board members are appointed by the governing body of the establishing government. Sewerage authorities may issue revenue bonds, accept grants, and collect service charges. Sewerage authorities that serve only one government are no longer counted as separate governments. See “Subordinate Agencies and Areas,” below.

Soil Conservation Districts

New Jersey statutes provide for the division of the state into soil conservation districts comprising one or more counties. A board of supervisors appointed by the State Soil Conservation Committee governs each district. County governments may appropriate funds for operation of the districts; the district boards may require contributions from benefited landowners, and charge fees for development permits.

Solid Waste Management Authorities

These authorities, created for the collection and disposal of solid waste, may be established by ordinance of one or more city, borough, town, village, or township governments. Authority members are appointed by the governing bodies of the establishing governments. Each authority may issue revenue bonds, collect rates and charges, and accept appropriations from the participating governments. Solid waste management authorities that serve only one government are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

Water Districts (With Elected Boards)

Township governments, by ordinance, may establish these districts to provide water supply systems. An elected board of commissioners governs each district. Fiscal needs for the districts are determined by the voters at the annual district meeting. For water districts with ex officio boards, see “Subordinate Agencies and Areas,” below.

Waterfront Commission of New York Harbor

This commission is counted under “New York—Special District Governments.”

SUBORDINATE AGENCIES AND AREAS

Listed below are various governmental designations in New Jersey that have certain characteristics of governmental units but that are classified in census statistics as subordinate agencies of the state or local governments. These are not counted as governments. Legal provisions for some of the larger of these are discussed below (see “Public School Systems,” above, regarding educational agencies of this nature).

County pollution control financing authorities (county). These authorities to finance industrial pollution control facilities are created by action of the county governing body. A board of five members appointed by the county governing body governs each authority. The authorities may fix rentals and other charges, and may issue revenue bonds. Upon dissolution, the property of these authorities reverts to the county creating them.

Higher Education Assistance Authority (state). Enabling legislation for this unit was repealed in 1999 and its functions were transferred to the Higher Education Student Assistance Authority.

Housing authorities (county, borough, city, town, village, or township). New Jersey statutes authorize the creation of local housing authorities serving one county, city, borough, town, township, or village, by ordinance of the creating government. The governing board of a local housing authority consists of five appointed commissioners, five selected by the governing body of the creating government, one by the chief executive of the creating government, except in certain counties where special acts designate board composition. New Jersey housing authorities may issue bonds, fix and collect charges for use of authority facilities, and accept grants or contributions from the federal government or other sources. Housing authorities in New Jersey may also undertake redevelopment programs. Effective January 1, 1992, New Jersey housing authorities may be abolished by the creating government.

New Jersey Building Authority (state). This authority was created by 1981 legislation to construct office buildings for use by state agencies. A board of 12 directors governs the authority, including 9 members appointed by the Governor, plus the state treasurer, the comptroller of the treasury, and the chairperson of the Commission on Capital Budgeting and Planning, who serve in an ex officio capacity. The authority may receive revenue from rentals, and may issue revenue bonds. This authority is separate from the New Jersey State Building Authority created under 1950 legislation.

New Jersey Economic Development Authority (state). This authority was established by 1974 legislation to acquire, finance, construct, sell, and lease industrial and commercial facilities. The authority board consists of six members appointed by the Governor with the

consent of the senate, plus the commissioner of labor, the commissioner of banking, the commissioner of economic and community development, and the state treasurer, who serve in an ex officio capacity. The authority may receive revenue from rentals and other charges, and may issue revenue bonds.

New Jersey Educational Facilities Authority (state). This authority was established by act of the legislature to finance the construction of facilities for institutions of higher education. A board of seven members, five of whom are appointed by the Governor with the consent of the senate, plus the chair of the Commission on Higher Education and the state treasurer, or their designees, who serve in an ex officio capacity, governs the authority. The authority may receive contributions or grants, fix rates, rents, fees and charges, and issue revenue bonds.

New Jersey Environmental Infrastructure Trust (state). This trust (formerly the New Jersey Wastewater Treatment Trust) was established by 1985 legislation to finance wastewater treatment and storm water management facilities. A board of seven members governs the trust, including four members appointed by the Governor, plus the commissioner of community affairs, the commissioner of environmental protection, and the state treasurer, who serve in an ex officio capacity. The trust may accept contributions, fix fees and charges, and issue revenue bonds.

New Jersey Health Care Facilities Financing Authority (state). This authority was established by act of the legislature to finance the construction of hospitals and other health-care facilities. A board of seven members, four of whom are appointed by the Governor with the consent of the senate, plus the commissioners of health, of insurance, and of institutions and agencies, or their designees, who serve in an ex officio capacity, governs the authority. The authority may receive grants and contributions, fix rates, rents, fees and charges, and issue revenue bonds.

New Jersey Highway Authority (state). This authority was established by act of the legislature to build, operate, and maintain the Garden State Parkway. A board of seven members appointed by the Governor with the consent of the senate governs, and the commissioner of transportation governs the authority. The authority may issue revenue bonds, collect tolls and charges, and may accept federal grants with the approval of the Governor.

New Jersey Housing and Mortgage Finance Agency (state). This agency was established by act of the legislature to finance the construction and rehabilitation of low to moderate income housing and increase the supply of mortgage credit available for housing. A board of nine members, four of whom are appointed by the Governor

with the consent of the senate, plus the commissioner of community affairs, the state treasurer, the attorney general, the commissioner of human services and the commissioner of banking, who serve in an ex officio capacity, governs the agency. The agency may make loans, fix and collect fees and charges, receive grants and contributions, and issue revenue bonds.

New Jersey Sports and Exposition Authority (state).

This authority was established by act of the legislature to build, operate, and maintain stadiums, race tracks, and related facilities, including the Hackensack Meadowlands complex and the Garden State Racetrack. A board of 14 members, 11 of whom are appointed by the Governor with the consent of the senate, plus the state treasurer, the president of the authority, and a member of the Hackensack Meadowlands Development Commission, governs the authority. The authority may receive gifts and grants, may fix rents, tolls, fees, and charges, and may issue revenue bonds.

New Jersey State Building Authority (state). This authority was established by 1950 legislation to finance the construction of buildings for state agencies and institutions. A board of three members appointed by the Governor with the consent of the senate governs the authority. The authority may fix rents and charges, and issue revenue bonds. This authority is separate from the New Jersey Building Authority created under 1981 legislation.

New Jersey Transit Corporation (state). This corporation, successor to the Commuter Operating Agency, was established by 1979 legislation to operate bus and rail transportation systems, either directly or under contract. A board of seven members, of whom four are appointed by the Governor with the consent of the senate, plus the commissioner of transportation, the state treasurer, and one other member of the executive branch chosen by the Governor, ex officio, governs the corporation. The corporation receives revenue from fares, rentals, and other charges and may accept grants or loans from federal, state, and local governments. New Jersey Transit Bus Operations, which operates local transit service in Atlantic City, Camden, Jersey City, Newark, Trenton, and numerous other New Jersey localities and New Jersey Transit Rail Operations, which operates commuter rail services within the state are agencies of New Jersey Transit Corporation, and are not counted as separate governments.

New Jersey Transportation Trust Fund Authority (state). This authority was formed by act of the legislature to finance state highway and transit facilities. A five-member board consisting of the commissioner of transportation, the state treasurer, and three other members appointed by the Governor, governs the authority. The authority may receive proceeds from state motor vehicle registration, motor fuel taxes, and from tolls and may issue revenue bonds.

New Jersey Turnpike Authority (state). This authority was established by act of the legislature to build, operate, and maintain the New Jersey Turnpike. A board of five members appointed by the Governor with the consent of the senate, and the commissioner of transportation governs the authority. The authority may collect tolls and receive grants with the approval of the Governor, and may issue revenue bonds.

Redevelopment agencies (municipal and township).

These agencies are created by borough, city, town, township, or village governments. A board of seven members, appointed by the governing body of the sponsoring government, governs each agency. These agencies may issue bonds, and may accept contributions from the federal and state governments.

South Jersey Port Corporation (state). This corporation was authorized by 1968 legislation to build, operate, and maintain port facilities. It is a successor to the former South Jersey Port Commission that was counted as a special district government. A board of seven members appointed by the Governor with the consent of the senate governs the corporation. The corporation may issue revenue bonds, fix rates and charges, and receive appropriations and grants.

Other examples include:

State

Atlantic City Convention Center Authority
Casino Control Commission
Catastrophic Illness in Children Relief Fund Commission
Delaware and Raritan Canal Commission
Garden State Preservation Trust
Hackensack Meadowlands Food Distribution Center Commission
Hackensack Meadowlands Development Commission
Higher Education Student Assistance Authority
Historic New Bridge Landing Park Commission
Meadowlands Conservation Trust
New Jersey Casino Reinvestment Development Authority
New Jersey Cultural Trust
New Jersey Development Authority for Small Business, Minorities', and Women's Enterprises
New Jersey Historic Trust
New Jersey Natural Lands Trust
New Jersey Public Broadcast Authority
New Jersey Redevelopment Authority (formerly the New Jersey Urban Development Corporation)
New Jersey Water Supply Authority
North and South Jersey District Water Supply Commissions
Palisades Interstate Park Commission
Pinelands Commission
Pinelands Development Credit Bank
South Jersey Transportation Authority
State Public Housing and Development Authority (in

Department of Economic Development)
State Lottery Commission
Transportation development districts

County

Boards of health
Burlington County Pinelands Development Credit
Exchange
County food distribution authorities
County mosquito extermination commissions
County park commissions
County utilities authorities (serving one government)
Joint agreements for planning and land use control
Joint flood control commissions
Joint meetings (nonutility services)
Parking authorities
Shade tree commissions
Solid waste management districts

Municipal

Boards of health
Environmental commissions
Incinerator authorities (serving one municipality)
Intermunicipal park commissions
Joint agreements for planning and land use control
Joint flood control commissions
Joint meetings (nonutility services)
Joint meetings for construction of sewers and drains
Joint public libraries
Municipal port authorities—1960 law
Municipal utilities authorities (serving one municipality)
Parking authorities
Regional health commissions
Seaquarium authorities
Sewerage authorities (serving one municipality)
Solid waste collection districts—1990 law

Solid waste management authorities (serving one
municipality)
Special improvement districts
Tourism improvement and development authorities (sixth
class counties)
Water districts with ex officio boards

Township

Boards of health
Environmental commissions
Incinerator authorities (serving one township)
Intermunicipal park commissions
Joint agreements for planning and land use control
Joint flood control commissions
Joint meetings (nonutility services)
Joint meetings for construction of sewers and drains
Joint public libraries
Municipal port authorities—1960 law
Municipal utilities authorities (serving one township)
Parking authorities
Regional health commissions
Seaquarium authorities
Sewerage authorities (serving one township)
Solid waste collection districts—1990 law
Solid waste management authorities (serving one
township)
Special improvement districts
Tourism improvement and development authorities (sixth
class counties)
Water districts with ex officio boards

Private Associations

Camp meeting associations are classified for census pur-
poses as private associations. They are not counted as
governments.
New Jersey laws also provide for various types of local
areas for election purposes and administration of justice.