

## **NEW JERSEY**

New Jersey ranks 24th among the states in number of local governments, with 1,383 as of October 2007.

### **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—more than 550,000 inhabitants and a population density of more than 3,000 persons per square mile

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

Third class—50,000 to 199,999 inhabitants

Fourth class—fewer than 50,000 inhabitants

Counties bordering the Atlantic Ocean:

Fifth class—more than 125,000 inhabitants

Sixth class—not more than 125,000 inhabitants

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

### **SUBCOUNTY GENERAL PURPOSE GOVERNMENTS (566)**

The subcounty general purpose governments in New Jersey consist of municipal (borough, city, town, and village) governments and 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). All cities, towns, boroughs, and villages exist outside the area of any governmentally active township. Cities are divided according to population size and location as follows:

First class—more than 150,000 inhabitants

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

### **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.

### **PUBLIC SCHOOL SYSTEMS (606)**

#### **School District Governments (549)**

School district governments in New Jersey are the Type 2 school 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.

Regional school districts, also type 2 school districts, are created upon referendum. 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.

School districts may convert between a Type 1 to a Type 2 school district with voter approval. Type 1 school systems are described under “Dependent Public School Systems,” below.

### **Dependent Public School Systems (57)**

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

Systems dependent on county governments:

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

Systems dependent on municipal governments:

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

Systems dependent on township governments:

- Type 1 school districts in townships

Systems dependent on the state government:

- State-operated school districts

County vocational school systems are governed by a vocational school board 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 also serves as an ex officio member. The fiscal needs of county vocational school systems are determined by and provided for by the county governments.

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 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.

County colleges are established by the board of chosen freeholders with the consent of the state commission on higher education and voter approval. Each county college is governed by a board of trustees consisting of eight members representing the county and two members appointed by the Governor, plus the county superintendent of schools and the college president. In addition, the student body elects one representative. For junior colleges serving more than one county, the board is enlarged and apportioned among the counties based on the latest federal census. The county governments may appropriate funds and issue bonds for the benefit of county colleges.

Community college agencies may be established in any county that has not established a county college. These agencies are similar in formation, board, and powers to county colleges.

County colleges may also be formed by any private institution of higher education and any postsecondary institute of a county board of vocational education. The Union County College was established under this law.

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.

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 consisting of members of the board of education from its own membership and members of the municipal governing body. The

parent government may issue bonds on behalf of the school district.

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 school districts are funded by local property taxes. Upon completion of the reorganization, the district is restored to local control. Voters decide whether the reorganized district is to be a Type 1 school district or a Type 2 school district.

### **Other Educational Activities**

Educational services commissions are created by the state board of education upon petition of five or more boards of education in one or more counties. These commissions conduct programs of education research and provide educational and administrative services. 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 and are not counted as separate governments.

The Educational Information and Resource Center was established by special act to provide services to school districts in Gloucester County. The center is classified as a joint educational service agency of the participating school districts and is not counted as a separate government.

County parental schools for juvenile delinquents (known as county youth houses) are also authorized in counties of the first class.

### **SPECIAL DISTRICT GOVERNMENTS (247)**

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 build, improve, and maintain highway bridges. One or more counties may establish a commission. The commissions are appointed by the county board of chosen freeholders. Each commission may fix tolls and issue bonds.

County bridge commissions that serve only one government are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

### **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; make loans; and issue revenue bonds. There were no joint improvement authorities reported in operation as of October 2007.

County improvement authorities that serve only one government are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

### **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; eight members are appointed by the Governor of New Jersey with the consent of the senate and six members are appointed by the Governor of Pennsylvania, plus the auditor general and the state treasurer of Pennsylvania serve in an ex officio capacity. The authority may issue revenue bonds and may 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, set ad valorem taxes and issue bonds.

## **Greenwood Lake Commission**

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

## **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 and issue revenue bonds. Incinerator

authorities may be known as environmental authorities. There were no joint incinerator authorities reported in operation as of October 2007.

Incinerator authorities that serve only one government are not 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 for which the water supply is provided by privately owned waterworks may apply to the state 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 except that the composition of certain boards are specified by law. The commissions may fix rates and charges for water and issue bonds. In addition, the participating municipalities may issue bonds on behalf of the water commissions. 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 or for solid waste disposal. Members of the authority board are appointed by the governing body of the establishing government. Each authority may issue revenue bonds and set rates and charges for services. These authorities may be known as water reclamation authorities.

Municipal and county utilities authorities that serve only one government are not 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 and issue revenue bonds. There were no joint port authorities reported in operation as of October 2007.

Port authorities that serve only one government are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

Municipal port authorities created under a 1960 law 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 and fix service charges.

Sewerage authorities that serve only one government are not 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 state soil conservation committee governs each district. The district boards may require contributions from benefitted landowners and may 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 and fix rates and charges. There were no joint solid waste management authorities reported in operation as of October 2007.

Solid waste management authorities that serve only one government are not counted as separate governments. See “Subordinate Agencies and Areas,” below.

### **Water Districts (Township)**

Township governments may establish, by ordinance, these districts to provide water supply systems. An elected board of commissioners governs each district. Fiscal needs, met by assessments, are determined by the voters at the annual district meeting. The water districts may issue bonds backed by the assessments. There were no joint township water districts reported in operation as of October 2007.

Water districts that serve only one township or for which the board is ex officio are not counted as separate governments. 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**

Shown 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 and 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).

**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, and one by the chief executive of the creating government, except in certain counties where special acts designate the board composition. New Jersey housing authorities may issue bonds and fix and collect charges for use of authority facilities.

**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 nine 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. 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 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 governs the authority. The authority may 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. The trust may fix fees and charges 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 meadowlands sports 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 New Jersey Meadowlands Development Commission (also appointed by the Governor), governs the authority. The authority 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 was established by 1979 legislation. The corporation provides ferry, bus,

and rail transportation systems. 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, governs the corporation. The corporation receives revenue from fares, rentals, and other charges.

New Jersey Transit Bus Operations and New Jersey Transit Rail Operations 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 board consisting of the commissioner of transportation, the state treasurer, and five 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.

Other examples include:

### **State <sup>1</sup>**

Atlantic City Convention Center Authority  
Casino Control Commission  
Casino Reinvestment Development Authority  
Catastrophic Illness in Children Relief Fund Commission  
Hackensack Meadowlands Food Distribution Center Commission  
Historic New Bridge Landing Park Commission  
Lake Hopatcong Commission  
New Jersey Development Authority for Small Business, Minorities', and Women's Enterprises  
New Jersey Economic Development Authority  
New Jersey Health Care Facilities Financing Authority  
New Jersey Higher Education Student Assistance Authority  
New Jersey Historic Trust  
New Jersey Housing and Mortgage Finance Agency  
New Jersey Meadowlands Commission

New Jersey Natural Lands Trust  
New Jersey Public Broadcast Authority  
New Jersey Redevelopment Authority (Formerly the New Jersey Urban Development Corporation)  
New Jersey Turnpike Authority  
New Jersey Water Supply Authority  
North and South Jersey District Water Supply Commissions  
Palisades Interstate Park Commission (joint with New York)  
Pinelands Commission  
Pinelands Development Credit Bank  
South Jersey Food Distribution Authority  
South Jersey Port Corporation  
South Jersey Transportation Authority  
State Lottery Commission  
State Public Housing and Development Authority  
Tax Lien Financing Corporation  
Transportation development districts

### **County**

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

### **Municipal**

Boards of health  
Environmental commissions  
Incinerator authorities (single 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 hospital authorities  
Municipal port authorities—1960 law  
Municipal utilities authorities (serving one municipality)  
Parking authorities  
Port authorities - 1948 law (single municipality)  
Redevelopment agencies (municipal)  
Regional health commissions  
Seaquarium authorities  
Sewerage authorities (serving one municipality)  
Solid waste collection districts—1990 law  
Solid waste management authorities (single municipality)  
Special improvement districts  
Tourism improvement and development authorities (sixth class counties)

### **Township**

Boards of health  
Environmental commissions  
Incinerator authorities (single 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  
Port authorities - 1948 law (single township)  
Redevelopment agencies (township)  
Regional health commissions  
Seaquarium authorities  
Sewerage authorities (serving one township)  
Solid waste management authorities (single township)  
Solid waste collection districts—1990 law  
Special improvement districts  
Tourism improvement and development authorities (sixth class counties)  
Water districts (single township)  
Water districts with ex officio boards

### **Other**

New Jersey laws also provide for various types of local areas for election purposes and administration of justice.

1 Legislation authorizing the New Jersey Highway Authority was repealed in 2003.