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PUBLIC HEARING

before

SENATE COUNTY AND MUNICIPAL GOVERNMENT COMMITTEE

on

SJR-31

(Urges municipalities to enact ordinances providing for
the security of employees working late night shifts)

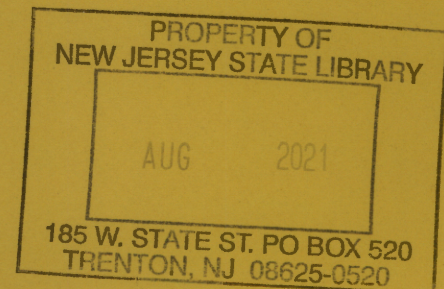
June 19, 1986
Room 408
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Senator Richard Van Wagner, Chairman
Senator Thomas F. Cowan, Vice Chairman
Senator Francis X. Graves, Jr.
Senator Joseph Bubba
Senator Leonard T. Connors, Jr.

ALSO PRESENT:

Peggy McNutt
Office of Legislative Services
Aide, Senate County and Municipal
Government Committee



* * * * *

Hearing Recorded and Transcribed by
Office of Legislative Services
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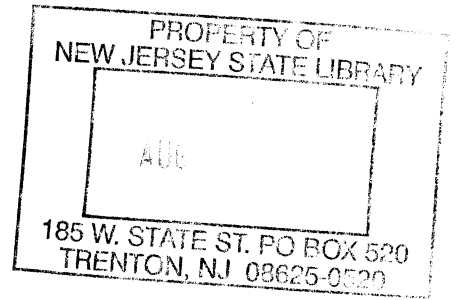


New Jersey State Legislature

SENATE COUNTY
AND MUNICIPAL GOVERNMENT COMMITTEE

STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625
TELEPHONE (609) 292-1596

RICHARD VAN WAGNER
Chairman
THOMAS F. COWAN
Vice-Chairman
FRANK X. GRAVES, JR.
STEPHEN BUBBA
RICHARD T. CONNORS, JR.



M E M O R A N D U M

June 12, 1986

TO: MEMBERS OF THE SENATE COUNTY AND MUNICIPAL GOVERNMENT COMMITTEE

FROM: SENATOR RICHARD VAN WAGNER, CHAIRMAN

SUBJECT: COMMITTEE MEETING AND PUBLIC HEARING - June 19, 1986

(Address comments and questions to Peggy McNutt, Committee Aide)

The Senate County and Municipal Government Committee will meet on Thursday, June 19, 1986 at 10:30 A.M. in Room 408 of the State House Annex.

The Committee will consider the following bills:

- S-1006 Provides for liability of directors of certain
Caufield corporations for costs of demolitions of corporate property.
- S-2246 Authorizes mayor to appoint at least one regular and
Graves one alternate member of the Zoning Board of Adjustment.
- A-1448Aca/ Directs Commissioner of Community Affairs to adopt as
Aa part of Uniform Construction Code district use group
Shinn criteria for height and area limitations of commercial farm buildings.
- A-2271 Authorizes borough of Stratford to appoint James J. Wilkins
Gorman to police department-without Civil Service examination.

(OVER)

PUBLIC HEARING

At 11:00 A.M., after the Committee meeting, the public hearing held on SJR-31 on May 28th will be continued. Persons interest in testifying should contact Peggy McNutt at (609) 292-1596 and should submit copies of any written testimony.

SJR-31 Urges municipalities to enact ordinances providing for the
Van Wagner security of employees working late night shifts.

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SENATE JOINT RESOLUTION No. 31

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 24, 1986

By Senator VAN WAGNER

Referred to Committee on County and Municipal Government

A JOINT RESOLUTION urging municipalities to enact ordinances providing for the security of employees working late night shifts.

1 WHEREAS, Recently, there have been several senseless and vicious
2 crimes including robbery, murder and rape, committed against
3 employees working the late night shifts in certain all-night
4 business establishments; and

5 WHEREAS, These crimes occur during hours when few, if any,
6 customers may frequent the business; and

7 WHEREAS, This absence of people or other means of security during
8 late hours at these businesses may actually abet the crimes since
9 the threat of capture is greatly reduced; and

10 WHEREAS, These crimes may have been prevented if additional
11 people or other known means of protection had been available;
12 and

13 WHEREAS, Municipalities can best determine the appropriate secu-
14 rity measures for late night businesses located in their borders
15 based upon existing emergency response systems and other
16 programs specific to the municipality; now, therefore,

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

1 1. The Legislature urges municipalities to enact ordinances
2 requiring that security measures, which may include requiring
3 additional employees, security officers or a security system, be
4 instituted by those late night businesses at risk of criminal activity.

1 2. The Legislature further urges that municipalities enacting
2 security ordinances notify the public through the use of signs,
3 advertisements and pamphlets of the existence of the security
4 measures as an additional deterrent to the commission of these
5 crimes.

1 3. This joint resolution shall take effect immediately.

STATEMENT

The purpose of this joint resolution is to urge municipalities to enact ordinances providing for the security of employees working late night shifts.

MUNICIPAL GOVERNMENT

Urges municipalities to enact ordinances providing for the security of employees working late night shifts.

SENATOR RICHARD VAN WAGNER (Chairman): Our public hearing will commence at this point relative to the discussion that took place initially on Senate Joint Resolution 31, on which Peg has some records and testimony.

MS. McNUTT: The transcript of the public hearing of May 28, 1986 is still at the printers. We haven't gotten copies of it. I do have copies of the Joint Resolution, however.

SENATOR VAN WAGNER: Okay. There were a number of people who testified at that public hearing on SJR-31, particularly as it relates to those sections that urged the municipalities to require security measures which may require additional employees, security officers, or a security system.

Many individuals testified, groups testified, and various individual retail establishments. We had the Southland Corporation. We had the Petroleum Council. We had individual station owners who lobbied for Senator Graves' 24-hour bill, who took that opportunity. I am sure you are aware of the bill that would give self-service availability from midnight to six in the morning. They took the opportunity to lobby for that, which I-- You know, that is what they are interested in, so they are entitled, certainly.

But there was a whole range of discussions which basically -- including, I guess, those with some people from the Law Enforcement Association, the gentleman who is here -- indicated that the measures that were contemplated, including those that have been adopted in places like Woodbridge and Old Bridge, do not, in fact, really ensure security of personnel, nor do they ensure safety of personnel, vis-a-vis adding two people where there was previously one person.

Again, you know, the biggest pitch was made for bulletproof kiosks, with an attendant, again for self-service, which I think is irrelevant to this issue, as far as we are concerned, frankly. So I'll say that here and now, and then

hopefully we won't hear it brought up again in the context of this issue.

At any rate, there was very little testimony, unfortunately, in favor of the measures that were adopted by municipalities, and which are incorporated in the context of this resolution. There was, however, one strong recommendation made which I think we could probably all concur with and, if anything, perhaps we can begin to prepare the draft of legislation that would, in effect, direct, or require, through one of the departments -- Law and Public Safety, Commerce, I don't know; you know, we can discuss the appropriate vehicle -- which would, in effect, be given a period of time -- and I leave it open to any additions, deletions, or suggestions you might have -- to suggest the development of a security training program that would be made available to potential employees and employers as part of a public policy, if you will. We anticipate that when an employer comes into this State and subjects employees to all-night hours -- or not subjects them, but has as part of their offering of employment all-night hours -- and there are people, several thousand people, who prefer to work at night, many of whom have part-time jobs, or second jobs-- In any event, they should be trained in the proper security.

Now, we have the example of Southland Corporation, which apparently has a very comprehensive training program. It is not clear whether there is a standardized approach, you know, throughout both the convenience store industry and the gasoline retail industry, which are the two most affected. Issues were even raised that perhaps we ought to provide the same kind of training to individuals who work in other areas at night, nurses, for example, and others who may be affected by what seems to be an epidemic of late-night crimes and assaults. There has even been a suggestion, a la Senator Garibaldi's bill, that there be adopted a statute that would

require, I believe, certain commercial stores to close at a certain time.

MR. CORMAN (Senate Minority Staff): It's just to require two employees.

SENATOR VAN WAGNER: It's not a closure bill?

MR. CORMAN: No, it's not a closure bill.

SENATOR VAN WAGNER: Isn't there a closure bill afoot, too?

MR. CORMAN: That was an Edison ordinance.

SENATOR VAN WAGNER: Oh, that was an Edison ordinance; I'm sorry. It was an ordinance. Senator Garibaldi's bill is a requirement for two employees for late-night employment, which, again, many members of security forces of the various retail establishments who came before us, including a member of the Law Enforcement Association, contended was not the answer, that two employees was simply not going to reduce the amount of crime necessarily and would, in fact, perhaps expose a second person to danger.

There is some disagreement on that. I had a conversation with, I believe, the Chief of Police of Old Bridge, and it was his feeling -- I don't believe he is here, but I'm sure we could, you know, ask him if he would comment -- that two people in a store did, in fact, have a certain deterrent effect.

We heard recommendations that the adoption of cash flow control, minimum deposits, well-lighted areas, the manner in which the store is structured, all have a tendency to discourage people who might want to hold up a store from trying to do so because of the great exposure they would have.

We have had a rash of incidents that have affected particularly the gasoline retail area, which have even led some of the members of the Retail Dealers Association to say: "We are, in effect, an all-night depository waiting to be hit," basically by any of these people, some of whom, I suppose, are

induced by drugs and other things to commit these kinds of robberies and assaults. Nonetheless, people are being injured and killed. The family of one of the victims of such a killing, from Old Bridge, appeared before this Committee. Obviously, they were very personally and emotionally affected by what we might do.

But it seems to me, at least, that as a starting point from which everybody could come to agreement, that there needs to be some sort of framework set up. I don't know, at this point, whether or not we can even agree that the State is responsible for developing that. I don't know. Perhaps we need to hear from the Department of Commerce. Perhaps there is, as part of a workplace standards requirement, a necessity to provide security training to personnel who are going to be working all night, whether they are in a large chain supermarket food store or-- Again, I don't want to require employers to provide such training if, in fact, they do have those all-night type of employees, but I think it is worth discussing in terms of how we might lead into this and how we might make sure that at least we know before we take any other steps that, in fact, employees, if they are going to go to work for an all-night establishment, do have some semblance of training and orientation in what to do in the event that they are held up, what to do in the event that something should take place, particularly assuming they are alone in that store. Obviously, for a large supermarket and places like that, there are usually a number of people in the store. Nonetheless, it doesn't mean that they should not have some semblance of security training.

So I think that as a Committee what I would like to do -- and then I will open a hearing to public comment -- is begin to draft the framework of a bill that would somehow or other bring about a standardized approach to training personnel who are, in fact, by virtue of their employment, required to work

all-night hours. That might even include Parkway and Turnpike personnel, who I'm sure may already have such programs. But we should at least make available that kind of framework.

I'm not sure how we would go about doing this. It's relatively new ground for me in the area of legislation. I don't know which department, as I said, to make responsible. Perhaps it should be a coordinated effort between Law and Public Safety, the State Police, and the Department of Commerce, coordinating a program that would be made available to businesses, rather than something that would, at the first instance, be Draconian and require everybody to adhere to it; rather something that would be made available by virtue of-- Perhaps we can get some input on what the costs of that might be. I don't suspect it would be a large cost. I think a study could be put together. I would invite, perhaps, even the inclusion-- I would definitely invite the inclusion of municipal and county officials in that process, so that there could be a full understanding of some of the local needs. I suspect from the hearing that took place that there are places that are somewhat unique in character in terms of where these incidents take place -- corridor towns, where there is a large amount of traffic moving back and forth at all hours of the evening, more so than towns that are somewhat off the main arteries, although those towns certainly are not without their problems, I'm sure. Senator Connors comes from Ocean County, and they have had their share of problems, even in some of the more isolated towns. I come from Monmouth County and the same thing has occurred. Of course, Senator Cowan comes from a more populous county, and I'm sure he has seen those incidents occur many times.

At this point, I would like to sort of open it up to suggestions. I think we ought to take this issue one step at a time. I think the training aspect of it -- I think we have come to agree -- is important. Something should be developed.

As I said earlier, and for the sake of Mr. Ferrara, who just came in, I have sort of declared the self-service issue off limits to this discussion. We are going to talk about safety and security, and not necessarily--

G E R R Y F E R R A R A: I think that is appropriate.

SENATOR VAN WAGNER: I felt you would feel that way. We took a lot of time discussing that, and perhaps it is, at some point, relevant; perhaps it is not. But I think that our major thrust here is to try to determine, really, whether or not the standards involved in this resolution are, in fact, relevant to the issue.

As I said, it was pretty much disclosed to us by most who testified that the requirement for two people in a store is not necessarily the best security device, and that even the alarm systems sometimes can lead to more problems than they can actually solve.

At this point, I will close my description of what took place and what I felt might be a beginning point for the Committee to start to work on, and will open the hearing up to the public for any comments they might want to make.

Councilwoman Camille Fernicola, who is from the Township of Piscataway, is here. Camille, I would like to thank you on behalf of the Committee for taking the time to come today to provide us with some insight on your feelings about this resolution.

C O U N C I L W O M A N C A M I L L E F E R N I C O L A: You're welcome, Senator. Can everyone hear me, or should I put this on (referring to recording microphone)?

SENATOR VAN WAGNER: No, that's fine. We have a pretty good--

MS. McNUTT: That is just for recording purposes.

SENATOR VAN WAGNER: It is just for that device. You really don't need to speak into it, as I did, foolishly. It shows you what happens when you put a politician in front of a microphone. (laughter)

COUNCILWOMAN FERNICOLA: I know what you mean. Okay. Senator Van Wagner and distinguished members of the Committee: I would like to thank you for giving me the opportunity to speak today.

Senator, you did touch on the tragic events in Middlesex County that precipitated much of the discussion which your Committee is working on and which we in Piscataway became very deeply involved with as parents. We all know what an awful thing it is to lose a young person who is only trying to earn an honest living. Unfortunately, the circumstances surrounding this have given us an opportunity to try to make the quality of life a little better for the people in our communities.

Besides the two murders, the one in Sayreville and the one in Old Bridge, we in Piscataway had a very close call, again at a gas station. Luckily, the worker survived, but it just made us move our wheels a little faster.

In our discussion, Senator, we did cover most of what you just discussed. We thought that maybe originally we would consider at least two employees in a store, but then in discussions and with a little research, we found out that that would not necessarily make the establishment safer for the employee, nor the public which frequents the store. We did not want to deny access to gasoline stations and convenience stores to a significant portion of the population out there. It's not just recreational; it's the working force which keeps our lives safe 24 hours a day. It's the police departments, which work shifts, hospital workers, and postal workers, besides the labor force out there which works shifts.

So we in Piscataway feel that closing everything down is not the answer. We have worked with the New Jersey Food Council and the Southland Corporation specifically in our information gathering. We witnessed an audio-visual presentation by Southland. They provided us with -- and this

is not a commercial for Southland; I have great respect for them--

SENATOR VAN WAGNER: I understand what you're saying. I had similar meetings with them.

COUNCILWOMAN FERNICOLA: I know that you have read most of what I have read.

SENATOR VAN WAGNER: I want everybody to know that we did not rehearse this. I never met Camille before in my life, although it sounds as if we have been at the same movie.

COUNCILWOMAN FERNICOLA: I think we're on the same track.

SENATOR VAN WAGNER: Yeah, I believe so. I looked at your resolution, and it gives me some ideas for what we might do here.

COUNCILWOMAN FERNICOLA: All right.

SENATOR VAN WAGNER: And to tie in your operation, and similar operations that might be developed by municipal police departments.

COUNCILWOMAN FERNICOLA: I chair the Public Safety Committee in Piscataway. We worked on this ordinance, which was introduced at an agenda meeting this past Tuesday night. That is why I was not at the Old Bridge hearing, because the ordinance was not ready. But I am certainly glad that you continued the hearing. As you can see, it is all marked, "Draft." It was given to our attorney to make it legal, to fit it in with the other section numbers, and whatever.

You will see that on Page 2, we are requiring any establishment, besides the restaurants and bars that are open, any establishment that is open between 12 midnight and six a.m.-- We are requiring that they provide, or pay for, a behavioral modification and robbery prevention course given by the Piscataway Police Department to employees working the late-night shift. Two employees are not required; one is a minimum.

Before they work in the establishment, the corporation pays the expenses incurred by the Piscataway Police Department, and certification must be presented to the Piscataway Police Department that the employee has completed a course in robbery prevention and behavioral modification.

We are requiring certain physical modifications of an establishment, such as good lighting in the parking lot, no signs to block the view of the cash register, moving the cash register to the front, low cash signs in the store, a drop safe, and signs which alert the prospective robber that very little cash is on hand.

Most of this was taken from an Akron, Ohio ordinance. I had done research in the State of New Jersey, and from what I could find through the League of Municipalities library, no other municipality in the State of New Jersey has used this particular ordinance.

SENATOR VAN WAGNER: No, I have never seen it before, and I have a group of them.

COUNCILWOMAN FERNICOLA: Okay. I, the members of the Public Safety Committee and, obviously, the Piscataway Township Council, feel that this is the way to go on this particular issue that faces us all. We don't feel that closing everything down, as I say before, is the answer.

SENATOR VAN WAGNER: I agree.

COUNCILWOMAN FERNICOLA: We don't want to put our heads in the sand and pretend it's not there.

SENATOR VAN WAGNER: Well, we're certainly on the same track; that's for sure, because that was my view also after the public hearing, that the first step, if we are going to be effective at all, is to develop a framework very similar to what you have here.

Do you have any thoughts, assuming that we develop legislation that would provide a similar framework-- Perhaps the simplest approach to this would be to adjust this

resolution. I don't know. Do you think, in your view -- and I am not trying to put you on the spot -- as a municipal elected official, as a person who had to make a decision on this, work with it, looking at the costs that might be involved to the Police Department -- which you are going to hand back to your merchants-- Have you been able to assess what those costs might be?

COUNCILWOMAN FERNICOLA: No. Our Police Department is still working with gathering the information they will have to teach to the employees. I don't have an estimate of what that will be. I don't think it would be fair to make a guess. The initial expense, it would seem to me, would be in putting the program together. Staff would be trained in our Police Department to give the course on demand, so to speak, so that would be the initial expenses in the beginning. If there are any printed pieces that have to be provided, well, that would just have to wait.

SENATOR VAN WAGNER: What would you think of a bill that would provide the mechanism, developed by the State of New Jersey, by which municipalities could avail themselves of the training on the basis of their own input into the establishment of the commission that I talked about before, if you will, which would be made up of members of the State Police, the Attorney General's office, perhaps the Department of Commerce should be involved to some extent, and including some members of the municipal governing bodies, to develop an overall approach? Or, do you think it would be better, in your view, rather than attempting to standardize it, to allow each municipality to develop its own program based on its own peculiar needs, and perhaps develop a legislative framework by which they could avail themselves of grants to develop such programs?

COUNCILWOMAN FERNICOLA: I like the idea of grants.

SENATOR VAN WAGNER: I knew you would. That was a leading question for a Councilwoman, you know.

COUNCILWOMAN FERNICOLA: Right. Actually, if we did it that way in Piscataway, or locally, it wouldn't cost the taxpayers any money. It would be picked up by the corporations.

SENATOR VAN WAGNER: That is what I am thinking of perhaps. Why should the-- The other point I have is, why should the State do this? Why shouldn't it be the responsibility of the employers?

COUNCILWOMAN FERNICOLA: I think it should be the employers' responsibility to pick up the costs. I think the initial program development, with more input, is an excellent idea; however, it could just take off in bureaucracy. It could; I'm not saying it would.

SENATOR VAN WAGNER: That is my concern.

COUNCILWOMAN FERNICOLA: Yeah. I think many of the local governments need help in putting together a program like this. If it is done on the State level, I think a certain leeway should be left for that local municipality if it is a corridor community, or whatever you mentioned before. The idiosyncrasies incorporated in that particular community should be also incorporated into any kind of a training program.

The turnover -- and, you know, I won't get into the problems of the corporations in running their establishments -- is great in fast food stores.

SENATOR VAN WAGNER: Yeah, that is a good point. The training of a person which could be-- Does anyone have a figure on what it costs to train a person? (no response) No? The training of a person may mean that that person may be there for 30 days and then leave and get another job. Then you would have another person and you would have to train that person.

COUNCILWOMAN FERNICOLA: Well, that is okay with us. We don't mind. That's why we're charging the companies.

SENATOR VAN WAGNER: Yeah, but if you had a franchise operator who had to pay five times a year for employees to be trained-- I would assume that turnover is not unusual in a convenience store, where employees stay two months and then leave, or even in a retail gas station. That could become costly.

COUNCILWOMAN FERNICOLA: What we have written into our ordinance is giving the establishment a choice. Now, if the establishment does not have a safety program in place already-- In Piscataway, we have three Quick-Cheks and one Krauszers, a Somerset Farms, and a Hubbards Cupboard, which was just bought over by Krauszers. To our knowledge, Krauszers does not have a safety program for its employees, but Quick Chek does, and we would not require Quick Chek to put their employees through our training program besides their own.

Now, this is where your standardization of training might come in handy because each establishment has its own unique way of training their people. I support standardization of training, a program that--

SENATOR VAN WAGNER: Maybe what we simply have to do is charge the appropriate agency with developing a statewide crime-- Let's see how you refer to it in here. I like your terminology, or whoever came up with it (referring to Piscataway ordinance). "A robbery prevention and behavior training model to be utilized by establishments and followed, based on certain criteria." I would not even attempt to try to put in that criteria. Perhaps here we can have the criteria developed by State, local, and industry representatives in a sort of an ad hoc council, you know, because you obviously felt comfortable working with industry on this.

COUNCILWOMAN FERNICOLA: Very definitely.

SENATOR VAN WAGNER: And certainly I think all of us -- business, government, everybody -- want to do the best we can to prevent this kind of thing as much as possible. I mean,

I think we all agree on that. It doesn't help business; it doesn't help us. Certainly it is a blow, as you pointed out quite clearly, to those individuals who are directly affected by it. Maybe a certification program.

COUNCILWOMAN FERNICOLA: Right.

SENATOR VAN WAGNER: As I said, this is new ground for me, Camille, so, you know, like you, I am treading along and trying to find the right model.

COUNCILWOMAN FERNICOLA: One thing I would like to state -- and I won't use specific terms that you warned us not to use -- is that it is difficult -- I found it difficult -- to try to protect by ordinance, or law, a way of keeping it a little safer for the gasoline attendant. As a comparison, in a convenience store, food store, we have written in here that they have so much time to move that cash register if it is not already placed in the front of the store in a well-lit location, take the signs off the windows, use drop safes, and place signs around. Some of it could be used in a gasoline station situation; however, you have the movement, the greater movement on the outside of the building of an attendant, and it is very difficult--

SENATOR VAN WAGNER: You're right.

COUNCILWOMAN FERNICOLA: --to try to protect those people. You know, my biggest concern is-- You're probably parents. If you're not, you know somebody who is. We are all involved in this, and we have to protect--

SENATOR VAN WAGNER: Oh yeah, I have four children, all of whom work.

COUNCILWOMAN FERNICOLA: I have three, and they are all around that same age. You know, I'm sure that is why we're here. We were all deeply moved by what happened in the past several months, and we don't want it to happen again if we can help it.

SENATOR VAN WAGNER: And, really, you have stated my own feelings. Really, my concern -- and I'll say this from a very personal level -- is not to try to make some kind of big splash and, you know, capture everybody's imagination with some kind of a law, but to really try to get to how we can protect these primarily young people, and some older folks, from harm. I wasn't looking at you when I said that. (addressed to Mr. Ferrara)

COUNCILWOMAN FERNICOLA: Some older folks?

SENATOR VAN WAGNER: He got very upset.

MR. FERRARA: No, no; at this point I love old age.

SENATOR VAN WAGNER: With all of the maturity, right.

As you point out, Southland, everybody, really kind of, you know, jumped into this thing and tried to add constructively to the process, and I congratulate you for that, everybody. But really, we need a way to try to help people to maintain their employment, not take away others' alternatives of life style, not interfere with commerce, and not make it look like we are all going to crawl into a shell because we have these kooks out there, who somehow or other have to go out with a weapon and harm someone to get money. I guess I just can't understand. But anyway, I am not naive enough to think that there are certain societal pressures that create this for some people, but still in all, you know, they will have to pay the price some other way if they are caught.

The point is, how do we prevent it? How do we protect that son or daughter, who may be yours or mine, from being in harm's way, you know, and at the same time give them the opportunity to work those hours if they choose to? My own son worked in a supermarket on a night shift for the first couple of years he was coming out of high school and going into college, you know, and I'm sure we have other people who have had kids who worked late-night shifts, and stuff like that. If we can develop a program, as you have tried to do in

Piscataway, and maybe a criteria at the State level, a model, to require businesses -- I have to say "require them" -- based on municipal ordinances to give them flexibility. Some municipalities may not want to require businesses. I think they all ought to have to. The business community is probably going to disagree with me on that; we may have our disagreements, but I think they ought to have to provide that training.

COUNCILWOMAN FERNICOLA: Senator, just as a point of information, several years ago our Public Safety Committee worked with the establishments in Piscataway that stayed open all night. We did not require, but strongly suggested, that they take the signs down from the front of their establishments, keep the places well-lit, and all that. They did so. One particular company which I have in mind -- and I will not mention names -- did do so for several weeks, and then they were back to their old ways of covering the store with signs.

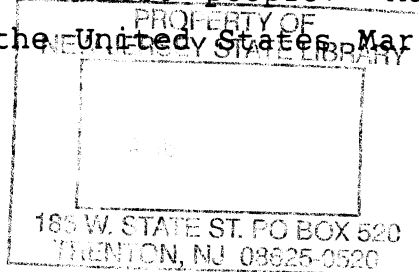
SENATOR VAN WAGNER: So, unfortunately, it is a problem.

COUNCILWOMAN FERNICOLA: Yes. Then we thought we had to legislate to try to, unfortunately, force them to comply with safety rules.

SENATOR VAN WAGNER: I think that is probably what we are going to wind up with if we are going to be effective.

Senator Connors, do you have any feelings on this?

SENATOR CONNORS: No, except that I support the move to try to do something about it. I would just suggest that we have some people in the banking industry in -- maybe you already have had some people give you testimony -- because banks-- It is my understanding that banks, with their tellers especially, give short courses on bait money, where it lies in a drawer, etc. and how to act with those people. Maybe we should even have some people from the United States, Marshall's



office, who handle people such as skyjackers. Here again, we are talking about behavior. We don't find consistent patterns, in my understanding, with regard to people who commit crimes. There are people who are under the influence of alcohol, drugs, and other behavioral modes, who, by and large, cause most of the crimes that are committed, to my understanding. Those are the things that we want to gather as much information on as we can before we set anything into motion, at least give consideration to them.

SENATOR VAN WAGNER: It is my hope that by letter we can convene a workshop meeting, if you will. We have been very successful with that, at least we thought we were until we got to the Assembly on another bill. Oddly enough, it involved the Petroleum Council -- the tank bill. We did manage to come up with an agreed upon solution. Whether or not it will stand the test of time in the Legislature, I don't know. But, we got the job done. We did what we set out to do. Whether everybody agrees with it, or disagrees with it, is another matter, as you know from serving in public office. But we did get the job done, and at least most people know enough about it to dislike it, which means we must be on the right track.

Councilwoman, you are certainly invited to join with us on this and, you know, whomever you might designate. I am going to try to communicate through the League of Municipalities with any-- I don't want to make it a circus, you know. We only have so much space. But I would like some input and representation from people in municipalities as to the structure of what they would like to see for their own flexibility; input, as Senator Connors says, from individuals in the industries that might be affected, and who have experience, background, and so on, and law enforcement people, who I am sure have had a widespread amount of experience with this, to try to get something that we can put together in a draft form, communicate back out to you, let you look at it,

make changes, deletions, amendments, or otherwise, and then come back here and let's see if we can vote something out and get it going. Let's try to do it before the summer is over.

COUNCILWOMAN FERNICOLA: Sounds good to me.

SENATOR VAN WAGNER: Does anyone have anything else they would like to say before I conclude this public hearing? Gerry?

MR. FERRARA (from audience): (Mr. Ferrara's question indiscernible.)

SENATOR VAN WAGNER: Sure, whoever. They will probably want to follow you.

MR. FERRARA: If they follow me, I want them to respect old age.

SENATOR VAN WAGNER: Camille, you know, perhaps part of our criteria-- You raised an interesting point, the gas station point, but if we can just steer clear of that one issue, and stay with the protection of the person, maybe we can develop a separate program and criteria, with your help, Gerry, to enhance security.

MR. FERRARA: Well, our problem, of course, is just a little bit different. I think the Councilwoman touched on it, the attendants circulating outside.

SENATOR VAN WAGNER: The movement of traffic outside, yes.

MR. FERRARA: Most of the testimony that has come before you, during the previous hearing and this one, seems to apply to training programs for convenience stores on the basis of taking the signs down, which, of course, works sometimes, or doesn't. Regarding the two-men question, we always felt that two people can get shot as well as one.

The thing you've got here-- If you look closely at the programs which have been proposed as far as prevention is concerned, prevention is only a small part of it. It is more geared to catching the robber. The Southland program, for

instance, has a measuring device at the doorway, how to describe a robber. That doesn't stop the robber from coming in, and that doesn't stop the drug addict at two o'clock in the morning. He doesn't say, "Hey, wait a minute, somebody's got a program."

But the program, on the surface, is good. It may prevent something to a degree.

SENATOR VAN WAGNER: I just want to interrupt you on one thing. Part of their prevention program is a behavioral program that is aimed at the employees' behavior in front of the assailant.

MR. FERRARA: I am aware of all of that.

SENATOR VAN WAGNER: So they are covering the other side of it, too.

MR. FERRARA: I have had--

SENATOR VAN WAGNER: When the guy gets in the store--

MR. FERRARA: Give him the money; don't do anything; "Do you want me to lay on the floor?"

SENATOR VAN WAGNER: Well, they are telling the employee, very clearly, what steps he or she is to take, you know. So it is a behavioral thing. You know, our behavior when someone comes after us is, "You're not going to get it."

MR. FERRARA: Well, we have gone through that. I am very familiar with their program, have followed it for, oh, seven or eight years.

SENATOR VAN WAGNER: I know.

MR. FERRARA: We do have clinics where we train our people basically, "Don't argue with them, give them the money, lay down, do anything they want." That still hasn't stopped the violence that takes place in gas stations.

SENATOR VAN WAGNER: I don't think we will ever stop it.

MR. FERRARA: But I think, if nothing else, you should address one thing. The owner of the station should have some

options. I would suggest an amendment to your thing that no franchisor can require a franchisee to be open either from 12 to 6 or 24 hours. Now, the owner has to take the responsibility of training the people. He takes the risk if someone is hurt. What we usually find out is that our fellows will go along for 24 hours. The first time they have to work, they start to back off because it is a whole different breed of people who come into a gas station from 12 to 6. If you want to try it, just work any other factor, and you will find that when you are out there you are on guard.

Our owners testified at other recent hearings that that is what they fear most of all, the type people who come into the stations. They are in for a quick fix, and they're gone. We don't have the space that a store has, where you get a chance. A fellow walks in and you look him over.

SENATOR VAN WAGNER: What would your recommendation be on the basis of, like, major arteries, where you do have all-night travelers?

MR. FERRARA: It should still be the option of the owner. He is the one who is taking the risk of hiring people, the grief that goes with it. Every time an owner winds up with some violence, he wants to close down. You have to taste that. Now, the major thoroughfares in New Jersey, the Turnpike and the Parkway, you leave them open. Yet, we had a Parkway owner testify that he was in fear. They pull in in a car; they stay there to sleep. You can't keep calling the cops. You know, you could be crying "Wolf." So, he does have that fear.

But due to the fact that our particular Turnpike is serving the traveling public, I believe you would have to leave them open.

SENATOR VAN WAGNER: Let's allow that issue to lie for a minute, and let me go back to another part of this other issue. Do you see ways of us developing some criteria that might be helpful in the training, the specific kinds of training necessary for gasoline retail employees?

MR. FERRARA: Well, we have explored that. We have explored that very quietly, very often, as to what do you do. And, of course, we do have a turnover as far as training. A lot of the things that take place are when-- You know, we have all of the safety features -- a drop safe, a sign "Cash Only, No Money Kept Here." The thief becomes violent. He doesn't want to believe that. See, if we could educate the thief that, "Good, I only have \$30.00, or \$25.00, or I only have \$5.00," fine. The violence comes when he feels that either the attendant can get money out of the safe or has money hidden; that is when there's violence. We have had more violence than we have had homicides. The homicides are starting to increase. But if we were to take the numbers on violence, you would see the difference.

In previous testimony, you had an expert, or someone who had made a survey, say that 44% of the crimes took place between 6 and 12, and 43% took place between 12 and 6. What he didn't say -- and nobody asked him -- was how many business establishments are open between 6 and 12, vis-a-vis 12 to 6. If you take that in numbers, you will find out that the 43% becomes much higher because it is a percentage of a lower number of stations. If you have 200 crimes, and 40 of them took place after midnight and 40 of them took place before midnight, and there were 500 businesses open before midnight and 100 open after midnight, that percentage of those 40 crimes becomes higher. It becomes almost--

SENATOR VAN WAGNER: What you're saying is, instead of 20 robberies taking place that took place between 6 and 12 because 500 stations are open, there was actually double that amount that took place between 12 and 6 because only 100 stations were open.

MR. FERRARA: That's right. The percentage of those which were vulnerable. And that is our concern.

SENATOR VAN WAGNER: I couldn't dispute those statistics because I didn't see the survey the man did, and I don't know whether he took--

MR. FERRARA: Well, we challenged it in a court hearing.

SENATOR VAN WAGNER: I don't know whether he took a sampling of 100 and 100, or--

MR. FERRARA: No, he didn't.

SENATOR VAN WAGNER: --all of them between 6 and 12. I don't know what he did.

MR. FERRARA: In that particular survey, at a court hearing, he said no, he didn't. He didn't take that into consideration.

SENATOR VAN WAGNER: Well, obviously, his statistics are wrong.

MR. FERRARA: You can play statistics either way. Our concern is that it is happening. We are reacting to it.

Now, the other thing that should be a requirement, if you do this-- You don't prohibit local towns from making more stringent ordinances, if they want to. I think that is inherent in the so-called home rule.

SENATOR VAN WAGNER: Yeah. See, what I am trying to get at-- I am trying to get at the aspect that I started to talk about, which is the training -- the security training. I think that area is a faulty area. I think there is sporadic training. As the Councilwoman pointed out, Southland is a company that does a very good job, obviously. All right? They pay a lot of attention to it. She pointed out, for example, Quick Chek in her area, which does comply. Another store doesn't comply. You point out, and very accurately, and I would say that your representation of the industry has been without peer as long as I have been here, that the gasoline business is a different business.

But, what I am trying to get at, at this point, is, how do we develop a model that everyone can plug into, maintain the flexibility they need to maintain based on their own demographics, you know, the towns, and their own business communities, and, at the same time, try to build in, through training, as much sense of protection in an individual as we can, an individual who is going to take that risk and work all night? Then, at the same time, address the issue that you raise of the requirement for a franchisee to be open all night, and whether or not that ought to be abolished, whether or not that requirement ought to be taken out as a separate issue.

MR. FERRARA: Well, I think, as a legislative body, you could have that authority, maybe a little bit more so than in a local vein, the question of whether a local body acts in a specific case just because they want to help gas stations. I don't believe that would hold water. But if they act in the interest of safety with the State because of your franchise act, you probably could enact a regulation of that type, as part of yours.

SENATOR VAN WAGNER: I'm hoping that we can enact a framework that will help, not only businesses, but more importantly, help the individuals who are employed out there, including the business owner, who is really an employee of his own business in a sense. You know that. He is as much a captive of that business as the people he employs, especially in the gas station business.

MR. FERRARA: In most instances, yes.

SENATOR VAN WAGNER: Most owner/operators are there most, if not all, of the time in a gas station. You have to be. You know, it's hard not to be. Everyone who I know is anyway, including weekends most of the time.

But, we have to develop a comfort level from a State prospective, from a local prospective, from a business prospective, that we have developed a good, solid training

program for individuals, that we have adopted measures, all of the measures necessary to try to prevent the crime from happening, to try to prevent it, to try to discourage it, number one.

Secondly, to train the employee so that if the crime does go into motion, his behavior, or her behavior, is such that it will not result in harm to them, and, at the same time, recognize the uniqueness of the individual businesses that are affected by this. See how that operates, and see if there is any statistical change. See if that does, in fact, work. And, at the same time, look at the requirement that you bring up of the franchise open all night. I brought that up myself. I thought it was a valid discussion to have.

But, number one, get that training in place in a prototype, get it going so that as soon as possible everybody is on board and training these people, whether it is convenience stores or whether-- You know, in your case, your guys are doing it, so they wouldn't even be affected by a local ordinance.

MR. FERRARA: Well, I think they may have to apply to it, unless we run the costs.

SENATOR VAN WAGNER: Maybe one may have to put a drop safe in, or--

MR. FERRARA: The one good thing about all of this--

SENATOR VAN WAGNER: You are pretty much geared into that because you are so used to being the possible target, that you are looking all the time for ways to prevent it, stop it, halt it. I think the provision of requiring the all-night operation is a good one; I mean, not requiring it.

MR. FERRARA: Well, there is no question, unfortunately, that the series of homicides which took place has highlighted the problems of late-night operations. So, if nothing else, any training programs, the publicity engendered by it, will all be helpful. I don't know that the end result will stop any homicide--

SENATOR VAN WAGNER: We'll never stop it.

MR. FERRARA: --by a guy who is a kook, so to speak.

Years ago I made the statement when we first had a fellow killed, and when we passed the franchise act, that we are the piggy banks of the drug addicts. Whenever they need a fix, they crack our heads.

With that, I will end my testimony.

SENATOR VAN WAGNER: Well, I can appreciate that. I think most of the people who enter the retail business in order to service people through the hours of the night, when most of us are asleep, all really take a huge risk, particularly today when we have people who are motivated by so many things to commit crimes. Obviously, one of the ways to stop what is going on is to get to the root cause of it. I realize that.

I want to thank everybody.

SENATOR CONNORS: Mr. Chairman?

SENATOR VAN WAGNER: Oh, I'm sorry.

SENATOR CONNORS: For just what it's worth, some years ago, I was motoring in Florida. I pulled off of I-95 into a gas station to fill my tank. It was a Gulf gas station; I remember it vividly. It was in the early hours of the morning, maybe around 4:30 or five o'clock. The gas station attendant had a six-shooter right on his hip. I said, "Is it commonplace to carry a gun?" His response was -- he had just gotten the gun -- "Last month I was stuck up three times, in one month. I am not going through that again because the last time I thought I had it. I have to make a living; I have to support my wife and children, so I went out and got a gun, and I'm carrying the gun. I don't care who comes in now, they are going to get it if they touch me." It was as simple as that. I don't say that is the cure, but it is not only in this State. It's all over the country.

MR. FERRARA: We advise against carrying arms because it is a question whether you-- We lost a man who pulled a gun,

but who then couldn't pull the trigger. He was held up right at the island, with a customer there. The customer witnessed it.

SENATOR CONNORS: Sure. I'm not saying that as an advocate.

MR. FERRARA: No, but it's indicative of the problem.

SENATOR CONNORS: What I'm saying is, it's not only here in New Jersey. There was that fellow in Florida, and it happened three times in one month. He was so frustrated. I guess he was the owner; I didn't pursue my line of questioning. I just said, "It's mighty unusual to see a man carrying a gun, a six-shooter stuck right in a holster on his belt."

MR. FERRARA: I don't know about me. I think I would decide to find someplace else to work, even if I owned the station.

SENATOR COWAN: All right, thank you, Gerry. Our next witness is Will Muiznieks. Will, I understand you were at the first hearing.

W I L L M U I Z N I E K S: Yes, I was, Senator. I am a Shell dealer in Princeton Junction. I am also a Shell dealer in Browns Mills. I want to share something with you, and then I want to throw a little fly in the ointment.

About four years ago we went 24 hours. At that point -- and I agree with Gerry on responsibility -- we decided that it was time to do something for our people because we were entering a new sphere. We wrote a training program, which included a part on service station security. I talked to our local police department and I talked to anyone who wanted to listen. Nobody was interested because, "Princeton Junction is a nice neighborhood. We don't have a problem." We have had one robbery since, uneventful, but nevertheless.

I brought a few copies of an excerpt from our training program which is on service station security. Last week, after

being asked by Senator Van Wagner at the last hearing whether any law enforcement officer had looked at our program, I finally kind of took our police lieutenant to one side and said, "You will read it." He did. He concurred with it, and he made one change in one sentence. So I think, amateurishly or otherwise, we have hit something.

SENATOR COWAN: This is training you have put in just in some of the stations?

MR. MUIZNIEKS: In our own facilities.

SENATOR COWAN: In your own facilities?

MR. MUIZNIEKS: Yes. This is not sponsored by Shell Oil Company or any other organization. Shell, in part of the dealer training, does provide security training, but it ends there. We can call on them, but each individual station is different. Some of the problems that we encounter at Princeton Junction we don't encounter at Browns Mills. If you want problems, visit Browns Mills. It is a very interesting situation.

Nevertheless, when we talk about a statutory training program, yes, there should be someone overseeing it. I think our local police department is as good a place to start as any. If you start talking about oil companies-- See, what we tend to forget is that unlike the Southland Corporation, which is a large corporation, I am a corporation also. I am a New Jersey corporation. I'm one of the two officers. We are responsible for the day-to-day operation of our place of business, without interference from anybody. We do not -- or Shell cannot, for example, give us the same guidance that Southland can give the Seven-Elevens. By becoming a franchise dealer, especially in an oil company, you basically go in business for yourself, so you have to develop your own program, you have to fight your own battles.

If you have a program that is implemented, let's say, by Gerry's organization, by the oil company, by the State, it

might, or might not fit your needs. I think maybe with your guidance, you can get the local police departments to work with the local retail businesses that are open late.

SENATOR COWAN: Are you presently open 24 hours?

MR. MUIZNIEKS: I have one station 24 hours, which we started four years ago, and we are contemplating Browns Mills for 24 hours as soon as the equipment gets there.

SENATOR COWAN: How many people do you employ?

MR. MUIZNIEKS: At night?

SENATOR COWAN: Yes. Totally, how many people do you employ?

MR. MUIZNIEKS: Totally? Between the two stations, we have about 40 people.

SENATOR COWAN: Forty people. And how many people work in the evening?

MR. MUIZNIEKS: Well, the last shift at Princeton Junction is one man.

SENATOR COWAN: One man?

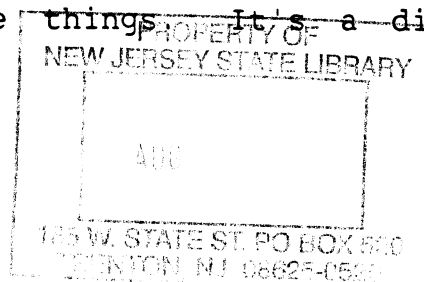
MR. MUIZNIEKS: Yes, one man. We have a central alarm. Our managers have visited our police department, and they have consented that they will patrol at odd times, so we feel quite secure about it. The robbery that occurred did not occur on the late shift; it occurred about seven o'clock in the evening with about eight customers and four employees.

SENATOR COWAN: On the site.

MR. MUIZNIEKS: No, it was in the middle of the week.

SENATOR COWAN: No, I mean on the site at the time.

MR. MUIZNIEKS: Yes. So, you know, numbers really weren't a deterrent at that particular time. But, you have to look at each individual situation. The things that will work at Princeton Junction -- and we found this out already; we have been at Browns Mills since December -- do not work at Browns Mills. It is the same business. We are selling the same product. We are doing the same things. It's a different



neighborhood; it's a different type of clientele; it's entirely--

SENATOR COWAN: An entirely different environment.

MR. MUIZNIEKS: Yeah. It is an entirely different business.

SENATOR CONNORS: Why is that? Why does one technique work at one station and not at the other?

MR. MUIZNIEKS: Well, Princeton Junction, for example, is what we would consider a neighborhood station. Ninety-nine percent of our customers we know by first and last name. We see them day in and day out. I can just about tell you who is going to be in between 11 o'clock at night and 6 in the morning. We are on a county road. We are not what is considered a major thoroughfare, so we do not get the transient trade, per se. We do get people occasionally coming from the shore, going to the shore. Somebody stops out on Route 1 and can't find a station open, and he comes in.

Browns Mills is transient trade. On the weekends, it's bumper to bumper shore traffic. You have a transient community. A lot of the people in Browns Mills are service people, some retired, some on active duty at Fort Dix.

SENATOR CONNORS: Is there a drug problem in Princeton Junction?

MR. MUIZNIEKS: Well, it depends on whom you ask. If you ask my son, he says very definitely. If you ask my employees who are at the age that would be involved, they say very definitely. If you ask the right law enforcement agent, he might kind of nod, "Well, yeah." The official version is "no."

SENATOR CONNORS: So, there is?

MR. MUIZNIEKS: There is.

SENATOR CONNORS: It's there.

MR. MUIZNIEKS: It's there.

SENATOR CONNORS: Whether it is a problem or not, it's there. And in Browns Mills, is that an area where you might have the same characteristic?

MR. MUIZNIEKS: I don't know what the drug situation is in Browns Mills. With a particular trade, I would say yes.

SENATOR CONNORS: The point I am bringing out is, it would seem to me that if a drug situation is prevalent in both areas, and the one area is a neighborhood gasoline station where 99%, as you put it, of the people come in, there is that 1% that could be drug related that is watching you, waiting just like an eagle or a hawk to pounce on you, because they know what your operation is.

MR. MUIZNIEKS: Right.

SENATOR CONNORS: On the other side of the coin, when a gasoline station is on a major artery, and the people are passing, even though they don't know who is in there, it would seem to me that it would be very difficult then for someone to case your operation, so to speak, to find out how you act, who is on at a specific time of the evening, how many employees you have, whether you have someone sitting in the back looking through a peephole, or what. Do you understand what I mean?

MR. MUIZNIEKS: Yes.

SENATOR CONNORS: It would seem to me, trying to think like these people might think, that the one in Princeton Junction might be a lot more vulnerable than what you would imagine it would be.

MR. MUIZNIEKS: Oh, we don't belittle the possibility of being vulnerable at all. That is why we take the steps we do to try to protect people. But the whole thing is, you know, it takes that 1%; that's all it takes.

SENATOR CONNORS: Just once.

MR. MUIZNIEKS: Once.

SENATOR CONNORS: That's all.

SENATOR COWAN: Fellows, getting back to the training aspect of it, what you have there is a format for your stations now?

MR. MUIZNIEKS: Yes.

SENATOR COWAN: How much time do you spend with these people as part of the training?

MR. MUIZNIEKS: We spend -- the manager and myself, or the assistant manager -- five days.

SENATOR COWAN: Five days?

MR. MUIZNIEKS: We spend one day talking strictly about station security. There are other things taught, you know, how to greet a customer, how to do the paperwork.

SENATOR COWAN: You mean the training is five days, but one is spent on--

MR. MUIZNIEKS: One is spent on security.

SENATOR COWAN: On security itself.

MR. MUIZNIEKS: Now, that doesn't mean that it stops there. It's an ongoing program. But a new oncoming employee will spend a day on this. You know, they will spend one day strictly on security, but then it is ongoing. When a situation occurs where we feel we are close to a problem, we change things, we tighten things up. You know, you sort of have to feel the mood of the community. Sometimes I will run two people at night if there is something going on, for instance, a rock concert at Jadwin Gym, where the big exit is about one o'clock in the morning. We try to foresee those things, and we try to make sure that we are not going to have a problem.

SENATOR COWAN: This you put together yourself?

MR. MUIZNIEKS: Yes.

SENATOR COWAN: Just through your own research, etc., nothing from a format followed by anyone else?

MR. MUIZNIEKS: No.

SENATOR COWAN: Okay. Thank you very much.

MR. MUIZNIEKS: Thank you.

MS. McNUTT: Is that to become part of the record?

MR. MUIZNIEKS: Yes.

SENATOR COWAN: Next we have Charles J. Lamb from Microlert Systems, Inc.

C H A R L E S J. L A M B: Thank you, Senators. What we have here-- I know it is getting late and everyone is probably interested in lunch, and what have you, but the short and sweet of this-- This is a silent security system that we present. (Mr. Lamb demonstrates equipment for Committee and audience.) It is effective within 300 feet of this unit by this small pendent, either -- speaking of the hours of 12 to 6 where there is one employee working -- by the employee wearing it around his neck or, if he prefers, keeping it in his pocket.

We also have this little number. By pressing this button-- If I had an outlet, I could plug this in for you. By pressing this pendent--

SENATOR COWAN: There is one right here on the floor. There is one on the other side, too. We have obstructions throughout the place.

MR. LAMB: This may help to answer some of the training questions I have been listening to people bringing up. The green button denotes that the unit is working. As you see by pressing the pendent, as I say, within 300 feet, the employee, if he is away from the cash register, for instance, stocking the shelves--(Mr. Lamb demonstrates alarm sound) This is strictly for demonstration purposes. (Tape in machine says: "This is an emergency call. There is a possible robbery in progress at the Stop and Go Store at 135 South Main Street. The police number is 555-1234; that's 555-1234. There is a probable robbery in progress at the Stop and Go Store at 135 South Main Street. The police number is 555-1234; that's 555-1234. Thank you.") (Part of this message coming from machine was indiscernible to transcriber.)

Now this is programed into the telephone. This unit can be anywhere in the store or the gas station. The phone call is made silently to the local police by again pressing on this -- the tape is inside -- by pressing this pendent or, if a person preferred not to wear it, he could always keep it in his shirt pocket, his back pocket, or whatever.

Not that it is a cure-all, Senator, but it is, I feel, maybe--

SENATOR COWAN: It works within 300 feet, regardless of obstructions -- metal, glass, anything else?

MR. LAMB: Right, through walls. He could be outside the store, walking outside, or sweeping the pavement, or if he had to walk to his car to get something, maybe.

SENATOR COWAN: Not that I am going to buy one, but what is the price?

MR. LAMB: We're talking about -- strictly on this unit and the pendent-- We're looking at just the one piece. Now, if you are talking about 100 units, the price is much different. Just for one unit, we're talking \$595.00. This also doubles as a medic alert system on the same tape, like the cassettes in your automobile. We are also working with hospitals and retirement villages. Five phone calls can be made on one side of this tape. For example, if the employee at the gas station, or the WAWA, or the Seven-Eleven had a heart attack, or fell off a shelf and broke his ankle, let's say, by squeezing the pendent (demonstrates sound) it would call a local ambulance service. We can program into this tape anything you want. There can actually be seven messages put on this unit. This is a smoke detector system, possibly of interest to people with the Cumberland Farms stores or any type of store. This smoke detector system, when it is set off, makes two phone calls. One phone call goes to the local fire department -- through this unit again -- and one to the person who may own the service station, the grocery store, the drug

store, or what have you, letting them know that there has been a break-in and/or a fire, and that the police or the fire department has been called.

As far as training goes, it is just a matter of the individual knowing how to press that button, and I don't think that anyone has to go to Princeton to learn that.

SENATOR COWAN: Any comments? (negative response)
Okay, thank you very much.

MR. LAMB: Okay, you're welcome.

SENATOR COWAN: I believe someone entered some testimony today, Mr. A. M. Dudley, from Exxon.

MS. McNUTT: He just submitted a letter for the record.

SENATOR COWAN: I understand Southland is here.

FROM AUDIENCE: Yes, sir, right here.

SENATOR COWAN: Do you have any comments you would like to make after hearing some of our testimony here today?

FROM AUDIENCE: No, but Dr. Wayne Crow is here, available for questions. He testified at the first hearing.

SENATOR COWAN: Anyone else, Peg?

MS. McNUTT: No.

SENATOR COWAN: Well then we will adjourn our public hearing at the present time. Thank you all very much.

(HEARING CONCLUDED)

APPENDIX

PROPOSED PUBLIC SAFETY COMMITTEE ORDINANCE

TOWNSHIP OF PISCATAWAY

REGULATING LATE-NIGHT BUSINESSES

DRAFT

WHEREAS, retail establishments and gasoline stations that stay open between 12:00 midnight and 6:00 a.m. are more likely to be robbed; and

WHEREAS, restaurants and entertainment facilities and other similar establishments are not part of the problem inasmuch as their clientele is more likely to remain on the premises, and there is not the isolation at these businesses of their employees that is present in retail establishments and gasoline stations between the hours of 12:00 midnight and 6:00 a.m.; and

WHEREAS, the health, safety and welfare of the employees and the public that frequent these establishments is of great concern to the community and must be improved.

NOW, THEREFORE, BE IT ENACTED by the Township of Piscataway, New Jersey:

Section 1. That Chapter _____ of the Codified Ordinances of the Township of Piscataway, New Jersey is amended by the addition of a new Section No. _____ as follows:

Section No. _____ LATE NIGHT SALES.

A. As used in this section:

1. "Late night retail establishment" means any person, partnership, corporation, or other entity which:
 - a. derives 50% or more of its gross income from the sale of goods, merchandise, or other articles of value to the public, and
 - b. sells goods, merchandise, or other articles of value in their original containers to the public between the hours of 12:00 midnight and 6:00 a.m.
2. "Late night gasoline station" means any person, partnership, corporation, or other entity who sells

gasoline or other petroleum fuel to the public between the hours of 12:00 midnight and 6:00 a.m.

B. 1. Any employee who works at a late-night retail establishment or late-night gasoline station must complete the course of robbery prevention and behavior training given by the Piscataway Police Department before employment between the hours of 12:00 midnight and 6:00 a.m. The Piscataway Police Department shall determine the cost of training per employee to the Township, and the late-night retail establishment or late-night gasoline station shall pay that cost to the Township of Piscataway prior to the training of the employee. The Piscataway Police Department shall have the sole authority to certify training programs that can be substituted for the course required by this paragraph, or

2. Present certification by the management of the establishment to the Piscataway Police Department that the employee who will work from 12:00 midnight to 6:00 a.m. has completed a course in robbery prevention training.

C. All late-night retail establishments and late-night gasoline stations shall:

1. Post a sign in the window which is conspicuous and states that there is a safe on the premises, and it is not accessible to the employees on the premises.
2. Post a sign in the window which is conspicuous and states that the cash register has \$50.00 or less in it.
3. So arrange the signs posted in the windows so as to provide a clear and unobstructed view of the interior of the store. In no case,

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shall signs obstruct the view of the register from the street.

4. Have a drop-safe on the premises which is bolted to the floor, or installed in the floor, or weighs at least five hundred (500) pounds.
 5. Position their registers so that they are visible from the street.
 6. The entire area utilized by customers of the late-night retail establishment or late-night gasoline station to park their cars must be designated to a well lighted area near the establishment main entrance, if possible.
- D. All establishments or stations which are covered by this ordinance shall have thirty (30) days from the effective date of this ordinance to comply with paragraphs B., C.1., C.2., and C.3. of this section.
- E. All establishments or stations which are covered by this ordinance shall have six (6) months from the effective date of this ordinance to comply with paragraphs C.4. and C.6. of this section.
- F. All establishments or stations which are covered by this ordinance shall have three (3) years from the effective date of this ordinance to comply with paragraph C.5. of this section.
- G. If any provision of Section No. _____ or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the section which can be given effect without the invalid provision or application, and to this end the provisions of the section are severable.
- H. Any person, partnership, corporation, or entity who violates this section is guilty of a petty disorderly person offense; on each subsequent offense, such person, partnership,

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corporation, or other entity is guilty of a disorderly person offense. It is not the intent of this section that any person be imprisoned for the violation of this section. It is the intent of this section that whoever violates this section shall be fined as provided in Sections _____

Section 2. That this ordinance is hereby declared to be an emergency measure for the reason that the health, safety, and welfare of the public and the employees of late-night gasoline stations and late-night retail establishments must be improved immediately and is of great urgency to the community, and provided this ordinance receives the affirmative vote of the majority of the members elected or appointed to the Township Council of Piscataway, New Jersey; it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

SECURITY AND CRIME PREVENTION:

ONE OF THE MOST IMPORTANT FUNCTIONS FOR PROPERLY OPERATING THE SERVICE STATION IS SECURITY. PROPER SECURITY MAKES YOUR JOB MUCH EASIER AND SAFER. SINCE THE MAJORITY OF YOUR CUSTOMERS WILL BE REPEAT CUSTOMERS, HONEST, AND HARD WORKING; THERE ARE ALSO A LOT OF DISHONEST PEOPLE OUT THERE. SOME WILL TRY TO TAKE ADVANTAGE OF YOU, IF GIVEN THE CHANCE, OTHERS WILL DELIBERATELY TRY TO DO SO. YOU MUST ACT TO MINIMIZE BOTH CASES. IF YOU TAKE STEPS TO INVITE CRIME IN, YOU WILL NOT HAVE TO CONTEND WITH IT. YOUR BEST DEFENSE AGAINST ANY TYPE OF CRIME IS NOT TO SET UP THE CONDITIONS THAT CAN PRODUCE A CRIME. BUT, SHOULD A CRIME OCCUR, YOU SHOULD KNOW WHAT IS BEING ATTEMPTED, REALIZE WHAT THE CONSEQUENCES ARE, AND HOW TO HANDLE THE SITUATION WITHOUT JEOPARDIZING YOUR WELL BEING.

TYPES OF CRIMINALS:

THE INNOCENT CRIMINAL:

THIS IS THE NORMALLY HONEST PERSON WHO HAS NO INTENTION OF TAKING ANYTHING THAT IS NOT HIS, BUT IS PRESENTED WITH A CIRCUMSTANCE THAT IS TEMPTING AND OFFERS AN ADVANTAGE OF IT. IE: THE CUSTOMER GIVES YOU TEN DOLLARS, YOU MAKE CHANGE FOR TWENTY. YOU DROP A FIVE DOLLAR BILL THE CUSTOMER PICKS UP IT. WHILE YOU ARE FILING OUT THE CREDIT CARD FORM YOU FORGET TO WRITE DOWN THE SALE, CUSTOMER NOTICES IT BUT DOES NOT SAY ANYTHING. THIS IS NOT A BIG PROBLEM AREA, HOWEVER IF NOT REMEDIED IT CAN BECOME ONE, FOR YOU ARE TEACHING THE CUSTOMER CRIMINAL WAYS AND SETTING YOURSELF AS A EASY MARK. OTHER PEOPLE AS WELL AS CUSTOMERS WHO MIGHT HEAR OR SEE YOUR INABILITY TO DEAL WITH A MINOR PROBLEM MIGHT TRY TO GET MORE FROM YOU. IF YOU DO NOT PREVENT THESE SITUATIONS YOU ELIMINATE THE PROBLEM.

THE OCCASIONAL CRIMINAL:

DOES NOT THINK OF HIMSELF AS A BASICALLY HONEST PERSON, BUT BELIEVES THAT OPPORTUNITIES ARE MAKING A LOT OF MONEY AND ARE FAIR GAME FOR PETTY CRIME. THIS PERSON WILL GIVE YOU A TEN DOLLAR BILL AND ARGUE THAT IT WAS A MISTAKE. THEN THERE IS THE PERSON WHO TELLS YOU TO FILL IT UP AND THEN TELLS YOU HE SAID TEN DOLLARS. MOST OF THESE PEOPLE ARE LOUD AND VERY BOISTEROUS, THEY ARE ATTEMPTING TO MAKE YOU GIVE INTO THEM BY TRYING TO EMBARRASS YOU. YOU CAN AVOID THESE SITUATIONS BY MAKING SURE THAT THE CUSTOMER KNOWS YOU AND HOW MUCH MONEY YOU WERE HANDLED. "THAT WILL BE \$5.50 OUT OF \$20.00 SIR, YOUR CHANGE IS \$14.50 " OR IF THIS IS EASIER "YOUR CHANGE MA'AM, 50 CENTS AND 10 CENTS MAKE IT \$6.00 FOUR ONES MAKE IT TEN AND A TEN MAKES IT TWENTY" THERE IS NO QUESTION OF WHAT THE CUSTOMER GAVE YOU. OR "FILL IT WITH SU2000 MA'AM" ? THIS IS THE CUSTOMER RESPOND WITH A "YES PLEASE" OR A "NO \$10.00 OF REGULAR GAS PLEASE" YOU KNOW EXACTLY HOW MUCH AND WHAT KIND OF GAS THE LADY WANTS. ALWAYS BE SURE YOU ARE IN CONTROL OF THE SITUATION, NOT THE CUSTOMER. IF A PROBLEM COMES UP DO NOT ATTEMPT TO ARGUE YOUR WAY OUT OF IT CALL YOUR SUPERVISOR OVER TO TAKE CARE OF IT. YOU DO NOT WANT TO LET THIS KIND OF CUSTOMERS THINK THEY CAN GET AWAY WITH THIS AS THAT FEELING WOULD CREATE MORE OPPORTUNITIES TO TAKE ADVANTAGE OF YOU. YOU ALSO DO NOT WANT TO TURN A PETTY CRIME INTO A LOSS OF CUSTOMER.

THE FLIM-FLAM PERSON:

THERE ARE A FEW PEOPLE OUT THERE WHO MAKE A VERY GOOD LIVING BY CHEATING CUSTOMERS, THE FLIM-FLAM PEOPLE. A FLIM-FLAM BASICALLY WORKS THIS WAY: A CUSTOMER WILL ASK FOR CHANGE FOR A LARGE BILL THEN CHANGE THEIR MIND AND ASK

FOR THAT BILL BACK AND CHANGE FOR ANOTHER BILL AND THEN CHANGE THEIR MIND AGAIN AND ASK FOR THAT BILL BACK AND GIVE YOU ANOTHER TO MAKE CHANGE FOR. THE VARIATION IS THE TWO PERSON FLIM-FLAM, WHERE WHILE THE FIRST PERSON IS TRYING TO CONFUSE YOU WITH CHANGE THE OTHER COMES UP AND ASKS FOR ALL SORTS DIRECTIONS TO FURTHER CONFUSE YOU. THESE ARE PROFESSIONAL CROOKS AND HAVE PRACTICED THEIR "ART" TO PERFECTION. IT IS NOT UNCOMMON EVEN FOR AN EXPERIENCED ATTENDANT TO LOOSE A LOT OF MONEY BY THINKING THEY CAN OUT THINK A FLIM-FLAM. YOUR ONLY PROTECTION IS TO TAKE CARE OF ONE CUSTOMER AT A TIME, IF WHILE MAKING CHANGE FOR ONE PERSON ANOTHER STARTS ASKING ALL SORTS OF QUESTIONS, EXCUSE YOURSELF AND SAY "I WILL BE WITH YOU IN ONE MINUTE!" RECOUNT THE CHANGE AND FINISH TAKING CARE OF THE FIRST CUSTOMER. NEVER MAKE CHANGE FOR MORE THEN ONE BILL. NEVER MAKE CHANGE FOR A LARGE BILL ESPECIALLY IF A SALE IS NOT INVOLVED. SOME CROOKS FIND OUT HOW MUCH MONEY YOU CARRY BY BUYING A FEW DOLLARS WORTH OF GAS AND HANDING YOU A \$100.00 BILL. NEVER MAKE CHANGE FOR A \$100.00 BILL ASK YOUR SUPERVISOR TO DO IT, THAT WAY THE PUBLIC SEES THAT YOU DO NOT CARRY A LARGE AMOUNT OF MONEY ON YOU. EVEN IF THE LARGE BILL COMES FROM A REGULAR CUSTOMER BE CAREFUL A CROOK MIGHT BE WATCHING YOU. YOU JUST SHOULD NOT HAVE CHANGE FOR A \$100.00 BILL ON YOU AT THE ISLAND. ALL THAT KIND OF MONEY DOES IS INVITE CRIME TO VISIT YOU.

4. THE PICK IT UP CROOK:

SOME PEOPLE JUST CANNOT HELP TO PICK UP A SPECIALTY ITEM OR A QUART OF OIL OR A SIX PACK OF SODA AND SOMEHOW FORGET TO PAY FOR THE ITEM. IF YOU SHOW THE PUBLIC THAT YOU ARE AWARE OF WHAT GOES ON AND DO NOT MISS ANYTHING YOU WILL STOP THIS KIND OF THEFT COLD.

5. THE OBSERVING CRIMINAL:

THIS IS THE PERSON YOU TURN INTO A CRIMINAL BY LETTING THAT PERSON OBSERVE YOU PRACTICE FAULTY PRINCIPLES OF SECURITY. IF YOU DISPLAY LARGE ROLLS OF MONEY EVERY TIME YOU MAKE CHANGE, YOU LEAVE YOURSELF OPEN FOR ROBBERY. THERE ARE A LOT OF PEOPLE THAT CANNOT RESIST A LOT OF TEMPTATION. SHOULD AN EASY MARK FLASH A LARGE ROLL OF BIG BILLS IN FRONT OF THEM LONG ENOUGH, A CRIME WILL OCCUR. MAKE FREQUENT DROPS IN THE SAFE. DO NOT HAVE MORE THAN ENOUGH MONEY TO MAKE CHANGE AT ANY TIME. IF YOU GET AN EXTRA LARGE BILL DROP IT AT ONCE. BE OBVIOUS ABOUT YOUR DROPS LET THE CUSTOMER KNOW THAT YOU PRACTICE GOOD SECURITY MEASURES, THE HONEST PEOPLE WILL ADMIRE YOU AND THE CROOKS WILL GO ELSEWHERE.

6. THE PROFESSIONAL CRIMINAL:

IF YOU FOLLOW POOR SECURITY PRACTICES LONG ENOUGH, VIOLATE THE BASIC RULES ENOUGH, FLASH ENOUGH MONEY AT THE ISLAND, YOU, WITHOUT A DOUBT WILL GET TO MEET THE PROFESSIONAL CRIMINAL. THIS PERSON MAKES A LIVING BY TAKING OTHER PEOPLES PROPERTY AND GENERALLY IS ARMED AND HAS LITTLE RESPECT FOR OTHER PEOPLE. THIS TYPE OF A CRIMINAL HAS OBSERVED YOU FOR A WHILE, KNOWS WHAT YOU WAY OF DOING THINGS ARE, HOW YOU SECURE YOUR RECEIVABLES, AND HOW MUCH MONEY YOU CARRY ON YOU. THERE IS NO DETERRENT FOR THE ROBBERY NOW. LET THE CRIMINAL KNOW THAT YOU ARE GOING TO COOPERATE AND THAT HE IS IN CHARGE, GIVE HIM WHAT HE WANTS. DO NOT UNDER ANY CIRCUMSTANCE INDICATE THAT YOU RECOGNIZE THIS PERSON EVEN IF YOU HAPPEN TO. DO NOT LOOK AT THIS PERSON DIRECTLY, IF HE THINKS YOU ARE TRYING TO REMEMBER HIM YOU HAVE A PROBLEM. REMEMBER THIS TYPE OF CRIMINAL PRIMARY WANTS THE MONEY. ONLY IF THERE IS A RESISTANCE TO HIS GETTING IT, VIOLENCE OCCURS. HOWEVER IF THE CRIMINAL THINKS THAT YOU CAN IDENTIFY HIM, HE IS APT TO KILL YOU. IF YOU CAN NOT SET OFF THE ALARM UNNOTICED (THE CRIMINAL PROBABLY KNOWS THE ALARM LOCATION) DO NOT DO IT, YOU CAN SUMMON HELP LATER AFTER THE CRIMINAL IS GONE, THE MAIN THING NOW IS TO DO WHAT HE WANTS AND STAY ALIVE. DO NOT MAKE BRAVE REMARKS

BE "BOY, I KNOW WHO YOU ARE!" YOU WILL NOT GET AWAY WITH THIS" OR "THE
B) ARE ON THE WAY, I HIT THE ALARM" IF YOU ANTAGONIZE THE ROBBER YOU
BABLY WILL DIE. INSTEAD MAKE REMARKS, IF YOU MUST TALK, SUCH AS "YOU'RE
BOSS!" "IT AIN'T MY MONEY"! ETC. **AFTER THE ROBBER LEAVES, WHILE WAITING**
HELP, ORGANIZE YOUR THOUGHTS TRY TO REMEMBER ANYTHING THAT MIGHT HELP
REHEND THE CRIMINAL. **AFTER THE ROBBER LEAVES, TRY TO REMEMBER THE CAR;**
GE, SMALL, FOREIGN, DOMESTIC, COLOR, MAKE, LICENSE PLATE? **AFTER THE**
BER LEAVES, TRY TO REMEMBER THE FACE; MUSTACHE, SCARS, BEARD? AFTER THE
BER LEAVES, TRY TO REMEMBER THE WEAPON; BLACK, SHINY, RIGHT HAND, LEFT
D)? WRITE IT DOWN. YOUR ACTIONS NOW MIGHT PREVENT SOMEONE ELSE FROM
ING ROBBED OR EVEN A RECURRENCE FOR YOU.

THE VIOLENT CRIMINAL:

B) IS PROBABLY THE WORST CRIMINAL OF THE LOT. THERE ARE BASICALLY TWO
DS OF VIOLENT CRIMINALS. THE SADIST WHO IS OUT TO GET SOME MONEY AND
D) LIKES TO INFLICT PAIN FOR THE "FUN" OF IT. AND THE JUNKIE OUT TO GET
E MONEY FOR A FIX AND NEEDS IT SO BAD THAT HE DOES NOT CARE HOW HE GETS
THE ONLY PROTECTION YOU HAVE AGAINST THESE CRIMINALS IS APPARENT TOTAL
PERATION. LET THEM KNOW THAT THEY ARE IN COMPLETE CONTROL OF THE
JATION. EXPLAIN THAT YOU ONLY WORK HERE TO MAKE SOME MONEY AND YOU WILL
ABOUT TO BE HURT TO PROTECT THE COMPANY MONEY. TRY TO STAY CALM AS
SIBLE FOR THESE ARE VERY UNSTABLE PEOPLE AND IT WILL NOT TAKE MUCH TO
YOKE THEM INTO VIOLENCE. TRY TO SET OFF THE ALARM BECAUSE EVEN IF THESE
PLE GET WHAT THEY WANT THEY ARE APT TO HURT YOU FOR "FUN". YOUR BEST
TECTION AGAINST THIS TYPE OF A CRIMINAL IS THE PRACTICE OF GOOD SECURITY
CEDURES, THAT MAKE IT UNINVITING TO THE CRIMINAL TO PAY YOU A VISIT IN
FIRST PLACE.

**RE IS NO MONEY ENOUGH TO RISK YOUR LIFE FOR. FOLLOW YOUR NATURAL
INXCTS FOR SURVIVAL, THE BEST WAY YOU KNOW HOW.**

**YOU FOLLOW PROPER SECURITY MEASURES YOU WILL NOT HAVE TO FACE THESE
JATIONS. FOR THE CROOKS WILL GO WHERE THE PICKINS ARE THE EASIEST.
MBER IT IS EASIER TO DETER THAN TO STOP A CRIME.**

DETERRENENTS TO CRIME; AND STATION SAFETY:

VISIBILITY:

**BE SURE THAT THE STATION PREMISES ARE CLEARLY VISIBLE AND AT NIGHT WELL
LIT. DO NOT COVER WINDOWS WITH SIGNS AND OTHER OBSTRUCTIONS. MAKE SURE
YOU CAN BE SEEN, THAT WAY PEOPLE CAN SEE IF YOU HAVE A PROBLEM.**

ACCESS:

**CONTROL ACCESS TO THE REST ROOMS, KEEP THEM LOCKED SO YOU KNOW WHO IS IN
THEM AT ALL TIMES. KEEP UNAUTHORIZED PERSONS FROM AREAS THEY DO NOT BELONG
IN. DO NOT PERMIT LOITERING. KEEP PEOPLE FROM OTHER SHIFTS OUT OF THE
RESTROOMS AND ESPECIALLY YOUR WORK AREA. KNOW WHO IS ON THE PREMISES AND
IF THEY DO NOT BELONG THERE MAKE SURE THEY LEAVE. IF A CAR PULLS OFF
THE SIDE, OR INTO AN UNLIGHTED AREA, LOOK AT IT... IT MAY PROVIDE TIME
TO PUSH THE ALARM, MAKE A PHONE CALL, LOCK THE STATION DOOR, OR RUN AWAY IF
A ARMED PERSON GETS OUT OF THAT CAR.**

CASH CONTROL:

LARGE AMOUNTS OF CASH FLAUNTED AT THE STATION PRODUCE AN INVITATION TO CRIME. MAKE FREQUENT AND NON TIMED DROPS DO NOT MAKE DROPS AT THE SAME TIME EVERY DAY, DO NOT SET A PATTERN THAT CAN BE OBSERVED. DO NOT KEEP LARGE AMOUNTS OF MONEY ON YOU. SECURE CREDIT CARD SLIPS AND CHARGE SLIPS THEY ARE JUST AS VALUABLE AS CASH. ENCOURAGE CREDIT CARD SALES, THEY ARE EASIER TO CONTROL AND DO NOT PRESENT THE TEMPTATION THAT CASH DOES. THE SAFEST MODE OF OPERATION, AFTER DARK, IS EXACT CHANGE AND CREDIT CARDS. THE STATION SHOULD HAVE SIGNS PROMINENTLY DISPLAYED EXPLAINING THIS. IF EXACT CHANGE IS NOT CONDUCTIVE TO THE LOCATION, SIGNS INDICATING THAT THE ATTENDANTS CAN NOT CHANGE A BILL LARGER THAN A \$20.00 SHOULD BE PROMINENTLY DISPLAYED.

4. ALARMS AND PHONE NUMBERS:

KNOW WHERE THE ALARM LOCATIONS ARE, LEARN HOW AND WHEN TO USE THE ALARM MORE SO LEARN WHEN NOT TO USE THE ALARM. LEARN THE PHONE NUMBERS OF THE POLICE DEPARTMENT, THE FIRE DEPARTMENT, FIRST AID SQUAD, AND THE NAMES AND PHONE NUMBERS OF YOUR SUPERVISORY PERSONNEL, WHO THEY ARE AND HOW TO GET A HOLD OF THEM. YOU MIGHT NOT HAVE THE TIME TO LOCK THEM UP.

EXXON COMPANY, U.S.A.

POST OFFICE BOX 66 • LINDEN, NEW JERSEY 07036-0066

MARKETING DEPARTMENT
LINDEN AREA

A M DUDLEY
MANAGER

The Honorable Richard Van Wagner
24 Leonardville Road
New Monmouth, New Jersey 07748

June 18, 1986

Dear Senator Van Wagner:

I am writing to you to correct the record regarding a remark made at the May 28 hearing in Old Bridge, New Jersey on Senate Joint Resolution 31.

During the proceedings, a statement was made that Exxon does not offer security or safety training for employees at service stations. This statement is incorrect, as Exxon does provide an extensive amount of formal and on-the-job safety and security training for all employees in retail service station operations.

Our training begins at the time an employee is hired or a new dealer is recruited. Station managers and dealers attend classroom training sessions which include lectures and printed materials that cover how to respond to emergency situations, such as a fire or tank leak, and the "do's and don'ts" in the event of an attempted robbery. Emphasis is placed on the Exact Cash program, which is our greatest deterrent to armed robberies. This program requires purchases by exact cash or credit card after dark.

Station managers conduct orientation and training sessions for new employees and continue training for existing employees. All new employees are provided an employee handbook which covers safety topics and sign a statement acknowledging they have read and understand Exxon's cash handling and Exact Cash procedures. Further, all employees are required to view an audio-visual presentation on safety and security. Dealers are encouraged to implement a similar program to provide added safety and security for their employees.

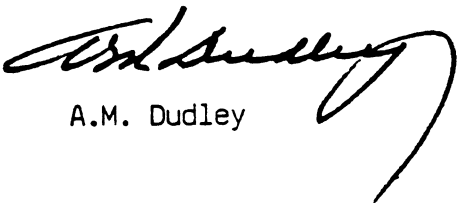
Other examples of our commitment to employee safety include periodic on-site inspections for adherence to security procedures and assessment of program adequacy; safety discussions during all employee meetings; the use of bullet resistant glass in kiosks at stations where self service gasoline dispensing is permitted; and the use of security cameras at convenience stores. Further, our convenience stores are designed so that employees at self-service operations may be secured during late night or early morning operations, with sales made only on a pre-paid, exact cash or credit card basis.

Exxon believes that requiring at least two people on duty during late night operations will not effectively deter attempted robberies and will cause many locations to close because it will be uneconomic to operate during those hours. Our experience has proven that service station operations which combine an educational program with a safety conscious station design and appropriate employee-oriented safeguards helps to provide a safe and cost-effective work environment for employees. In states where self-service is allowed, an additional measure of security can be offered by stationing the employee in a secure kiosk. The availability of self-service in New Jersey would go further in providing employee security than a requirement that two people be on duty, and I urge you to support self-service legislation when it is considered by the Legislature.

Employee safety and security can be enhanced by making it a priority item. We have done so at Exxon. If you would like additional information on our program, please contact me at (201) 474-3549.

AMD/par

Sincerely,



A.M. Dudley

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