

August 25, 2017

RE: WEEKLY UPDATE

- I. State Issues
- II. Federal Issues
- III. 102nd Annual League Conference IV. Also of Interest

Dear Mayor:

Here is a brief recap on issues of interest.

I. State Issues

a. Proposed Rule – Use of Accumulated Sick Leave

The August 21 New Jersey Register includes a proposed regulation regarding calculating the value of accumulated sick leave. It appears the intent of the proposed regulation is to “offer taxpayers additional transparency and accountability with respect to the local unit’s liability to its employees for accumulated compensable absence time.” The League is working closely with a number of its affiliate organizations to draft comments on these proposed regulations, which are **due by October 20**.

[Please click here for a copy of the proposed rule.](#)

Contacts:

- Frank Marshall, Esq., Staff Attorney, fmarshall@njslom.org, 609-695-3481 x. 137
- Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609-695-3481 x112.

b. TAKE ACTION: 2% Interest Arbitration Cap to Expire At End of Year

In June 2014, the Legislature unanimously approved and the Governor enacted an extension on the 2% cap on Interest Arbitration awards. That extension is set to expire on December 31, 2017. While the 2% property tax levy cap will continue, the cap on Interest Arbitration awards will expire on the same day that the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force is due, unless the Legislature and Governor act.

The temporary 2% cap on police and fire arbitration contract awards has been an effective tool to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and costs under control. However, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers.

We urge you to pass a resolution ([pdf](#)) urging the State Legislature and Governor to extend the 2% cap on Police and Fire Arbitration Contract Awards for an additional five years, at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent.

If the cap on interest arbitration expires, while the 2% property tax levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards.

Contacts:

- Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120;
- Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609-695-3481 x112.

c. Senator Jim Whelan – a Great Public Servant – Passes

We note, with sadness, the sudden passing of State Senator, and former Atlantic City Mayor, Jim Whelan.

A strong and passionate swimmer, Senator Whelan began a lifetime of public service as a member of the Atlantic City Beach Patrol. For over 30 years, he dedicated himself to teaching in Atlantic City public schools. In 1982, he began his municipal service as a Councilman in the City, remaining in that office until his election as Mayor in 1990. In that capacity, Mayor Whelan hosted the League's Annual Conference through 2001. In 2005, he was elected to represent the Second District in the General Assembly. And, since 2007, he has served that District's citizens as their delegate in the State Senate.

His experience in and understanding of, local government was an asset during his service in the Legislature. He supported the priorities of his former colleagues in local government, particularly in the area of economic development and administrative flexibility. He welcomed the opportunity to work with both municipal and State-level officials, regardless of their partisan affiliation. Most recently, he was cosponsor of S-2855, the "Electronic Publication of Legal Notices Act."

Current Mayor Don Guardian acknowledged the debt that he and the City owe to Senator Whelan. Mayor Guardian, who was elected in 2013, expressed gratitude for Senator Whelan's help and guidance, throughout his tenure. "Jim dedicated his whole life to public service to Atlantic City, whether he was serving as a lifeguard, a coach and teacher, councilman, mayor, or state senator," Mayor Guardian said.

Senator Whelan had decided not to seek reelection this year.

On Wednesday morning, his Legislative Office released a statement saying Senator Whelan had been in and out of the hospital and rehabilitation over the last couple of weeks and had returned home late last week. “Up until the moment he passed, Jim was doing what he loved, talking about his beloved City of Atlantic City,” the statement said. “After ordering subs from his favorite White House Sub Shop, he was at his house ready to talk to a Netflix documentary crew about Atlantic City when he passed.”

Senator Whelan is survived by his wife of over 40 years, Kathy, and by a son, Richard. A memorial service for Senator Whelan has been scheduled for September 14 at Boardwalk Hall. The receiving line to pay respect is scheduled from 10 to 11:30 a.m. The service is from 11:30 a.m. to 1 p.m.

On behalf of all who knew him here at the League and throughout municipal New Jersey, we extend to them our heartfelt sympathy and our gratitude for his friendship and faithful advocacy.

II. Federal Issue

Act Now on Hurricane Preparedness and Flood Insurance Protection

As East Texas braces for the onslaught of Hurricane Harvey, we want to remind you of two matters that merit your attention.

Hurricane Preparedness.

Though the agency budget is slated for significant cuts, the Federal Emergency Management Agency (FEMA) [ready.gov Hurricane Information Page](#) is still the best place to visit for links to vital information on this species of natural disaster.

The New Jersey Office of Emergency Management’s (NJOEM) [Hurricane Page](#) is another site that contains important planning and preparing links for your residents and businesses.

Need for Congressional action to renew and reform the National Flood Insurance Program (NFIP).

When Congress returns from recess, it will need to take prompt action on a number of essential priorities. The debt ceiling will have to be raised. The annual budget will have to be approved. And the National Flood Insurance Program (NFIP) will have to be reauthorized.

On July 6, 2012, President Obama signed the Biggert-Waters Flood Insurance Reform Act of 2012 extending the National Flood Insurance Program’s authority through Sept. 30, 2017. With about 5 million policyholders nationwide, the NFIP is vital for homeowners—especially for those who live in flood-prone areas along the coasts and in river valleys. Over 230,000 policies provide financial protection for New Jersey residents.

To date, NFIP action in the House of Representatives has focused on the concerns of fiscal conservatives. Meanwhile, several proposals have been introduced in the Senate. Some of those, like the House bills, could have adverse impacts on the availability and affordability of policies.

We support the efforts of a bipartisan group of Senators, including Senators Menendez and Booker. They have introduced the **Sustainable, Affordable, Fair and Efficient National Flood Insurance Program Reauthorization Act (SAFE NFIP) 2017**. This **bill**, which extends the program for 6 years, includes mean-tested affordability provisions, enhanced funding for flood mitigation assistance and the pre-disaster hazard mitigation grant program, and authorizes \$800 million per year for 6 years for improved risk mapping.

Please contact your Congressperson, urging her or him to prioritize action on this matter. Also, contacting the offices of Senator Menendez and Booker to express your gratitude for their leadership would be appreciated.

Contact: Jon Moran, Sr. Legislative Analyst, jmoran@njslom.org, 609-695-3481 x121.

III. 102nd Annual League Conference

a. Don't Use Unauthorized Hotel Reservation Services

Every year there are unauthorized firms soliciting housing and hotel reservations from attendees at the Annual League Conference.

We assure you that the only firm authorized to handle our conference housing reservations is A.C. Central Reservations.

This information is on the top of the official conference housing form sent to all municipal clerks and posted on our web site: <https://nj-njslom.civicplus.com/302/2017-Conference>

b. Plan Now for November: Exhibit Highlights

The Exhibit Hall at the League's Annual Conference offers a wide variety of services and products. Each day at the conference, take the opportunity to enjoy the exhibit floor by stopping in for a nice lunch and visits to the booths for every municipal need, concern, and interest.

Begin to make your list of exhibitors to visit including current favorites and the 62 new exhibiting companies—or contact them now! Plan today by visiting our interactive map at <https://shows.map-dynamics.com/NJLM2017/>

IV. Also of Interest

a. Application for 2017 Governor's Environmental Excellence Awards Available

The New Jersey Department of Environmental Protection (DEP) is accepting applications for the 2017 Governor's Environmental Excellence Awards (GEEA). The Governor's Environmental Excellence Awards Program is New Jersey's premier awards program for recognizing outstanding environmental performance, programs and projects throughout the state. These awards recognize individuals, businesses, institutions, communities, organizations, educators, youth and others who have made significant contributions to environmental protection in New Jersey. Since the awards program was established in 2000, 160 winners have been recognized.

Nominations can be submitted for seven different categories. In addition, the category for "Environmental Education" has been divided into two awards: one for adult-led educational initiatives and one for projects that are student-led or have succeeded due to a high level of student involvement.

The GEEA Program is sponsored by the New Jersey Department of Environmental Protection, the New Jersey Environmental Infrastructure Trust and the New Jersey Corporation for Advanced Technology, in partnership with the New Jersey State League of Municipalities.

Award winners will be honored at a ceremony in December, to be held in Trenton. The 2017 application and other awards information is available at www.nj.gov/dep/eeawards.

Completed applications must be received at DEP by September 29.

If you have questions, please contact Tanya Oznowich at DEP (609) 984-9802 or Tanya.Oznowich@dep.nj.gov.

b. Nominations Open for 2017 Great Places in New Jersey

Great Places in New Jersey, the flagship program of the New Jersey Chapter of the American Planning Association (APA-NJ), celebrates downtowns, streets, neighborhoods and public spaces of exemplary character, quality and planning. These places represent the gold standard in terms of having a true sense of place, cultural and historical interest, community involvement and a vision for tomorrow. They help their communities enjoy relative prosperity and a good quality of life. Since 2012, APA-NJ has designated 26 Great Places throughout New Jersey. Have one in mind? **Deadline for nominations is September 20th.** Learn more about the criteria for Great Places, past designees, and how you can nominate your place by visiting: GreatPlacesNJ.com.

c. Innovation in Governance Recognition Program

The New Jersey Department of Community Affairs and the New Jersey League of Municipalities will again acknowledge and promote Innovation in Governance through our annual recognition program. This is a great opportunity to showcase innovative solutions to any problems that have

cropped up – either suddenly or over time – in your municipality. It can also be an opportunity to let your peers in on innovations that prevented problems from even arising.

This year, the Innovation in Governance Awards Committee is looking for any original approaches in public administration undertaken by a Garden State municipality during the past 16 months – from the beginning of June 2016 to September 30, 2017. Any innovation in any department or program will be considered for recognition.

This program was established to highlight exemplary local government activities that exhibit creative and practical approaches to local problems and concerns. We will share the winning entries with municipal leaders at the 102nd Annual League of Municipalities Conference Mayors' Luncheon on Wednesday, November 15, 2017 at the Sheraton in Atlantic City, and in the December issue of our magazine, New Jersey Municipalities.

The application can be accessed by clicking on either of the links below:

League of Municipalities website – [2017 Innovation Application](#)

Department of Community Affairs website – [Innovation Application and Letter](#)

The nomination deadline for this program is October 2. Accordingly, we encourage you to forward this information to the appropriate people in your municipality today, giving them ample time to meet our deadline.

Contact: Ciara Bradley, Legislative Administrator, cbradley@njslom.org, 609-695-3481 x128.

d. Free Event! Creating Healthy and Inclusive Communities

Inclusive communities provide individuals with disabilities equal access and opportunities for healthy living. Inclusive Health goals include achieving policy and systems implementation, as well as environmental changes that increase access to physical activity and a healthy lifestyle.

Program highlights include: Inspirational conversations and information about resources and funding through Inclusive Health. This event is sponsored by NJ Dept. of Health, NJ Dept. of Human Services, and America Walks.

Date: Friday, October 13, 2017

Time: 9:00am-3:30pm

Location: RWJ Fitness & Wellness Center, 31100 Quakerbridge Rd., Hamilton, NJ

For details contact: Peri.Nearon@doh.nj.gov

e. Free Webinar on Sign Laws and Panhandling Ordinance

On August 31, 2017, the State and Local Legal Center will be hosting a webinar discussing how local governments have been modifying their sign codes to come in compliance with the U.S. Supreme Court's 2015 holding in [Reed v. Town of Gilbert](#). The webinar will also focus on how the holding in *Reed* that content-based regulations are subject to strict scrutiny has been applied by the lower courts.

To register for this free webinar please click, [here](#).

Sincerely,

Michael J. Darcy, CAE
Executive Director