

December 16, 2016

RE: WEEKLY UPDATE

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Dear Mayor:

I. Policy Issues: Legislation and Regulations

a. Committees Advances Electronic Public Notices

Legislation to permit local governments to publish public notices on their own websites instead of paying for notices in print in their official newspapers, The 'Electronic Publication of Legal Notices Act,' advanced through two legislative committees yesterday and is poised for floor votes in both Houses on Monday. S-2855 and A-4429 will give municipalities the option to publish notices electronically and allow for costs savings for local taxpayers.

The League was joined in **supporting** this legislation by the New Jersey Association of Counties (NJAC), New Jersey School Boards Association (NJSBA), and the New Jersey Conference of Mayors (NJCOM). Our coalition, which represents school districts, municipalities, and county governments across the State, supports this important and timely legislation as it will provide mayors, school board members, and freeholders with an innovative resource to help deliver essential services in a cost effective manner. As local governing bodies continue to struggle with a restrictive property tax cap, a declining ratable base, and both underfunded and unfunded State mandates, this permissive legislation will provide local leaders with a tool to streamline an antiquated process and replace it with a more contemporary method for advertising legal notices that will save valuable taxpayer dollars.

S-2855/A-4429 would permit the electronic publication of legal notices in every instance in which a law requires publication in the official newspaper. The bill provides for a transition period in which notices would be published on the municipal website with public notices in the official newspaper. In addition, the municipality would be required to publish the legal notice requests made by individuals on municipal matters, such as land use and liquor license actions.

In general, current law requires municipal clerks, local purchasing officials, planning departments, improvement authorities, and several others to publish legal notices in various newspapers. Such notices typically include contract awards, contract addendums, various legal notices, meeting notices, RFP and RFQ notices, election notices, and much more. Public officials have long decried that publishing these voluminous documents in newspapers is costly,

time consuming, and outdated. With this mind, we commend the sponsors for their vision and leadership in sponsoring this long-overdue legislation.

Please be advised that some assert that the League estimated that the average cost to municipalities for notices is just over \$7,000 annually. At no point has the League made that determination. That inaccuracy is the result of survey sampling of 147, mostly smaller, municipalities that responded to our request for information. We advised that the data sample was small and skewed to smaller municipalities. However, some have treated the data as representative and extrapolated it statewide. The reality, as you know, is that any average annual cost is significantly higher.

We urge you to reach out to your Legislators before Monday and ask them to yes vote on S-2855 and A-4429. You can also take action through the League's VoterVoice service by clicking here.

Contact: Michael Cerra, Assistant Executive Director, mcerra@njslom.com, 609-695-3481 x120
Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609-695-3481, ext. 112.

b. Governor Signs Bill Requiring State to Make Quarterly Pension Payments

On December 15, Governor Christie signed into law [S-2810/A-4](#), sponsored by Senators Sweeney, Kean, Oroho and Turner and Assembly Representatives Prieto, Rible, Wimberly, Lagana, Dancer and Schepisi, which will require the State to pay its pension contributions on a quarterly basis, by September 30, December 31, March 31, and June 30 of each year, beginning July 1, 2017. P.L. 2016, c. 83 will require the State to make the required contribute to the State pension system in quarterly payments at follows: at least 25% by September 30, at least 50% by December 31, at least 75% by March 31 and at least 100% by June 30. The amount of the contribution will be the net of the amount of any increase in the interest on the tax and revenue anticipation notes attributable solely to the need to borrow an increased amount in order to make the quarterly payments.

Municipalities and their employees have consistently contributed to the local PERS and PFRS funds and we are optimistic that this law will assist in addressing the funding issues that face the State's pension funds – PERS, TPAF, PFRS, JRS, and SPRS.

Contact: Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609- 695-3481, x112.

c. UEZ Compromise Set for Final Vote

League Conference Resolution 2016-08 supports the extension of Urban Enterprise Zones (UEZ.) On Monday, November 21, the Assembly passed [A-4189](#), a compromise bill that will extend, for two years, UEZ authorization in municipalities where the program is scheduled to

sunset at the end of this year. (Those municipalities are Bridgeton, Camden, Newark, Plainfield and Trenton.) The vote in the Assembly was 56-15. **The legislation is now scheduled for a final Senate vote on Monday.**

Earlier this year, Governor Christie conditionally voted A-2576/S-1080, which would have extended UEZ designation for participating municipalities for another 10 years. With his conditional veto, the Governor asked instead that the Legislature direct the Commissioner of the Department of Community Affairs (DCA) to conduct a study of the UEZ program "... which shall include, without limitation, an assessment of whether an alternative, location-based program to assist fiscally distressed municipalities is appropriate, and, if so, recommendations for the parameters of such a program ..."

Respecting the Governor's desire for a comprehensive analysis of the program, S-2670/A-4189 has been introduced as a compromise. The new legislation accepts the Governor's recommendation regarding a DCA study of the program and research into alternatives. However, the bill provides a two-year extension to the five UEZs that are set to expire at the end of this year.

Those incentives allow businesses to attract customers to, and create employment opportunities in, economically distressed municipalities. UEZ designation is a vital tool in the tool kit of local leaders, working to bring their communities back from decades of decline, caused by housing and transportation policy decisions over which they had no control.

In addition to creating employment opportunities for residents of these municipalities, participating businesses represent an important component of the tax base. The closing or the relocation of these businesses would result in increased burdens on the remaining taxpayers. Further, each of these municipalities hosts more than the average number of tax exempt properties. Four are County Seats and one of those four is also our State's Capital.

Please contact your State Senators and the Governor's office and ask that they support the UEZ compromise bill.

You can click [here](#) to send an email to your Senator, the Lt. Governor and the Governor.

Absent action on these bills, businesses in five municipalities will lose UEZ benefits at year's end.

Contacts: Jon Moran, Sr. Legislative Analyst, jmoran@jslom.org, 609-695-3481 x121, or Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120.

d. E-Waste Bill on Governor's Desk

On November 21, S-981/A-2375 passed the General Assembly by a vote of 60-12. S-981 previously passed the State Senate. The legislation now awaits action by the Governor. Please click [here](#) to ask the Governor to sign S-981 and A-2375 into law.

The League **supports** [S-981/A-2375](#), regarding so-called "e-waste." Specifically, this legislation would require each manufacturer of "covered electronic devices" to provide for the collection, transportation, and recycling of its market share in weight of all covered electronic devices collected in a program year. Similar legislation advanced in last year's lame duck session, but was pocket vetoed by the Governor.

The "Electronic Waste Management Act" is intended to require manufacturers to provide for the recycling of residential covered electronic devices at no cost to taxpayers. Unfortunately, despite the best of intentions, it has not worked out that way. Local governments have wound up subsidizing the program with taxpayer dollars in order to ensure that 100% of the material collected is properly recycled. S-981/A-2375 addresses this inequity for taxpayers.

We are further encouraged that the fiscal analysis prepared by the Office of Legislative Services (OLS) anticipates costs savings to local governments, if S-981/A-2375 were to be implemented.

S-981/A2375 will ensure that manufacturers provide for a "free and convenient" recycling program for all of the covered electronic devices that are collected and further eliminate the need for local governments, and by extension our property taxpayers, to either absorb these costs or eliminate their programs

[You can also click here to learn more on this legislation from the League's Town Crier blog.](#)

Contact: Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120.

II. 101st Annual Conference Recap

a. Conference Mobile App Helps After the Conference

The NJLM Conference mobile app can continue to assist you in finding presenters and exhibitors you may need to contact after the Annual League Conference. The app can be downloaded in your device's app store through January 12; search for "NJLM". You can keep a copy on your desktop or mobile phone to use all year long. And, to help us to continue enhancing your conference experience, please share your thoughts and suggestions on the app via the "Feedback" icon on the app menu. Click here to learn more about the 2016 Conference app. **b.**

Conference CEUs

You can now download the certificates for the CEUs you've earned at the Annual League Conference. For full information and instructions visit <https://njslom.civicplus.com/300/Conference>

III. Annual League Survey

As 2016 comes to a close, the League would like to know what you thought about our services provided throughout the year. Please forward this email to your municipal staff, administration, elected and appointed officials so they can complete our short online survey.

The link for the survey is: <http://njlm-annualsurvey2016.questionpro.com>

IV. Order the 2016-2017 Primer for Elected Officials

Whether you are a veteran or newly elected mayor or councilmember, the Primer for Elected Officials provides the basic information needed to carry out the responsibility of governing. It contains an updated directory of services provided by the New Jersey State League of Municipalities, a guide to Titles 40 and 40A of the New Jersey Statutes Annotated, and an up-to-the minute listing of State Agencies and the Legislative priorities for the upcoming year. See our web page for an order form <https://nj-njslom.civicplus.com/DocumentCenter/View/259>. Alternatively, contact Suzanne Allen, at (609) 695-3481, ext. 129 or via email at sallen@njslom.com. The investment for members is \$20.00 and for non-members \$30.00. **It is a necessary guide!**

V. Also of Interest

a. Healthy Communities is One of the NJLM Focuses for 2017!

United Health Foundation has released a report which finds **great news** for the State. **New Jersey is the 9th healthiest state in the nation** – up from #11 last year. The full report can be found at the America's Health Rankings website. [Click here](#) for a detailed report!

b. Snow Removal & Disposal Policy

Severe weather is quickly approaching and the New Jersey Department of Environmental Protection (Department) is reminding municipalities of the State's policy for proper Snow Removal and Disposal.

Municipalities are reminded, before and after a storm, to clear any blockages caused by snow and debris from storm drain catch basins. These efforts are especially important to help prevent localized flooding that may result from melting snow and heavy rain. Please be sure to use appropriate precautions when attempting to clear any stormwater related infrastructure. The up to date policy can be found [here](#).

Sincerely,

Michael J. Darcy, CAE Executive
Director