

January 28, 2014

Re: New Jersey Supreme Court Decides on Spill Act Case

Dear Mayor:

The League would like to inform you of a recent decision of the New Jersey Supreme Court in Morristown Associates v. Grant Oil. The issue presented by this case was whether or not New Jersey's six year general statute of limitations (N.J.S.A. 2A:14-1) applied to private claims for contribution made pursuant to the New Jersey Spill Act (N.J.S.A. 58:10-23.11f(a)(2)(a)).

In a unanimous decision the Court held that the general statute of limitations does not apply to compensation actions brought pursuant to the Spill Act.

The Court's decision aligns with the position taken by the New Jersey League of Municipalities and the New Jersey Institute of Local Government Attorneys in their joint *amici curiae* brief. Represented by the League's Associate Counsel-Staff Attorney Ed Purcell Esq, the League and the Institute argued that taxpayers should be permitted to recoup the costs associated with remediating contaminated properties in New Jersey pursuant to the Spill Act, despite the six year general statute of limitations.

This decision represents a win for municipalities and taxpayers. We urge you to share this notice with your municipal attorneys.

There is a copy of the decision at <http://nj-njslom.civicplus.com/DocumentCenter/View/6512>

If there are any questions or comments please contact Edward Purcell Esq. at (609) 695-3481 x 137.

Very Truly Yours,

William G. Dressel, Jr.
Executive Director