

January 29, 2016

RE: Weekly Policy Update

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Dear Mayor:

Here is summary of some issues of interest to local governments.

I. Storm Response

In response to last week's storm the Governor issued Executive Order 202 declaring a State of Emergency. As a result of the damage from the storm, the League Officers [sent a request](#) to Governor Christie, respectfully calling on him to request that the President issue a Disaster Declaration as the first step toward securing federal assistance for our recovery. The State's Office of Emergency Management is now in the process of conducting Preliminary Damage Assessments to see if the State meets the required minimum to apply for Federal Disaster Relief. No declaration of disaster can be made until the State determines whether the State meets the damage threshold. That process will take days to complete.

If your municipality has incurred, or will incur, any costs in responding to weather-related damage, please ask your local Emergency Management Coordinator to contact your county Office of Emergency Management, immediately.

Also, all municipalities that were affected by the storm should document (and photograph if possible) any damage to public facilities (buildings, road, bridges, equipment) and all debris removal activities.

To assist in the storm response, the Division of Local Government Services issued [Local Finance Notice 2016-02](#) regarding storm response – financing, procurement and property tax matters in response to this past weekend's storm. For more information please [click here](#).

To stay up to date on the storm response and recovery please visit League's [January Storm](#) page.

Contact: Mike Cerra, mcerra@njslom.com, 609-695-3481 x120.

II. Atlantic City Update

At a Statehouse press conference Tuesday afternoon, Governor Christie, Senate President Sweeney and Atlantic City Mayor Guardian announced a partnership to secure the finances of Atlantic City.

The Mayor characterized the action as a partnership and much preferred over 1) the status quo; 2) declaring bankruptcy; or 3) state takeover.

The enabling legislation is being drafted, but here is our understanding of the agreement:

1. The City will get the PILOT funding that was to be authorized in legislation pocket vetoed by the Governor on January 19.
2. There will be an enhanced State role and oversight of the city's finances provided by the Department of Community Affairs, the Division of Local Government Services and the Local Finance Board. This will include:
 - a. restructuring of city's debt;
 - b. negotiation of tax appeals; and
 - c. negotiation of collective bargaining agreements (CBAs), including renegotiation of existing CBAs;
3. The term of the enhanced state involvement over the city's finances will be five (5) years.
4. The City will have a seat at the table in the discussions and decisions regarding the restructuring of debt, (re)negotiations of tax appeals and CBAs and other financial matters.

The Senate Budget and Appropriations Committee was originally scheduled to consider, for discussion purposes, an earlier bill S-970, the "Municipal Stabilization and Recovery Act.". That committee hearing was cancelled and a new bill, incorporating the partnership, will be drafted in the next couple of weeks.

At this time, Assembly Speaker Prieto indicated that he could not commit to favorable action in his House until they complete an analysis of the bill.

Contact: Mike Cerra, mcerra@njslom.com, 609-695-3481 x120.

III. CY 2016 Municipal Levy Cap Referendum Procedures

The Division of Local Government Services has issued [Local Finance Notice 2016-01](#) which provides specific instructions and directions for calendar year municipalities considering holding a public referendum to exceed either the 2% levy cap or the 0% appropriation cap. The first deadline for municipalities considering a levy cap referendum is the publication of the display advertisement announcing that a referendum may be held and notice of availability of mail-in ballots. The deadlines are February 23rd for April election (those municipalities with a Type II

board of education, regardless of the school board election, and non-partisan municipality without a May election) and March 15th for May election (non-partisan municipality whose election is in May).

The dates for the referendum are as follows:

Calendar Year Municipalities with partisan elections Tuesday, April 19

Calendar Year Municipalities with non-partisan elections Tuesday, May 10*

**Please note non-partisan municipalities without an election must hold the referendum on April 19.*

State Fiscal Year municipalities Tuesday, November 8

If the municipality publishes a notice to hold the referendum but wishes to cancel the referendum, the governing body must pass a resolution to that effect and publish a legal notice that a levy cap referendum will not be held. The deadline to cancel is the close of business on March 30 if the election was to be held on April 19 and April 20 if the election was to be held on May 10.

For information on the municipal levy cap referendum procedures please review Local Finance Notice 2016-01.

Contact: Lori Buckelew, lbuckelew@njslom.com, 609-695-3481 x112.

IV. Mayors Legislative Day

As a reminder, we will be holding the 24th Annual Mayors Legislative Day on Wednesday, February 3 at the State House in Trenton. The Mayors' Legislative Day is a unique occasion for local leaders to interact with individuals who are responsible for setting the agenda for **Property Tax Reform, Affordable Housing, Pension and Health Benefits Reform, Transportation Trust Fund and Utility Issues**. It is also a great way to hear, first hand, from Lt. Governor Guadagno, DCA Commissioner Richman, DEP Commissioner Martin, BPU President Mroz, and DOT Acting Commissioner Hammer about the State's 2016 agenda. A Legislative Leaders panel will follow, moderated by John Reitmeyer of NJ Spotlight, with Senate President Sweeney, Senator Kean, Assembly Speaker Prieto and Assemblyman Bramnick as they discuss their legislative agenda at the start of the new legislative session. To register for this event [click here](#).

V. NJ Senators Menendez, Booker and Congressman Pallone on Off-Shore Drilling We

are forwarding the following information on behalf of US Senator Robert Menendez:

Join US Senator Menendez, US Senator Booker, and Congressman Pallone in protecting our Atlantic Ocean this Sunday, January, 31st at 1:30 p.m. on the Asbury Park boardwalk in front of Langosta Lounge, 1000 Ocean Ave, Asbury Park, NJ 07712.

The Obama Administration is poised to make decisions to allow exploration for offshore oil that will harm millions of marine animals, and open the Atlantic Ocean to drilling for the first time in over 30 years. Now is the time to tell the Obama Administration to STOP this outrageous plan and move toward an energy future that supports conservation and renewables!

Oil spills are unstoppable and the ecology and economy of the entire Atlantic is at risk. Our voices must be heard!

Here is a link to the Facebook event: <https://www.facebook.com/events/1680417738881807/>

Sincerely,

Michael J. Darcy, CAE Executive
Director