

January 27, 2017

**RE: WEEKLY UPDATE**

- I. State Policy Issues
- II. Federal Policy Issues
- III. 2017 League Salary Survey
- IV. 2017 Campaign Contribution Notice
- V. Also of Interest Dear Mayor:

**I. State Policy Issues**

**a. Significant Change to Healthcare Cap Levy Cap Exclusion and Levy Cap Referendums**

The Division of Local Government Services has recently noted a major policy change in the Levy Cap Workbook exclusion for healthcare cost. In [Local Finance Notice 2017-02](#) the Division advised that the **healthcare levy cap exclusion cannot be used for increases in healthcare cost resulting from decreases in employee healthcare contributions**. The levy cap work will be modified to ensure proper utilization of the exclusion. In addition, the Division also noted that the decision to a higher or lower employee health benefit contribution may be a factor when the Local Finance Board considers when reviewing applications.

[Local Finance Notice 2017-02](#) also provides specific instruction and direction to municipalities considering holding a public referendum on exceeding the 2% Levy Cap or the 0.5% Appropriation Cap. If your municipality is considering a public referendum we suggest that you review this Local Finance Notice with your professional staff.

**Contact:** Lori Buckelew, Senior Legislative Analyst, [lbuckelew@njslom.org](mailto:lbuckelew@njslom.org), 609- 695-3481, x112.

**b. Important Legislation Awaiting Action**

We still await the Governor's action on bills which have passed both Houses and now sit on his desk. For both A-4189/S2670 and A-3695, the 45 days, which the State Constitution allows for gubernatorial consideration of passed bills, will expire at noon on February 2 or the next day, thereafter, when the Assembly (the House of origin) is in session. Unless the current legislative calendar is modified, that would be Thursday, February 9. Please consider contacting the Governor's Office on:

[A-4189/S-2670](#), regarding **Urban Enterprise Zones (UEZ)**, which will extend, for two years, UEZ authorization in municipalities where the program was scheduled to sunset at the end of 2016. (Those municipalities are Bridgeton, Camden, Newark, Plainfield and Trenton.) The remaining zones do not expire for a number of years.

You can click here to email the Governor and ask him to sign the compromise legislation. [For more, please click here for the League's Town Crier blog post of December 21, 2016.](#)

Also, [A-3695](#), which preempts municipal regulation of some taxi services such as Uber and Lyft, is opposed by the League. This legislation would unnecessarily exempt ride for hire services from local regulation. We have asked the Governor to conditionally veto the bill, so as to delete Section 26.

[For background on this issue, please click here for the September 21, 2016 Town Crier post.](#)

**Contacts:** UEZ: Michael Cerra, Assistant Executive Director, [mcerra@njslom.com](mailto:mcerra@njslom.com), 609-6953481 x120;

Uber/Lyft: Jon Moran, Senior Legislative Analyst, [jmoran@njslom.org](mailto:jmoran@njslom.org), 609-695-3481 x121.

### **c. BPU Grants for Microgrid Studies**

The BPU is opening the first 60-day application window for the Town Center Distributed Energy Resources Microgrid Feasibility Study Incentive Program (Program) and inviting qualified state or local government entities to apply for incentives of up to \$200,000 to cover the expense of a feasibility study.

Town Center Distributed Energy Resources (TCDER) Microgrids are capable of providing onsite power to connected critical facilities within a local area or town center setting during electric grid outages.

To view the application [click here](#).

To view the full Microgrid Report please visit [NJBPB Microgrid Report](#)

For more information about this grant program contact BPU through Susanne LaFrankie, 609292-0701 and Greg Reinert, 609-777-3305.

## **II. Federal Policy Issues**

### **a. President Trump's Executive Order on Sanctuary Cities/Immigration Enforcement**

On January 25 President Donald Trump issued an Executive Order on "[Enhancing Public Safety in the Interior of the United States](#)." The Executive Order takes steps to "ensure the public safety of the American people in communities across the United States as well as to ensure that our Nation's immigration laws are faithfully executed.

That same day, the National League of Cities (NLC) hosted a conference call with most State League executive directors and NLC staff to identify concerns and questions with the Executive Order. It is unclear if there is a new affirmative obligation to provide local law enforcement personnel to conduct immigration investigations, which potentially creates an unfunded mandate.

It is also unclear what is considered to be a sanctuary jurisdiction. It appears they are reinstating the Secure Cities program but it is further unclear whether participation will continue to be voluntary or mandatory. There is uncertainty regarding what federal funds and how much federal funds are at stake. It is also unclear regarding the impact on previously legally declared sanctuary jurisdiction.

NLC will engage with the administration to get answers and clarification on the executive order on various outstanding questions and concerns with the Executive Order. As we learn more detail we will continue to advise you. For more detailed description of the executive order [please click here to visit the Town Crier blog](#).

**Contact:** Michael Cerra, Assistant Executive Director, [mcerra@njslom.org](mailto:mcerra@njslom.org), 609-695-3481 x120.

### **b. FCC Seeks Comment on Wireless Facility Siting in the Right of Way**

On December 22, 2016, the Federal Communication Commission (FCC) released a notice seeking comment on “potential Commission action to help expedite the deployment [of] next generation wireless infrastructure by providing guidance on how federal law applies to local government review of wireless facility siting applications and local requirements for gaining access to the right of way.” A copy of this notice can be found [here](#).

We are pleased to let you know that the FCC has granted the motion of our national affiliate, the National League of Cities (NLC), and the new initial commenting deadline is now **March 8, 2017**, with a reply comment deadline of **April 8, 2017**. This extension gives us valuable time to gather information from municipalities on what the situation is in their communities.

**This is a very important regulatory proceeding that will affect local government authority. Strong and factually based comments are necessary as a counterweight to proposals that would limit home rule.**

Additionally, the League and the National League of Cities need local governments to provide input on the Federal Communication Commission’s (FCC) recent the December 22, 2016 notice. [Please consider responding to this brief survey provided here.](#)

For background on this issue, please click [here](#), for a white paper written by the League’s Bureau of Municipal information. In addition, on January 30, we will be hosting a webinar on this issue. Click [here](#) for more information on the webinar.

**Contact:** Michael Cerra, Assistant Executive Director, [mcerra@njslom.org](mailto:mcerra@njslom.org), 609-695-3481 x120.

### **III. 2017 League Salary Survey**

The League is conducting its biannual compilation of wages and salaries paid to mayors, governing body members and other key administrative personnel, including police officials. We are writing to request your response to a survey to help us gather this data. In order to use the

data that you so generously take the time to provide, we request your response no later than *April 12, 2017*.

**You may find and complete the survey in 9 minutes by clicking here.** If you would prefer to print a copy of the survey to complete by hand, you may do so by clicking here.

**Contact:** Taran B. Samhammer, [tsamhammer@njslom.org](mailto:tsamhammer@njslom.org), (609) 695-3481 x124

#### **IV. 2017 Campaign Contribution Notice**

At the Department of State's request, please see the 2016 Campaign Contribution Notice [here](#). It is important that this notice come to the attention of each municipal clerk. **Deadline is January 31.**

#### **V. Also of Interest**

##### **a. NLC Congressional Cities Conference**

Attend the National League of Cities (NLC) [Congressional City Conference](#), March 11-15 in Washington, D.C. This conference brings together more than 1,000 elected and appointed city leaders to focus on the federal policy issues that are important to local governments. NLC is a bipartisan organization dedicated to helping city leaders build better communities. Throughout the year, NLC advocates for cities and towns in Washington, D.C. through full-time lobbying and grassroots campaigns. The Congressional City Conference is a unique opportunity for city leaders to join NLC's efforts and advocate on behalf of NLC's federal action priorities.

Also, The [National League of Cities](#) (NLC) is committed to helping city leaders build better communities. Join them for a free webinar to discuss how your city can start saving money and generating revenue for your city.

**Topics will include:** NLC Community Showcase Video Program - Enhance your City Website, NLC Service Line Warranty Program - Be a Resource to Residents and Generate Revenue, U.S. Communities - Best Overall Supplier Government Pricing, Build America Mutual - Lower Cost of Financing Public Debt, NLC Prescription Discount Program - Residents Save 24% Off Retail Prescriptions, and Public Finance Authority - Streamline Economic Development.

**For more information visit the NLC:**

<http://social.bluehornet.com/hostedemail/email.htm?h=e07001e7a8dda073da752d7bad176648&CID=mcid&schema=echo4>

##### **b. Governor's Council on Mental Health Stigma Seeking Nominations for Award**

The New Jersey Governor's Council on Mental Health Stigma is now accepting nominations for the 2017 Ambassador Awards. The Ambassador Award embodies the Council's philosophy of:

**Respect. Understanding. Change.** The 2017 Ambassador Awards will honor the people, institutions and endeavors, whose work best exemplifies how communities encourage understanding and acceptance of adults and children whose lives are affected by mental illness. This year, the New Jersey Governor's Council on Mental Health Stigma is recognizing individuals, municipal, county and state agencies and organizations associated with law enforcement, public safety and/or first responders.  
<http://www.naminj.org/events/gcmhsambassador-awards/>

**c. Help Other Municipalities Find Vendors, While Helping to Support the League's Magazine**

Have you recently worked with a vendor and think that other municipalities could benefit from their services? Please tell your vendor about the League's magazine, *NJ Municipalities!*

Advertising can help spread your vendor's message! Let us know your vendor's contact information so that we can send them a free sample.

**Contact:** Taran B. Samhammer, Advertising Manager, [tsamhammer@njslom.org](mailto:tsamhammer@njslom.org), 609- 6953481, x124.

**d. Register Now for a Chance to Connect With Your Legislative Leaders**

**Register now for a chance to connect with your legislative leaders at the 25th Annual Mayor's Legislative Day on February 8, 2017.**

The Mayors' Legislative Day is 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 and Utility Issues**. It is also a great way to hear, first hand, about the State's legislative agenda from the Governor, Administration officials and key members of the Senate and Assembly.

For more information about this program please click the following link: <http://nj-njslom.civicplus.com/799/Seminar-and-Webinar-Handouts>

**Contact:** Danielle Holland, Seminar Manager, [dholland@njslom.org](mailto:dholland@njslom.org), 609- 695-3481, x118.

Sincerely,

Michael J. Darcy, CAE  
Executive Director