

March 3, 2017

RE: WEEKLY UPDATE

- I. State Policy Issues
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I. State Policy Issues

a. Governor Delivers Budget Address

On Tuesday, Governor Christie delivered his final budget address to a Joint Session of the Legislature. [Please click here](#) for our letter summarizing issues of interest to municipalities.

Also, the League will be conducting a free webinar on the Governor's Budget Address and the impact on municipalities on Tuesday, March 7, at 11 a.m. [Click here for more information and to register.](#)

b. Legislation to Transfer Management of PFRS to Board of Trustees of PFRS

Earlier this week, Senate President Sweeney introduced [S-3040](#), which would transfer the management of the Police and Fire Retirement System (PFRS) to a Board of Trustees comprised of Labor and Management representatives. The Board, acting exclusively on behalf of contributing employers, active and retired members, would have the general responsibility for the proper operation of the retirement system.

The Board may, in its discretion and at such time and a manner, as it determines:

- o Enhance any benefit set forth in N.J.S.A. 43:16A-1 et seq.; or
- o Modify any such benefit as an alternative to an increase in the member contribution rate; or
- o Reinstate, when appropriate, such reduced benefit to the statutory level without an additional contribution by the member.

The Board's primary obligation would be to direct policies and investments to achieve and maintain the full funding and continuation of the retirement system for the exclusive benefit of its members.

This legislation was developed with input from the public safety unions. Their concept was [presented](#) during a session of the 2016 League conference. The League is currently reviewing the legislation, focusing on its impact on property taxpayers in both the near and the long term. We plan to share our conclusions and concerns with the sponsor and

look forward to cooperating with all concerned on a plan that protects the interest of our members.

Contact: Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609-6953481 x112.

c. **New Bail Reform Related Mandate on Municipal Public Defenders**

We have learned that a number of New Jersey municipalities are being asked, for the first time and in contravention of long established practice, to provide representation for certain defendants in Superior Court. This appears to be a collateral, unintended issue related to bail reform.

Last week, we reached out to Judge Glenn Grant, Acting Director of the State's Administrative Office of the Courts, asking for his help in addressing this issue. The problem directly affects municipal public defenders, but unless remedied, it could indirectly affect your budget and your property taxpayers.

See our [February 22 letter](#) for details.

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

d. **Recap of Legislative Activity for the Week of February 27.**

On Monday, the Senate Community and Urban Affairs Committee approved the following:

- [S-2212](#), which the League **SUPPORTS**. This legislation would prohibit third parties from filing property tax appeals with respect to the property of others. Current law allows any entity or individual that pays property taxes to challenge the assessment or exempt status of any other property in the county, in addition to their own. This bill intends to reduce the number of costly tax appeals and bring certainty to local government finances, as local government representatives are best suited to challenge assessments or the exempt status of a property. We support this common sense reform that will bring stability to municipalities, property taxpayers, and property tax-exempt organizations. This bill now stands at 2nd reading and can be voted on by the full Senate. The Assembly companion, A-3888, was approved by the Assembly State and Local Government and is now 2nd referenced to the Assembly Appropriations Committee.
- [S-2788](#), which the League **OPPOSES**. This legislation will modify the requirements for preliminary site plans and subdivisions approval under the Municipal Land Use Law (MLUL). The bill will supersede the “municipal

checklist” for preliminary approvals. It is anticipated that an amendment might secure the checklist for final approval, but the bill will still limit local discretion. This local flexibility is critical. For instance, under this proposal, revisions to approved plans of more than 10% would require amended preliminary approval. Thus, applicants could increase density up to 10% in residential applications, or to 10% between in floor area ratio for commercial applications, before receiving preliminary approval and final approval. The bill would also extend many approvals from 3 to 5 years. This bill also stands at 2nd reading and can be voted on by the full Senate. To date, there is no Assembly companion.

Please reach out to your State Senators on these bills.

Legislative Contacts:

- Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120;
- Jon Moran, Senior Legislative Analyst, jmoran@njslom.org, 609-695-3481 x121;
 - Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609-6953481 x112.

II. Federal Policy Issues

a. League President Urges New Jerseyans in Congress to Invest in Local Infrastructure

Following the President’s Tuesday address to a Joint Session of Congress, League President Albert Kelly, the Mayor of Bridgeton, wrote to Senators Menendez and Booker and to our entire House delegation on the importance of Federal investment in our Nation’s decaying transportation and environmental infrastructure.

In his speech, President Trump reminded Congress of his campaign pledge to deliver a major rebuilding package to Congress within his first 100 days in office. He, again, called for infrastructure investments of \$1 trillion.

In Mayor Kelly’s letter to those who represent New Jersey in Washington, he urged consideration for matters important to the people who live and work in New Jersey municipalities, as work begins on President Trump’s priorities.

Aside from the promise of fast action and a proposed level of investment, the Administration has yet to provide specifics on the plan. As Congress works to deliver on the promise of the campaign, the vital role and the crying needs of our municipal infrastructure must be addressed.

The National League of Cities recently urged Congress to reinvest in municipal infrastructure in its latest policy report: Drive America's Economy Forward by Reinvesting in Municipal Infrastructure.

The report supports President Trump's call for major investments in America's infrastructure and calls on Congress to make significant investments in the transportation, water, and other infrastructure that, together, drive the economy of our municipalities and our State and our Nation. In support of that call, Mayor Kelly asked Congress to remember the following:

1. America's municipalities are paying their fair share. Over two-thirds of all public infrastructure projects in the United States are locally financed by municipal bonds.
2. While the demands on America's infrastructure grow each year, federal funding has fallen to historically low levels, placing the economic vitality and physical well-being of our cities, towns, townships, boroughs and villages in jeopardy.
3. Local leaders are best positioned to identify where infrastructure needs are greatest, and should be given a stronger voice in how limited federal dollars are spent.

Please contact Senators Menendez and Booker and your own Member of the House of Representatives. Urge them to adopt an infrastructure program that respects the local role and addresses local needs. And thank them for their consideration.

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 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.

Contact: Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-6953481 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, Advertising Manager, tsamhammer@njslom.org, 609- 6953481 x124.

IV. Also of Interest

a. New Jersey Future Redevelopment Forum

Don't miss New Jersey Future's annual **Redevelopment Forum** on Fri., March 10 at the Hyatt in New Brunswick. The day-long conference brings together nearly 600 leaders from the public and private sectors to learn about best practices for and share lessons learned about community-oriented redevelopment. A limited number of municipal scholarships are available for municipal employees and volunteer board members. To apply for this special \$55 rate (only one per municipality please), please **fill out this form** or contact Marianne Jann at [609-393-0008, ext 101](tel:609-393-0008) . Learn more about the **agenda** and **speakers**.

b. All-American Conversations

The National Civic League is challenging local communities to hold [All-America Conversations](#) – to explore local divides and tensions, and to identify specific actions to bridge those divides. Whether these rifts are racial, religious and ethnic, socioeconomic or of another type, the strongest local communities will be those that face these tensions, engage residents and take actions to work together.

To support communities, the National Civic League has created the All-America Conversations Toolkit. It includes everything necessary to hold a productive and meaningful conversation, from how to recruit participants and where to hold the conversations, to selecting and preparing facilitators, what questions to ask (and more).

For more information, visit: www.nationalcivicleague.org/all-america-conversations or email Aaron Leavy at aaronl@ncl.org

c. New Jersey State Forest Fire Seasonal Prescribed Burning Program is Under Way

Prescribed burns will take place through the end of March, conditions permitting. The New Jersey Division of Parks and Forestry will provide as much notice as possible of prescribed burns through its Facebook page at: www.facebook.com/newjerseyforests. The public may also contact the State Forest Fire Service at 609-292-2977.

Sincerely,

Michael J. Darcy, CAE
Executive Director