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**New Jersey State League of Municipalities Conference Resolution No. 2023-01**

**RESOLUTION CALLING FOR REIMBURSEMENT OF MUNICIPAL COSTS  
PERTAINING TO EMERGENCY SERVICES ON THE STATE HIGHWAY SYSTEMS.**

**WHEREAS**, the state highway system consists of well over 200 routes accounting for hundreds of miles of roadway intersecting through numerous municipalities and running through their borders; and

**WHEREAS**, emergency response and police calls for incidents on state highways are predominantly handled by the local municipality; and

**WHEREAS**, the cost of emergency response on these state highways falls squarely onto the local municipality; and

**WHEREAS**, the local municipality has no effective way to recoup such costs; and

**WHEREAS**, the cost of these operations shall be in some form returned to the local municipality; and

**WHEREAS**, the state is benefiting from the local enforcement of traffic laws and the cost of emergency response.

**NOW THEREFORE BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges lawmakers to institute a mechanism be put in place for reimbursement by the state to the local municipalities.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, Governor Murphy, and the New Jersey Department of Transportation.

**Sponsor:**

Hon. Paul Medany  
Mayor, Deptford Twp.

**New Jersey State League of Municipalities Conference Resolution No. 2023-02**

**RESOLUTION SUPPORTING THE USE OF STATE AND FEDERAL FUNDS TO SUPPORT THE NEW JERSEY EMERGENCY MEDICAL SERVICE TASK FORCE.**

**WHEREAS,** The New Jersey Emergency Medical Services Task Force is a non-profit corporation of the State of New Jersey that plays a vital role in responding to emergencies, disasters, and public health crises, providing critical medical services and support for communities through their partnerships with the New Jersey Department of Health, the New Jersey Office of Emergency Management, and other State Agencies as requested; and

**WHEREAS,** the New Jersey Emergency Medical Services Task Force responds to major emergencies and crises throughout the year and is responsible for the development of all Statewide Pre-hospital emergency preparedness plans; and

**WHEREAS,** the New Jersey Emergency Medical Services Task Force provides equipment to host agencies in every county in New Jersey and draws manpower from agencies all over the state; and

**WHEREAS,** the New Jersey Emergency Medical Services Task Force is responsible for the maintenance and upkeep of an emergency response fleet and related equipment values in excess of \$60,000,000.00 that serves as the State's operational level response for all medical emergencies and crises, and for major planned events; and

**WHEREAS,** more than one-third of this emergency response equipment is at or beyond its' useful life and must be replaced; and

**WHEREAS,** the American Rescue Plan funds provide a unique opportunity to address the urgent need for equipment replacement, assuring the maintenance of a high level of readiness to the benefit of all state residents and visitors; and

**WHEREAS,** it is essential to establish an annual allotment in the state budget to sustain New Jersey Emergency Medical Services Task Force operations, ensuring that they have the resources needed to respond to emergencies efficiently.

**NOW, THEREFORE, BE IT RESOLVED,** that the New Jersey State League of Municipalities, in conference assembled, expresses its full support for the provision of funding by the State of New Jersey to the New Jersey Emergency Medical Services Task Force for both the use of American Rescue Plan funds for the replacement of aging EMS emergency preparedness equipment and vehicles and for an allotment in the state budget for the sustainment of the New Jersey Emergency Medical Services Task Force; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Senate President, Speaker of the Assembly, and the Governor of the State of New Jersey.

**Sponsor:**

Hon. Janice Kovach  
Mayor, Town of Clinton  
Past President, NJLM

**New Jersey State League of Municipalities Conference Resolution No. 2023-03**

**RESOLUTION CALLING FOR CLARIFICATION WITHIN THE NJ CABLE TELEVISION ACT TO PROVIDE PARITY AMONGST VIDEO PROGRAMMING AND CABLE TELEVISION SERVICE PROVIDERS.**

**WHEREAS**, pursuant to New Jersey’s Cable Television Act, N.J.S.A. 48:5A-1, et seq (the “CTA”), imposes certain franchise and fee obligations to entities that provide video programming and cable television service; and

**WHEREAS**, technological advancements and consumer trends have resulted in a shift away from the traditional video programming and cable television services, to streaming platforms such as, amongst other, Netflix, Disney+, and Hulu; and

**WHEREAS**, the services provided by these streaming platforms fit within the definition of the CTA, thus subjecting them to the applicable franchise and fee obligations; and

**WHEREAS**, municipalities across the country and within the state are beginning to challenge these service providers in an attempt to collect the franchise fee obligations rightfully owed to them as required by franchising laws and the CTA; and

**WHEREAS**, litigation is pending in a least a dozen states, brought by local governments arguing that over-the-top (OTT) video service providers are subject to the state video franchising laws, with the focus of the litigation on the obligation of these companies to pay local governments the legally required franchise/video service fee, but have seen mixed results in federal courts; and

**WHEREAS**, the increased popularity of such OTT video service providers is drawing subscribers away from other traditional video programming and cable television service providers, already paying a franchise fee, which in turn driving down the revenue collected by municipalities through the franchise fee.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges the New Jersey Board of Public Utilities, the New Jersey State Legislature, and the Governor, to take action to ensure that these OTT services providers are subject to the same franchise and fee obligations as their traditional video programming and cable television service counterparts; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution is forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, Governor Murphy, and the New Jersey Board of Public Utilities.

**Sponsor:**

Hon. Brian Wahler  
Mayor, Twp. of Piscataway

**New Jersey State League of Municipalities Conference Resolution No. 2023-04**

**RESOLUTION OPPOSING H.R.3557, THE AMERICAN BROADBAND ACT OF 2023.**

**WHEREAS**, H.R. 3557, "American Broadband Act of 2023," was introduced and approved on May 22, 2023 by the House Committee on Energy and Commerce.

**WHEREAS**, the bill was ordered to be reported to the Floor only two days after introduction, exacerbating its offense nature as the bill was filed with little notice and without full text and without the benefit of a hearing at which state and local government were able to point out the weaknesses of the bill and its preemptive nature;; and

**WHEREAS**, H.R. 3557, without any guaranteed public benefit, would pre-empt local governments' rights-of-way compensation and management authority, zoning powers, cable franchising authority, and property rights; and

**WHEREAS**, the proposed bill would bestow on broadband providers an unprecedented federal grant of access to state and local public property, but impose no obligations on those providers to serve "unserved" and "underserved" Americans; and

**WHEREAS**, H.R. 3557 would mandate that siting decisions be "deemed granted" if not denied by a local government within 60 days, or as short as 30 days after a complete application is file, which is as little as 15 % of the time the federal government gives itself to make identical decisions concerning access to federal property; and

**WHEREAS**, H.R. 3557 would make virtually any local government decision not to allow the installation of a proposed wireless facility at a provider's request a "prohibition" preempted by federal law, and would require local governments to draft and publicly release a written explanation for the decision to deny an application on the same day it votes on the decision—a virtually impossible task because such written decisions typically require the examination and analysis of evidence presented to local council; and

**WHEREAS**, the bill would substitute the Federal Communications Commission for the local federal district court as the reviewing body for challenges to local government decisions regarding wireless facility applications, thus breaking the promise made by Congress in 1996 that local governments would not be required to travel to Washington to defend local decisions; and

**WHEREAS**, H.R. 3557 eliminates the requirement of cable franchise renewals, thereby eliminating the ability of state or local franchising authorities to enforce franchise obligations such as public, educational, and government channel capacity and facilities, customer service requirements, and system build-out requirements; and

**WHEREAS**, H.R. 3557 would affirmatively grant cable operators the right to use local rights-of-way to provide non-cable services while prohibiting localities from imposing any fees on non-cable services for use of those rights-of-way.

**WHEREAS**, H.R. 3557 would mandate that local governments approve modifications to existing cell phone towers, including modifications that significantly expand the scope of the facility or impede the safe use of public rights-of-way, while prohibiting local government requirements that industry remove obsolete equipment from towers, including towers on public property; and

**WHEREAS**, H.R. 3557 would preempt state and local zoning authority over the placement of cable equipment, including the ability to limit placement on public property or in a manner that impedes safe use of sidewalks; and

**WHEREAS**, New Jersey Congressman Frank Pallone was strong in his defense of state and local rights in leading opposition to the bill at the Committee level.

**NOW, THEREFORE, BE IT RESOLVED**, that The New Jersey State League of Municipalities, in conference assembled, opposes H.R. 3557 and urges all of its members to communicate with the New Jersey congressional House and Senate delegation to oppose H.R. 3557 or any other legislation that would erode state and local control of zoning and the siting of infrastructure within the public rights-of-way, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be transmitted to each member of the New Jersey Congressional delegation and request their opposition to H.R. 3557 or similar legislation.

**Sponsor**

Hon. Brian Wahler  
Mayor, Twp. of Piscataway

**New Jersey State League of Municipalities Conference Resolution No. 2023-05**

**RESOLUTION IN SUPPORT OF AFFORDABLE HOUSING POLICY THAT  
CURTAILS EXCESSIVE OBLIGATIONS ON MUNICIPALITIES.**

**WHEREAS**, The New Jersey Supreme Court, through its rulings in South Burlington County NAACP v. Mount Laurel, 67 N.J. 151 (1975) and South Burlington County NAACP v. Mount Laurel, 92 N.J. 158 (1983), has determined that every municipality in a growth area has a constitutional obligation to provide through its land use regulations a realistic opportunity for a fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

**WHEREAS**, in the Fair Housing Act, L. 1985, c. 222 ("the Act"), the Legislature declared that the interest of all citizens, including low- and moderate-income families in need of affordable housing, and the needs of the workforce, would be best served by a comprehensive planning and implementation response to this constitutional obligation; and

**WHEREAS**, to achieve these objectives, the Legislature through the Act created the New Jersey Council on Affordable Housing ("COAH"), an agency in, but not of, the Department of Community Affairs; and

**WHEREAS**, COAH's responsibilities under the Act included, among other things, establishing and periodically updating of presumptive constitutional housing obligations for each municipality and identification of how a municipality's proposed affordable housing plan, housing element, and implementing ordinances can satisfy its obligation; and

**WHEREAS**, the Act provides that an adjustment of the present and prospective fair share of affordable housing shall be made in a municipality based upon available vacant and developable land, infrastructure considerations or environmental or historic preservation factors and adjustments; and

**WHEREAS**, the Act includes among the conditions that may result in an adjustment of municipal obligations are when "(t)he established pattern of development in the community would be drastically altered," when "vacant and developable land is not available in the municipality," and when "adequate public facilities and infrastructure capacities are not available, or would result in costs prohibitive to the public if provided;" and

**WHEREAS**, in further consideration of the potential impacts to municipalities resulting from constructing affordable housing the Act authorizes COAH to, in its discretion, place a limit, based on a percentage of existing housing stock in a municipality and any other criteria including employment opportunities which the council deems appropriate, upon the aggregate number of units which may be allocated to a municipality as its fair share of the region's present and prospective need for low- and moderate-income housing; and

**WHEREAS**, COAH's rules at N.J.A.C. 5:93-2.16(a) place a cap on the municipal obligation for construction of new affordable housing units, established as 20 percent of the occupied housing stock and, as stated in the rules, this is based on the premise that if the affordable housing was provided as a 20-percent set-aside of inclusionary

housing, and if the planned affordable housing was more than 20 percent of existing units, then the new affordable housing and accompanying market units would exceed the number of existing housing units in the community; and

**WHEREAS**, the implication and application of N.J.A.C. 5:93-2.16(a) is that a municipality may be obligated to double the number of housing units in its borders within each 10-year housing round, an unrealistic expectation and one which the League considers contrary to the intent of the Act, which states that adjustments should be made when “(t)he established pattern of development in the community would be drastically altered;” and

**WHEREAS**, further aggravating this situation is the fact that, according to COAH’s rules, the number of existing housing units in a municipality used in calculating the cap on affordable housing obligations includes housing units that were themselves constructed to address prior affordable housing obligations, which means that the more housing a municipality constructs to address its obligation, the higher its cap becomes and the more housing it may be required to construct in subsequent rounds, and conversely the less affordable housing a municipality constructs, the lower its cap remains and the less it is required to construct in subsequent rounds, a perverse and unintended result; and

**WHEREAS**, the effect of these rules is that a number of municipalities have been unable to address their affordable housing obligations due to a lack of vacant developable land and other circumstances; and

**WHEREAS**, when a municipality receives a vacant land adjustment, the affordable housing obligation is not eliminated, but deferred to the future, in the hope or expectation that additional land will become vacant and developable; and

**WHEREAS**, for many municipalities, the amount of vacant and developable land that later becomes available is not sufficient to address obligation, resulting in an ever-increasing deficit in meeting its affordable housing obligation, which does not appear to have been anticipated in the rulemaking or the intent of the Act;

**WHEREAS**, the Act states that the Legislature retains its power and obligation to clarify and amend the law to better guide COAH; and

**WHEREAS**, COAH has not met or taken any action in eight years, and therefore it appears unlikely that any discussion, much less modification, of its rules to provide a more fair and realistic reduction of the cap on municipal affordable housing obligations can be expected;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey League of Municipalities, in conference assembled, urges that the Legislature and the Governor of this State amend the Fair Housing Act as necessary to establish more realistic caps on municipal housing obligations; and

**BE IT FURTHER RESOLVED**, that the League urges that the Legislature and the Governor of this State amend the Fair Housing Act such that if the number of existing housing units are used in calculating the cap on affordable housing obligations, then housing units constructed to address prior obligations be excluded from the calculation; and

**BE IT FURTHER RESOLVED**, that the League urges that the Legislature and the Governor of this State amend the Fair Housing Act to address the current situation of ever-increasing municipal obligations that are unable to ever be realistically and reasonably met due to lack of vacant developable land or other circumstances. Retaining and then increasing obligations to municipalities that cannot meet those obligations is contrary to the goal of providing affordable housing, and therefore different approaches or mechanisms are necessary; and

**BE IT FURTHER RESOLVED**, that the League urges that the Legislature and the Governor of this State amend the Fair Housing Act to include measures to be taken when the Council on Affordable Housing ceases to function, or when new members are not appointed by the Governor; and

**BE IT FURTHER RESOLVED**, that the League urges the Legislature and the Governor to take action to delay the start of the fourth round of affordable housing obligations, including present and prospective need and related litigation, set to commence in 2025, to 2028; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Senate President, Speaker of the Assembly, and the Governor of the State of New Jersey.

**Sponsors:**

Hon. John L. Ferramosca  
Committeeman, Twp. of Hanover

Hon. Thomas “Ace” Gallagher  
Mayor, Twp. of Hanover

**New Jersey State League of Municipalities Conference Resolution No. 2023-06**

**RESOLUTION CALLING FOR THE PROTECTION OF FARMLAND AND THE PRESERVATION OF AGRICULTURE IN THE CONTEXT OF AFFORDABLE HOUSING COMPLIANCE PLANNING.**

**WHEREAS**, New Jersey is known as the Garden State, a nickname that dates back to 1876 in recognition of the vast farm production across the State that served not only the State’s residents, but New York, Philadelphia and beyond. The nickname was formally adopted in 1954 and remains the State’s primary moniker; and

**WHEREAS**, the State’s policy of protecting and preserving farmland is evidenced in the Agriculture Retention and Development Act, adopted by the State Legislature in 1983, at N.J.S.A. 4:1C-11, et seq. The Act includes in its stated declaration that:

“It is necessary to authorize the establishment of State and county organizations to coordinate the development of farmland preservation programs within identified areas where agriculture will be presumed the first priority use of the land and where certain financial, administrative and regulatory benefits will be made available to those landowners who choose to participate, all as hereinafter provided.” N.J.S.A. 4:1C-12(c); and

**WHEREAS**, the residents of the State of New Jersey have supported the funding of formal farmland preservation restrictions dating back to the “Farmland Preservation Bond Act of 1981,” P.L. 1981, c. 276. On the 2014 November ballot, 65% of voters voted in favor of the New Jersey Open Space Preservation Funding Amendment, Public Question No. 2, which resulted in the dedication of 6 percent of corporate business tax revenues to farmland and open space preservation. As of 2022, per a State Auditor Report, the State has spent approximately \$1.2 billion on farmland preservation, and the Federal government, counties, and municipalities have expended an additional \$649 million in funding; and

**WHEREAS**, according to the State’s 2021 Annual Report and Agricultural Statistics: “New Jersey has 10,000 farms on approximately 750,000 acres, growing more than 100 different crops.” The State has a goal of preserving 550,000 acres. While approximately 2,800 farms have resulted in 248,000 acres, that leaves over two-thirds of agriculturally dedicated acreage subject to development pressure; and

**WHEREAS**, in Mount Laurel II (S. Burlington County NAACP v. Mount Laurel, 92 N.J. 158 (1983)), the State Supreme Court declared:

“The Constitution of the State of New Jersey does not require bad planning. It does not require suburban spread. It does not require rural municipalities to encourage large scale housing developments. It does not require wasteful extension of roads and needless construction of sewer and water facilities for the out-migration of people from the cities and suburbs. There is nothing in our Constitution that says that we can not satisfy our

constitutional obligation to provide lower income housing and, at the same time, plan the future of the State intelligently.” Id. at 238; and

**WHEREAS**, the preservation and planning maintenance of contiguous blocks of farmland has been considered critically important to the Farmland Preservation program since its inception and is a cornerstone of farmland preservation policy-making and planning. This is necessary to sustain the agriculture industry; and

**WHEREAS**, in addition to agricultural viability, State planning policies increasingly call for the need for sustainability and resiliency. In the face of problems stemming from climate change and weather-related disasters it is more important than ever to have a reliable and resilient local food system. Stable local sources of agricultural products are a fundamental part of a thriving and sustainable society and economy; and

**WHEREAS**, while the provision of affordable housing is a critically important policy priority, the priority itself will be undermined if it is allowed to override all other critically important policy priorities. There are many complex issues that play into land use decisions, stemming the loss of farmland is the most important issue to agricultural communities because once the farmland is converted it is gone forever. Once one farm is developed, the adjacent land is 23 times more likely to be developed; and

**WHEREAS**, the loss of actively dedicated farmland is almost always permanent and rarely is non-agricultural land converted to farm use. The loss of farmland further impedes neighboring farmland’s ability to survive, and if left unfettered, will result in a permanent decay of our agricultural industry and identity as the Garden State; and

**NOW, THEREFORE, BE IT RESOLVED** that the New Jersey State League of Municipalities, in conference assembled, urges the New Jersey State Legislature and the Governor to address the comprehensive protection of farmland in the context of affordable housing by way of amendment to the Fair Housing Act.

**BE IT FURTHER RESOLVED** that a copy of this resolution is forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor and Commissioner of the Department of Community Affairs, the Council on Affordable Housing, and the Governor of State of New Jersey.

**Sponsors:**

Hon. Denis McDaniel  
Councilman, Springfield Twp.

Hon. David Frank  
Mayor, Springfield Twp.

**New Jersey State League of Municipalities Conference Resolution No. 2023-07**

**RESOLUTION IN SUPPORT OF ACTION TO MAKE COAH FUNCTIONAL ONCE AGAIN IN ORDER TO SET CLEAR ADMINISTRATIVE STANDARDS AND MUNICIPAL AFFORDABLE HOUSING OBLIGATIONS.**

**WHEREAS**, The New Jersey Supreme Court, through its rulings in *South Burlington County NAACP v. Mount Laurel*, 67 N.J. 151 (1975) and *South Burlington County NAACP v. Mount Laurel*, 92 N.J. 158 (1983), has determined that every municipality in a growth area has a constitutional obligation to provide through its land use regulations a realistic opportunity for a fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

**WHEREAS**, in the second *Mount Laurel* ruling, the Supreme Court stated that the determination of the methods for satisfying this constitutional obligation "is better left to the Legislature," and that the court has "always preferred legislative to judicial action in their field," and that the judicial role in upholding the *Mount Laurel* doctrine "could decrease as a result of legislative and executive action;" and

**WHEREAS**, in the Fair Housing Act, L. 1985, c. 222 ("the Act"), the Legislature declared that the State's preference for the resolution of existing and future disputes involving exclusionary zoning was the mediation and review process set forth in the Act and not litigation, and that it was the intention of the Act to provide various alternatives to the use of the builder's remedy as a method of achieving fair share housing; and

**WHEREAS**, the Legislature further found in the Act that the interest of all citizens, including low- and moderate-income families in need of affordable housing, and the needs of the workforce, would be best served by a comprehensive planning and implementation response to this constitutional obligation; and

**WHEREAS**, the Legislature further found in the Act that there are a number of essential ingredients to a comprehensive planning and implementation response, including the establishment of reasonable fair share housing guidelines and standards, the initial determination of fair share by officials at the municipal level and the preparation of a municipal housing element, and State review of the local fair share study and housing element; and

**WHEREAS**, in order to achieve these objectives, the Legislature through the Act created the New Jersey Council on Affordable Housing ("COAH"), an agency in, but not of, the Department of Community Affairs, consisting of twelve members appointed by the Governor with the advice and consent of the Senate; and

**WHEREAS**, COAH's responsibilities under the Act included, among other things, establishing and periodically updating of presumptive constitutional housing obligations for each municipality and identification of the means by which a municipality's proposed affordable housing plan, housing element, and implementing ordinances can satisfy its obligation; and

**WHEREAS**, in the 2015 decision *In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing*, the Supreme Court found that in the fifteen years since the second round rules expired, COAH had twice failed to adopt lawful updated regulations for the third round period of municipal housing obligations, that COAH did not have any plans to meet further in an effort to adopt third round rules, and that COAH staff had not been directed to perform any work

in furtherance of adoption of third round rules; and

**WHEREAS**, as a result of these findings, the Supreme Court ruled that the Fair Housing Act's administrative remedy for demonstrating constitutional compliance has been rendered futile, and therefore that municipalities must subject themselves to judicial review for constitutional compliance, as was the case before the Fair Housing Act was adopted; and

**WHEREAS**, the Supreme Court in its ruling stated, "Nothing in the Court's opinion should be understood to prevent COAH from fulfilling its statutory mission to adopt constitutional rules to govern municipalities' Third Round obligations in compliance with the Fair Housing Act. Nor should the action taken by the Court be regarded as impeding the Legislature from considering alternative statutory remedies to the present Fair Housing Act;" and

**WHEREAS**, in the eight years since the Court's ruling, COAH has not adopted new rules governing municipal affordable housing obligations; and

**WHEREAS**, in the same period, the Governor has not appointed new members as required by the Fair Housing Act; and

**WHEREAS**, in the same period, the Legislature has not amended the Fair Housing Act; and

**WHEREAS**, in the resolution of municipal third-round housing obligations; most municipalities have been forced to achieve compliance through a judicial process and not an administrative process, contrary to the preference of the Court and contrary to the adopted purposes of the Legislature in adopting the Fair Housing Act; and

**WHEREAS**, in the judicial process experienced by most municipalities, there has been considerable confusion and disagreement concerning the number of affordable units that municipalities must provide for in their housing elements and fair share plans, and most of the presiding Courts were reluctant to determine such obligations based upon the Fair Housing Act; and

**WHEREAS**, because of the confusion and disagreement concerning municipal affordable housing obligations, most municipalities that achieved compliance did so by negotiating and settling upon an obligation through the judicial process; and

**WHEREAS**, at this time, due to the failure of COAH to meet and adopt new rules, and due to the failure of the Legislature to amend the Fair Housing Act, most municipalities still do not know the number of affordable housing units that they must provide for under the Act; and

**WHEREAS**, the third round of municipal housing obligations is due to end in 2025, to be followed by the fourth round of obligations, and still no action has been taken to address COAH's non-action, to appoint new members to COAH, or to amend the Fair Housing Act.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges that the Legislature and the Governor of this State amend the Fair Housing Act as necessary to enable a clear and objective methodology for the determination of municipal affordable housing obligations; and

**BE IT FURTHER RESOLVED**, that the League urges that the Legislature and the Governor of this State amend the Fair Housing Act to require that updated rules establishing municipal obligations and compliance mechanisms for each round of housing obligations be adopted in a timely manner;

and

**BE IT FURTHER RESOLVED** that the League urges that the Legislature and the Governor of this State amend the Fair Housing Act to include measures to be taken when updated rules are not so adopted, including but not limited to the extension of protections against builders' remedies lawsuits granted to municipalities during the prior round until the adoption of updated rules; and

**BE IT FURTHER RESOLVED** that the League urges that the Legislature and the Governor of this State amend the Fair Housing Act to include measures to be taken when the Council on Affordable Housing ceases to function, or when new members are not appointed by the Governor; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Senate President, Speaker of the Assembly, and the Governor of the State of New Jersey.

**Sponsors:**

Hon. John L. Ferramosca  
Committeeman, Twp. of Hanover

Hon. Thomas "Ace" Gallagher  
Mayor, Twp. of Hanover

**New Jersey State League of Municipalities Resolution No. 2023-08**

**RESOLUTION URGING THE RESTORATION OF ENERGY TAX RECEIPT  
FUNDING.**

**WHEREAS**, gas and electric utility companies utilize public land, specifically the public right of way, for their equipment, thereby incurring taxes for this use; and

**WHEREAS**, these taxes were historically collected directly by host municipalities and were designated to provide property tax relief for the constituents of those municipalities; and

**WHEREAS**, upon the State assuming the role of tax collector for these Energy Taxes, there was a clear promise made to return the proceeds of such collections back to the municipalities to continue the provision of property tax relief; and

**WHEREAS**, just as municipalities undertake the collection of property taxes to the benefit of various public entities, including school districts and counties, the State has been entrusted with the collection of Energy Taxes for the express benefit of municipal governments; and

**WHEREAS**, State officials have reappropriated funds from Energy Taxes to address deficits in the State budget and to support State programs, which contravenes the original intent for these funds; and

**WHEREAS**, this reallocation of dedicated energy tax receipts to the State's General Fund has resulted in municipalities facing severe financial needs, and has perpetuated the imposition of onerous property taxes on residents; and

**WHEREAS**, the FY 2024 State Budget converted the Consolidated Municipal Property Tax Relief Aid (CMPTRA) into Energy Tax Receipts; and

**WHEREAS**, local elected officials, who have the most immediate understanding of community needs, are the ones most suitably placed to make decisions regarding the optimal allocation of these resources, which were always intended to support local programs and services; and

**WHEREAS**, due to the advocacy of local elected officials and the League, highlighting the inequity of utilizing municipal funds for State budget priorities, New Jersey's State Fiscal Year 2023 budget included \$75 million in Municipal Relief Funds, and the State Fiscal Year 2024 budget doubled the Municipal Relief Funds to \$150 million; and

**WHEREAS**, we thank the Legislature and Governor for the additional Municipal Relief Funding allocation.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, calls for the immediate restoration of all funding diverted from Energy Taxes intended for local use and that State budget makers do not repeat the action taken in past State Budget cycles to divert these funds and rightfully fully restore to municipalities dedicated Energy Tax Receipts, as directed by statute; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor, and the Governor of the State of New Jersey.

**Sponsors:**

Hon. Raymond Heck  
President, NJLM  
Mayor, Millstone Borough

Hon. William Chegwidden  
1st Vice President, NJLM  
Mayor, Borough of Wharton

Hon. Paul Tomasko  
2nd Vice President, NJLM  
Mayor, Borough of Alpine

Hon. Sean Elwell  
3rd Vice President, NJLM  
Mayor, Elsinboro Twp.

**New Jersey State League of Municipalities Conference Resolution No. 2023-09**

**RESOLUTION URGING CONGRESS TO REAUTHORIZE BROWNFIELDS LAW.**

**WHEREAS**, brownfield cleanup and redevelopment continues to be a financial challenge for municipalities; and

**WHEREAS**, the additional brownfield grant funding in the Bipartisan Infrastructure Law is set to end after fiscal year (FY) 2027; and

**WHEREAS**, it is important that the annual United States Environmental Protection Agency (EPA) Brownfields Program funding is available and sufficient to plan for, assess, and clean-up sites across New Jersey and the country; and

**WHEREAS**, municipalities are in great need of increased federal funding and resources to support the EPA's Brownfields Program; and

**WHEREAS**, the Brownfields Tax Incentive allowed private parties to deduct cleanup costs against tax liability in the year the costs were incurred rather than spread over ten years; and

**WHEREAS**, in the fourteen years it was active, the Brownfields Tax Incentive was used more than 625 times in over 40 states, providing cash savings for developers to invest in their next brownfield project and this tax incentive allowed volunteers to get the same tax treatment as responsible parties when cleaning up sites, as currently polluters can expense their cleanup costs but volunteers cannot; and

**WHEREAS**, the brownfields law has proven successful in rehabilitating sites across New Jersey including Harbor Front Villas in Elizabeth; iPark Edgewater; Antrim Hardware/Cathedral Kitchen Site in Camden City; Keyport Waterfront Park Redevelopment in Keyport Borough; Project Freedom in Lawrence Township (Mercer); D.R.E.A.M. Park in Logan Township; Kara Homes at Tallymawr Residential Development in Toms River; and 507 Elm Street in Kearny Town; to name a few.

**NOW, THEREFORE BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, supports Congress' reauthorization of the Brownfields Law and amendments that will increase the EPA's overall funding for brownfields grants at a level of \$350 million in FY 2024 and increasing by \$50 million annually to a total of \$600 million; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the members of the New Jersey congressional delegation, the Governor of State of New Jersey, and the President of the United States.

**Sponsor**

Hon. J. Christian Bollwage  
Mayor, City of Elizabeth

**New Jersey State League of Municipalities Conference Resolution No. 2023-10**

**RESOLUTION IN SUPPORT OF STATE/FEDERAL FUNDING DUE TO EMERALD ASH BORER  
DESTRUCTION OF ASH TREES.**

**WHEREAS**, the United States and especially New Jersey has been hard hit by the Emerald Ash Borer (EAB), a voracious pest that has destroyed hundreds of thousands of Ash trees and has devastated the canopy of trees throughout the state since it was discovered in New Jersey in 2014; and

**WHEREAS**, as Ash trees die, they become quite brittle and are a hazard to the community and need to be removed to minimize risk to life and property; and

**WHEREAS**, each municipality has incurred substantial costs to remove, destroy and quarantine (to avoid the spread of the EAB) these hazard trees; and

**WHEREAS**, each municipality should be replacing the lost tree canopy with a different species of trees as soon as possible to maintain the ecosystem; and

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges the state of New Jersey and U.S. federal government to provide funding to assist municipalities in dealing with this extraordinary and unanticipated cost of removing, destroying, and quarantining the infected Ash trees and replacing the lost tree canopy; and

**BE IT FURTHER RESOLVED**, that copies of the resolution be transmitted to all members of the New Jersey State Legislature, the Lieutenant Governor, the Governor of the State of New Jersey; and to all our representatives in Congress.

**Sponsors:**

Hon. Amalia Duarte,  
Committee Member, Mendham Township

Hon. Nancy Verga  
Council Member, Morris Plains

Hon Sandi Mayer,  
Council President, Morristown

**Co-Sponsors:**

Hon. Devra Keenan,  
Mayor, Montgomery Township

Hon. Sandra Wittner,  
Alderwoman, Dover

Hon. Andrew Nowick,  
Mayor, Lambertville

Hon. Bud Ravitz,  
Deputy Mayor, Morris Township

Hon. Nathan Umbriac,  
Council Vice President, Morristown

Hon. Mark Freda,  
Mayor, Princeton

Hon. Jonathan Sackett,  
Council Member, Rockaway Township

Hon. Donna Guariglia  
Committee Member, Morris Township

Hon. Mark Gyorfy,  
Mayor, Morris Township

**New Jersey State League of Municipalities Conference Resolution No. 2023-11**

**RESOLUTION ADVOCATING FOR LONG-TERM REAUTHORIZATION OF THE NATIONAL FLOOD INSURANCE PROGRAM.**

**WHEREAS**, Congress created the National Flood Insurance Program (NFIP) in 1968 to make affordable flood insurance available to homeowners, renters, and business owners; and

**WHEREAS**, the NFIP makes federally backed flood insurance available in states and cities, towns, or villages that agree to adopt and enforce flood-plain management ordinances to reduce future flood damage; and

**WHEREAS**, this program is essential in assisting home or business owners, including local governments, recover faster after a flooding disaster strikes; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) administers the program, NFIP is a partnership between the federal government, local officials, states, property and casualty insurance industry, lending institutions, and property owners; and

**WHEREAS**, since most home insurance policies do not cover flooding, flood insurance is a separate policy that can cover the home or building that was impacted along with the contents in the structure; and

**WHEREAS**, there are approximately 23,000 participating NFIP communities, and certain homes or businesses may be required to have flood insurance in high-risk flood areas if they have a mortgage from a government-backed lender; and

**WHEREAS**, since Fiscal Year 2017, there have been 26 short-term reauthorizations of this program—conversations initiating a bipartisan agreement for a long-term reauthorization is a positive indicator to communities that the risk of flooding may have more permanent measures in the future under this program, and

**WHEREAS**, unless Congress reauthorizes the NFIP, the program will expire on November 17, 2023; and

**WHEREAS**, long-term reauthorization is necessary to ensure the financial stability of the insurance program that protects millions of homes and businesses across the country as severe weather and water events, such as Superstorms Floyd, Ida, Sandy, Irene, Harvey, and Ian become more frequent, costly, and disastrous; and

**WHEREAS**, this past spring, as part of the President's FY24 Budget Request to Congress, FEMA submitted a list of legislative proposals to be considered in the new reauthorization of the NFIP, including ensuring more Americans are covered by flood insurance by making insurance more affordable to low-and-moderate income policyholders; building climate resilience by transforming the communication of risk and providing Americans with tools to manage their flood risk; reducing risk, losses, and disaster suffering by strengthening local floodplain management minimum

standards and addressing extreme repetitive loss properties; and instituting a sound and transparent financial framework that allows the NFIP to balance affordability and fiscal soundness; and

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges the Congress to enact a long-term reauthorization of the National Insurance Flood Program to ensure stability in the marketplace for residents and municipalities; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution is forwarded to the members of the New Jersey congressional delegation, the Governor of State of New Jersey, and the President of the United States.

**Sponsors:**

Hon. Jason F. Cilento  
Mayor, Borough of Dunellen

Hon. Guy Piserchia  
Deputy Mayor, Long Hill Township

**New Jersey State League of Municipalities Conference Resolution No. 2023-12**

**CALLING ON THE LEGISLATURE TO PERMIT ONLINE NEWS PLATFORMS TO QUALIFY AS LEGAL NEWSPAPERS FOR THE PURPOSE OF MUNICIPALITIES PUBLISHING LEGAL NOTICES.**

**WHEREAS**, various statutes require municipalities to publish legal notices in an official newspaper for numerous governmental actions such as meeting notices, ordinances, resolutions, municipal land use actions, or public bidding; and

**WHEREAS**, N.J.S.A. 35:1-2 requires that in order for a newspaper to qualify as a legal newspaper for the publication of official advertisements it must be printed and published in the English language within the state at least once a week for at least one year continuously; and

**WHEREAS**, N.J.S.A. 35:1-2.2 establishes the following qualifications for newspapers publishing official notices: newspapers must be printed entirely in the English language, be printed and published within the State, have a general paid circulation in the municipality where their publication office is situated for not less than two years and have been entered for two years as second class mail under US postal laws and regulations; and

**WHEREAS**, as technology has advanced, news publication has changed from voluminous newsprint to greater online reporting with fewer print pages, a steady decline of 28 percent from 2005 according to Medill School of Journalism at Northwestern University; and

**WHEREAS**, this change has impacted municipalities, ranging from difficulties in having public notices printed, even though meeting print newspapers' deadlines, to fewer reporters covering local meetings and community events; and

**WHEREAS**, to fill the void, online news platforms have evolved to become the local source of news for many municipalities, however, they do not meet the statutory definition of legal newspapers and are unable to publish official notices; and

**WHEREAS**, a Pew Research Center survey conducted August 31-September 7, 2020 found that 86% of US adults say they get their news from a smartphone, computer or tablet, which is higher than the 68% who get their news from TV and with 32% said they got their news from print sometimes and 10% from print often; and

**WHEREAS**, in the same survey it was found that 52% prefer to get their news on a digital platform compared to 5% from print; and

**WHEREAS**, the Census Bureau's recent Service Annual Survey (SAS) found that between 2002 and 2020 estimated newspaper publishers revenue decreased by 52% from \$46.2 billion in 2002 to \$22.1 billion in 2021; and

**WHEREAS**, Pew Research Center June 29, 2021 Newspapers Fact Sheet found that digital advertising accounted for 39% of newspaper advertising revenue in 2020, which is a increase from 37% in 2019 and from 17% in 2011, the first year the data was analysis; and

**WHEREAS**, the same Pew Research found that digital circulation in 2020 is projected to have risen with weekday circulation up 27% and Sunday up 26%, not including data from the three highest circulated newspapers the New York Times, The Wall Street Journal, and The Washington Post who if included weekday digital circulation would have risen to 38%; and

**WHEREAS**, the Star Ledger, the State's largest daily newspaper, announced that beginning in 2024 they will cease print publication on Saturday, and move to an all-digital delivery.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges the State legislature to amend the various statutes to permit municipalities to use qualified online news platforms to publish legal notices; and

**BE IT FURTHER RESOLVED that** a copy of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor, and the Governor of the State of New Jersey.

**Sponsor:**

Hon. Collen Mahr  
NJLM Past President  
Mayor, Borough of Fanwood

**New Jersey State League of Municipalities Conference Resolution No. 2023-13**

**RESOLUTION OPPOSING THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S REASSIGNMENT OF MUNICIPALITIES FROM TIER B TO TIER A FOR PERMITTING OF MUNICIPAL SEPARATE STORM SEWER SYSTEMS.**

**WHEREAS**, in 1999, the United States Environmental Protection Agency (EPA) issued rules for regulating Municipal Separate Storm Sewer Systems (MS4's) under federal law through state permitting programs; and

**WHEREAS**, in 2004, the New Jersey Department of Environmental Protection (DEP), in response to the EPA's rules, implemented the Municipal Stormwater Regulation Program and created a tier system for municipalities to obtain permits, including Tier A and Tier B; and

**WHEREAS**, Tier A, meant for densely populated municipalities, is a costlier designation requiring greater compliance with additional regulations and would be burdensome for smaller, rural municipalities; and

**WHEREAS**, Tier B was created for municipalities with smaller populations, essentially 1,000 residents or less and within rural regions; and

**WHEREAS**, in 2022, the DEP eliminated the Tier B classification, with over one hundred municipalities notified that they were reassigned to Tier A after nearly two decades of complying with the less costly Tier B, effectively placing nearly all municipalities with the same MS4 requirements with no regard for the size, population or location of the municipality; and

**WHEREAS**, the Municipal Stormwater Regulation Program's purpose is to implement federal law, but there is no federal requirement that all municipalities must be regulated the same despite their size, population and location differences, and in fact allows for waivers for smaller, rural municipalities; and

**WHEREAS**, these newly reassigned municipalities, faced with rapidly approaching deadlines to comply with a new set of requirements, not only need to comply with current Tier A requirements which recently did not apply to their municipality, but also any new and future regulations, thereby creating a new host of expenses within a short timeframe; and

**WHEREAS**, this new single tier system burdens newly reassigned municipalities with an outsized share of costs and regulations despite their smaller, rural populations, thereby significantly impacting their limited funds and burdening taxpayers; and

**WHEREAS**, rural municipalities have a disproportionately large amount of public road miles to residents compared to the denser populations initially regulated under Tier A, while having very few current MS4's due to their long history of compliance under Tier B regulations; and

**WHEREAS**, some municipalities are so small and rural that the municipality does not have the resources to accomplish the requirements of the Tier A designation; and

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, opposes the DEP's reassignment of municipalities from Tier B to Tier

A, and urges the DEP to reinstate the original tier system recognizing a separate distinction for municipalities with smaller, rural populations; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Commissioner of the New Jersey Department of Environmental Protection, to the members of the New Jersey General Assembly, the New Jersey State Senate, the Senate President, Speaker of the Assembly, and the Governor of the State of New Jersey.

**Sponsors:**

Hon. Denis McDaniel  
Councilman, Springfield Twp.

Hon. David Frank  
Mayor, Springfield Twp.

**New Jersey State League of Municipalities Conference Resolution No. 2023-14**  
**RESOLUTION URGING ACTION TO PROVIDE RELIEF FROM INCREASED**  
**INSURANCE COSTS.**

**WHEREAS**, Local Government is facing the largest budget increase for property/casualty insurance since the mid-1980s; and

**WHEREAS**, the property/casualty budget for the typical municipality has already experienced a 20% to 25% increase since 2021 and will experience another 12% to 20% increase in 2024; and

**WHEREAS**, New Jersey now has the highest workers' compensation premium rates in the country based on data from the U.S. Bureau of Labor Statistics; and

**WHEREAS**, Workers' Compensation escalated because New Jersey judges are now reopening cases up to four and five times, whereas in the past they rarely reopened a case more than once; and

**WHEREAS**, Workers' Compensation also escalated because of a 2021 Department of Labor decision that directed workers' compensation to pay many accidental disability claims that previously were paid by the pension plans; and

**WHEREAS**, another recent law created a presumption that firefighters diagnosed with cancer are eligible for workers' compensation; and

**WHEREAS**, during the COVID 19 Pandemic, the Legislature approved a law that made COVID contracted by first responders and essential employees compensable under New Jersey's workers' statute resulting in the COVID cost per employee being the second highest in the country; and

**WHEREAS**, liability has increased because of the erosion of Title 59 protections in New Jersey's courts. Judges are now reluctant to grant summary judgement dismissing even frivolous claims because of the 2021 New Jersey Supreme Court decision in Gonzalez v. Jersey City; and

**WHEREAS**, the recent amendment in the sexual molestation statute of limitations also increased Title 59 liability costs. In some cases, towns are being sued based on allegations going back to the 1970s; and

**WHEREAS**, property insurance premiums are increasing rapidly because the world-wide frequency of large natural disasters has almost tripled since 2000. New Jersey alone was hit with Hurricane Irene in 2011, Superstorm Sandy in 2012 and Tropical Storm Ida in 2021; and

**WHEREAS**, property insurance premiums are also indexed to replacement values that have jumped because of supply chain issues and the labor shortage; and

**WHEREAS**, cyber liability premiums have more than doubled in recent years, and organizations without strong cyber risk controls are finding it difficult to purchase any coverage.

**NOW, THEREFORE, BE IT RESOLVED**, by the New Jersey State League of Municipalities, in conference assembled, that the Legislature is urged to adopt budget and levy cap exemptions for property/casualty insurance and claims; and

**BE IT FURTHER RESOLVED**, that the League calls on the Administration and the Legislature to not adopt additional legislation or regulations that will increase municipal claims without a thorough and complete analysis of the cost; and

**BE IT FURTHER RESOLVED**, that the League urges the New Jersey Department of Labor, the New Jersey Department of Banking and Insurance and the New Jersey Department of Community Affairs to meet with representatives of municipal government to discuss ways to reduce property/casualty cost; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Senate President, Speaker of the Assembly, and the Governor of the State of New Jersey.

**Sponsor:**

Hon. Paul Tomasko  
Mayor, Borough of Alpine  
NJLM 2nd Vice President

**New Jersey State League of Municipalities Conference Resolution No. 2023-15**

**RESOLUTION ENCOURAGING MUNICIPALITIES TO RECOGNIZE OCTOBER 6  
AS KNOCK OUT OPIOID ABUSE DAY AND CREATE AWARENESS FOR  
PREVENTION AND RECOVERY.**

**WHEREAS**, New Jersey is in the midst of a life-threatening opioid abuse epidemic, causing unnecessary death and addiction in New Jersey; and

**WHEREAS**, in 2019, Governor Murphy signed Senate Joint Resolution 35, now P.L.2019, JR-16, recognizing October 6 as “Knock Out Opioid Abuse Day”; and

**WHEREAS**, Knock Out Opioid Abuse Day is designed to raise awareness about the dangers of, and the link between, opioid abuse and heroin addiction and to educate health care providers, community leaders, lawmakers, and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

**WHEREAS**, in order to improve public awareness of the dangers of opioid addiction and the link between opioid addiction and heroin use, it is both reasonable and appropriate to invite New Jersey citizens to observe “Knock Out Opioid Abuse Day” in this State, and to participate in appropriate activities in relation thereto such as webinars, social media posts, adoption of a municipal resolution declaring October 6 as Knock Out Opioid Abuse Day, and submit opinion editorials.

**NOW, THEREFORE BE IT RESOLVED**, by the New Jersey State League of Municipalities, in conference assembled, in recognition of the importance of “Knock Out Opioid Abuse Day”, and the impact local leaders play in achieving the goals of this day, encourages municipalities to participate in October 6, “Knock Out Opioid Abuse Day” events; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Governor Phil Murphy, Sarah Adelman, Commissioner of the New Jersey Department of Human Services, Senate President Nicholas Scutari, and Assembly Speaker Craig Coughlin.

**Sponsor:**

Hon. Raymond Heck  
President, NJLM  
Mayor, Millstone Borough

**New Jersey State League of Municipalities Conference Resolution No. 2023-16**

**RESOLUTION IN SUPPORT OF EXPANDING THE PUBLIC SERVICE LOAN FORGIVENESS PROGRAM TO BENEFIT VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL PERSONNEL.**

**WHEREAS**, Public Service Loan Forgiveness (PSLF) is a federal program that rewards and incentivizes public service work by cancelling a portion of borrowers' federal student loans; and

**WHEREAS**, the program requires borrowers to be full-time employees of an eligible public service employer and make 120 qualifying payments towards their student loan, after which the remainder of the federal student loan debt is forgiven; and

**WHEREAS**, full time employees such as law enforcement officers, emergency medical personnel and firefighters are eligible for the PSLF program, but volunteer firefighters and emergency medical personnel are not; and

**WHEREAS**, according to the most recent statistics from the Federal Department of Education the average balance of student loans discharged for borrowers under the PSLF program is \$96,343, with more than 16,400 borrowers from New Jersey having over \$1 billion in student loans forgiven under the PSLF program; and

**WHEREAS**, according to the most recent statistics from the Department of Community Affairs' Division of Fire Safety, there are more than 27,400 volunteer firefighters throughout New Jersey, serving our local communities, but each year this number falls; and

**WHEREAS**, the number of volunteer emergency medical personnel has decreased to the point where a number of volunteer EMS squads throughout the state were forced to close due to a lack of membership, leaving residents left to rely on costly hospital-run or other paid services; and

**WHEREAS**, our volunteer firefighters and emergency personnel provide the same services as their paid counterparts, putting their lives on the line and offering their knowledge and services, but without qualifying for PSLF.

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges federal lawmakers to take action to extend the PSLF program to allow these volunteers to be eligible for student loan forgiveness, thus providing parity in benefits for similar services as their paid counterparts, and acting as way of enticing increased volunteerism in these important roles; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the members of the New Jersey congressional delegation, the Governor of State of New Jersey, and the President of the United States.

**Sponsor:**

Hon. Richard Turner  
Mayor, Weehawken Twp.

**New Jersey State League of Municipalities Resolution No. 2023-17**

**RESOLUTION URGING THE REAUTHORIZATION OF THE TRANSPORTATION TRUST FUND.**

**WHEREAS**, local officials recognize the urgent need for investment in our deteriorating transportation infrastructure, since neglecting such needs can compromise public safety, economic vitality, and neighborhood security; and

**WHEREAS**, the New Jersey Department of Transportation (DOT) reports that New Jersey's municipalities manage 74 percent (28,823 center line road miles) of our roads, while county governments manage another 17 percent (6,775 center line road miles), resulting in local governments overseeing 91 percent of our roads and bridges; and

**WHEREAS**, the Federal Highway Administration has reported that of New Jersey's 6,820 bridges, 2,541 require repairs, with 6.5% (442 bridges) being classified as structurally deficient; and

**WHEREAS**, the demand for investments in local roads and bridges hasn't waned since 1985, and is unlikely to diminish in the foreseeable future; and

**WHEREAS**, the New Jersey Transportation Trust Fund's viability is in jeopardy, with various transportation projects depending on borrowed funds, undermining long-term transportation planning essentials for the economic prosperity of New Jersey's municipalities; and

**WHEREAS**, with the impending expiration of the New Jersey Transportation Trust Fund on June 30, 2024, municipalities and counties risk losing crucial local allocations that bolster property tax relief, stimulate economic growth, and ensure public safety on local roads and bridges.

**NOW, THEREFORE, BE IT RESOLVED** that the New Jersey State League of Municipalities, in conference assembled, urge State policymakers to reauthorize the Transportation Trust Fund to guarantee consistent and sufficient funding for State and local transportation infrastructure over the subsequent decade; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be sent to Governor Phil Murphy, Commissioner Diane Gutierrez-Scaccetti of the Department of Transportation, the New Jersey State Senate, and the New Jersey General Assembly.

**Sponsors:**

Hon. Raymond Heck  
President, NJLM  
Mayor, Millstone Borough

Hon. Paul Tomasko  
2nd Vice President, NJLM  
Mayor, Borough of Alpine

Hon. William Chegwidden  
1st Vice President, NJLM  
Mayor, Borough of Wharton

Hon. Sean Elwell  
3rd Vice President, NJLM  
Mayor, Elsinboro Twp.

**New Jersey State League of Municipalities Conference Resolution No. 2023-18**

**RESOLUTION URGING BOARD OF PUBLIC UTILITIES TO COMPEL UTILITIES TO TIMELY REMOVE DOUBLE UTILITY POLES.**

**WHEREAS**, local governments across the state receive complaints from citizens that public utility lines, poles, etc. are not being maintained properly by the public utility companies; and

**WHEREAS**, when the public utilities make repairs or upgrades, they have consistently left in place the pre-existing or damaged poles; and

**WHEREAS**, unused, damaged, or doubled up utility poles are not only unsightly, but pose a safety hazard to the surrounding residents; and

**WHEREAS**, under New Jersey law, more particularly *N.J.S.A. 48:3-17a(c)*, it is the obligation of the public utility companies to remove said poles when they have been replaced and are no longer in use, yet the public utility companies have failed to do so on a timely basis; and

**WHEREAS**, although local units of government may provide for the health, safety and welfare of its residents, they are effectively preempted from enacting ordinances regulating the safety of utility poles; and

**WHEREAS**, despite promises for the provision of safe, reliable and quality service from the public utilities, potentially unsafe and unsightly conditions continue unabated.

**NOW, THEREFORE, BE IT RESOLVED**, the New Jersey State League of Municipalities, in conference assembled, strongly urges the Board of Public Utilities to compel the utilities under its supervision to adopt programs to remove utility poles that are doubled up, redundant or no longer in use, so as to provide the citizens of New Jersey, safe, adequate and proper service; and

**BE IT FURTHER RESOLVED**, that the Board of Public Utilities is encouraged to develop an efficient procedure whereby a public utility and the Board can be given notice as to unsightly, potentially dangerous and/or unsafe conditions that exist so that the utility company can be compelled to remove said utility poles; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the New Jersey General Assembly, the New Jersey State Senate, the Board of Public Utilities and the Governor of the State of New Jersey.

**Sponsor:**

Hon. Brian Wahler  
Mayor, Twp. of Piscataway

**New Jersey State League of Municipalities Conference Resolution No. 2023-19**

**IN APPRECIATION OF LEAGUE PRESIDENT RAYMOND HECK, MAYOR OF  
MILLSTONE BOROUGH.**

**WHEREAS**, the Honorable Raymond Heck is completing his term as the President of the New Jersey State League of Municipalities; and

**WHEREAS**, President Heck has been a strong advocate of a host of issues important to municipal interests; and

**WHEREAS**, under his leadership, municipalities secured an additional \$150 million in local property tax relief in the Fiscal Year 2024 state budget doubling the \$75 million received in the Fiscal Year 2023 state budget; and

**WHEREAS**, President Heck worked to ensure 100% of eligible New Jersey municipalities participated in multiple opioid settlements and are utilizing funds for prevention and treatment; and

**WHEREAS**, President Heck provided elected officials and senior managers with the opportunity to participate in the ICS 402 so they are ready for the next natural disaster; and

**WHEREAS**, President Heck has well-served the municipal community as a spokesperson and tireless advocate, carrying its concerns and issues to the Murphy Administration, to the State Legislature, to the Biden Administration, and to the New Jersey Congressional Delegation; as well as speaking to more than a dozen municipal organizations during his term in office; and

**WHEREAS**, the League and the municipal community at large have been well guided by the leadership of President Heck, whose service to the League exemplifies the very best of the high-minded goals and objectives of the League and its service programs.

**NOW, THEREFORE BE IT RESOLVED**, by the New Jersey State League of Municipalities, in conference assembled, on the 16<sup>th</sup> day of November 2023, that we do extend to President Heck sincere appreciation for his dedicated administration, effective advocacy. and untiring efforts to improve local government in New Jersey, and for his careful stewardship of this organization; and

**BE IT FURTHER RESOLVED**, that sincere wishes for continued success in all future endeavors be extended to President Heck and his entire family and that a copy of this resolution be transmitted herewith to him.

**Sponsors:**

Hon. William Chegwidde  
1st Vice President, NJLM  
Mayor, Wharton Borough

Hon. Sean Elwell  
3rd Vice President, NJLM  
Mayor, Elsinboro Township

Hon. Paul Tomasko  
2nd Vice President, NJLM  
Mayor, Alpine Borough