

April 21, 2017

RE: WEEKLY UPDATE

- I. State Policy Issues
- II. Federal Policy Issues
- III. Special Notice IV. Also of Interest Dear Mayor:

I. State Policy Issues

a. Senior Freeze Would Chill Municipal Budgets

The League of Municipalities opposes [SCR-120](#), and its companion measure, ACR-202, which would unfairly burden municipal budgets and most local property taxpaying citizens and businesses.

This proposal would amend the State Constitution to freeze property taxes on the primary residences of all homeowners who are 65 years of age and over.

Unless amended to ensure State reimbursement of municipal losses, the revenue shortfall would be reflected in local purposes levy and subject to the 2% tax levy cap. The difference would need to be covered by all non-senior residents and by the business community in the municipality. It might also denigrate the quality of other municipal services, to ensure the municipality stays within the 2% property tax levy cap.

See more on this in our Town Crier blog:

<https://njlmblog.wordpress.com/2017/04/21/senior-freeze-would-chill-municipal-budgets/>

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

b. 2017 Financial Disclosure Statements Guidance Issued

The Division of Local Government Services has issued guidance on the filing of the 2017 Financial Disclosure Statements. [Local Finance Notice 2017-08](#) outlines filing procedures that are designed to facilitate efficiency and enhance transparency. **The deadline to file the Financial Disclosure Statements (FDS) is on or before April 30th.** However, while the Local Finance Board has no statutory authority to extend the filing deadline, due to the delay in opening the 2017 FDS system for filers, **the Local Finance Board is expected to delay enforcement of the statutory deadline until May 30, 2017.**

The Division has made the following changes for the 2017 filing year:

- Adopted [rules](#) determining the positions that are specifically required to file. Updated the form to reflect the provisions regarding law enforcement officers' home addresses and telephone numbers.

- Home addresses and telephone numbers included in Section 1 of the Financial Disclosure Statement will not appear in the public search results.

In addition, for elected officials, the failure to file a FDS can subject the municipality to a loss of State Aid as it is a question on the “Best Practices” Questionnaire.

See more on this in our Town Crier blog: <https://njlmblog.wordpress.com/2017/04/21/2017-financial-disclosure-statements-guidanceissued/>

Contact: Lori Buckelew, lbuckelew@njslom.org or 609-695-3481 ext. 112.

c. Dates Set For Major Party Gubernatorial Candidate Primary Debates

According to State statutes, any candidates who qualify for matching campaign funds must participate in at least two primary debates. Major party candidates, who choose not to seek matching funds, but commit to raising and spending at least \$430,000, also qualify to take part. NJTV, NJ Spotlight, WNET and C-SPAN will all carry live broadcasts of each of the debates.

Each party will hold the first debates on Tuesday, May 9, at Stockton University in Galloway Township – one at 6:30 pm and the other at 8:00 pm. Officials from the state’s Election Law Enforcement Commission will randomly choose which party’s candidates will take the first time slot.

The second Democratic debate will be held two days later, on Thursday, May 11, at NJTV's studios in Newark. The Republicans will meet for their second debate one week after that on Thursday, May 18, also at the NJTV Newark studios. Both of those are scheduled to start promptly at 8:00 pm.

The Democratic debates will include four (of the six, declared) candidates: former U.S. Department of the Treasury official Jim Johnson, State Senator and U.S. Army veteran Ray Lesniak, former Ambassador and business executive Phil Murphy and Assemblyman and Transportation Committee Chair John Wisniewski.

Two, of the five, Republicans who will appear on that party’s primary ballot will meet at the debates. They are Lieutenant Governor and former Federal prosecutor Kim Guadagno and Assemblyman and former Raritan Borough Councilman Jack Ciattarelli.

The primary elections will be held on Tuesday, June 6, at polling locations all around the State.

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

d. PFRS Legislation Update, S-3040

A bill ([S-3040/A-99](#)) that could lead to dramatic property tax increases or drastic cuts to vital services is now on the Governor’s desk. This legislation would disproportionately shift control of the Police and Fire Retirement System (PFRS) from balanced labor-management control to a

union dominated (7-5) decision making structure. In its current form, the bill will allow public safety union members and retirees to enhance their own benefits; while forcing their public employers and New Jersey taxpayers to assume a disproportionate amount of the risk.

The League, along with the New Jersey Conference of Mayors and the New Jersey Association of Counties, opposes the bill for the reasons outlined below. **We urge you to please continue to communicate with the Governor's office and your Legislators to convey your concerns. If the Governor either vetoes or conditionally vetoes the bill, it will go back to the Legislature for further action.**

Your continued engagement is vitally important.

See more on this in our Town Crier blog:

<https://njlmblog.wordpress.com/2017/03/15/pbaamended-pension-bill-unanimously-passes-the-senate/>

Contacts: Lori Buckelew, Sr. Legislative Analyst, lbuckelew@njslom.org, 609-695-3481 x112.

Michael Cerra, Assistant Executive Director, mcerra@njslom.org , 609-695-3481 x120.

II. Federal Policy Issues

a. Federal OMB *Super Circular* Information

This is a reminder for those of you who might want to apply for any grants, which may be made available by our federal government's departments and agencies.

A few years back, the U.S. Office of Management and Budget (OMB) consolidated eight of its existing circulars into one document. This document, titled **2 CFR Part 200 Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards**, is commonly referred to as the ***Super Circular***. The ***Super Circular*** was published in the Federal Register on December 26, 2013, and took effect at the end of calendar year 2014.

A [Super Circular Information webpage](#), posted by New Jersey's OMB, offers reference materials and tools for you to use in learning more about the ***Super Circular*** and how it impacts your municipality and the federal grants you receive and administer. This page will be continually updated as guidance continues to evolve at the Federal and pass-through sub-recipient levels and as more information becomes available.

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

b. League Past President Chris Bollwage and NLC Testify on Brownfields Reauthorization

Recently, representatives of National League of Cities (NLC) and the U.S. Conference of Mayors testified before two House committees to highlight the importance of the U.S.

Environmental Protection Agency Brownfields program and ask Congress to make several key improvements to the program as they consider reauthorization.

On March 28, New Jersey League of Municipalities' Past President and Elizabeth Mayor Chris Bollwage was joined by NLC President Matt Zone, Cleveland councilmember, at a hearing of the House Transportation and Infrastructure Subcommittee on Water Resources and Environment.

On April 4, Mayor Bollwage joined fellow-Mayor Sal Panto, Easton, Pa., who serves as Chair of the NLC Energy, Environment and Natural Resources Federal Advocacy Committee, to testify before the House Energy and Commerce Subcommittee on Environment.

NLC submitted a letter for the record at both hearings outlining priorities for a reauthorization bill, including increasing or maintaining the overall level of funding for the brownfields program, increasing the overall grant funding to allow communities to cleanup more difficult sites, and resolving the disincentives created by potential liability to facilitate reuse of brownfields properties.

For more on Mayor Bollwage's testimony see our blog posting:

<https://njlmblog.wordpress.com/2017/04/21/league-past-president-chris-bollwage-and-nlctestify-on-brownfields-reauthorization/>

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

c. FCC Proposes Sweeping New Restrictions on Local Land Use Authority

The Federal Communications Commission (FCC) recently released drafts of proposed rules that, if finalized, could dramatically preempt local governments. The two proposed rules regarding wireline and wireless service, which are intended to streamline and promote broadband deployment, suggest that local government requirements and practices are inhibiting the deployment of broadband internet, and should be preempted. The proposals suggest a series of changes that could limit local government control over the rights-of-way, further limit local review of wireless facilities, hamper local government protection of consumers of copper landline phone services, and restrict local efforts to stop redlining by telecommunications providers.

Municipalities can comment on the first proposed rule, "[Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment](#)," using WC Docket 17-84, and can comment on the second proposed rule, "[Wireless Infrastructure NPRM](#)," using WT Dockets 17-79 and 15-180. Our friends at the National League of Cities (NLC) will continue to monitor this rulemaking and will comment on the proposals.

Contact: Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120.

III. Special Notice

The League and the Institute of Local Government Attorneys have submitted a motion requesting amicus status in the appeal to the New Jersey Supreme Court of the recent Appellate Division decision regarding Rice Notices and the Open Public Meetings Act (OPMA.) In Kean Federation of Teachers v. Morell, Kean University's Board of Trustees, the Court ruled that employees and prospective employees are entitled to receive a "Rice Notice" when a matter involving their employment is placed on the board's agenda. In addition, the ruling addresses the "prompt availability" of minutes and the need to adopt a meeting schedule that will enable such a release.

[Click here for a copy of that decision.](#)

The brief is being filed by League Associate Counsel John Gillespie of Parker McKay. The Appellate decision rewrites the OPMA and requires RICE notices to all potentially affected employees for every public meeting, at which the body may act or intends to act on any matter falling within OPMA's personnel exemption without regard to whether the body intends to discuss the matter in public or executive session, and without regard to whether the employee could be adversely affected.

We will keep you informed as this case proceeds.

IV. Also of Interest

a. Municipal Land Use Law Re-Forum

The MLUL Re-Forum is for experienced practitioners, decision-makers and opinion leaders who seek the opportunity to share your vision for how the Municipal Land Use Law (MLUL) could be updated –to authorize the use of innovative planning tools in your communities; to prevent internal inconsistencies between master plans, zoning ordinances and reexamination reports that confound even the attorneys; and to improve the local review process, to name just a few examples. With the help of experienced facilitators, the open meeting format will allow participants to shape the agenda, lead the discussion and leave with a set of action items for putting changes in place.

The League, along with affiliate organization the New Jersey Planning Officials (NJPO) is a partnering with a broad range of other groups, including the New Jersey Chapter of the American Planning Association, on this program. The event, designed for experienced municipal officials, planners, land use attorneys, developers, architects, environmentalist or anyone else interested in the MLUL will held on Friday, May 19, 8am to 4pm at the Hyatt Regency in New Brunswick. You can register now at: <http://njplanning.org/event/mlul-re-forum/>

b. *NJ Municipalities Magazine Requests Your Feedback*

We are currently in the process of putting together magazine testimonials in the hopes of collecting some comments about our magazine from satisfied readers.

Would you please take a few minutes to give us your opinion of the League's magazine, *NJ Municipalities*. Why do you read it? What do you find helpful? Do you find our articles useful? How can we improve?

There is no need to dictate a formal letter – please [click here](#) to submit your comments online, or email them to tsamhammer@njslom.org. Also, with your permission, we would like to share your thoughts with others.

We look forward to learning what you like about our magazine, and also welcome any suggestions or criticisms.

Contact: Taran B. Samhammer, Advertising Manager, tsamhammer@njslom.org, 609- 6953481 x124.

c. Early Previews of FirstNet Continue: JerseyNet Information Sessions

JerseyNet, one of five early proofs-of-concept for FirstNet, continues its outreach to potential users of the nationwide public safety broadband network (NPSBN): Understanding Public Safety Broadband: FirstNet and JerseyNet training sessions are offered by NJOHSP to provide an overview of the NPSBN and JerseyNet. Attendees are provided information that will inform potential users about future uses of broadband technology for respective public safety operations. Those seeking further information on FirstNet, or JerseyNet, are encouraged to attend upcoming sessions in Evesham Township on April 27, and Camden on May 10.

d. April is National Sexual Assault Awareness Month

Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every Municipality in this State. Rape, sexual assault, and sexual harassment harm all communities, and statistics show one in five women and one in 71 men will be raped at some point in their lives.

Child sexual abuse prevention must be a priority to confront the reality that one in six boys and one in four girls will experience a sexual assault before age 18. Young people experience heightened rates of sexual violence, and youth ages 12-17 were 2.5 times as likely to be victims of rape or sexual assault. On college and university campuses, one in five women and one in 16 men are sexually assaulted during their time in college.

The theme of this year's Sexual Assault Awareness Month's campaign is, "Engaging New Voices." The campaign calls on new partners and community members to help expand sexual

assault prevention efforts and ensure the next generation fosters attitudes that promote healthy relationships, equality, and respect. Please join advocates and communities across the country in taking action to prevent sexual violence. April is Sexual Assault Awareness Month, and each day of the year is an opportunity to create change for the future.

You can access all the information you can use to increase awareness at [the National Sexual Violence Resource Center](#) website. And you can view [the Governor and Lieutenant Governor's Proclamation](#) on line.

Sincerely,

Michael J. Darcy, CAE
Executive Director