

April 1, 2016

**RE: Weekly Policy Update**

- I. Please Contact Your Legislators on A-302, Revenue Restitution Bill Needs Amendment.**
- II. A-2361, Prohibits snowplow operators from depositing snow in front of certain access points**
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- VI. Mayors Newline President's Message Correction** Dear Mayor:

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

**I. Please Contact Your Legislators on A-302. Revenue Restitution Bill Needs Amendment.**

On Monday in Trenton, the Assembly Appropriations Committee is scheduled to consider [A302](#). The League is asking the Committee to amend this bill. If you have a representative serving on the Committee, we urge you to reach out to him or her on this important matter. The members of the Committee are:

Hon. John J. Burzichelli, Chairman	<a href="mailto:AsmBurzichelli@njleg.org">AsmBurzichelli@njleg.org</a>
Hon. Grace Spencer, Vice Chair	<a href="mailto:AswSpencer@njleg.org">AswSpencer@njleg.org</a>
Hon. Herb Conaway	<a href="mailto:AsmConaway@njleg.org">AsmConaway@njleg.org</a>
Hon. John DiMaio	<a href="mailto:AsmDiMaio@njleg.org">AsmDiMaio@njleg.org</a>
Hon. Joseph A. Lagana	<a href="mailto:AsmLagana@njleg.org">AsmLagana@njleg.org</a>
Hon. Patricia R. Lampitt	<a href="mailto:AswLampitt@njleg.org">AswLampitt@njleg.org</a>
Hon. Gabriela M. Mosquero	<a href="mailto:AsmLagana@njleg.org">AsmLagana@njleg.org</a>
Hon. Gail Phoebus	<a href="mailto:AswPhoebus@njleg.org">AswPhoebus@njleg.org</a>
Hon. Annette Quijano	<a href="mailto:AswQuijano@njleg.org">AswQuijano@njleg.org</a>
Hon. Gary S. Schaer	<a href="mailto:AsmSchaer@njleg.org">AsmSchaer@njleg.org</a>
Hon. Holly Schepisi	<a href="mailto:AswSchepisi@njleg.org">AswSchepisi@njleg.org</a>

The legislation provides for a phased-in restitution of the \$331 million, which has been annually diverted from dedicated municipal funding programs – the Energy Tax Receipts Property Tax Relief Fund (ETR) and the Consolidated Municipal Property Tax Relief Aid (CMPTRA). For the past six years, these funds have been used to address unspecified state priorities. A-302 would, by Fiscal Year 2021, bring funding for all municipalities back to 2008 levels.

However, Section 1 would require any restored funding to be subtracted from the municipality's adjusted tax levy. Some seem to believe that whenever the State 'gives' additional funds to municipal governments, the increase will be used, by local officials, to fuel more spending at the local level. The real problem, in fact, is that it is far more common for the State to take, rather

than give, additional funds to municipalities. The cumulative impact of years of underfunding, going back well before the latest reductions has left many municipalities with unmet needs. New Jersey mayors and municipal governing bodies are best suited to assess those needs. Further, these revenues are meant to fund local priorities and services.

Local officials are clearly committed to limiting their reliance on increased property taxes. The Commissioner of the Department of Community Affairs recently noted that, since the imposition of the 2 percent levy cap in 2010, and despite the allowance for certain common sense exceptions, local levies have averaged 2 percent growth. In 2011, the Statewide average increase was 2.4%. It was 1.6% in 2012, 1.3% in 2013 and 2.2% in 2014. Last year, when we dealt with several significant weather events, the Statewide average increase was 2.4 %, and 47 % of New Jersey municipalities raised their levies less than the mandated 2 percent.

But local officials are also committed to providing for the health and safety of their fellow citizens. They are also committed to promoting local economic development and redevelopment opportunities. And they are also committed to protecting the rights of future generations to enjoy the same, if not a better, quality of life, than that of their parents and grandparents. The levy reduction mandate could hamstring their ability to address those local needs.

While we appreciate the sponsors' effort to restore important assets to local government, we continue to urge the legislature to consider the need for high quality local programs and services and the constraints under which local officials must operate.

Accordingly, we will ask the Assembly Appropriations Committee to delete the use limitation imposed by Section 1 and advance the amended bill for consideration by the full Assembly.

**Contact: Jon Moran, [jmoran@njslom.org](mailto:jmoran@njslom.org) or 609-695-3481 x121.**

## **II. A-2361, Prohibits Snowplow Operators from Depositing Snow in Front of Certain Access Points**

The Assembly Appropriations Committee will also consider [A-2361](#). While appreciative of the bill's good intentions, the League **opposes** to this bill, which prohibits snowplow operators from depositing snow in front of certain access points used by persons with disabilities. The bill applies to both public and private snowplow operators and would prohibit the deposit of snow on "any access ramp, curb cut, special parking space, or other improvement designed to provide access to persons with disabilities."

The burden of snow removal from access points onto the sidewalk should be on adjoining property owners, not on the snowplow operators. Requiring that snow plow operators clear curb cuts would hamper their ability to clear streets during snow emergencies.

This is an area which should be regulated by municipal ordinance, not State legislation.

Currently, New Jersey municipalities have enacted ordinances pursuant to N.J.S.A. 40:65-12 that requires private property owners to clear snow. This is a more effective and better tailored solution to the issue of snow blocked access points for persons with disabilities.

Please contact the committee members, listed above under Item I, and ask them to oppose A2361.

**Contact:** Ed Purcell, Esq., [epurcell@njslom.org](mailto:epurcell@njslom.org) or 609-695-3481 x137

### **III. Local Finance Notice Issued on Local Government Ethics Law**

The Division of Local Government Services has issued [Local Finance Notice 2016-07](#) outlining the filing procedure for the annual financial disclosure statements. By the end of today, Municipal Clerks are required to update the Local Government Entity's Roster. Local Government Officers will have from April 4 to April 30, 2016 to electronically file their annual financial disclosure statement. Paper copies of the financial disclosure statements will not be accepted by the Local Finance Board. The Division will be issuing additional guidance in the upcoming weeks for Local Government Officers.

**Contact:** Lori Buckelew, 609-695-3481, ext. 112 or [lbuckelew@njslom.org](mailto:lbuckelew@njslom.org)

### **IV. Safe Route to School Funding Applications Available**

The Safe Routes to School Program (SRTS) is a federally funded reimbursement program that was established in August 2005 by the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU).

The federal-aid SRTS program provides federal-aid highway funds to State Departments of Transportation. The main objectives of the program are:

- to enable and encourage children in grades K-8, including those with disabilities, to walk and bicycle to school;
- to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and,
- to facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools.

County, municipal governments, school districts, and schools are eligible to apply to the program. All applications are due on or before June 27, 2016. For more information please click [here](#).

**Contact:** Ed Purcell Esq. at (609) 695-3481 x. 137 or [epurcell@njslom.org](mailto:epurcell@njslom.org)

### **V. April Grant Page Posted**

A new featured article has been posted in the League's Grant Resource Center. This month's article is titled: *The Role of AmeriCorps Programs in Municipal Improvement Projects*. New featured grant opportunities have also been listed. To read this month's featured article, visit the League's [Grant Resource Center](#).

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

#### **VI. Mayors Newline President's Message Correction**

The April Mayors Newline erroneously had League Immediate Past President Mayor Brian Wahler as the author of the Presidents Message. This was incorrect. The author of the Presidents Message should be our current 2016 League President Mayor Joseph Tempesta. We apologize for this mistake and any confusion it may have caused.

Sincerely,

Michael J. Darcy, CAE Executive  
Director