

July 10, 2015

I. First Ruling From Mount Laurel Judge

II. Sunset of Certain Provisions of C.78 Pension and Healthcare Reforms

III. South Jersey Storm Update

IV. Governor Signs Bill on Snow Removal from Covered Fire Hydrants & Locator Pole Installation

Dear Mayor:

Here's a recap of major policy issues of interest to local governments.

I. First Ruling From Mount Laurel Judge

Yesterday, Middlesex County Judge Douglas K. Wolfson issued the first ruling from a Mount Laurel judge in response to a municipality filing for a declaratory judgement (Monroe Township) as proscribed in the State Supreme Court March order. From the outset it should be noted that this ruling is not binding on any of the other Mount Laurel judges.

It should be noted that the circumstances for Monroe Township may or may not be similar to any other municipality. Previous to this ruling, Monroe entered into a consent order with the Court, the Fair Share Housing Center and other parties and agreed to prepare and file with the Court its housing element and fair share plan by November 9, five months from the date the Township filed its declaratory judgment application. The decision itself is silent regarding when the 5month period begins. Otherwise, the decision grants the Township's request for immunity for the agreed upon 5-months and states that the "interested parties" will not be allowed to file builder remedy law suits during the 5 months.

You can download a copy of this order by [clicking here](#). For more on the State Supreme Court March 2015 order please see the League's March 27 by [clicking here](#).

Contact: Mike Cerra, mcerra@njslom.org or 609-695-3481 x120.
Ed Purcell, Esq., epurcell@njslom.org or 609-695-3481 x137.

II. Sunset of certain provisions of c. 78 Pension and Healthcare Reforms

As you may recall [P.L. 2011, c. 78](#) had a sunset provision on the required healthcare contributions. The law included a sunset provision that the healthcare contributions required by Section 39 expire four years after the effective date of when employees began contributing. **After the full implementation** of contributions set forth in section 39 healthcare contributions **becomes a negotiated item** with those contribution levels becoming the base of negotiations. For more information please see our [June 25 Dear Mayor letter](#).

Contact: Lori Buckelew, lbuckelew@njslom.org or 609-695-3481 x112.

III. South Jersey Storm Update

As we had indicated in our July 2 letter (<http://nj-njslom.civicplus.com/ArchiveCenter/ViewFile/Item/278>), the State's Office of Emergency Management was in the process of compiling estimates of the damage caused to public property by the June 23 Supercell storm, and associated clean-up costs. We asked local officials to assist in this effort, in order to help New Jersey municipalities qualify for FEMA financial assistance. Thanks to your efforts, State OEM was able to invited FEMA in for formal damage assessments, earlier this week. Based on that and the updated estimates (\$15.9 milluion), Governor Christie will soon contact the President, requesting a declaration of emergency for Atlantic, Burlington, Camden and Gloucester Counties.

Issuance of such a declaration would set in motion the process leading to FEMA reimbursements (at 75% of verified costs). Meanwhile, municipalities should continue to document hours expended, equipment used and debris removed, due to storm damages. Municipalities in neighboring Counties - specifically Cape May, Cumberland and Salem - should also ask their Emergency Management Coordinators to provide any estimates of storm-related clean-up and mitigation costs to their county OEMs.

Contact: Jon Moran, jmoran@njslom.org or 609-695-3481, x 121

IV. Governor signs bill on snow removal from covered fire hydrants and locator pole installation

On July 7 Governor Christie signed into law A-2996, which authorizes snow removal from covered fire hydrants and locator pole installation. P.L. 2015, c. 71 permits a municipality to install, or cause to be installed, a hydrant locator pole on every working fire hydrant within municipal boundaries. In addition, the law permits a municipality to adopt an ordinance requiring the removal of snow from fire hydrants, within 24 hours of snow coverage, by the property owners whose property abuts any fire hydrant or the municipality itself. If a party responsible for fire hydrant clearance fails to perform the required clearance within the specified time, the municipality may perform the clearance and bill the responsible party no more than \$75 for the service. The Division of Fire Safety has rulemaking authority. The law took effect immediately but municipalities cannot adopt an ordinance until February 1, 2016. **Contact:** Ed Purcell, Esq., epurcell@njslom.org or 609-695-3481 x 137