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In Appreciation of League President Albert Kelly, Mayor of the City of Bridgeton

All the Resolutions can be viewed in full below.

**Contact:** Michael Cerra at [mcerra@njslom.org](mailto:mcerra@njslom.org) or 609-695-43481, Ext. 120.

**New Jersey State League of Municipalities Conference Resolution No. 2017-01**

**Resolution Urging the State Legislature to Extend the 2% Cap  
on Police and Fire Arbitration Contract Awards**

**Approved at the League Business Meeting, November 16, 2017  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, local municipalities require specific tools to address the rising cost of municipal government; and

**WHEREAS**, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

**WHEREAS**, salary costs are a large part of the driver in the increases of local property taxes; and

**WHEREAS**, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

**WHEREAS**, the December 2010 legislation included an April 1, 2014, sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

**WHEREAS**, in June 2014, the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017, for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

**WHEREAS**, municipalities continue to contain costs and provide vital services to residents within the 2% property tax levy, while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

**WHEREAS**, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

**WHEREAS**, the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not scheduled to issue the final report on its findings and recommendations until the same day of the expiration of the cap on interest arbitration awards, December 31, 2017; and

**WHEREAS**, we recognize it is now time for our taxpayers to benefit directly from these cost-saving measures, as many police and fire contracts will come due for negotiation after the sunset date, and

**WHEREAS**, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services so to fund interest arbitration awards;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years, at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

**BE IT FURTHER RESOLVED** that a copies of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Commissioner of the Department of Community Affairs, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsors:**

The Hon. Albert B. Kelly, President, NJLM, Mayor, Bridgeton  
The Hon. James L. Cassella, First Vice President, Mayor, East Rutherford  
The Hon. Colleen Mahr, Second Vice President, Mayor, Fanwood  
The Hon. James Perry, Third Vice President, Mayor, Hardwick Twp.

**Co-Sponsors:**

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**Co-Sponsors, continued:**

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The Hon. Mark W. Tomko, Mayor, Wallington  
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The Hon. Richard Turner, Mayor, Weehawken  
The Hon. Joseph Tempesta Jr., Mayor, West Caldwell, Past President, NJLM  
The Hon. Janet Tucci, Mayor, West Long Branch, NJLM Executive Board  
The Hon. Shing-Fu Hsueh, Mayor, West Windsor  
The Hon. John Birkner, Mayor, Westwood  
The Hon. Don Dietrich, Mayor, Woodstown

**New Jersey State League of Municipalities Conference Resolution No. 2017-02**

**Resolution Urging Congress to Protect the Deductibility of State and Local Taxes**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, the Federal Tax Code is incredibly complex and every one of its provisions was enacted for a reason. While some of those reasons may no longer serve the public's interest, others remain fair and effective tools that promote the general welfare; and

**WHEREAS**, the deduction for state and local taxes (SALT) has been a feature of the tax code for more than 100 years. In 1913, the first federal income tax form allowed taxpayers to deduct state and local taxes, one of only six deductions allowed at the time. Even the federal Civil War tax in 1862 included a deduction for SALT; and

**WHEREAS**, this provision ensures against double taxation and reflects mandatory tax payments, which support public services that benefit all citizens, such as K-12 schools, law enforcement and public safety, transportation and infrastructure, and vital community and public health services; and

**WHEREAS**, taxpayers in all 50 states – and in both Democratic and Republican congressional districts – benefit from the SALT deduction. The SALT deduction is claimed by taxpayers of all income levels. The deduction is especially important for middle-income homeowners, as fifty percent of the deductions claimed by taxpayers making \$50,000 to \$100,000 are for property taxes; and

**WHEREAS**, the SALT deduction does not unfairly benefit taxpayers in high tax states. To the contrary, low tax states are generally more dependent on the federal government, receiving more in federal funding than they pay in federal taxes. According to one study, Mississippi, Alabama and Louisiana are among the most subsidized states, receiving about \$3 in federal spending for every \$1 contributed in taxes; while New Jersey, New York, and Illinois are among the states that receive less than \$1 from the federal government for every \$1 paid in federal taxes; and

**WHEREAS**, eliminating the SALT deduction would raise taxes on middle-class homeowners – even if the standard deduction were doubled. A recent study commissioned by the National Association of Realtors found that homeowners with adjusted gross incomes (AGI) between \$50,000 and \$200,000 would see an average tax increase of \$815 if SALT were eliminated and the standard deduction were doubled; and

**WHEREAS**, SALT is strongly tied to home ownership since the overwhelming number of itemizers who claim the deduction (44 million) deduct property taxes (40.7 million) and mortgage interest (35.4 million). Eliminating SALT will diminish the value of the mortgage interest deduction, resulting in a 10% decline in home values in the immediate term; now, therefore, be it

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges all members of the New Jersey Congressional Delegation to oppose, with voice and vote, any proposal to eliminate the fair and reasonable SALT deductibility provision from the Federal Tax Code; and,

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

**Sponsor:**

The Hon. Brian C. Wahler  
Past President, NJLM  
Mayor, Piscataway

**Co-Sponsor:**

The Hon. Richard Goldberg  
Mayor, Hawthorne



**New Jersey State League of Municipalities Conference Resolution No. 2017-03**

**Resolution Calling for Legislation to Increase Criminal Penalties for Adult Street Gang Members Who Solicit or Recruit Minors to Actively Participate in a Criminal Street Gangs**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, there is a growing presence of criminal street gangs in municipalities throughout the State of New Jersey; and

**WHEREAS**, many adult criminal street gang members actively seek to solicit and/or recruit minors to join or participate in criminal activity on behalf of the criminal street gang; and

**WHEREAS**, pursuant to N.J.S.A. 2C:33-28, it is a second-degree crime for a person to solicit or recruit another who is under the age of 18, to join or actively participate in a criminal street gang with the knowledge that the person who is solicited or recruited will promote, further, assist, plan, aid, agree or attempt to aid in the commission of criminal conduct by a member of a criminal street gang; and

**WHEREAS**, generally second-degree crimes in New Jersey are punishable by up to 5-10 years in New Jersey State Prison; and

**WHEREAS**, setting a mandatory minimum sentence of five (5) years in New Jersey State Prison for a person convicted of soliciting or recruiting another who is under the age of 18, to join or actively participate in a criminal street gang, regardless of the setting or scenario, will ensure that such a defendant is not eligible for early parole, thus guaranteeing a strict punishment for those who prey on children while deterring others from engaging in this appalling behavior; and

**WHEREAS**, an adult defendant who is convicted of recruiting or soliciting a minor should be subject to the same criminal penalties as the minor so recruited or solicited when said minor is convicted of a first-degree offense which promotes, furthers, assists, plans, aids, agrees, or attempts to aid in the commission of such criminal conduct on behalf of the criminal street gang; and

**WHEREAS**, it is appropriate and necessary for the State to enact such legislation to provide an adequate response to such a pervasive public health, safety, and well-being issue.

**NOW THEREFORE BE IT RESOLVED**, that by the New Jersey State League of Municipalities in conference assembled, urges the passage of legislation that will increase the criminal penalties for those who recruit or solicit minors to join or actively participate in a criminal street gang, by setting a five (5) years minimum mandatory sentence in New Jersey State Prison, regardless of the setting or scenario; and

**BE IT FURTHER RESOLVED**, that the New Jersey State League of Municipalities further urges the passage of legislation that subjects an adult defendant who is convicted of recruiting or soliciting a minor to a first-degree sentence if the minor so recruited or solicited is also convicted

of a first-degree offense which promotes, furthers, assists, plans, aids, agrees, or attempts to aid in the commission of such criminal conduct on behalf of the criminal street gang; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, the Lieutenant Governor of the State of New Jersey, Governor-elect, the Lieutenant Governor-elect of the State of New Jersey, the Attorney General of the State of New Jersey, the President of the New Jersey State Senate, the Speaker of the New Jersey General Assembly, all State Legislators, and all members of the New Jersey Congressional Delegation.

**Sponsor:**

The Hon. Hector C. Lora  
Mayor of the City of Passaic

**Co-Sponsor:**

Assemblyman Gary S. Schaer  
Legislative District 36

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

**New Jersey State League of Municipalities Conference Resolution No. 2017-04**

**Resolution Calling for the Restoration of Energy Taxes to Municipalities**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

**WHEREAS**, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

**WHEREAS**, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

**WHEREAS**, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policymakers should not exercise that right automatically; and

**WHEREAS**, while that right should be the exception, it has become the rule; and

**WHEREAS**, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

**WHEREAS**, from \$72 million in State Fiscal Year 2005 to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

**WHEREAS**, in 2008, 2009 and 2010 (SFY 2009, 2010 and 2011), funding for municipal revenue replacement was slashed by about \$331 million; and

**WHEREAS**, that \$331 million has been continually diverted in each of the past six State budgets; and

**WHEREAS**, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

**WHEREAS**, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services.

**NOW, THEREFORE, BE IT RESOLVED**, that the League of Municipalities, in conference assembled, calls for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

**BE IT FURTHER RESOLVED**, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; 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, the Commissioner of the Department of Community Affairs, the State Treasurer, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsors:**

The Hon. Janice S. Mironov  
Mayor, East Windsor Township  
Past President, NJLM

The Hon. Albert B. Kelly  
President, NJLM  
Mayor, Bridgeton

The Hon. James L. Cassella,  
First Vice President  
Mayor, East Rutherford

The Hon. Colleen Mahr  
Second Vice President,  
Mayor, Fanwood

The Hon. James Perry  
Third Vice President  
Mayor, Hardwick Twp.

The Hon. Brian C. Wahler,  
Mayor, Piscataway Township

**Co-Sponsors:**

The Hon. Richard F. Turner  
Mayor, Weehawken

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

The Hon. Paul J. Vallone  
Mayor, Far Hills

The Hon. Mattias Schroeter  
Mayor, Glen Gardner

The Hon. Janice Kovach  
Mayor, Clinton Town

**New Jersey State League of Municipalities Resolution No. 2017-05**

**Resolution Supporting the Federal Tax Exemption on Municipal Bonds**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, the New Jersey State League of Municipalities is dedicated to ensuring local control and decision making through access to affordable capital; and

**WHEREAS**, tax-exempt municipal bonds finance infrastructure that touches the daily lives of every American citizen – the roads we drive on, schools and education for our children, affordable housing, water systems that supply safe drinking water, wastewater systems that keep our waterways clean, courthouses, hospitals and clinics to treat the sick, airports and ports that help move people and products domestically and overseas, and utility plants that power homes and businesses; and

**WHEREAS**, three-quarters of all infrastructure investments made in the United States are financed by state and local governments and their agencies through tax-exempt municipal bonds; and

**WHEREAS**, tax-exempt municipal bonds have, for 200 years, been the way that state and local governments can affordably access capital markets to meet the needs of their citizens; and

**WHEREAS**, interest on municipal bonds is exempt from Federal taxation under a principle of reciprocal immunity under which the Federal Government is exempt from State and local taxations and local governments are exempt from Federal taxation; and

**WHEREAS**, savings from affordable financing through tax-exempt bonds allows for greater infrastructure investments and savings passed directly to taxpayers and ratepayers in the form of reduced taxes and fees; and

**WHEREAS**, keeping infrastructure costs low is critical to job creation and to the infrastructure investments that are the backbone of our economy; and

**WHEREAS**, the American Society of Civil Engineers has given a grade of D+ for the condition and performance of the nation's infrastructure, and estimates an investment of \$3.6 trillion will be needed for the nation's infrastructure by 2020; and

**WHEREAS**, Congress and the Administration have proposed capping, limiting, eliminating or replacing tax-exempt bonds; and

**WHEREAS**, several studies have concluded convincingly that proposals to limit, eliminate or replace tax-exempt bonds would result in significantly higher borrowing costs for state and local government; and

**WHEREAS**, increased borrowing costs would translate to increased fees and increased taxation at the local level, or in the failure to meet core infrastructure needs; and

**WHEREAS**, limiting, eliminating or replacing tax-exempt bonds could shut many small issuers out of the bond market entirely; and

**WHEREAS**, tax-exempt municipal bonds are the financing tool that exists by and for local governments without federal interference; and

**WHEREAS**, federal mandates significantly increase state and local government infrastructure costs, with mandates related to the Clean Water Act placing an especially large burden on city governments; and

**WHEREAS**, state and local governments cannot and should not rely exclusively upon federal tax credits, federal reimbursement payments, federal grants and federal loans to finance infrastructure; and

**WHEREAS**, over the past few decades, funding for core federal government infrastructure grant programs for State and local governments has been stagnant at best and in many cases has declined precipitously; and

**WHEREAS**, in an era of increasing federal mandates and federal budget austerity, capping, limiting or eliminating tax-exempt bonds would essentially signal a divestment in infrastructure; and

**WHEREAS**, tax credit bonds and direct subsidy bonds are good complements to traditional tax-exempt municipal bonds but would be poor substitutes due to reliance on a federal subsidy and higher costs for smaller issuers; and

**WHEREAS**, in 2012, 2013 and 2016 the League of Municipalities approved a resolutions Expressing Support for and Defending the Continued Tax Exemption for Municipal Bonds, and because of the paramount importance of this issue to municipalities, it is both necessary and appropriate to reiterate the League's strong support for preserving the tax-exempt status of municipal bonds;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities strongly urges the Administration and Congress, and that Administration and Congress preserve the current tax-exempt status of municipal bonds that have successfully provided trillions of dollars in low-cost financing for critical infrastructure investments that serve citizens in all states and local communities; and

**BE IT FURTHER RESOLVED**, copies of this Resolution are forwarded the Lieutenant Governor, Lieutenant Governor-elect, the Governor, the Governor-elect of the State of New Jersey, the members of the New Jersey State Legislature and the New Jersey Congressional Delegation.

**Sponsors:**

The Hon. Albert B. Kelly  
President, NJLM  
Mayor, Bridgeton

The Hon. James L. Cassella,  
First Vice President  
Mayor, East Rutherford

The Hon. Colleen Mahr  
Second Vice President,  
Mayor, Fanwood

The Hon. James Perry  
Third Vice President  
Mayor, Hardwick Twp.

**Co-Sponsors:**

The Hon. Richard F. Turner  
Mayor, Weehawken

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

**New Jersey State League of Municipalities Conference Resolution No. 2017-06**

**Opposes preemption of municipal authority over zoning, permitting, and rights-of-way regulations for the purposes of broadband deployment**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, On January 31, 2017 the Federal Communications Commission (“FCC” or “Commission”) announced the establishment of the Broadband Deployment Advisory Committee (“BDAC” or “Committee”) for the purpose of advising and making “recommendations to the Commission on how to accelerate the deployment of high-speed Internet access, or “broadband,” by reducing and/or removing regulatory barriers to infrastructure investment.”; and

**WHEREAS**, Issues to be considered by the BDAC include drafting a model code “covering local franchising, zoning, permitting, and rights-of-way regulations; recommending further reforms of the Commission’s pole attachment rules; identifying unreasonable regulatory barriers to broadband deployment; and recommending further reform within the scope of the Commission’s authority.”; and

**WHEREAS**, A majority of the members of the BDAC represent the telecommunications industry with very little voice given to local interests; and

**WHEREAS**, Much of the advice and recommendations coming from the BDAC call for the Federal preemption of local authority over zoning, permitting, and rights-of-way regulations; and

**WHEREAS**, Recent draft legislation has been circulated within the U.S. Senate Commerce Committee which would seek to ensure that the FCC has the legislative authority to preempt state and local regulatory authority over zoning, permitting, and rights-of-way regulations; and

**WHEREAS**, Local authorities are best suited for providing for zoning, permitting, and rights-of-way regulations that protect the health, welfare, and safety of the citizenry and preemption of local authority in these areas would compromise local residents health, welfare, and safety; and

**WHEREAS**, These local regulations do not create a barrier to the deployment of broadband but rather serve an important local purpose which should not be discounted; and

**NOW, THEREFORE, BE IT RESOLVED**, That the New Jersey State League of Municipalities, in conference assembled, urges all members of the New Jersey Congressional Delegation to oppose, with voice and vote, any proposals, either through legislative or regulatory action, to label local regulation as a barrier to broadband deployment or/and preempt local authority over zoning, permitting, and rights-of-way regulations; and

**BE IT FURTHER RESOLVED**, That copies of this resolution be forwarded to our representatives in Congress, all members of the New Jersey State Legislature, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsor:**

The Hon. Brian C. Wahler,

Mayor, Piscataway Township  
NJLM Past President

**Co-Sponsors:**

The Hon. Richard F. Turner  
Mayor, Weehawken

The Hon. Joseph Tempesta, Jr.  
Mayor, West Cladwell

The Hon. Paul J. Vallone  
Mayor, Far Hills



**New Jersey State League of Municipalities Conference Resolution No. 2017-07**

**Urging the Governor and State Legislature to Adopt  
Comprehensive Reforms to the Fair Housing Act**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, in 1975 the New Jersey Supreme Court determined that municipalities may not validly employ their zoning powers to prevent the creation of a variety and choice of housing opportunities available to low and moderate income households; and

**WHEREAS**, in response to the Supreme Court decision, the Legislature established the “Fair Housing Act,” P.L.1985, c.222, which empowered the Council on Affordable Housing (COAH) to assign municipalities affordable housing obligations; and

**WHEREAS**, as a result of COAH’s failure to carry out its statutory functions, on March 10, 2015, the New Jersey Supreme Court directed that municipalities file Declaratory Judgment Actions in the Superior Court, placing the determination of municipal housing obligations and approval of compliance plans in the hands of judges in each of the 21 counties in New Jersey; and

**WHEREAS**, the New Jersey State League of Municipalities and municipalities statewide have long called for comprehensive reforms to the Fair Housing Act to implement a reasonable and grounded state affordable housing policy which promotes rational planning, seeks to achieve results with available housing funding and incentives, encourages partnerships, and protects the interests of taxpayers; and

**WHEREAS**, in its March 2015 ruling the Supreme Court made clear that its decision did not, “prevent either COAH or the Legislature from taking steps to restore a viable administrative remedy that towns can use in satisfaction of their constitutional obligation. In enacting the [Fair Housing Act], the Legislature clearly signaled, and we recognized, that an administrative remedy that culminates involuntary municipal compliance with constitutional affordable housing obligations is preferred to litigation that results in compelled rezoning. It is our hope that an administrative remedy will again become an option for those proactive municipalities that wish to use such means to obtain a determination of their housing obligations and the manner in which those obligations can be satisfied”; and

**WHEREAS**, in the 2-1/2 years that have passed since the Supreme Court’s decision, both COAH and the Legislature have failed to act, leaving the complicated issues involved in affordable housing entirely to the courts to resolve on a case-by-case, piecemeal fashion, at exorbitant cost to the taxpayers, affordable housing advocates, and development community; and

**WHEREAS**, despite the expenditure of these exorbitant costs, only one case in the entire State has been tried in court that purports to determine a municipality’s affordable housing obligation, which case is still in litigation and far from being resolved; and

**WHEREAS**, although some municipalities have agreed, many under stress of continuing burdensome costs and extraordinary time and uncertainties, to a certain level of obligation within their communities by way of negotiated settlements of lawsuits, most municipalities in the State are still awaiting clear, definitive direction as to what their specific affordable housing obligation should be and what methods can be employed to meet those obligations; and

**WHEREAS**, the overwhelming majority of municipalities throughout the State are ready and willing to voluntarily comply with their affordable housing obligations without resort to protracted, costly litigation; however, that desire has been frustrated by the lack of action by COAH and the Legislature as well as the painfully slow progress and inconsistent rulings in the courts to resolve the issues surrounding affordable housing; and

**WHEREAS**, in order to expeditiously provide opportunities for affordable housing, municipalities must have clear, reasonable, achievable and realistic standards to guide municipal action; and

**WHEREAS**, the lack of progress over the last 2-1/2 years, and the prospect of many more years of litigation, overwhelmingly demonstrates the urgent need for the New Jersey State Legislature to take immediate measures to enact comprehensive reforms to the Fair Housing Act so as to achieve the goal of providing clear and realistic standards to establish reasonable and achievable municipal affordable housing obligations as well as to guide municipal action to satisfy those obligations;

**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 adopt and sign into law comprehensive reforms to the Fair Housing Act to provide clear and realistic standards to establish reasonable and achievable municipal affordable housing obligations as well as additional tools to satisfy those obligations; 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, the Commissioner of the Department of Community Affairs, the Governor-elect, the Lieutenant Governor-elect, the Lieutenant Governor and the Governor of State of New Jersey.

**Sponsors:**

The Hon. Janice S. Mironov  
Mayor, East Windsor Township  
Past President, NJLM

The Hon. Joseph Camarota  
Councilman, South Brunswick

The Hon. Paul Medany  
Mayor, Deptford

**Co-Sponsors:**

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

The Hon. Paul J. Vallone  
Mayor, Far Hills

The Hon. Mattais Schroeter  
Mayor, Glen Gardner

The Hon. Janice Kovach  
Mayor, Clinton Town

**New Jersey State League of Municipalities Conference Resolution No. 2017-08**

**Resolution Calling for Parity in the Thresholds of the  
Local Public Contracts Law and Pay-to-Play Law**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, the Local Public Contracts Law is the state law that determines the procurement process for local units of government, including municipalities, and establishes the dollar threshold at which a municipality must either solicit quotations or go out to bid; and

**WHEREAS**, there are various other state laws that impact the local procurement process with no consideration given to the Local Public Contracts Law triggering additional steps and/or documentation to the municipal procurement process; and

**WHEREAS**, unfortunately, the dollar thresholds for these laws vary and differ from the Local Public Contracts Law bid threshold; and

**WHEREAS**, one such law is the Pay-to-Play, administered by the Election Law Enforcement Commission, which pursuant to N.J.S.A. 19:44A-20.4, establishes their threshold at \$17,500; and

**WHEREAS**, as a result, there are now times, when a local unit could solicit quotes for a particular good or service, but because of the \$17,500 Pay-to-Play threshold there must be formal action by the governing body in the award of the quotation; and

**WHEREAS**, when Pay-to-Play law was enacted the Local Public Contracts Law bid threshold was \$17,500, therefore, the threshold in N.J.S.A. 19:44A-20.4 mirrored the \$17,500 bid threshold, however, what was overlooked was the statutory increase in the Local Public Contracts Law bid threshold increases every 5 years in direct proportion to the rise or fall of the index rate and rounded to the nearest \$1,000 (N.J.S.A. 40A:11-3 (c)); and

**WHEREAS**, since the enactment of the Pay-to-Play law the Local Public Contracts Law bid threshold has increased while the Pay-to-Play threshold remains the same;

**NOW, THEREFORE**, that the League of Municipalities, in conference assembled, calls for the enactment of common-sense legislation that links the Pay-to-Play threshold to mirror the Local Public Contracts Law bid threshold procurement thresholds while keeping the intent of each law intact; 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, the Commissioner of the Department of Community Affairs, the State Treasurer, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsor:**

The Hon. Brian C. Wahler,  
Mayor, Piscataway Township  
Past President, NJLM

**Co-Sponsor:**

The Hon. Richard F. Turner  
Mayor, Weehawken

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

**New Jersey State League of Municipalities Conference Resolution No. 2017-10**

**Calling on the Legislature to Permit On-line News Platforms to Qualify As  
Legal Newspapers for the Purpose of Municipalities Publishing Legal Notices**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**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 on-line reporting with fewer print pages; 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**, at the same time a recent PEW Research Center survey on the news habits and attitudes of U.S. adults ages 18 and older, conducted in association with the John S. and James L. Knight Foundation, found that 81% get some of their news through websites, apps, or social media, in fact, about four in ten often get their news online;

**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 on-line news platforms to publish official notices; 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, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsor:**

The Hon. Colleen Mahr,  
Mayor, Fanwood  
2<sup>nd</sup> Vice President, NJLM

**Co-Sponsor:**

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

**New Jersey State League of Municipalities Conference Resolution No. 2017-12**

**Resolution Calling for Tort Reform in Claims Against New Jersey Municipalities**

**Approved at the League Business Meeting, November 16, 2016**

**Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, millions of tax dollars are wasted annually on frivolous litigation against New Jersey municipalities; and

**WHEREAS**, attorney fee shifting under statutes including, but not limited to, New Jersey's Law Against Discrimination, New Jersey's Conscientious Employer Protection Act, and similar laws, make it extremely difficult to defend government at all levels against employment liability lawsuits and other such claims; and

**WHEREAS**, these fee shifting statutes encourage frivolous litigation as municipalities feel compelled to settle claims rather than risk the exposure to shifting fees; and

**WHEREAS**, as fee shifting only affects municipal defendants and not plaintiff claimants, there is no disincentive to plaintiffs to prevent bringing frivolous claims; and

**WHEREAS**, as a result, the cost of employment litigation has steadily increased over the past decade with much of these increased costs being legal fees; and

**WHEREAS**, fee shifting statutes, such as those mentioned above, create an incentive for plaintiff's attorneys to make unreasonable demands, thus increasing the number of hours spent on cases; and

**WHEREAS**, under current laws there is no relationship between the fees awarded to attorneys and the damages awarded to plaintiffs which further tends to encourage frivolous litigation; and

**WHEREAS**, unlimited fee shifting is inappropriate in governmental employee claims as these plaintiffs have other numerous protections.

**NOW, THEREFORE, BE IT RESOLVED**, by the League of Municipalities, in conference assembled that legislation should be advanced that would address tort reform and limit the scope of fee shifting in claims against municipal governments, by possibly capping legal fees, which would encourage earlier resolution of claims; and

**BE IT FINALLY RESOLVED**, that copies of this resolution be forwarded to the Department of Community Affairs, and the members of the New Jersey State Legislature, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsor:**

The Hon. Paul Medany,  
Mayor, Medford Township

**Co-Sponsor:**

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

The Hon. Paul Vallone  
Mayor, Far Hills

**New Jersey State League of Municipalities Conference Resolution No. 2017-13**

**Resolution Requesting an Examination and Consideration of  
Alternate Methods for the Funding of Public School**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, the State of New Jersey consistently ranks at our among the top states in the country for the highest property taxes; and

**WHEREAS**, the largest portion of that tax burden is for the funding of public schools; and

**WHEREAS**, the funding of public schools falls disproportionately heavy upon property owners and is therefore, a fundamentally flawed method for the funding of public schools since the burden could be more fairly disbursed over a broader spectrum of taxpayers if other funding sources were to be utilized in place of taxes on real property; and

**WHEREAS**, it is in the best interest of the residents of New Jersey to request an examination of alternate methods for the funding of public school education;

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled; requests that the office of the State of New Jersey re-examine the method by which New Jersey public school are funded and develops and implements new methodologies which will better spread out the burden over the greatest number of sources which will be fair, just, and in the best interests of our citizens and children.

**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 Commissioner of the Department of Community Affairs, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsor:**

The Hon. Gary Passanante  
Mayor, Somerdale  
NJLM Executive Board

**Co-Sponsor:**

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell  
  
The Hon. Mattias Schroeter  
Mayor, Glen Gardner

**New Jersey State League of Municipalities Conference Resolution No. 2017-15**

**Resolution Urging Legislature to Amend N.J.S.A. 40A:14-178 to  
Provide for Reimbursement to Municipalities for Police Recruit Training**

**Approved at the League Business Meeting, November 16, 2016  
Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, police officer recruits hired by municipalities are required to have extensive and costly training at police academies before being placed on active duty; and

**WHEREAS**, police recruits will undergo their training either through the Alternate Route program pursuant to N.J.S.A. 52:17B-69.1, in which the person who is not hired by a police department pays the cost, or by the municipality upon hiring, where the municipality pays the cost, and

**WHEREAS**, on occasion, police recruits, after completion of training, resign to transfer to another municipality for various reasons, including a higher starting salary or more generous contract; and

**WHEREAS**, the payment for the police training is currently governed by *N.J.S.A.40A:14-178*, which provides for reimbursement of the costs incurred by the former employee in the examination, hiring and training of the person, providing for total reimbursement where the position was held for 30 days or less and one-half reimbursement where the position was held or more than 30 days or less than two years; and

**WHEREAS**, this two-year time period should be expanded to allow for reimbursement paid by the employee to the municipality prorated over five years in accordance with the following formula:

Resign in Year 1	Reimburse Total Cost
Resign in Year 2	Reimburse 80% of Cost
Resign in Year 3	Reimburse 60% of Cost
Resign in Year 4	Reimburse 40% of Cost
Resign in year 5	Reimburse 20% of Cost

**NOW, THEREFORE, BE IT RESOLVED**, that the New Jersey State League of Municipalities, in conference assembled, urges the State legislature to amend *N.J.S.A.40A:14-178* to require that the first appointing municipality be reimbursed by the transferred employee for the cost of police academy training in accordance with the above schedule; 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, the Commissioner of the Department of Community Affairs, the Police Training Commission, the Lieutenant Governor, Lieutenant Governor-elect, the Governor and the Governor-elect of the State of New Jersey.

**Sponsors:**

The Hon. Joseph Kolodziej  
Councilman, Clifton

The Hon. James Anzaldi,  
Mayor, Clifton  
Past President, NJLM

**Co-Sponsors:**

The Hon. Richard F. Turner  
Mayor, Weehawken

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell

**New Jersey State League of Municipalities Conference Resolution No. 2017-16**

**In Appreciation of League President Albert Kelly, Mayor of the City of Bridgeton**

**Approved at the League Business Meeting, November 16, 2016**

**Approved by Resolution Committee, November 14, 2017**

**WHEREAS**, after serving as Council President on the City Council, the Honorable Albert Kelly was elected as the first African-American Mayor of the City of Bridgeton in 2010; and,

**WHEREAS** the Honorable Albert Kelly was elected President of the New Jersey State League of Municipalities in November 2016 and is now completing his term; and

**WHEREAS**, President Kelly' service to the League exemplifies the very best of high-minded goals and objectives of the League and its service programs; and

**WHEREAS**, President Kelly has been articulate voice on a host of issues important to municipal interests, such as continuation of the two percent cap on interest arbitration awards, the importance of preserving and value of urban enterprise zones, promoting a change in the culture of health in our communities, veterans issues and promoting youth involvement in public service; and

**WHEREAS**, President Kelly has well-served the municipal community as a spokesperson and advocate, carrying their concerns and issues to the Christie Administration, to the State Legislature and to the New Jersey Congressional Delegation; and

**WHEREAS**, President Kelly has a long and distinguished record of public service in addition to his service with the League, including founding and now serving as CEO of Gateway Community Action Partnership, Inc.; a non-profit social service organization serving over 56,000 low and moderate income residents in the Cumberland, Gloucester, Salem tri-county area; and,

**WHEREAS**, the League and the municipal community at large have been well guided by the leadership of President Kelly; and recognition of his outstanding service is most appropriate;

**NOW THEREFORE BE IT RESOLVED**, by the New Jersey State League of Municipalities, on the 16th day of November 2017 that we do extend to President Kelly sincere appreciation for years of dedicated administration, effective advocacy and untiring efforts to improve local government in New Jersey; and

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

**Sponsors:**

The Hon. James L. Cassella  
First Vice President,  
Mayor, East Rutherford

The Hon. Colleen Mahr  
Second Vice President,  
Mayor, Fanwood

The Hon. James Perry  
Third Vice President,  
Mayor, Hardwick Twp.

**Co-Sponsors:**

The Hon. Richard F. Turner  
Mayor, Weehawken

The Hon. Joseph Tempesta, Jr.  
Mayor, West Caldwell