



From: NJLM - Municipal Clerks [mailto:njlm-clerks@cityconnections.com]
Sent: Monday, December 21, 2009 3:24 PM
To: Lashway, Lisa
Subject: Two Issues

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LEAGUE ALERT

Municipal Clerk: Please forward to Mayor and Governing Body.

December 21, 2009

**Re: I IMPORTANT NOTICE – Postponed, ERG
Program on January 19, 2010**

**Re: II Legislative Alert – Three Land Use Bills to
Watch**

Re: I. IMPORTANT NOTICE – Postponed, ERG Program on January 19, 2010

The January 19th ERG Program has been postponed until further notice! As the 19th is now inauguration day for Governor Christie and we will not be able to hold the seminar as planned. Further details will be posted as they become available.

Re: II. Legislative Alert – Three Land Use Bills to Watch

Dear Mayor:

We would like to advise you of three land use bills that we anticipate some movement when the Legislature returns on January 4.

Extension of Wastewater Management Quality Plans

S-2985, which the League supports, extends for three years, until April 7, 2012, the period of time allowed to wastewater management planning agencies to prepare and submit a wastewater management plan or a wastewater management update to the Department of Environmental Protection. The bill further maintains the validity of wastewater service areas and sewer service areas during the extension. S-2985 was amended and approved by the Senate

Economic Growth Committee on December 14. It is poised for a vote by the full Senate in January. Companion legislation may also move in the Assembly in January.

Extension of Permits

S-3137, which the League is currently monitoring, amends the "Permit Extension Act of 2008" so that approvals extended by the original act to July 1, 2010 will again be extended to December 31, 2012. S-3137 was approved by the Senate Economic Growth Committee on December and may be approved by the full Senate in January. Companion legislation may also move in the Assembly in January.

Wind Power Bill Infringes on Local Zoning

The League opposes S-2528, which prohibits municipalities from adopting ordinances or resolutions regarding the installation and operation of small wind energy systems that "unreasonably" limit such installations or unreasonably hinder the performance of such installations."

Like the recent bill defining inherently beneficial uses, this legislation unnecessarily infringes on local zoning discretion. Obviously, the promotion of alternate energy sources, such as wind and solar, benefits all our residents and should be encouraged. But such encouragement should not conflict with local discretion, and the ability of local land use boards and governing bodies, to protect the interests of taxpayers.

S-2528 was approved by the Senate Budget Appropriations and will likely be scheduled for a full Senate vote in January. We recommend that you contact your State Senator and ask them to oppose S-2528.

Further, the Assembly companion legislation, A-3740, is assigned to the Assembly Housing and Local Government Committee and may be scheduled for a hearing in January. We also recommend contacting the Committee and your Assembly representatives and ask them to oppose A-3740.

For more information on these bills, please contact Mike Cerra at mcerra@njslom.com or at (609) 695-3481 x120.

Very truly yours,

William G. Dressel, Jr.
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