



From: NJLM - Municipal Clerks [mailto:njlm-clerks@cityconnections.com]
Sent: Tuesday, March 17, 2009 3:38 PM
To: Lashway, Lisa
Subject: Municipal Clerks from NJLM

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LEAGUE ALERT

Municipal Clerk: Please forward to Mayor and Governing Body.

March 17, 2009

Re: I. Governor Welcomes Budget Comments

Re: II Legislative Recap

- A. Pension Deferral Goes to Governor
- B. Senate Releases Qualified Purchasing Agent Mandate
- C. Age Restricted Housing Conversion Bill
- D. Commercial Fee Moratorium Passes Senate

Re: I. Governor Welcomes Budget Comments

Dear Mayor:

Making good on his commitment to listen to all constructive and realistic ideas on the FY2010 budget, Governor Jon S. Corzine opened up his State Web Site and his Facebook Page to questions and suggestions.

As he said in his budget address, "I'm open to ideas that are constructive and realistic, and this is just another way to ensure that everyone has a chance to be heard in this process. "I'm interested in what people have to say and taking some time to answer their questions in the coming days and weeks."

You can send suggestions to the Governor by either:

Posting them on his Facebook Page at: www.facebook.com/pages/Jon-Corzine/40803443433 or going to the Governor's State Website www.nj.gov/governor and clicking on the "Send Your Budget Suggestions" button.

Please share this with your fellow citizens and urge them to echo the League's call for relief from expensive State mandates.

Very truly yours,

William G. Dressel, Jr.
Executive Director

Re: Legislative Recap

- A. Pension Deferral Goes to Governor**
- B. Senate Releases Qualified Purchasing Agent Mandate**
- C. Age Restricted Housing Conversion Bill—A-3772 & S-2577 Heads to Governor
- D. Commercial Fee Moratorium Passes Senate**

Dear Mayor:

A. Pension Deferral Goes to Governor

Both the State Senate and the General Assembly have approved the re-crafted Pension Payment Deferral Option legislation, S-21/A-3868. We expect it to be signed by the Governor very soon.

For detail on the legislation, see our March 12 letter at <http://www.njslom.org/ml031209.html>. And a copy of the bill is available at http://www.njleg.state.nj.us/2008/Bills/S0500/21_I1.PDF.

The bill squeaked through the Senate on a 21-17 vote and passed in the Assembly, 42-36. We expect guidance on implementation from the Divisions of Pensions and Local Government Services, after Governor Corzine signs the bill into law. For more information, contact Jon Moran at 609-695-3481, ext. 121.

B. Senate Releases Qualified Purchasing Agent Mandate

Yesterday, the Senate approved by vote of 22-9, the bill which amends the Local Public Contracts Law to require the appointment of a qualified purchasing agent. Throughout the debate, the bill has been amended in attempts to render it more acceptable. The amendments have danced around the central theme of our opposition that when all is said and done and the dust settles, in the end, S-770 constitutes an unfunded mandate on certain local units.

In spite of amendments, the added burden of certification, training, increased spending by governmental agencies, increased salary requirements for purchasing agents (that are certain to follow) and replacing a flexibility now provided local units, with a mandate, remain most difficult for municipalities.

Unfortunately, we could not make an impression on the Legislature that it is unwise and unnecessary to impose an unworkable, unfunded mandate on property taxpayers already reeling from stress and anxiety over the state of our National, State and Local economies.

S-770, which was substituted by A-1645, was sent back to the Assembly for concurrence with amendments. Very likely, the concurrence will happen and the bill will proceed to the Governor's desk. We would hope the Governor will veto this legislation as an unfunded mandate since we strongly suspect that if enacted it will be challenged before the Council on Local Mandates.

For further information, contact Helen Yeldell at (609) 695-3481 ext. 112 or hyeldell@njslom.com

C. Age Restricted Housing Conversion Bill—A-3772 & S-2577 Heads to Governor

Companion bills, which allow for the change of a proposed age-restricted development to market units without age restrictions, for a two-year period, passed both Houses of the Legislature yesterday. A-3772 passed the Assembly by a two vote margin, while its Senate companion passed by one vote. We previously wrote you on these bills (please see our Dear Mayor letters of February 23, March 5 and March 12) and outlined the reasons for the League's opposition.

The League had pushed for the bill to be amended to be permissive, that is rely on the existing provision of the municipal land use law and provide incentives to local governments who allow the conversion. This would have allowed for partnership between the developer and the municipality, and offer a fully transparent process for the public. Unfortunately, the Legislature chose instead to offer a two-year window for developers to seek these conversions as a right.

This bill now heads to the Governor's desk for his consideration. For more on this bill, please contact Mike Cerra at mcerra@njslom.com or 609-695-3481 x120.

D. Commercial Fee Moratorium Passes Senate

Yesterday, the State Senate approved S-2485, which suspends the implementation of the 2.5% fee on non-residential development. The bill passed by a vote of 35-0. This legislation is co-sponsored by Senators Raymond Lesniak and Christopher Bateman.

The bill now heads to the Assembly for consideration. For more on this bill, please see our Dear Mayor letter of March 4.

Very truly yours,

William G. Dressel, Jr.
Executive Director

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