

Lashway, Lisa

From: NJLM - Municipal Clerks [njlm-clerks@cityconnections.com]
Sent: Tuesday, June 22, 2010 4:17 PM
To: Lashway, Lisa
Subject: S-1 COAH Reform



**Municipal Clerks
for Mayors, Elected Officials
and Staff**



June 22, 2010

RE: S-1, COAH Reform A-3055, Moratorium on Commercial Fee

Dear Mayor:

A-3055, which would extend the suspension of statewide non-residential development fee to October 30, was introduced in the Assembly yesterday. This bill has been being introduced because it appears as if the General Assembly may not approve S-1 before July 1.

While the League has some remaining concerns with S-1, which were outlined in our [June 18 Dear Mayor letter](#), there is no reason why the Assembly cannot prioritize S-1 and its Assembly companion immediately.

We view the proposed four-month extension of the commercial fee moratorium as yet another band-aid when there is dire need for comprehensive reform. While A-3005 may offer some temporary relief to some commercial developers, it does not provide the certainty needed and offers no relief to municipalities or taxpayers.

If you recall, the 2.5% non-residential development fee was implemented in P.L. 2008, c.46 ("A-500") but suspended a year later by P.L. 2009, c. 90, ("the NJ Stimulus Act of 2009") when only a fraction of the anticipated revenues were generated. At the time, the League supported the moratorium because of the downturn in the real estate markets and since municipalities were to be relieved of a housing obligation generated by a development if the State failed to provide replacement revenues. For more on the 2009 Stimulus Act, please see [our July 29, 2009 Dear Mayor Letter](#).

Now a year later, S-1 has passed the Senate but it appears as if the Assembly may delay reform to the fall and instead move remedial legislation for commercial developers.

We urge you to contact your Assembly representatives immediately and ask them to support comprehensive reform to the Fair Housing Act and to prioritize S-1 immediately.

Questions on this letter can be directed to Mike Cerra at mcerra@njslom.com or at 609-695-3481 x120.

Very Truly Yours,

William G. Dressel, Jr.
Executive Director

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