




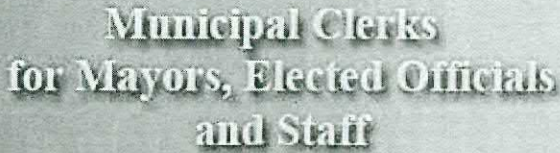

Masser, Michelle

From: Lashway, Lisa
Sent: Tuesday, August 31, 2010 3:13 PM
To: Sohl, Bill; Masser, Michelle
Subject: FW: Amicus Curiae and Other Updates

Lisa Lashway
Township Clerk
Township of Mount Olive
P.O. Box 450
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973-691-0900 Ext. 7290

From: NJLM - Municipal Clerks [mailto:njlm-clerks@cityconnections.com]
Sent: Tuesday, August 31, 2010 2:42 PM
To: Lashway, Lisa
Subject: Amicus Curiae and Other Updates

To view an online version of this email, click [here](#).



August 31, 2010

Re: I. League files *Amicus Curiae* Brief in Gannett v. Raritan

II. SADC seeks input for rules on alternative energy generation on preserved farms

III. EPA releases FY2011 Brownfield's Assessment

IV. League responds to Comptrollers report on abatements

Dear Mayor:

It's been a busy few weeks at the League of Municipalities. Here is a quick update on what we have been doing to advance the interest of municipalities.

I. League files *Amicus Curiae* briefThe League filed an *amicus curiae* brief in *Gannett v. Raritan*. *Gannett* newspapers had filed OPRA requests with several municipalities asking for payroll information in a specific electronic format. *Raritan* replied that they did not maintain the records in that format, but they would convert them if *Gannett* were willing to pay the special service charge allowed by statute. *Gannett* sued instead. The trial court agreed with *Raritan*, saying it was unfair to pass this cost on to taxpayers. *Gannett* has filed an appeal. No hearing date has been set yet. We will keep you updated on the progress of this case.

II. SADC seeks input for rules on alternative energy generation on preserved farmsMayors Jack Cimprich (Upper Pittsgrove), Joe Chila (Woolwich), and Philip Yetter (Hampton) headed a delegation of municipal officials that met with the Agriculture Department on Monday, August 30. The discussion focused on the installation of solar, wind, and biomass generation facilities on preserved farmland. The State Agriculture Development Committee sought input on rules and regulations needed to implement the law to ensure that it is fair to both farmers and neighbors. If you have any questions on this issue or suggestions on what should be included in the rules, please contact League Staff Attorney Matthew Weng at mweng@njslom.com.

III. EPA releases FY2011 Brownfields AssessmentEPA has released the FY2011 Brownfields Assessment, Revolving Loan Fund and Cleanup Grant Guidelines - Request for Proposals. These grants may be used to address sites contaminated by petroleum and hazardous substances, pollutants, or contaminants (including hazardous substances co-mingled with petroleum). Opportunities for funding are as follows: Brownfields Assessment Grants (each funded up to \$200,000 over three years; coalitions

are funded up to \$1,000,000 over three years), Brownfields Revolving Loan Fund (RLF) Grants (each funded up to \$1,000,000 over five years) and Brownfields Cleanup Grants (each funded up to \$200,000 over three years). The proposal deadline is October 15, 2010. Complete information is found at <http://www.epa.gov/brownfields/applicat.htm>. These grants have been a significant resource for New Jersey communities addressing the remediation and reuse of our many brownfield sites. We encourage you to consider application.

IV. League responds to Comptrollers report on abatementsThe League also responded to the recent report by the comptroller criticizing municipalities' use of abatements. We responded by saying: "The suggestion, however, that counties and school districts somehow suffer because of abatements fails to account for the fact that municipalities alone bear the burden for uncollected property taxes and for successful tax appeals. We fear that increased involvement by these entities and greater State oversight will only further delay and discourage local development initiatives, which are vital for producing immediate jobs for our fellow citizens and long-term ratable growth. Abatements, particularly long term PILOTs (payments in lieu of taxes) are a very positive economic engine for governments to cooperate with and encourage development and investment of private capital into their community." Our full response can be found at <http://www.njslom.org/press-releases/pr-081810.html>

As always, we will continue to update you on these and other developments important to towns. If you have any questions or need further information, please do not hesitate to contact us at 609-695-3481.

Very truly yours,

William G. Dressel, Jr.

Executive Director

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