



From: NJLM - Municipal Clerks [mailto:njlm-clerks@cityconnections.com]
Sent: Tuesday, January 06, 2009 12:24 PM
To: Lashway, Lisa
Subject: Municipal Clerks from NJLM

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LEAGUE ALERT

Municipal Clerk: Please forward to Mayor and Governing Body.

January 6, 2009

**Re: I Affordable Housing/COAH Update
NJLM Brief Filed**

Re: II Free Guide to Energy Security

**Re: III CY 2008 Length of Service Award
Programs (LOSAP) Cost of Living
Increase Notice**

Re: I Affordable Housing/COAH Update NJLM Brief Filed

Dear Mayor:

Yesterday, the League filed its brief challenging the validity of the “third round” regulations promulgated by the Council on Affordable Housing (COAH.) January 5 was the filing deadline for the “institutional appellants,” including the League, the New Jersey Builders Association (NJBA), the National Association of Industrial and Office Properties (NJ-NAIOP) and the Fair Share Housing Center (FSHC.)

We have posted a copy of the League’s brief online. To download, you can either [click here](#), or visit our COAH Resources page. Since the brief and appendix is lengthy (131 pages) we have also posted an [Executive Summary](#) of the brief online. To download the Executive Summary, you can [click here](#) or also go to our COAH resources page. The League’s brief was prepared by Edward J. Buzak, Esq. and Susan Crawford, Esq. of the Buzak Law Group. We thank them for their hard-work and commitment to these efforts.

To date, 251 municipalities have made or pledged financial contributions towards the League's challenge of the regulations.

As you know, despite overwhelming support for a delay in the December 31 deadline from the League as well municipal and legislative leaders, COAH refused to consider such an extension. Unfortunately, the result of this will be more taxpayers funded expenditures on these plans when the regulations are again changed as a result of PL 2008, c. 46, any forthcoming legislative amendments and actions directed by the Courts. COAH's actions, however, are not directly linked to the 24 appeals to its regulations, and the challenges proceed.

The next step in the process comes in early February, when all the other appellants file their briefs challenging the COAH regulations. This group of appellants includes a coalition of 20 municipalities led by Clinton Township ("the Clinton Coalition") and more than a dozen other individual municipalities who filed their own appeals.

The response filed by the Attorney General's office, on behalf of COAH, is due in early March. Then all the appellants, the League included, have until early April to file their response briefs.

At this point, any guess as to when an oral argument would be scheduled is purely speculative. It is conceivable that such an oral argument could be scheduled shortly after the submission of the response briefs, and a decision from the Appellate Division in the spring. It is equally conceivable that oral arguments could be scheduled for September, and a decision issued late in the year. We continue to operate under the assumption that the Court, due to the importance of the case, will expedite the matter.

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

Re: II Free Guide to Energy Security

The Public Technology Institute has published a new publication on energy security for cities and counties: *Local Government Energy Assurance Guidelines*. This publication is available at no charge, and underscores the importance of preparing an energy assurance plan, as well as offers a model tool to help officials assess their readiness in case of an energy emergency in their community.

Download the *Local Government Energy Assurance Guidelines* for free at www.pti.org/docs-sust/LocalGovernmentEnergyAssuranceGuidelines.pdf.

Re: III CY 2008 Length of Service Award Programs (LOSAP) Cost of Living Increase Notice

Dear Mayor:

The Division of Local Government Services has issued the annual Local Finance Notice concerning the annual cost of living increases for Length of Service Award Programs (LOSAP) for volunteer fire and first aid organizations. Local Finance Notice 2008-26 also includes general information about LOSAPs and their management.

Please share this Notice with appropriate individuals. It can be viewed at: <http://www.state.nj.us/dca/lgs/lfn/lfnmenu.shtml>

Questions concerning this Notice can be e-mailed to dlgs@dca.state.nj.us.

Thank you for your attention to this issue.

Very truly yours,

William G. Dressel, Jr.
Executive Director

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