

RESOLUTION 2012-215

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the state is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, while the State may need to have the right to over-ride the statutory dedication of these revenues to local governments, in order to deal with emergencies and crisis that may occur; current State policy makers should not exercise that right automatically; and

WHEREAS, while that right should be the exception, it has become the rule; and

WHEREAS, by using tactics such as reducing CMPTRA, which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, from \$72 million in State Fiscal Year 2005 to \$505 million in State Fiscal Year 2011, the State's diversion of Energy Taxes has continued to grow; and

WHEREAS, in 2008, 2009 and 2010 (SFY 2009, 20120 and 2011), funding for municipal revenue replacement was slashed by about \$26 million in 2008 and \$32 million in 2009, followed by losses of about \$271 million in 2010; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use for theses resources, which were always intended to fund local programs and services;

NOW, THEREFORE, BE IT RESOLVED, by the members of the Township Committee of the Township of Barnegat that we join with the League of Municipalities, and the Ocean County Mayor's Association in calling for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

BE IT FURTHER RESOLVED, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be provided by the Municipal Clerk to each of the following:

- a. The Honorable Chris Christie, Governor of the State of New Jersey
- b. The Honorable United States Congressmen, Jon Runyan and Christopher H. Smith
- c. The Honorable United States Senators Robert Menendez and Frank R. Lautenberg
- d. The Honorable State Senators Christopher J. Connors, James W. Holzapfel, Robert W. Singer and Samuel D. Thompson
- e. The Honorable State Assembly Members Diane C. Gove, Brian E. Rumpf, David W. Wolfe, Sean T. Kean, David P. Rible and Ronald S. Dancer
- f. The Honorable Ocean County Board of Chosen Freeholders
- g. All Ocean County mayors
- h. The New Jersey State League of Municipalities
- i. The New Jersey Conference of Mayors

CERTIFICATION

I, Sharon L. Auer, Acting Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing Resolution was duly adopted by the Township Committee at their regular meeting held on the 2nd day of April, 2012 at the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005

Sharon L. Auer
Acting Municipal Clerk