



# Government Affairs News

News for New Jersey Members on Legislation, Regulations, Legal Action & Codes

Michael G. McGuinness, Chief Executive Officer • Barbara A. Morford, Editor

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January 11, 2012

*Daily Updates at [www.naiopnj.org](http://www.naiopnj.org)*

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5:30 PM, Sheraton Meadowlands  
**Information – Networking – CEUs!**

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Assembly Republican Leader Alex DeCroce (center) at the 2010 Public Policy Symposium with Rick Cureton and Joe Morris.

## Master Sponsors 2012





## Annual Meeting & Commercial Real Estate Forecast January 24, Sheraton Meadowlands: Earn CEUs

***The information, contacts & education you need for a successful start to the New Year!***



**Network with hundreds of your colleagues! Earn the continuing education credits you need\*! Hear from the experts:**

Has the recovery finally taken hold? Will industrial keep up the momentum? When will office rents rise? Is New Jersey winning the war for jobs? What's trending in mixed-use?

- **Andrew Houston, Cassidy Turley (moderator)**
- **Dr. James Hughes, The Bloustein School at Rutgers**
- **Brian Townsend, CenterPoint Properties**
- **Ed Russo, Russo Development**
- **John Orrico, National Realty & Development Corporation**

The first big networking event of 2012, NAIOP NJ's Annual Meeting & Commercial Real Estate Forecast, is an

outstanding networking opportunity for Developing Leaders, so be sure to register your "35 and under" colleagues. The event begins at 5:30 PM with cocktails and networking, followed by dinner and the program, which will include the election of the 2012 NAIOP Officers and Trustees, as well as the announcement of the recipients of the 25<sup>th</sup> Annual Commercial Real Estate Awards, to be presented at the Gala on May 17. The winner of the Gala Design Competition and the winning design will also be revealed. \$145 for Members and employees of a [Corporate Member Firm](#) /\$170 for Colleagues employed with a member's firm (subject to verification)/\$225 for Non-Members. Not a member? [Join now](#) and get the best price for this event! For sponsorship information, please contact Bonnie Sovinee at 732-729-9900.

*\*Brokers: 1 CE credit (pending)  
Accountants: 1 CPE credit (approved)  
Planners: 1 CM credit (pending),  
Engineers: 1 CPC credit (pending)*

## Action in Trenton & Policy News

**Sudden Passing of Alex DeCroce Shocks Trenton** Long-time Assemblyman Alex DeCroce died suddenly on January 9 just minutes after the 214<sup>th</sup> Legislature concluded its final voting session. DeCroce, who was 75, began serving the 26th Legislative District in the Assembly in 1989 and was the Assembly Minority leader since 2003.

Assemblyman DeCroce was a frequent speaker at NAIOP NJ policy events and a strong supporter of legislation to benefit the commercial real estate industry. He rarely missed attending

the Commercial Real Estate Awards Gala to offer his congratulations to the honorees.

Among his legislative achievements, DeCroce sponsored a law that renewed the state Transportation Trust Fund, dedicated motor fuels tax for transportation projects, and amended the state Constitution to protect and strengthen the rights of crime victims. One of his last actions was to vote YES on NAIOP-backed A-4335, Water Quality Management Planning legislation, of which he was also a sponsor.

Governor Christie postponed his January 10 State of the State Address due to the passing of his close friend.

**Water Quality Management Planning** legislation (S-3156 Sarlo/A-4335 Coutinho) passed both houses of the Legislature on January 9 and now goes to Governor Christie's desk for signature. The measure would extend the requirement of wastewater management planning agencies to establish or update wastewater management plans by 6 months from date of enactment, keep existing plans in place, allow for plan amendments to

continue, and give the DEP Commissioner discretion to further extend the deadline for planning agencies by another 18 months.

The WQMP legislation is necessary to provide some certainty and relief to property owners and the public in this period of very slow economic recovery. The 2008 WQMP rules required all 21 counties to prepare wastewater treatment plans by April 7, 2009. Local and state planning officials have already spent a great deal of time and resources to collect data, prepare detailed sewer maps and respond to the public's questions. However, significant work still must be done before new wastewater management plans will be in place across the State.

Given the unrealistic deadline set by the WQMP rules, it is important that the Governor sign this legislation to grant more time for the NJ Department of Environmental Protection and counties to continue their work. In the absence of legislative action, the NJDEP could either withdraw sewer service areas, or force reliance on plans based on faulty data and inaccurate assumptions--a catastrophe for the State's economy.

The WQMP legislation will maintain sewer service areas, protect financial investments in infrastructure, uphold environmental standards and restore certainty to landowners and towns, as a comprehensive statewide approach to the treatment of wastewater is thoughtfully developed and implemented. Read the [WQMP Legislation](#) as passed.

**Governor Christie Signs Grow NJ Incentive Bill** Backed by NAIOP NJ and the Smart Growth Economic Development Coalition, the Grow NJ Incentive program is now law (P.L. 2011, c.149). "Through the creation of Grow NJ, we are ensuring that critical economic development projects are moving forward and that businesses are staying, growing and creating jobs for New Jerseyans," said Governor Christie as he signed S-3033 on

January 6. "Expanding the reach of these job-creating incentives will put people to work now in construction jobs and create long-term, permanent jobs for our families. This bipartisan bill puts into action an initiative of my Administration that recognizes and builds on the success of the Urban Transit Hub Tax Credit, while increasing the competitiveness of New Jersey as a business-friendly environment for job growth."

The Grow NJ program provides areas of New Jersey not currently eligible for the Urban Transit Hub Tax Credit (UTHTC) with a comparable business incentive program, allowing them to compete for new development, the retention of jobs and reinvestment. Since the Grow NJ's tax credit allocation of \$200 million falls under the \$1.5 billion total tax credit cap already provided for in the Urban Transit Hub Tax Credit Act, the program will not result in any new costs to the State. Under Grow NJ, an eligible business will receive an annual tax credit of \$5,000 - \$8,000 for ten years for each full-time job created or retained. A business would be eligible for a Grow NJ tax credit if it retains 100 full-time jobs or creates at least 100 full-time jobs in an EDA-designated desirable industry and in addition to job creation/retention also makes a capital investment of at least \$20 million in a qualified incentive area.

S-3033 also makes changes to eligibility requirements for the Urban Transit Hub Tax Credit program to expand the program's use in retaining and attracting jobs to New Jersey, including the addition of medical facility sites, vacant hospital sites, and federally designated CHOICE neighborhoods within 1 mile of a rail station in a UTHTC city. Primary Sponsors of S-3033/A-4306 include Senators Ray Lesniak and Joe Kyrillos, and Assemblyman Al Coutinho.

**215<sup>th</sup> Legislature Convenes** Subdued swearing in ceremonies marked the start of the 215<sup>th</sup> session of the New

Jersey Legislature on January 10. Before swearing in members for the new session, lawmakers observed a moment of silence for Assemblyman Alex DeCroce.

Senator Stephen Sweeney took the oath of office for his second term as Senate president and Senator Loretta Weinberg was sworn in as Majority Leader, replacing Senator Barbara Buono (D-Middlesex). Tom Kean remains the Republican Leader in the Senate.

Assemblywoman Sheila Oliver (D-34) was sworn in for her second term as Speaker of the General Assembly, and Assemblyman Lou Greenwald (D-6) was sworn in as the new Assembly Majority Leader, replacing Assemblyman Joe Cryan (D-20).

The Assembly Republican Leader seat held by the late Alex DeCroce will remain vacant. Republican committee members from the Morris, Essex and Passaic County towns he represented have 35 days to choose a temporary replacement, and Assembly Republican Director Rick Wright said they had not yet begun to discuss who the new minority leader would be.

**Permit Extension Act Pre-Filed** The measure would extend the validity of permits and approves through the end of 2014. NAIOP NJ is working with sponsors and legislative leaders to ensure the bill is considered early in the new session.

#### **More information on the new legislative session:**

215<sup>th</sup> Legislature [Leadership](#)  
215<sup>th</sup> Legislature [Roster](#)  
215<sup>th</sup> Legislature [Senate Committees](#)  
215<sup>th</sup> Legislature [Assembly Committees](#)  
215<sup>th</sup> Legislature [Joint Committees](#)

A new date for Governor Christie's State of the State address has not yet been announced.

### **Time Is Running Out to Qualify to Attend the First Big Public Policy Event of 2012 at Half Price!**

Members who pay their 2012 annual dues by **January 15** will be eligible to register for the March Public Policy Symposium at a **50% discount!** Renewal notices were sent in October. If you have any questions about your membership status, please contact Bonnie Sovinee at 732-729-9900.

## Association News



25  
YEARS



## Call for Entries: Deal of the Year Awards!

**Deadline is February 17, 2012**

Nominations are now open for the NAIOP NJ Annual Deal of the Year Awards. Among the most coveted honors in the real estate community, the Deal of the Year Awards will be presented at the 25th Annual Commercial Real Estate Awards Gala on May 17 at the Palace at Somerset Park. Pictured are last year's winners for Creative Industrial, the Macy's Parade Studio team.

Up to three Deal of the Year Awards will be presented: **Economic Impact**; **Creative Office**; and **Creative Industrial**.

An independent panel of judges will evaluate the merits of all submissions and their impact on the community and the real estate market. All deals submitted for consideration must have a commercial (office/ industrial) component. Finalists in all categories will be asked to make an in-person presentation before the judges. At least one principal partner in the deal must be a NAIOP New Jersey member in good standing (currently and at the time of the deal), and all deals must have been completed by December 31, 2011.

There is no limit to the number of deals that may be submitted by any one entity, and deals may be submitted for one or more categories. **The deadline for submissions is Friday, February 17.** For a submission form, please visit [www.naiopnj.org/25Gala](http://www.naiopnj.org/25Gala), or contact Bonnie Sovinee by phone (732-729-9900) or email [sovinee@naiopnj.org](mailto:sovinee@naiopnj.org). Finalists will be announced in March. The winners will be revealed at the Gala on May 17.

The Gala Committee is co-chaired by Gretchen Wilcox of G.S. Wilcox & Co., Bill Hanson of NAI James E. Hanson, and Clark Machemer of Rockefeller Group Development Corporation. The members-only Gala ticket pre-sale begins January 25 and ends on The Ides of March (March 15). Ticket sales will open to the public on March 16.

### You Could Attend the Gala for Free!

**Members who pay their 2012 annual dues by January 15 will be entered into a drawing for a FREE GALA TICKET!** Renewal notices were sent in October. If you have any questions about your membership status, please contact Bonnie Sovinee at 732-729-9900.

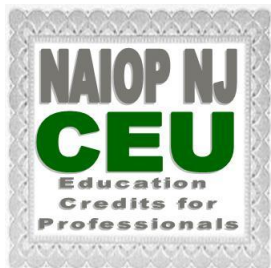
## Preparing For Mandatory LSRP: February 17 Seminar Will Feature Site Remediation Updates, Roundtables with Industry Experts, CEUs

New Jersey's site remediation landscape changed dramatically with the passage of the Site Remediation Reform Act. Whether you are an environmental professional or a business or property owner, **March** and **May of 2012** will bring unprecedented and **mandatory** changes to the way site remediation is performed (mandatory time frames and mandatory use of a Licensed Site Remediation Professional), and **ignorance could cost you up to \$25,000 per violation**.

Mark your calendar for February 17 and plan to attend NAIOP NJ's seminar "Mandatory LSRP Update & Roundtables with Industry Experts" at the NJ Institute for Continuing Legal Education in New Brunswick (registration begins at 7:45 AM, program begins at 8:30 AM). The program will begin with a general session presentation from some of top site remediation consultants in New Jersey: Jorge Berkowitz of Langan Engineering & Environmental Services; David Roth of Greenbaum Rowe Smith & Davis; Rich Ericsson of Cole Schotz Meisel Forman & Leonard; Sean Monaghan of Drinker Biddle & Reath; and Andrew Robins of Sills Cummis & Gross. They will discuss the most important issues facing those remediating sites and answer the most pressing questions:

- What happens if I take over a site which is rapidly approaching a regulatory or mandatory timeframe?
- Does the clock reset upon the takeover or does it continue to run?
- What do I look for in hiring an LSRP?
- Do I use an LSRP for performing my Due Diligence?
- What obligations does the LSRP have that could be contrary to my best interest?
- Are previously issued "No Further Action" determinations untouchable?
- What is the overall structure of the new program relative to roles and responsibilities?

After the general session, you will have the opportunity to participate in several small-group Roundtables with Industry Experts on topics including Post-Remediation Site Care, LSRP in More Detail, an Update on Insurance and Retirement & Estate Planning and more. Registration will open soon. Watch your email and [www.naiopnj.org](http://www.naiopnj.org) for details.



## Continuing Education Update

◀ Look for this logo on NAIOP NJ events that offer continuing education credits.

NAIOP NJ offers Continuing Education Credits for several professions to allow licensed real estate brokers, attorneys, professional planners, accountants and civil engineers to earn required credits for attending our seminars. Our January 24 Commercial Real Estate Forecast has been approved for 1 CEU for Accountants, and has applied for CEU credit for Licensed Real Estate Brokers & Salespersons, Professional Planners and Engineers.

We have devoted a section of our website to this information: [www.naiopnj.org/ceu](http://www.naiopnj.org/ceu). This section includes general information, upcoming CEU programs, an FAQ page, and a dedicated page for each discipline. Contact Education Coordinator [Mark Russo](#) for more information (732-729-9900).

## Welcome to Our Newest Members

The New Jersey Chapter has welcomed the following new members since our last issue:

- TD Bank is our newest Corporate Member
- Jordan Shea, TD Bank
- Mark Santasieri, TD Bank
- Roy Chin, TD Bank
- Ken Oettinger, H& C Metals, Inc.
- Lisa Fisher, Paulus Sokolowski & Sartor
- Dani El-Haj, Two River Community Bank
- Marc Lebovitz, Woodmont Industrial Partners
- Monica Thatcher, Maser Consulting PA
- Andrea Kelliher, Mercadien Technologies
- Alex Previdi, Cassidy Turley

**Not a member?** Read about the many benefits of membership [here](#).

## Do You Need Professional Help?

Are you looking for a Broker, Attorney or Engineer? It's good business to do business with your fellow NAIOP NJ members! Log in at [www.naiopnj.org](http://www.naiopnj.org) to access the [New Jersey Chapter Member Directory](#) and find the professionals you need.

## New at [www.naiopnj.org](http://www.naiopnj.org)

Check out our Weekly Update for information on the 215<sup>th</sup> Session of the New Jersey Legislature. Our Continuing Education section has been expanded to include an FAQ page and individual pages for each profession. "In case you missed it" in our members-only section has been updated with speaker presentations from our October Social Media for Real Estate Professionals seminar and our December Transportation & Logistics Update seminar. Also, see photos from the 7<sup>th</sup> Annual President's Awards & Hall of Fame Dinner [here](#).

**January 24**

**Annual Meeting & Commercial Real Estate Forecast**

5:30 PM, Sheraton Meadowlands

**February 17: Seminar (7:45 AM)**

**LSRP- Legal Lessons Learned & Roundtables with Industry Experts**

NJ Institute for Continuing Legal Education, New Brunswick  
Registration opens soon!

**March (6<sup>th</sup> or 7<sup>th</sup>, TBA): Public Policy Symposium**

**May 17**

**The 25<sup>th</sup> Annual Commercial Real Estate Awards Gala**

The Palace at Somerset Park

**June 14 & 15**

**I.con The Industrial Conference for Commercial Real Estate**

Hyatt Regency Jersey City

**September 24, 2012**

**NAIOP NJ Annual Golf Classic**

Trump National Golf Club, Bedminster