

A Resolution Urging the Legislature to Amend S-716, S-477 and S-1766

WHEREAS, while it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

WHEREAS, while it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

WHEREAS, under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

WHEREAS, without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

NOW THEREFORE BE IT RESOLVED by Mayor Hemant Marathe and the Township Council of West Windsor that:

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evidence establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and
- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation in the 15th District, the Governor, the Senate President and the Speaker of the Assembly.

Adopted: June 25, 2018

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 25th day of June 2018.

Sharon L. Young
Township Clerk
West Windsor Township