



[Click to view newsletter archives](#)

View a Featured Ad at the End of this Email.

## January 17, 2020

- I. State Issues
- II. Federal Issue
- III. Annual League Conference
- IV. Also of Interest

**Municipal Clerks:** Please forward to your Mayor, Governing Body and Department Heads.

On behalf of League President Jim Perry, League Vice-Presidents Janice Kovach, Bill Chegwiddden and Sue Howard, the Members of our Executive Board, and the entire League staff, we welcome (and welcome back) all new and returning local elected officials, who swore their Oaths of Office, as this new year begins. We are here to help you in any way we can. Please visit our website, subscribe to our electronic publications, attend our educational programs, and call or e-mail us if you need any assistance during your terms in office. And if you're ever in Trenton, please stop by the office. We salute you and we thank you for your willingness to serve.

We would like to call your attention to the invitation of the NJLM's Women in Municipal Government Committee (WIMG) for municipalities to light up their public spaces in purple to celebrate the 19<sup>th</sup> Amendment's ratification centennial. Please see below for additional details.

### I. State Issues

#### a. Governor Delivers State of the State

Following the swearing in of the new Legislature, Governor Phil Murphy delivered his second State of the State Address to both houses of the new Legislature. The Governor's remarks, as prepared, [are posted online](#) as is [the video of the address](#).

Sadly, no mention was made of the State's continuing diversion of municipal property tax funding, in order to address other State-level priorities. Important municipal property tax relief funds collected by the State are, according to the statutes, supposed to be distributed to municipalities. The last time the State increased municipal distribution consistent with the statutes was 2001. And between 2008 and 2010, when State revenues declined due to the Great Recession, roughly \$320 million were used to address the State's losses. Every municipality in New Jersey absorbed a part of that loss. Not one dollar of that \$320 million has ever been restored.

Next month, the Governor will present his plans for the State's next (FY 2021) Fiscal Year to the Legislature. The Senate and the General Assembly will need to pass the Appropriations Act by June 30.

Please contact your State legislators and urge them to support restoration of, at least, the \$320 million that was 're-purposed' in 2008, 2009 and 2010.

**Contact:** Jon Moran, Senior Legislative Analyst, [jmoran@njlm.org](mailto:jmoran@njlm.org), 609-695-3481 x121.

## **b. Lame Duck Round-Up.**

The 218<sup>th</sup> Legislature finished its business on Monday, and the 219<sup>th</sup> Legislature was sworn in on Tuesday. In its closing hours, there was the expected flurry of legislative activity. Here's a rundown of bills and issues of interest that were considered, acted on or died in lame duck. As noted below, there are many bills on the Governor's desk so this will be updated and revised in about a week.

### **Expansion of 20 and Out Does Not Advance**

Thank you to Mayors and local officials statewide who reached out to their State Senators to express concerns with legislation that would have expanded "20 and out" for police and fire. While the bill passed the Assembly, it did not advance in the Senate and died with the end of the legislative term.

This bill would create an additional category of service retirement for Police Fire Retirement System (PFRS) employees. Under the bill, a PFRS employee who is enrolled before or after the bill's effective date may retire, regardless of age, upon attaining 20 or more years of service credit and would receive a retirement allowance equal to 50% of the member's final compensation.

The League opposed this legislation and cited the December 12 [statement from the Assembly Appropriations Committee](#) on the Assembly companion bill, [A-6024](#), which included a fiscal impact analysis prepared by the non-partisan Office of Legislative Services (OLS). The OLS analysis stated that the bill "...will have a significant, indeterminate fiscal impact, likely in the hundreds of millions of dollars, on both the State and local portions of the PFRS pension funds and the unfunded liability costs that would be charged to the State and local government entities to fund the unfunded liability created by the bill."

The public safety unions have taken issue with the OLS analysis and have countered with their own, which we are currently reviewing. We do expect the issue to return in the new session.

### **Marijuana Legalization Headed to the Ballot**

As expected, both houses of the State Legislature voted Monday to place a question on the November 2020 ballot asking the citizens of the State to approve the legalization of marijuana. The measures both passed the respective houses by a 3/5<sup>th</sup> majority, which means they do not need to act again, [and the measure heads to the ballot in November.](#)

### **Expungement Expansion Approved and Signed into Law**

Both houses passed, and the Governor signed into law, [S-4154](#), which took effect December 18, 2019, which establishes a process for individuals to seek a “clean slate” expungement. Additionally, the law directs a task force to develop and the Administrative Office of the Courts to implement an automated clean slate expungement system. The new law also requires that low-level marijuana convictions be sealed, and requires the creation of an e-filing system, eliminating fees to petition for an expungement.

This issue emerged as a top priority, particularly for urban Mayors, during the debate on cannabis legalization.

The provisions of this new law include:

- The waiting period before being able to seek an expungement for certain minor crimes is reduced from 6 to 5 years; and, lowers from 5 years to 4 years the waiting period for a public interest expungement;
- The possession or distribution of 5 pounds or less of marijuana or 1 pound or less of hashish would be changed from a crime to a disorderly persons offense; and
- Eliminate the existing \$75 filing fee for all expungement applications; the bill includes a \$15 million appropriation for, among other things, the Administrative Office of the Courts to develop a web-based system for all expungement filings.

### **Governor Signs Bill Allowing Municipalities to Access Property for Lead Line Replacement**

The Senate and Assembly approved, and the Governor signed legislation that would give municipalities the authority to adopt ordinances allowing access to private property for the replacement of lead service lines.

[S-4110](#), which the League supported, provides clear authority allowing a municipality to pass an ordinance allowing the municipality, municipal water system, or an agent thereof to enter onto property within the municipality to perform lead service line replacement. The legislation requires that the municipality provide notice to the property owner at least 72 hours prior to entering the property. This new law took effect on January 9, 2020.

### **Plastic Bag Ban Dies in Assembly**

On Monday, the State Senate approved [S-2776](#) – the bill which aims to ban the commercial use of single-use foam, paper, and plastic food and grocery containers. The bill would, after two-years, supersede local ordinances and impose a State-wide ban on those products.

However, at the League’s urging, the bill provided that any local ordinances, currently on the books or passed in the interim, would remain in effect for two years after the bill would be signed by the Governor.

The Assembly did not take up the bill for consideration, and it died.

The Senate proposal would allow customer access to single-use plastic straws. Further

grocers would not be required to provide free reusable bags to customers, during the first two months of the ban's implementation. The bill calls for a three-year program to provide reusable bags to lower-income residents, which would be allocated \$500,000 a year.

### **OPRA and OPMA Bills See No Action**

The expected push for a floor vote on the bills to change OPRA and OPMA never materialized thanks to the continued efforts of the League and Mayors statewide.

### **Bills on the Governor's Desk**

Currently, [there are over 200 bills on the Governor's desk and he has about a week to act](#). These bills can be signed into law or pocket vetoed. There is a provision for a bill to be conditionally vetoed and returned to the new Legislature, but it is unlikely any would go that route.

The Governor has taken action on a number of bills, which are highlighted in a [recent Town Crier blog post](#).

We will provide another update after the deadline for the Governor to act.

**Contact:** Michael F. Cerra, Assistant Executive Director, [mcerra@njlm.org](mailto:mcerra@njlm.org), 609-695-3481 x120.

### **c. BPU Seeking Stakeholder Input on LED Streetlight Conversion and Tariffs**

Earlier this week the Board of Public Utilities (BPU) announced they would be hosting a [stakeholder meeting](#) seeking input regarding LED streetlight conversion and tariffs.

Municipalities are a key stakeholder in this issue and your own experience and input is critical to the BPU's process. At our 2019 Conference, the League adopted [Conference Resolution 2019-21](#), which supports the revision of public utility tariffs to incentivize and increase the usage of LED streetlights. Please see the [BPU's notice](#) for more information on the input sought.

A public meeting is scheduled for 10 a.m. on Tuesday, February 6 at Thomas Edison University in Trenton. Written comments can be submitted to Aida Camacho-Welch, Board Secretary, NJ BPU, 44 South Clinton Avenue, 9<sup>th</sup> Floor, Trenton, NJ 08625. Written comments may also be submitted electronically to [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov). All comments must be received on or before 5 p.m. on February 21, 2020.

We encourage our members to share their experiences with LED streetlight conversion and to participate in the stakeholder process with the BPU. If you plan on submitting written comments we ask that you forward a copy to the League as well.

**Contact:** Frank Marshall, Esq., Associate General Counsel, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481 x137.

### **d. Treasury Funding Release Reported**

Politico has reported that the NJ Department of the Treasury will be releasing the balance of the \$235 million that the Governor [placed in reserve](#), when he signed the State budget last June. His decision to hold off on the distribution of those funds, which had been

appropriated by the legislation, was based on concerns that the State might not collect needed revenues and/or that savings projected in the budget might not be realized.

Back in October, and thanks to the State hitting revenue collection targets, Treasury released \$114 million of \$235 million. According to Politico's sources, the remaining \$121 million could be released on Thursday.

The League had objected when vital revenues that had been appropriated for the Transitional Aid Program were included among the reserved funding. We are gratified that full funding will now be available to our most needy towns.

**Contact:** Jon Moran, Senior Legislative Analyst, [jmoran@njlm.org](mailto:jmoran@njlm.org), 609-695-3481 x121.

## **II. Federal Issue**

### **a. NLC Looks to Focus Federal Office Seekers on Local Needs**

Our partners at the National League of Cities (NLC), the umbrella association which represent all of the states' municipal leagues in Washington, has launched its effort to bring municipal concerns to the attention of candidates seeking election to federal office, in November of this year. Toward that end:

- NLC has launched the Leading Together 2020 Cities Agenda [microsite](#). The Leading Together Cities Agenda reflects an understanding of Americans' top priorities and concerns. Visit the site to take action, read the Agenda and issue briefs, or learn about NLC's presidential election Task Force.
- Presidential candidate and former South Bend, Indiana mayor [Pete Buttigieg](#) announced his commitment to [NLC's Leading Together 2020 Agenda](#), pledging to work together with local leaders on the nonpartisan priorities laid out by local leaders from across the nation. NLC invites and welcomes commitments from all presidential candidates.

Our citizens expect and deserve all of their elected officials, at all levels of government, to work together to address their hopes and needs.

Contact: Jon Moran, Senior Legislative Analyst, [jmoran@njlm.org](mailto:jmoran@njlm.org), 609-695-3481 x121.

## **III. Annual League Conference**

### **a. Claim Your CEUs from the 2019 League Conference**

Attention Municipal Officials! Do Not Forget to Claim Your CEUs from the 2019 NJLM Annual Conference! Visit the [Conference Tracking page](#) to claim your credits.

## **IV. Also of Interest**

### **a. Show Off Your City Contest Deadline Feb. 3**

The Third Annual Show Off Your City Contest is accepting entries through February 3. Municipalities are invited to send us photos of their tourist attractions, downtown areas, economic development initiatives, parks, city halls, community groups and new projects. Entries will be posted on the [League's Facebook](#) page, website and some featured in the April issue of *NJ Municipalities*, and possibly other issues.

A winner will be chosen and receives a free League publication of their choice! Photos can be submitted to [Email: aspiezio@njlm.org](mailto:aspiezio@njlm.org), or mailed on CD or flash drive to 222 West State Street, Trenton, NJ 08608.

For full details, visit the [Show Off Your City Contest webpage](#).

## **b. Mayors Wellness Campaign**

We would like to remind you about a resource available to your administration; the New Jersey Health Care Quality Institute's [Mayors Wellness Campaign \(MWC\)](#). The MWC partners with the League to provide a statewide community health initiative, offering Mayors and their staff evidence-based tools and strategies to champion healthy and active living to improve the overall health of their communities. You can join the MWC by signing the annual [Pledge of Participation](#).

The Quality Institute invites existing MWC towns to apply for the 2019 Mayors Wellness Campaign Healthy Town designation. The Healthy Town designation recognizes communities in which Mayors have made healthy lifestyles a top priority and are actively engaging all the members of their community in healthy living. The deadline to apply is **5 pm January 31, 2020**. At the Quality Institute web site you will find links to the Healthy Town Application and the Healthy Town Rubric to help guide you and understand the scoring process:

- [Healthy Town Application](#)
- [Healthy Town Rubric](#)

Please reach out to Julie DeSimone 609-452-5980 [jdesimone@njhcqi.org](mailto:jdesimone@njhcqi.org) for more information.

## **c. Light Up Public Spaces for Suffrage**

NJLM's Women in Municipal Government Committee (WIMG) invites municipalities to light up their public spaces in purple to celebrate the 19<sup>th</sup> Amendment's ratification centennial. On February 9, 1920, New Jersey ratified the 19<sup>th</sup> Amendment, confirming women's right to vote. We ask you to illuminate your public spaces in purple, a suffrage color, for at least the week of February 10.

Please share your participation on social media using the hashtag #NJWomenVote and #NJLM.

In addition, the WIMG committee requests that municipalities consider [adopting this sample resolution](#) celebrating the centennial. New Jersey was the 29<sup>th</sup> of the original 36 states to ratify the 19<sup>th</sup> Amendment, ensuring it became a law. New Jersey was also home to suffragists including Alice Paul, who founded the National Woman's Party in 1916. Her

Mt. Laurel home, Paulsdale, is a National Historic Landmark.

The WIMG Committee consists of **all** elected and appointed women mayors and council members in New Jersey. They encourage the active involvement and full participation of women in municipal government. Efforts include professional development, networking seminars, and other programs.

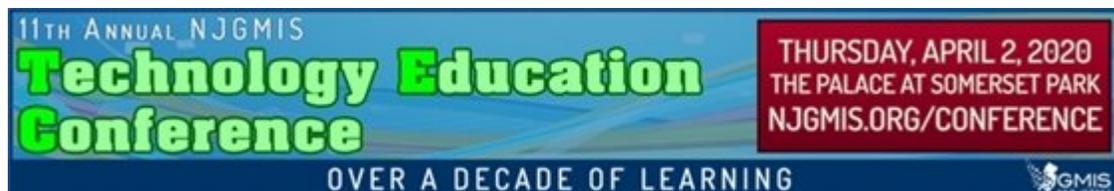
NJLM is a partner organization with NJ Women Vote, a group marking the centennial of women's suffrage and looking at the role of New Jersey women in the historic movement and today's government. NJ Women Vote is part of Discover NJ History.

Visit [www.discovernjhistory.org](http://www.discovernjhistory.org) for more information.

**Contact:** Lori Buckelew, Senior Legislative Analyst, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481 x112.

---

## Advertiser Spotlight



222 West State Street, Trenton, NJ 08608  
Phone: 609-695-3481 Web: [www.njlm.org](http://www.njlm.org)

**NJLM on Social Media:** [Facebook](#) [Twitter](#) [LinkedIn](#) [YouTube](#)

 [Share on Facebook](#)       [Share on Twitter](#)       [Share via Email](#)

Copyright 2019 NJLM. All Rights Reserved.  
222 West State Street, Trenton, NJ 08608

Powered by  **CIVICSEND**  
A Product of CivicStar

If you no longer wish to receive emails from us, you may [Unsubscribe](#).

Email not displaying correctly? [View it in your browser](#).