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## January 29, 2021

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

To assist in providing guidance and information we have created a [Covid-19 resource page](#). We will continue to update the page as we get pertinent information and include announcements in our Daily Updates.

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## I. State Issues

### a. COVID-19 Weekly Update

This week's COVID-19 news from Trenton continued to center on vaccinations, with the toll-free vaccination hotline going live and all of the mega-sites up and running. The Governor issued an Executive Order permitting both electronic and in-person collection of signatures and submission of petitions for the upcoming June Primary Election. Below is more in-depth information on the vaccine, Executive Order, unemployment, and data.

#### COVID Data

For January 29, 2021:

- 5,023 new positive cases for a total of 615,202 confirmed cases
- 83 new confirmed deaths for a total of 19,254 confirmed deaths

- The rate of transmission is at 0.91
- 629 cases linked to 131 school outbreaks since August
- 724,371 vaccine doses have been administered, including 610,110 first doses and 110,698 second doses. 55% have been Moderna and 45% Pfizer.

Governor Murphy has noted that if a person received their first vaccination dose through an appointment made on the [vaccine portal](#) the second dose appointment was automatically scheduled, and they will receive an email confirmation. However, if a person received their first dose at the Gloucester County mega-site by booking directly with the Gloucester County mega-site, the site would be reaching out directly to the person this week to schedule the second dose.

The hotline 855-568-0545 to assist residents in getting information on the COVID-19 vaccine is live. The phone line is staffed with 250 live agents from 8 a.m. to 8 p.m.

The state continues to encourage the general public to [pre-register for eligibility for the vaccine online](#). Individuals will be permitted to input their personal, contact, health insurance, and demographic information. Those who are immediately eligible based on screening questions will be able to schedule an appointment.

The Governor continues to ask for patience as we await more vaccine doses coming to New Jersey.

### **Executive Order**

Since our last update, Governor Murphy has issued the following COVID-19 related Executive Order:

[Executive Order 216](#) permitting both electronic and in-person collection of signatures and submission of petitions for the upcoming June Primary Election and elections scheduled to occur before then.

### **Unemployment Information**

The Department of Labor [announced](#) for the week ending January 23 the initial weekly unemployment claims total 16,618, a 1% decrease from the prior week.

**Contact:** Lori Buckelew, Assistant Executive Director, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481 x112.

### **b. Marijuana Legalization Update**

On December 17, both Houses of the State Legislature gave final approval to two bills related to the legalization of adult use recreational marijuana, following the approval of the ballot question in November. Governor Murphy has until February 8 to act on [A21, which deals with legalization](#) and, [A1897, which deals with decriminalization of marijuana](#).

Since the passage of the bills, the Governor has raised a concern regarding how to deal with the penalties for those under age 21. An earlier compromise clean-up bill was pulled after significant opposition arose and the Governor has threatened a conditional veto on the bills, which was expected as soon as this week. Another compromise appears to be

developing and the Assembly Community Development and Affairs Committee will be considering legislation (A-5342) at 2:30 p.m. hearing today (Friday) to address the issue. As this is being written, the bill text for A-5342 is not yet available. The League will monitor developments and analyze the new legislation as soon as it is available. We will report back to you more fully early next week.

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

### **c. Legislation Subjecting PILOT to Prevailing Wage Advances**

The Assembly Labor Committee has advanced an Assembly Committee Substitute A-1571 & A-1576. [ACS A1571 & A-1576](#) would make any public work done on a property or premises for which a public body provides, approves, or authorizes a tax abatement or tax exemption for the property or premises subject to the Prevailing Wage Act. This requirement will not apply to properties of a nonprofit organization defined by N.J.S.A. 54:4-3.6, NJ Economic Development Authority Business Employment Incentive Program Act, or the Casino Reinvestment Development Authority projects.

The League of Municipalities opposes ACS A-1571 & A-1576. Payments in lieu of taxes (PILOTs) are the single-most powerful tool available to municipalities to encourage property owners and developers to make improvements to property or to locate a project in a distressed or blighted area. With respect to long-term tax exemptions in particular, exemptions are granted only where the municipality has determined that the project would not occur but for the PILOT. Increasing the cost of already challenged projects by requiring a private property owner to pay prevailing wage for improvements on their property will prompt a greater demand on the municipality for a lower PILOT (thereby diminishing municipal revenue and property tax relief) and may even prevent a project from moving forward.

This is of particular concern where a project's revenues will be limited, as in the construction of affordable housing, or where a project bears additional costs to meet other public needs or interests, such as environmental remediation, historic preservation, or the installation of infrastructure.

The requirements proposed in ACS A-1571 & A-1576 will significantly weaken the ability of municipalities to spur economic development in blighted areas, and will also impede private investment that generates jobs, quality housing, environmental cleanup, and other public goods. We urge you to reach out to your [Assembly representatives](#) expressing concern with the bill advancing.

**Contact:** Lori Buckelew, Assistant Executive Director, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481 x112.

### **d. Assembly Committee Reviews Bills Regarding Water Systems and Authorities**

This week, [A-3142](#) and [S-922/A-5043](#) were before the Assembly Special Committee on Infrastructure and Natural Resources. While S-922/A-5043 was only discussed, the committee voted to approve A-3142, sending it to second reading in the Assembly. The League opposes both of these pieces of legislation.

A-3142 revises certain licensure requirement necessary to operate water supply and

wastewater treatment systems. The bill, amongst other things, would allow professional engineers to take the operator licensing examination without meeting certain additional requirements such as operating experience or direct responsible charge experience.

While the League is aware of the shortage of operators of water supply and wastewater treatments systems, we must remain cognizant of the need to ensure that these positions are filled by qualified candidates. Expanding water supply and wastewater examination eligibility to professional engineers without relevant experience or specific technical training in these areas could result in less able or knowledgeable individuals filling these roles. This in turn puts the health, safety, and welfare of our municipal residents in jeopardy.

S-922/A-5043 would require a municipality seeking approval from the Local Finance Board for dissolution of their municipal water authority to meet certain requirements including, 1) providing an asset management plan for the water system already required by law, and 2) a plan to dedicate funds on an annual basis to address and remediate the highest priority projects for its water system as identified by the asset plan, as already required by law. Additionally, and most concerning, is the Local Finance Board may not approve a plan for dissolution unless all fund balances held by the authority will be used only for the purpose of the water system and not used for general municipal purposes.

The constraints that S-922/A-5043 would place on a municipality seeking to dissolve its water authority will discourage the creation of new municipal water authorities, thus preventing local residents from any benefits the creation of such an authority could offer.

The League is continuing outreach to legislators to express our concerns. We will keep you updated as these bills continue to work their way through the legislative process.

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

### **e. Governor Murphy Signs Executive Order 217**

On Thursday, January 28, Governor Murphy signed [Executive Order 217](#), which mandates the Office of Healthcare and Affordability and Transparency to convene an Interagency Health Care Affordability Working Group to seek opportunities across both private and public sectors to advance the shared goals of affordability, accessibility and transparency in healthcare.

Executive Order 217 also directs the Department of Banking and Insurance, along with other agencies, to develop plans for healthcare cost and growth to ensure increased oversight and accountability in New Jersey's healthcare system. Finally, the Executive Order will establish a Healthcare Affordability Advisory Board to guide the development and implementation of health care cost growth benchmarks.

**Contact:** Andrew LaFevre, Legislative Analyst, [alafevre@njlm.org](mailto:alafevre@njlm.org), 609-695-3481 x116.

## **II. Federal Issues**

### **a. Congressional Activity on State and Local Taxes (SALT) Deduction**

The entire New Jersey House delegation sent a [letter](#) to House Speaker Nancy Pelosi and Senate Majority Leader Chuck Schumer requesting the repeal of the State and Local Tax (SALT) Deduction cap. They stated that:

*“the SALT Deduction has historically strengthened state and local government functions including public health programs, safety nets for low-income residents, and emergency response services.”*

Also this week, Congressman Josh Gottheimer [wrote](#) to Treasury Secretary Janet Yellen and IRS Commissioner Charles Rettig asking that the Internal Revenue Service roll back the rule entitled “Contributions in Exchange for State or Local Tax Credits” as it:

*“places an unnecessary burden on states’ ability to offer tax credits for residents who donate to these charities. If Congress had intended to eliminate tax benefits for donors to these long-standing programs, language to do as much would have been included in P.L. 115- 97, the tax law enacted in December 2017.”*

The League strenuously advocated to keep the [full deductibility of SALT](#) prior to enactment of a cap in December, 2017. This topic has remained a top federal priority in frequent conversations with New Jersey’s federal representatives.

**Contact:** Paul Penna, Legislative Analyst, [ppenna@njlm.org](mailto:ppenna@njlm.org), 609 695-3481, x110.

### **III. 2020 Annual League Conference**

#### **a. Print Your CEU Certificates from the 2020 NJLM Virtual Conference**

The tracking system from the 2020 NJLM Virtual Conference is now open. To print your certificates visit the [Tracking System webpage](#).

The system will be available until **May 1, 2021**.

#### **b. It’s Not Too Late!**

We hope that the NJLM Virtual Conference allowed you to look back and forward on the challenges of the day, be it the COVID-19 pandemic, social and restorative justice or how to balance the competing interests in preparing for your 2021 budget. While we hope to be back in-person in Atlantic City in 2021, the virtual conference offers a unique benefit. The content of the approximately 80 programs and 145 virtual exhibitor booths will be available on-demand through October 31, 2021.

Anyone who is registered can simply log in to [the Conference website](#) to view any of the programs or visit any of the exhibitor booths. And for those who did not attend, it’s not too late. We will continue to [accept registrations](#) for access to the Conference site. Those who register now will not be able to apply for CEUs but will have full access to all programs and exhibit booths. And please continue to visit the exhibitors who chose to support the 105<sup>th</sup> Annual Conference by stopping by their booths. You can contact exhibitors directly with any questions or comments by simply using the “Request Information” button on each booth. This will generate an automatic email to the exhibitor

and they will contact you with a reply.

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