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July 16, 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.

I. State Issues

a. Governor Signs Package of Bills Regarding Clean Energy and EV Charging

Last Friday, Governor Murphy signed into law a package of bills related to clean energy and electric vehicle charging infrastructure, three of which will have a direct municipal impact.

- [S-3223](#), (P.L.2021, c.171) among other things, makes an application for development submitted solely for the installation of electric vehicle supply equipment or Make-Ready parking spaces a permitted accessory use and permitted accessory structure in all zoning or use district within a municipality regardless of the municipality's zoning ordinance as well as mandatory state

developed model ordinance regarding the same.

- [A-1653](#), (P.L.2021, c.168) requires consideration of zero-emission vehicle charging and refueling within a redevelopment plan, and also opens up additional funding opportunities.
- [A-5434](#), (P.L.2021, c.170) directs the Board of Public Utilities (BPU), in consultation with the Secretary of Agriculture, to establish a “Dual-Use Solar Energy Pilot Program” to permit the construction, installation, and operation of dual-use solar projects on unpreserved farmland. The new law also makes approved dual-use solar projects a permitted use within every municipality.

For information on these new laws, which took effect on July 9, please see our recent [blog post](#). We suggest you review these three new laws in greater detail with your municipal attorney, administrator, and construction official for additional information on their impact in your community.

Contact: Frank Marshall, Esq., Associate General Counsel, fmarshall@njlm.org, 609-695-3481, x137.

II. Federal Issues

a. Senate May Consider Infrastructure Bill Next Week

Over the past two weeks, a bipartisan group of Senators have been working to develop legislative text around the bipartisan Infrastructure Framework. During the week, Senate Majority Leader Chuck Schumer indicated in news accounts that the Senate will vote next week on the bipartisan infrastructure proposal.

National League of Cities ([NLC](#)) [sent a letter](#) to the legislative leaders sharing local government priorities for the bipartisan infrastructure framework. NLC is requesting that the infrastructure package streamline infrastructure investment by directing it to the asset owners at the local level and eliminating circuitous and inefficient bureaucratic processes.

We will continue to keep you posted on this developing issue.

Contact: Paul Penna, Legislative Analyst, ppenna@njlm.org, 609 695-3481, x110.

b. Metropolitan Statistical Area Definition to Remain Unchanged

The Office of Management and Budget (OMB) released an initial recommendation to raise the Metropolitan Statistical Area (MSAs) core population threshold from 50,000 to 100,000. This change would have resulted in 144 MSAs being removed and would have significantly impacted Community Development Block Grant programs and funding. The National League of Cities (NLC), in response to the OMB proposal, [submitted comments](#) strongly opposing the proposed MSA definition change. On Wednesday [OMB issued an opinion](#) that agrees with NLC's comments and rejects OMB's initial recommendation noting that there is insufficient justification at this time to raise the threshold and further research is necessary before changing the criteria.

The current MSA threshold remains in place.

Contact: Paul Penna, Legislative Analyst, ppenna@njlm.org, 609 695-3481, x110.

III. COVID-19 Weekly Update

This week Governor Murphy announced the NJ Docket App for COVID vaccination records and continued to urge New Jersey residents to get vaccinated. The Division of Pensions and Benefits issued guidance on the termination of retirees who returned employment to assist with the COVID health emergency.

COVID Data for July 16, 2021:

- 516 new positive cases for a total of 897,045 confirmed cases
- 2 new confirmed deaths for a total of 23,815 confirmed deaths
- The rate of transmission is at 1.24
- 10,205,616 vaccine doses have been administered, including 5,592,636 who have received at least one dose and 4,996,621 who are fully vaccinated. 56% are Pfizer, 40% Moderna, and 4% J&J.

Expiration of Executive Order 115 & P.L. 2020, c. 115

On April 6, 2020, Governor Murphy signed [Executive Order No. 115](#), which 1) waived reenrollment in the State-administered retirement systems for retirees hired for temporary reemployment during, and for the duration of, the COVID-19 emergency; 2) permitted retirees to return to their former employer within 180 days of retirement provided that the return to employment was not pre-planned; and 3) waived the required 60-day waiting period for employees newly hired for COVID-19-related duties to allow enrollment for immediate coverage in the State Health Benefits Program (SHBP) for the duration of the COVID-19 Public Health Emergency.

Similarly, [P.L. 2020, c. 115](#), which codified provisions of Executive Order No. 115, also allowed PFRS, PERS-LEO, or SPRS employees who attained Mandatory Retirement age during the Public Health Emergency to remain in active employment if employed for COVID-19-related duties for the duration of the COVID-19 Public Health Emergency.

Since the public health emergency has ended, effective August 1, 2021, all retirees who returned employment under the provisions of Executive Order 115 must be terminated. [Division of Pension and Benefits has advised](#) certifying officers on the process necessary to terminate such employees. In addition, they are recommending that employers review their hiring records and immediately advise reemployed retirees of the July 4, 2021 expiration of Executive Order No. 115, along with the resignation/termination deadline before August 1, 2021.

Vaccine Information

The Department of Health is providing access to individuals COVID vaccination records through a [secure and free smartphone app Docket](#), which is CDC approved. NJ Docket is

intended to solely give residents easy access to their COVID vaccination record, especially if their vaccination card has been damaged or lost. While the information available through Docket is currently limited to your COVID vaccination record, it will be broadened to provide you with your entire record from the New Jersey Immunization Information System. Individuals who were vaccinated in the state and have an email or phone number on file with the New Jersey Immunization Information System known as NJIIS can access their COVID-19 vaccination record using the app.

As a reminder, homebound residents who have not yet connected with their local health department, or a home health agency, and who need an in-home vaccination should visit www.covid19.nj.gov/homeboundvax or contact the call center at 855-568-0545.

Contacts:

- Mike Cerra, Executive Director, mcerra@njim.org, 609-695-3481, x120.
- Lori Buckelew, Assistant Executive Director, lbuckelew@njim.org, 609-695-3481, x112.

IV. Also of Interest

a. 2021 Governor's Conference on Housing and Economic Development

The 2021 Governor's Conference on Housing and Economic Development virtual conference will be held September 29 - 30, 2021. The [agenda](#) includes sessions addressing lessons learned from the pandemic, what has changed, and efforts the state has taken to stabilize and adapt to address the needs of impacted homeowners, renters, businesses and communities.

The [registration](#) fee is \$75 before August 25 and \$85 thereafter. More information on the Governor's Conference is available on their [conference's website](#) or by contacting njhousingconference@njhmfa.gov.

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