

November 23, 2016

RE: WEEKLY UPDATE

- I. Policy Issues: Legislation and Regulations
- II. 101st Annual Conference Recap III. Annual League Survey

Dear Mayor:

I. Policy Issues: Legislation and Regulations

a. E-Waste Bills Heads to the Governor

On Monday, the General Assembly approved [S-981/A-2375](#), the “Electronic Waste Management Act.” The League **supports** this legislation, which would require each manufacturer of “covered electronic devices” to provide for the collection, transportation, and recycling of its market share in weight of all covered electronic devices collected in a program year. This bill, which was previously approved by the State Senate by a 30-6 vote, now heads to the Governor for his consideration. Similar legislation advanced in the lame duck session but was pocket vetoed by the Governor. For this reason, we urge you to immediately contact the Governor’s office and ask him to sign S-981/A-2375.

For more on this bill, [please click here](#) for the League’s Town Crier blog posting on this legislation.

Contact: Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120.

b. A-4189 Compromise UEZ Extension Bill Passed by Assembly

On Monday, the Assembly passed [A-4189](#), a compromise bill that will extend, for two years, Urban Enterprise Zone (UEZ) authorization in municipalities where the program is scheduled to sunset at the end of this year. The bill will now join its Senate companion, S-2670, in the Senate Economic Growth Committee

This compromise bill responds to the Governor’s conditional veto of previous legislation that would have provided a ten-year extension. The Governor has criticized the UEZ program as ineffective and costly to the State. With his conditional veto, the Governor asked the Legislature to direct the Commissioner of the Department of Community Affairs to conduct a study of the UEZ program “... which shall include, without limitation, an assessment of whether an alternative, location-based program to assist fiscally distressed municipalities is appropriate, and, if so, recommendations for the parameters of such a program...”

A-4189/S-2670 has been introduced as a compromise. The new legislation accepts the Governor’s recommendation regarding a DCA study of the program and research into alternatives. However, the bill provides a two year extension to businesses in the five UEZs that are set to expire at the end of this year.

The UEZ Program - first created in 1983 - offers incentives to participating businesses, designed to encourage business growth and stimulate local economies. Approximately 6,800 certified UEZ businesses participate and benefit from the advantages of the UEZ program statewide. These include a number of tax and financial incentives, including tax credits to hire local workers. The program authorizes qualifying retail businesses in the UEZs to charge and collect the State's sales and use tax (sales tax) at one-half of the normal rate.

Those incentives allow businesses to attract customers to, and create employment opportunities in, economically distressed municipalities. UEZ designation is a vital tool in the tool kit of local leaders, working to bring their communities back from decades of decline, caused by housing and transportation policy decisions over which they had no control.

The bill is now positioned for action in the Senate Economic Growth Committee. Please thank your Assembly members, who voted in favor of the bill. Please urge your State Senator to support of A-4189/S-2670.

Contact: Jon Moran, Senior Legislative Analyst, jmoran@njslom.org, 609-695-3481 x121.

c. N.J. Supreme Court Issues Important Decision on Security Camera Footage

Yesterday, the New Jersey Supreme Court issued an important decision related to the accessibility of security camera footage under the Open Public Records Act (OPRA). In Patricia Gilleran v. Township of Bloomfield, a requestor had requested, under OPRA, multiple hours of security camera footage from a municipal building. The Township denied that request under OPRA's security exception. N.J.S.A. 47:1A-1.1. The Court ruled:

...We conclude that OPRA does not require release of video footage that reveals security capacity for security surveillance systems protecting public buildings. Although we find no OPRA right of access to video footage from such surveillance systems, that does not mean that a citizen may not obtain, when appropriate, some portion of video from a public facility's security surveillance system, but that request must be subjected to the common law balancing of interests under a right-to-know claim. *Slip. op.* at 3.

This is an important decision and one that we suggest you transmit to your municipal attorney for further review and discussion. A copy of this decision can be found here.

Contact: Edward Purcell, Esq., Staff Attorney, epurcell@njslom.org, 609-695-3481 x137.

d. Governor Signed 2 Bills of Interest

1. Solemnize Marriages and Civil Unions by Current and Retired Administrative Law Judges

On November 14, 2016, Governor Christie signed into law [S-1967](#), which authorizes current and retired administrative law judges to solemnize marriages and civil unions. P.L. 2016, c. 61 took effect immediately.

2. Temporary suspension of property taxes for certain National Guard and US Reserve Members

On November 14, 2016, Governor Christie signed into law [A-766](#), which allows certain National Guard and United States Reserve members to temporarily defer mortgage loan payments and suspend property tax payments. The law amends N.J.S.A. 54:4-8.25 to permit New Jersey residents, who are mobilized for federal active duty as members of the National Guard or a Reserve Component of the Armed Forces, to defer their property taxes in the same manner as members of the United States Armed Forces.

In addition, the law requires the property owner, making a request to the mortgage company for deferment, to include a copy of their military orders or a commanding officer letter on official letterhead providing certain information on the person's mobilization, along with the name, address, and phone number of an individual who may be contacted regarding the mortgage loan while the person is on active duty. Upon receipt of the request, along with the required information, the mortgage company shall grant a deferment of payment of interest and principal, effective as of the date of the person's entry on active duty. The deferment shall remain in effect while the person remains on active duty and will expire 60 calendar days after release or separation from federal active duty.

Also, the tax collector, upon receipt of a deferment of payment application and all required documentation, will now have 30 calendar days to send a letter to the resident and any mortgage company notifying them of the effective date of the deferment. No tax lien can be issued against the real property for which the deferment has been granted. P.L. 2016, c. 63 took effect immediately.

Contact: Lori Buckelew, Sr. Legislative Analyst, lbuckelew@njslom.org , 609-695-3481 x112.

e. Only Three States Will Participate in USDA Pilot- Help Make New Jersey One

We need your help to help needy New Jersey families to more easily access Federal benefits. The U.S. Department of Agriculture (USDA) plans to launch a two-year pilot to enable Supplemental Nutrition Assistance Program (SNAP) participants to purchase their groceries online. Senator Cory Booker is leading a push to make our State a part of that pilot program. We've put together a [fact sheet on the SNAP pilot program](#), for further details.

Each day, thousands of New Jersey residents struggle to put healthy food on the table for their families. As of July 2016, there were 858,572 persons in New Jersey receiving SNAP benefits, which is approximately 10 percent of our state's population. A significant number of your constituents are dependent on these benefits to provide nutritious and affordable food for their children and families. According to the USDA, 524,000 individuals, or 6 percent of New Jersey's population, live in food deserts, with in little access to healthy food options.

New Jersey is an ideal candidate to help the USDA test and improve the SNAP online transaction system, prior to expanding to the entire United States. Our state's unique range of urban, suburban, and rural communities, the state's demographic diversity, and New Jersey's

established Electronic Benefit System make New Jersey well-equipped to support the USDA's pilot program.

For all of those reasons, we will ask USDA Secretary Tom Vilsack to include the Garden State in the SNAP pilot. Nearly 100 Mayors have joined in this effort, already. The more New Jersey Mayors contacting Secretary Vilsack, the better our chances. You can access a Sample Letter on our website.

PDF

<http://njnjslom.civicplus.com/DocumentCenter/View/6063>

Contact: Jon Moran, Senior Analyst, jmoran@njslom.org, 609-695-3481 x121.

f. Bill to require Quarterly Pension Payments Heads to Governor's Desk

[S-2810](#), sponsored by Senators Sweeney, Kean, Oroho and Turner, would require the State to pay its pension contributions on quarterly basis by September 30, December 31, March 31, and June 30 of each year, beginning July 1, 2017. The bill would require the State to make the required contribution to the State pension system in quarterly payments as follows: at least 25% by September 30, at least 50% by December 31, at least 75% by March 31 and at least 100% by June 30. The amount of the contribution will be the net of the amount of any increase in the interest on the tax and revenue anticipation notes attributable solely to the need to borrow an increased amount in order to make the quarterly payments. The bill unanimously passed both the Senate and Assembly on Monday and now awaits consideration by the Governor.

II. 101st Annual Conference Recap

a. New League Officers and Board Elected

On Thursday, November 17, 2016, New Jersey's mayors elected the League officers and executive board members. These public servants will help lead the association that represents New Jersey's 565 municipal governments. They will represent the interests and needs of New Jersey's local elected officials to county, state and federal governments.

The Honorable Albert Kelly of Bridgeton was elected President of the New Jersey State League of Municipalities. Mayor James L. Cassella of East Rutherford was elected to the position of First Vice President. Mayor Colleen Mahr of Fanwood and Mayor James S. Perry, Sr., of Hardwick will serve as Second and Third Vice Presidents, respectively.

In addition to returning Board Members, new Board members elected include Gayle Brill Mittler, Mayor, Highland Park; Daniel Flynn, Council Member, Newton; and William Pikolycky, Mayor, Woodbine.

To learn more about these officers, visit the League's website at www.njslom.org. Place your cursor on "NJLM Services," scroll down to "Executive Board" and click.

Contacts: Michael Darcy, Executive Director, mdarcy@njslom.org, 609-695-3481 x116;
Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120.

b. Conference Resolutions Passed

On Thursday, November 17, nineteen resolutions, articulating new legislative and policy priorities for the League of Municipalities, were adopted at the Annual Business meeting, held to conclude the League's 101st Annual conference.

Previously, on Tuesday, November 15, the League Resolutions Committee screened these resolutions. The Committee, chaired by the incoming League President Albert Kelly, Mayor of Bridgeton, recommended all nineteen resolutions.

League staff will be working with the sponsors of the resolutions to line up legislative sponsors and taking other steps to see the implementation of these resolutions.

The adopted resolutions can be found [here](#).

Contact: Edward Purcell, Esq, Staff Attorney, epurcell@njslom.org. 609-695-3481 x137.

c. Conference Mobile App Helps After the Conference

The Conference mobile app can continue to assist you in finding presenters and exhibitors you may need to contact after the Annual League Conference. The app can be downloaded to your desktop or mobile phone and used all year long. Learn more at <http://www.njslom.org/2016conf/app/>

d. Conference CEUs

Starting Monday November 21 you can download the certificates for CEUs you earned at the Annual League Conference. For full information and instructions visit <http://nj-njslom.civicplus.com/300/Conference>

III. Annual League Survey

As 2016 comes to a close, we here at the League would like to know what you thought about our services, provided throughout the year. Please forward this email to your municipal staff, administration, elected and appointed officials so they can complete our short online survey.

The link for the survey is: <http://njlm-annualsurvey2016.questionpro.com>

Have a Happy and Healthy Thanksgiving.

Sincerely,

Michael J. Darcy, CAE
Executive Director