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October 26, 2018

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

I. State Issues

a. Update on Best Practices Inventory

On Tuesday, League staff met with the Division of Local Government Services Acting Director, Melanie Walter, and Legislative and Regulatory Officer, Jason Martucci, to discuss our various concerns with the 2018 Best Practice Inventory (Inventory). We were joined by representatives from the New Jersey Municipal Managers Association and the Government Finance Officers Association of New Jersey. We reviewed both the overall form of the Inventory and concerns with many specific questions.

Acting Director Walter explained that the Division is attempting reset the tone of the Inventory; moving away from a punitive checklist to a friendlier document broken-down into three areas: core compliance checklist, best practices, and a survey. The core compliance questions are to ensure that municipalities are in compliance with statutory requirements. The Administration is repurposing the Inventory to gauge where State resources are needed and how the Division can best focus staff attention.

Early next week the Division will be issuing a notice clarifying their intention with this Inventory and providing guidance to municipalities that may be having difficulties reaching a score of 46, needed to preserve their full State property tax relief funding. For more information, please see our [October 17 blog post](#).

Contact: Lori Buckelew, Senior Legislative Analyst, lbuckelew@njslom.org, 609-695-

3481, x112.

b. Senate to Vote on Bill Allowing Utilities Control Over Vegetation Management in ROW

On Monday, October 29, the Senate will vote on [S-2505](#), which would provide public utilities completely unfettered authority to clear, move, cut, or destroy any dangerous vegetation necessary for the supply of electric light, heat, power, or communications, or cable television service. While we appreciate the sponsors' intentions and response to recent storms, the approach taken by this legislation is unnecessarily broad and overreaching.

S-2505, would give public utilities the authority to manage "dangerous vegetation" without regard for local or statewide vegetation management concerns. The term "dangerous vegetation" is unnecessarily broad. As currently defined within the bill, "dangerous vegetation" would include virtually any vegetation, either on public or private property and gives public utilities sole discretion to determine what meets the criteria of "dangerous vegetation." The utility is also under no requirement to receive any input from the public before the utility can unilaterally choose to clear, move, cut, and destroy to remove, or replace the vegetation.

In addition, S-2505 specifically exempts public utilities from adhering to the careful planning and management of the Community Forestry Council and local Shade Tree Commissions. The bill would exempt the public utility from any penalty or replacement assessment imposed by a shade tree commission, as a result of damage to a tree if the damage was related to the utility's vegetation management work.

We ask that you contact your Senator to express opposition to this bill and ask that they vote no during Monday's voting session. Your representative's contact information, broken down by municipality, can be found on the [State Legislature webpage](#).

Contact: Frank Marshall, Esq., League Staff Attorney, FMarshall@njslom.org, 609-695-3481 x137.

c. CY 2019 Municipal Budget Cap Information

The Division of Local Government Services has issued [Local Finance Notice 2018-27](#) regarding the CY 2019 Municipal and County Budget and Cap Information. The notice advises that the for CY 2019 municipal budgets the Cost of Living Adjustment is calculated at 2.5% and the Group Health Insurance cap is 0%. For more please see our [recent blog post](#).

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

d. Restaurant Liquor Bill Advances

1.

On Monday, the Assembly Appropriations Committee amended and approved [A-3494](#), which would establish two new permits to allow, at the discretion of the municipality, restaurants located in a "restaurant district" to sell alcoholic beverages for on-premises consumption. One permit would allow the sale of beer,

wine, and spirits. The second is restricted to beer and wine only.

The bill defines “restaurant district” as one of the following:

1. Urban enterprise zone.
2. Downtown business improvement zone.
3. Pedestrian mall or pedestrian mall improvement.
4. Special improvement district.
5. Transit-oriented development.
6. Area determined to be in need of redevelopment.
7. Area determined to be in need of rehabilitation.
8. Any area designated by statute following the bill’s enactment to allow a municipality to adopt a zoning ordinance for the purpose of improvement, development, redevelopment, rehabilitation, or revitalization.

Municipalities would need to “opt in” by passing an enabling ordinance and would be further able to limit the number of permits. Such permits would only be available for use in connection with restaurants that occupy a gross square footage of between 800 and 4,500. The amendments also carve out Cape May County from the provisions of the bill.

Many of the amendments, including the municipal opt in and the ability to limit the number of permits, reflect concerns raised by local officials and the League. We appreciate the willingness of the sponsor, Assemblyman John Burzichelli to address these issues. A-3494 now stands at 2nd reading in the Assembly and may be scheduled for a floor vote. To date, there is no Senate companion.

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

II. Federal Issue

a. Comprehensive Anti-Opioid Abuse Measure Enacted

On Wednesday in Washington, the President signed H.R. 6, the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act into law.

We provided a fairly detailed analysis of this legislation, which will advance treatment and recovery initiatives, improve prevention, protect communities, and bolster efforts to fight deadly illicit synthetic drugs like fentanyl, in our [October 12 Issue Alert](#).

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

III. League Conference

a. Governor to Keynote Delegates Luncheon

We are pleased to announce that Governor Phil Murphy will again keynote the Delegates Luncheon at the League's Annual Conference. The luncheon will be held Thursday, November 15, 2018, at the Crown Ballroom, Sheraton Convention Center Hotel, at 12:00 noon.

b. Avoid Lines Onsite at the Annual League Conference

NJLM MEAL FUNCTION TICKETS

Order forms are now being accepted for the NJLM Annual Conference ticketed functions:

- Mayor's Box Luncheon Wednesday, November 14 at 12:00 Noon
- Women In Municipal Government Networking and Award Event Wednesday, November 14 at 5:15 p.m.
- League Delegates Luncheon Thursday, November 15 at 12:00 Noon

Seating is limited and each year many delegates, unfortunately, have been turned away. Do not be disappointed by waiting until the last minute.

[Meal Functions Cover Letter](#)
[Ticketed Function Form \(PDF\)](#)
[Ticketed Function Form \(Word\)](#)

Last day to pre-order for NJLM meal function tickets is 10/31/2018
Onsite sales beginning Tuesday, November 13, 2018, while tickets last.

Pre-ordered tickets will be mailed on October 31, 2018. As a reminder, all League ticketed function events require a conference badge. The badge registration fee is a separate fee from the ticketed function fee. If you have not registered for a conference badge, **you must register onsite in Atlantic City**. You can learn more about conference badge registration by [visiting the registration section of the website](#).

c. Unauthorized Hospitality Functions

The 103rd Annual League Conference will soon be upon us and we know you are looking forward to a productive and educational week.

Numerous exhibitors and groups have scheduled receptions and hospitality functions during the evening hours in Atlantic City. However, each year there are a few commercial entities that schedule hospitality function such as brunches and lunches which conflict with the Conference programming. These unauthorized functions should not be confused with legitimate business luncheons sponsored by our affiliated associations and their members. The League urges you not to attend daytime hospitality functions offered by commercial firms.

Instead, plan your daytime activities so you can derive the greatest educational benefit from attending the League Conference. League Education sessions begin at 9:00 a.m., break at noon when there are informative Exhibitor Learning Sessions, resume at 2:00 and finally adjourn at 5:15.

As always, the League is available to answer your questions on any aspect of the annual

conference and we strive to make your participation both enjoyable and highly productive.

Contact: Michael J. Darcy, CAE, Executive Director, mdarcy@njslom.org, 609-695-3481, x116.

d. Exhibits at the Annual Conference

Do you know a vendor that would be a good fit for the Annual Conference? If so, ask them about being an exhibitor or have them contact Kristin Lawrence, Exhibit Manager at 609-695-3481, x125 or klawrence@njslom.org. Information is also available on the [League's website](#).

e. Don't Forget! CEU Tracking System Procedures for 103rd Annual NJLM Conference

Badge Scanners will be used to track CEU Credits and Attendance at the NJLM 103rd Annual Conference.

For Sessions that Have CEU credit Available

- All Attendees looking to earn credit must scan-in and scan-out of these qualifying sessions* to earn their CEU credits.
- Attendees will claim their certificates after the conference via the League website www.njslom.org/confceu/

For more information or for a complete list of procedures please visit the [Conference Website](#).

* **Please note**, the procedures described above only apply to educational sessions. Business Meetings and Exhibitor Learning Sessions are **not** included in the scanning system.

IV. Also of Interest

a. Reminder New Jersey Opioid Litigation – Municipal & County Survey

The Division of Local Government Services has issued [Local Finance Notice 2018-25](#) requesting municipalities and counties assistance in the New Jersey Opioid Litigation.

As part of a comprehensive response to the opioid epidemic, the Attorney General and the Division of Consumer Affairs have filed civil lawsuits seeking to hold opioid manufacturers liable for their contributions to a crisis afflicting local units across New Jersey. The State has sued, on behalf of all New Jersey residents, seeking relief sufficient to fund solutions to the opioid epidemic across New Jersey.

To assist the State in its efforts to obtain relief on behalf of all New Jerseyans, the Office of the New Jersey Attorney General invites municipalities and counties to fill out a [survey](#) by Friday, November 2, 2018. If you have questions on the survey you can contact the Attorney General's Office at Response@NJOAG.gov.

b. NJ Homeowners Guide to Property Taxes

League affiliate the Association of Municipal Assessors of New Jersey collaborated with NJCPA, NJ Realtors, investors Foundation, and Rutgers to produce a "[Homeowners Guide To Property Taxes.](#)" We have posted the guide for you to download and share with your residents.

You can also order printed copies with your municipality's seal at the [NJCPA website.](#)



New Jersey State League of Municipalities

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