



[Click to view newsletter archives](#)

## August 16, 2019

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

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

### I. State Issues

#### a. Governor Signs Bill Aimed at Rejuvenating Stranded Assets

Last week, Governor Murphy signed into law [A-1700](#) (P.L. 2019, c.229) which amends the “Local Redevelopment and Housing Law” to specify that a municipality may determine an area to be in need of redevelopment if the area contains buildings that are used as, or were previously used as, a shopping mall, shopping plaza, or a professional office park, and the buildings with significant vacancies, for a period of at least two consecutive years.

This League supported this bill as it would provide municipalities with a greater ability to use the tools available to them to encourage the repurposing of stranded assets. We would like to thank the sponsors for their work on this legislation.

**Contact:** Frank Marshall, Esq., League Staff Attorney, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481 x137.

#### b. Governor Signs Law Permitting Supplemental Zoning Boards

Late last week, Governor Murphy signed into law [S-3212](#) (P.L. 2019, c.225). This permissive legislation allows a municipality to establish a temporary, supplemental zoning board of adjustments to address any backlog or influx of appeals and applications that the municipality’s permanent zoning board of adjustment may be experiencing.

Under the new law, any municipality that determines a need for a supplemental zoning

board must adopt an ordinance to establish one. However, municipalities that participate in a regional zoning board, or who have a joint zoning/planning board may not establish a supplemental zoning board.

**Contact:** Frank Marshall, Esq., League Staff Attorney, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481 x137.

### **c. Supreme Court Working Group Releases Report on Municipal Courts**

On Monday, a NJ Supreme Court working group issued its anticipated [report](#), outlining recommendations for reforming the state's municipal courts. The Supreme Court Working Group on Municipal Courts, a 38-member working group that included League representatives, set forth 17 recommendations for legislative changes that focus on "separating sentencing practices from a municipality's need for revenue, modifying the appointment and reappointment process for Municipal Court judges, and consolidating the state's smaller courts.

The League and our members are committed to the goal of the working group to ensure that Municipal Courts are fair, independent and accessible to all members of society. And, while we agree with many of the recommendations set forth in the report, such as reduced state-mandated surcharges and access to clinical treatment, other recommendations miss the mark. The League's position is more fully summarized in the "Minority Opinion" attached to the report, beginning on page 74.

In conjunction with releasing the report, the Court also issued a "[Notice to the Bar](#)" inviting written comments from the public. Comments on the Report are due in writing by October 1, 2019. For more information on submitting comments, please see the [Notice to the Bar](#).

The League would like to thank Chief Justice Stuart Rabner for initiating a sincere discussion about the mission of Municipal Courts and would also like to thank the Honorable Glenn Grant, J.A.D., for serving as chairman of the working group and providing the critical leadership necessary for bringing the discussion to various stakeholders.

**Contact:** Frank Marshall, Esq., League Staff Attorney, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481 x137.

### **d. NJDEP Begins Stakeholder Process for Requirements Under the Beach Access Law**

As many of you are aware, earlier this year the Legislature passed and Governor Murphy signed into law [P.L. 2019, c.81](#), commonly referred to as the 'beach access' or 'public access' law. Under the newly signed law, the Department of Environmental Protection (DEP) is tasked with issuing regulations defining appropriate beach access and is required, among other things, review the need for additional beach access whenever an applicant applies for a NJDEP permit and condition approval of the permit on providing that access.

The NJDEP recently began the rulemaking process and has started to hold stakeholder meetings. These meetings are important as they provide the NJDEP with insight prior to the drafting of initial rules. This allows the voices of those most directly impacted by any rules to be heard during the rule drafting process.

Municipalities, especially shore communities, are an important stakeholder and your voice needs to be heard at the early stages of this process. To get involved in future stakeholder meetings please reach out to Kerry Pflugh, Director of the NJDEP's Office of Local Government Assistance, at [Kerry.pflugh@dep.nj.gov](mailto:Kerry.pflugh@dep.nj.gov) or 609-633-7700.

**Contact:** Frank Marshall, Esq., League Staff Attorney, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481 x137.

### **e. New Law Prohibits Law Enforcement-Like Badges for Elected Officials**

Signed into law last week, [P.L. 2019, c. 221](#) prohibits any county or municipality from issuing a law enforcement badge or a badge that may be mistake as a law enforcement badge to an elected official except for any county elected official who is elected as a law enforcement officer. This prohibition also applies to elected State officials, board of directors of New Jersey Transit, and Commissioners of the Port Authority of NY/NJ. This new law was effective August 9, 2019, however, it does not take effect for the Port Authority Commissioners until New York State adopts similar legislation.

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

### **f. New Law Governing Residency Requirements for Local Water Systems**

Governor Murphy signed into law [A-3937](#), which allows local government water system employees to reside in all municipalities served by the water system. Currently, a local government operating a water system is permitted to have a residency requirement for its employees. P.L. 2019, c.231 prohibits the residency requirement for just the jurisdiction that the water system is located. Instead, the new law allows a residency requirement for any location served by the water system. In addition, the new law does not prohibit a municipal authority from employing or hiring a non-resident of the municipalities served by its water system if no residency requirement is established. If a municipal waterworks serves more than one municipality and currently has a residency requirement their ordinance must comply with the new provisions of law. This new law took effect on August 9, 2019.

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

### **g. New Jersey Solar Panel Recycling Commission Established**

On August 9 Governor Murphy signed [P.L. 2019, c. 215](#) establishing the "New Jersey Solar Panel Recycling Commission" to investigate options for recycling and other end-of-life management methods for photovoltaic and other solar energy generation structures and to develop recommendations for legislative, administrative or private sector action. This nine-member commission must submit their findings and conclusions in a final report with any recommendations for legislative, administrative or private sector action to the Governor and Legislature within one year. The Commission may extend their deadline to submit the report by an additional year upon notice to the Governor and Legislature. The law also permits NJDEP to adopt rules based on the recommendations of the Commission.

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

## **h. Amendments to the Public Movers and Warehousemen Licensing Act**

[P.L. 2019, c. 216](#) makes it unlawful for a person who is not licensed under the Public Movers and Warehousemen Licensing Act to advertise or engage in the business of public moving or storage. The law also gives any law enforcement officer the authority to remove any motor vehicle used to engage in public moving without the appropriate license from the roadway to a storage space or garage. The owner of the vehicle is responsible for the removal and storage expenses. The law also makes it unlawful for licenses or unlicensed public movers and warehousemen to withhold, fail to timely release, or threaten to withhold or release the consumer's property if paid in full as well as increasing the penalties for violating the law.

The new law also requires that the Division of Consumer Affairs annually submit a report to the Legislature providing information on the enforcement and violations of this law including a description of all enforcement proceedings at the state and local level along with the violations for the preceding year and may include recommendations to improve enforcement. In addition, the Division of Consumer Affairs must coordinate their enforcement efforts with State and local law enforcement agencies as may be appropriate, including but not limited to, exercising authority to impound a motor vehicle for a violation.

This new law takes effect December 1, 2019, however, the Division of Consumer Affairs Director may take any anticipatory administrative action that is necessary to implement the new law.

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

## **i. U.S. Semiquincentennial Listening Session**

Last year the NJ State Legislature charged the NJ Historical Commission with preparing for the observance of the U.S. Semiquincentennial in 2026. **Local officials** are [invited to join a listening session on September 10](#) at East Jersey Old Town Village in Piscataway regarding plans for the Semiquincentennial. RSVP required.

**Contact:** Madeleine Rosenberg, NJ Historical Commission, [madeleine.rosenberg@sos.nj.gov](mailto:madeleine.rosenberg@sos.nj.gov) or 609-633-0776.

## **II. Annual League Conference**

### **a. 104<sup>th</sup> Annual League Conference Pre-Registration Opened Aug. 1**

Pre-Registration for the 104th Annual League Conference has begun! Costs for pre-registration are \$55 for government officials and \$105 for non-government officials. Pre-registration runs through October 1. After the pre-registration period has ended, attendees must pay for their registration onsite at the Atlantic City Convention Center. On-site registration rates are \$65 for Government Officials and \$125 for non-government officials.

For more information on pre-registration, please visit the [Conference website](#).

**Contact:** Johnnifer Harris, Assistant Financial Administrator, [jharris@njlm.org](mailto:jharris@njlm.org), x119.

### **b. NJLM Annual Conference Exhibit Booth Registration is Open!**

Invite your vendors to exhibit at the 2019 NJLM Annual Conference and showcase their product or service to other municipalities. Exhibit space is over 80% sold out so contact your vendors today—or send us a note and we'll reach out to them! The [2019 Exhibitor and Sponsorship Prospectus \(PDF\)](#), [Interactive Floor Plan](#) and [other exhibit information](#) can be downloaded on the League website.

**Contact:** Kristin Lawrence, Director of Exhibition and Sponsorships, 609-695-3481 x125, [klawrence@njlm.org](mailto:klawrence@njlm.org).

### **c. Reserve Your Hotel for the Annual League Conference**

Preparations for the Annual League Conference November 19-21 are underway and the hotel reservations system is open for attendees and exhibitors at the [League Conference Web Page](#). There you will also see a preliminary schedule of conference sessions.

Staying in Atlantic City for the Conference is a great way to get the most from your attendance at the Conference. Staying over will maximize your time and opportunities to participate in the educational, informational, and networking opportunities offered throughout the Annual League Conference.

### **d. Unauthorized Hotel Reservation Services**

Every year there are unauthorized firms soliciting housing and hotel reservations from attendees at the Annual League Conference. We assure you that the only firm authorized to handle our conference housing reservations is AC Central Reservations. This information is on the top of the [official conference housing form](#) sent to all municipal clerks and posted on the League website.

Using unauthorized reservation services creates real problems for you and the conference as a whole. You cannot be assured your credit card information is secure and your room reservation may not actually be made. Using unauthorized services means your room will not be part of the official conference housing block and you will not get emergency housing information (which happened in both 2011 and 2012), nor will there be adequate shuttle bus services to your hotel.

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@njlm.org](mailto:mdarcy@njlm.org), 609-695-3481 x116.

## **III. Also of Interest**

### **a. Read All About It: NJ Municipalities' Article Spotlight**

From bugs to birds, the Garden State is home to many natural wonders and some irritating ones as well. *NJ Municipalities* magazine follows emerging concerns about pests such as the emerald ash borer, messy geese, and the latest-the spotted lanternfly. We've put together a [special webpage featuring recent pest articles](#)—check it out!

And subscribe to *NJ Municipalities* magazine for more useful and inspiring features. [#njmunicipalities](#)

### **b. The League is Now Accepting Applications for the Innovation in Governance Program!**

The New Jersey Department of Community Affairs (DCA) and the New Jersey State League of Municipalities will again acknowledge and promote Innovation in Governance through our annual recognition program. This is a great opportunity to showcase innovative solutions to any problems that have cropped up—either suddenly or overtime—in your municipality. It can also be an opportunity to let your peers in on innovations that prevented problems from even arising.

Visit our awards page to see previous years of impressive ideas created by our winning municipalities as well as the [full invitation and application](#) to this year's program.

**Contact:** Ciara Bradley, Legislative Administrator, [CBradley@njlm.org](mailto:CBradley@njlm.org), 609-695-3481 x128.

### **c. 17<sup>th</sup> Annual Michael A. Pane Award Nominations Are Now Being Accepted**

In honor of the memory of Michael A. Pane, the 17th annual award will be presented to a professional (attorney, engineer, or planner) that personifies outstanding ability, integrity, and a high standard of ethics in his or her dealings with local government. This award includes a \$500 honorarium.

Mr. Pane personified and promoted integrity in local government, and it is the purpose of this award to recognize an individual who has over a period of years demonstrated the same professional commitment to service and, who by so doing, has set high standards that all involved in local government should strive to match.

The award ceremony will be held during the League's Annual Conference in Atlantic City, on Thursday, November 21, during a session of the New Jersey Institute of Local Government Attorneys. Nominations for this award will be accepted through September 15, 2019.

**Please mail, fax, or email your nomination to:**

Johnnifer Harris  
c/o NJLM Educational Foundation, Inc.  
222 West State Street  
Trenton, New Jersey 08608

Fax: 609-695-5156, Email: [jharris@njlm.org](mailto:jharris@njlm.org)

“The League thanks the NJLM Educational Foundation for making this possible and is honored to participate in the promotion of the Michael A. Pane Award,” said League Executive Director Michael J. Darcy. A list of past award winners can be found on the [League Website](#).

For additional information, call John Gillespie 856-985-4083.

#### **d. New Jersey Clean Energy Program**

The Board of Public Utilities’ (BPU) will be awarding its first [Community Energy Plan grants in 2019](#). These grants are designed to encourage communities to bring together all the stakeholders (residents, businesses, non-profits and government) to benchmark energy use and other environmental impacts (waste production, water protection, land conservation), to create a plan to reduce the communities’ energy consumption in accordance with the 2019 New Jersey Energy Master Plan and implement the short- and long-term goals.



New Jersey State League of Municipalities

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 2018 NJLM. All Rights Reserved.  
222 West State Street, Trenton, NJ 08608

Powered by  **CIVICSEND**  
A Product of CivicPlus

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

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