This report intends, on annual basis, to both look back at the year behind us and to look forward to what is ahead. The 107th Conference did precisely that: look to learn lessons from the past and look forward to prepare for what is ahead. “Building for Tomorrow” begins at the local level, where our elected and appointed officials act in to further the interests of their constituents.

Here at the League, we seek to help you do your job. We educate. We advocate. We are an information resource for you. The last two-and-a-half years have provided a lifetime of challenges, but also a lifetime of opportunities.

Change and adapting to the “new normal” (whatever that may be) may be done out of necessity, but it should also be done with purpose. And it should be done with one eye looking back and one eye looking forward.
Legislative
The League’s Legislative team, Deputy Executive Director/Director of Government Affairs Lori Buckelew; Senior Legislative Analyst Paul Penna; Legislative Analyst Andrew LaFevre; League Associate General Counsel Frank Marshall; Legislative Administrator Ciara Bradley; and Legislative & Administrative Support Shirley Cade, continue to advocate on behalf of municipalities during the COVID recovery.

This year was the start of the new legislative session with some new faces in the legislature and legislative leadership. NJLM’s Legislative team focused on issues of importance to local governments, serving as an active voice for local officials on topics including:

Energy Tax Receipts: The League has long advocated for the full restoration of Energy Tax Receipts. Earlier this year, Senator Singleton and Senate President Scutari advanced S-330, which would restore distributions to municipalities from the Energy Tax Receipts Property Tax Municipal Distribution Program (ETR) over two years and require additional funding to be subtracted from the municipal property tax levy. Joined by 22 Senators as co-sponsors, S-330 unanimously passed the Senate on March 3, 2022. Assemblymen Benson and Moriarty and Assemblywoman Jaffer, joined by 33 Assembly representatives as co-sponsors, advanced the Assembly companion, A-3804.

With the assistance of Mayors, elected officials, and municipal professionals who reached out to their legislators and Governor Murphy urging the restoration of the Energy Tax Receipts, signed onto the League’s Energy Tax Receipts Restoration Letter, and adopted resolutions of support for S-330/A-3840, our collective voices were heard. While we did not receive everything we fought for, the State Fiscal Year 2023 budget that was passed by the Legislature and signed by Governor Murphy includes $75 million in new funding, known as Municipal Relief Fund to be distributed to municipalities using the same Energy Tax Receipts formula.

Opioid Settlements: In 2021, the National Prescription Opiate Litigation MDL Plaintiffs’ Executive Committee, several State Attorneys General, and four major defendants announced agreement on terms of proposed nationwide settlements to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen (Distributors), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, J&J). The agreement yields up to $26 billion for states and subdivisions nationwide. Participating municipalities began receiving their first payments in July 2022.

The settlement agreement outlines core strategies and permitted uses of the funds for municipal use. Municipalities can choose from many different abatement strategies, with priority given to the following core abatement strategies, including Naloxone or other FDA-Approved drug to reverse opioid overdoses; medication-assisted treatment (MAT) distribution and other opioid-related treatment; pregnant and post-partum women; expanding treatment for National Abstinence Syndrome (NAS); expansion of Warm Hand-Off Programs; treatment for incarcerated population; prevention programs; expanding syringe services programs; and evidence-based data collection and research analyzing the effectiveness of the abatement strategies within the state.

The League acted as a resource center to ensure that all 564 municipalities participated in the settlement agreement so New Jersey’s municipalities would be given access to additional funds from the settlement agreement. We held webinars with the State Attorney General’s Office and the Governor’s Office and provided assistance to municipalities.

Municipal Stormwater Management Permit: the New Jersey Department of Environmental Protection has undertaken efforts to reassign the 101 municipalities currently designated as Tier B to a Tier A designation under the Municipal Separate Storm Sewer System Permit program (MS4 Permit Program) as well as expanding the requirements under Tier A.

Some of the more significant proposed changes to the MS4 Permit include the following:
• Requiring all (including new) Tier A’s to develop a Watershed Improvement Plan (WIP) in stages over the 5-year permit term to address water quality impairments, Total Maximum Daily Loads (TMDL), and protect high-quality waters.
• Requiring mapping of all MS4 stormwater infrastructure.
• Removing authorizations for leaf composting operations at municipal maintenance yards under Tier A, and requiring
authorizations under the new Wood Waste Recycling & Leaf Compost General Permit to be issued concurrently with the Tier A renewal.

- Increasing street sweeping from monthly on some municipal roads to all municipal roads 1-3 times per year, depending on presence of storm drain inlets.
- Requiring the review of de-icing additive ingredients.
- Requiring municipalities to finish storm drain inlet retrofits by end of the 5-year permit cycle.
- Adding a minimum inspection frequency for public and private Best Management Practices (BMPs) to ensure proper maintenance.
- Adding a requirement for municipalities to require commercial/industrial facilities to cover salt piles year-round when not in use (such as mall parking lots).
- Requiring enhanced Best Management Practices at Municipal Maintenance Yards, requiring covering of additional types of materials stored in the yards and including links to the Wood Waste Recycling & Leaf Compost General Permit.
- Requiring removal of piles of excess residual salt on roads/parking lots deposited during spreading operations.
- Requiring measurable time frames for stream scouring and illicit connection program remediation.
- Requiring municipalities to establish dedicated stormwater webpages.
- Increasing frequency of some employee stormwater training to reflect annual Stormwater Pollution Prevention Plan (SPPP) updates.
- Adding the road erosion sediment control requirement back into the permit.
- Enhancing the Stormwater Management Design Review (SWMDR) training requirement to require a short update course to cover rule amendments.

Compliance with the MS4 Permit has always been a costly endeavor for municipal governments, and the addition of the new elements presented in the draft permit will mean additional costs. For Tier B municipalities now reassigned as Tier A, the cost of compliance will be even higher as this will be the first time being required to meet the existing Tier A permit requirements in addition to the potential new requirements.

**State Health Benefits Plan Rate Increase:** In September the State Health Benefits Commission announced a 22.8% increase for Local Government Employee/Retiree Group in the State Health Benefits Plan. At the same time the State Government Employee/Retiree Group's health benefits plan will increase by 18.6%. However, based on a deal brokered between the State unions and the administration, State employees in the CWA Unity Plan and 2019 Direct Plan will only see a rate increase of 3%.

The League has partnered with the New Jersey Conference of Mayors (NJCM), the New Jersey Urban Mayors Association (NJUMA), and the New Jersey Association of Counties (NJAC) in seeking relief from the legislature and administration. The collective group’s interest is both short-term and long-term fixes. In the short-term financial assistance for the rate increases and an extended enrollment period. In the long-term county and local representation on the State Health Benefits Commission, examination of cost-saving solutions to the plans, and legislative changes ensuring this situation doesn’t happen again.

We held a joint press conference that included Senator M. Teresa Ruiz, Senate Majority Leader, District 29; Assembly members Dan Benson, Deputy Conference Leader, District 14; ShaniQue Speight, District 29; Eliana Pinto Marin, District 29, Budget Chair; and Anthony Verrelli, District 15, Chair of Assembly State and Local Government Committee. Many expressed their concern about the timing of the hike announcement, noting that it left the legislators with no options for working the significant increase into discussions during the State Fiscal Year 2023 Budget process.

Various pieces of legislation have been introduced to address the dramatic increase in health benefits costs. Legislation has been introduced to expand the State Health Benefits Commission membership from five to seven members. Senate Majority Leader M. Teresa Ruiz and Senator Paul Sarlo introduced a bill add representatives from local government management. Assembly Representatives DePhillips and Dunn introduced legislation having the New Jersey Association of Counties and New Jersey League of Municipalities selecting an administrator appointed by Gov. Murphy to be members of the Commission.

Senator Turner has introduced S-2994, would establish an annual reporting requirement for the State Health Benefits Plan (SHBP) Commission and the School Employees Health Benefits Plan (SEHBP) Commission, and S-2995, would appropriate federal COVID relief funds to the SHBP and SEHBP to reduce the anticipated increase in premium rates for calendar year 2023.

Senators Beach and Greenstein introduced legislation that would require the claims data history be provided at least once
year and if the public employer requested the data, the majority representative of the employees of that employer would be able to request and receive it as well.

Senators Oroho and O’Scanlon have introduced legislation to form a special legislative committee with subpoena power to investigate massive proposed premium increases for the health plans that cover state government, local government, and school employees. Assemblyman Thomson introduced legislation demanding that energy tax receipts be paid in full to municipalities to offset the expected property tax increases.

We urge you to keep an eye on the League’s Town Crier blog post, daily updates, and legislative alerts to stay abreast on the legislation. We will continue to be your advocate in Trenton, but we ask that you join us by contacting your legislative representatives and echoing our collective municipal voice at local district offices.

Washington

For the second year in a row, there has been major federal legislation enacted that benefits municipalities. At the end of 2021, after the Congress passed the Infrastructure Investment and Jobs Act (IIJA) last fall, President Joe Biden signed the bill into law on November 15, 2021. Over the summer, Congress passed the Inflation Reduction Act and President Biden signed it. The League worked closely with the New Jersey federal delegation and our partners at the National League of Cities (NLC) to ensure our federal priorities have been at the forefront while decisions are being made that affect our state.

League Associate General Counsel Frank Marshall carefully monitors U.S. Supreme Court cases on issues ranging from billboard siting requirements conflicting with First Amendment protections to matters involving the use of eminent domain. And, at the federal regulatory level, he has monitored and commented on proposals ranging from the copper and lead rules to Federal Communications Commission (FCC) proposals that would hinder municipal authority over the siting of telecommunication equipment.

This past spring, League President Pikolycky, League Immediate Past President Kovach, and League Executive Director Michael Cerra joined leaders and staff from other state municipal leagues for a day of meetings with the offices of our respective U.S. Senators and Representatives. They met with Congressmen Van Drew and Congressman Malinowski as well as staff members from several other New Jersey offices. This event was organized by NLC and participants heard from President Joe Biden, House Speaker Nancy Pelosi, Infrastructure Coordinator (and former New Orleans Mayor) Mitch Landrieu, Lviv Mayor Andriy Sadovy of Ukraine, and Transportation Secretary Pete Buttigieg. The day’s major focus was on IIJA funding and the application process; Energy Efficiency and Conservation Block Grant funding; lead pipe removal funding, and funding for broadband equity.

Infrastructure Investment and Jobs Act/Bipartisan Infrastructure Law: Congress completed this major legislative priority. The 10-year, $1.2 trillion law includes $550 billion in new spending over the next 5 years including:

- Roads, bridges, & major projects
- Passenger and freight rail
- Safety
- Public transit
- Broadband
- Ports and waterways
- Airports
- Water infrastructure
- Power and grid
- Resiliency for cybersecurity, waste management, flood mitigation, wildfire, drought, coastal resiliency, ecosystem restoration, and weatherization
- Zero emission school buses and ferries

New Jersey is expected to receive $6.9 billion for highways, $1.1 billion for bridges, and $4.2 billion for transit over the next five years. Also included is $12.3 billion for the Gateway Project to build new rail tunnels under the Hudson River. The League thanks Senators Menendez and Booker, as well as all
12 members of the House that supported this important infrastructure package.

The Biden administration released a BIL Guidebook outlining when federal funding would be available and through which department. The League created a New Jersey municipal version, both as a guidebook and a spreadsheet format so municipalities could keep abreast of upcoming deadlines that is available on the League’s website under Federal Issues of Municipal Interest.

**Inflation Reduction Act:** After it was passed by Congress over the summer, the President signed the Inflation Reduction Act of 2022, which raises more than $700 billion in new revenue and makes more than $400 billion in new investments including prescription drug cost reform, addressing domestic energy production, increased funding for the IRS, and funding for electric car charging, home energy supply improvements and investments in solar technology.

**American Rescue Plan State and Local Fiscal Recovery Funds:** The League spent considerable time this year working with NLC to ensure that New Jersey municipalities followed the reporting requirements of the ARP State Local Fiscal Recover Funds and would like to thank the NLC for their assistance.

**SALT:** While disappointed that there has not been any relief to the State and Local Tax (SALT) deduction cap this past year, the League will continue to advocate to eliminate this double taxation and work with the New Jersey congressional delegation to ensure our interests are represented.

**Legal**

The League has been busy advocating for municipalities in the courts this past year. Our legal department, led by General Counsel William Kearns, Deputy General Counsel Trishka Cecil Waterbury, and Associate General Counsel Frank Marshall, participated in various amicus interventions in 2022 before both the New Jersey Appellate Division and Supreme Court. The legal matters at issue were diverse but once again matters related to OPRA in some way or another saw the most action.

The League participates in these cases because they have statewide impact and municipal interests are well served by our involvement.

In addition to our amicus work, the League’s legal department continues to act as a helpful resource to municipal attorneys. We act as a clearinghouse for ideas and practices and monitor and report on important court decisions at the state and federal level that impact our members. Attorneys must continually adapt to a changing legal landscape and our legal department is a strong resource to help them in this task.

Outside of the court context, our legal department has also been busy advocating for municipal interests before a variety of state administrative agencies including the DEP and BPU. Issues before these agencies have ranged from stormwater control to the siting of offshore wind turbines.

The legal department continues to create useful resource material. This includes various publications offered by the League, contributing to the League magazine with articles on
particular areas of interest, and writing blog posts to outline new laws and regulations.

In addition to this, the legal department maintains the League’s ordinance and resolution library. This library is a valuable tool for municipal attorneys, elected officials, and others as it allows users to see how other municipalities have solved problems, helping them to better address their own.

The League’s legal department also works on legislative and regulatory advocacy, working closely with members of the League’s legislative staff to provide analysis on legislative affairs. The League’s Associate General Counsel frequently represents the League and municipal interests as a stakeholder on a variety of issues before the State’s regulatory bodies and legislative committees.

**Labor Relations**

The League’s Labor Relations Advisory Service is conducted by the League’s Labor Relations Counsels, Angelo Genova and Joseph Hannon of the firm Genova Burns LLC. And now the League has bolstered its Labor Relations offerings by the retention of former municipal manager and former Director of the Division of Local Government Services Matthew U. Watkins.

Joseph Hannon is available to respond to a broad range of public employer labor and employment law questions as a telephone or email service of the League. As part of the Labor Relations Advisory Service, Genova Burns provides expert attorney presentations at several League seminars throughout the year and during the Annual Conference. He also authors the Labor Relations column in NJ Municipalities magazine.

Likewise, Matt Watkins is now available to provide assistance and insight into negotiation skills and strategies and trends. He will provide Labor Negotiations columns to NJ Municipalities magazine, but will also be able to speak with labor attorneys and others to provide guidance on these trends and negotiating with your local bargaining units.

**Bureau of Municipal Information**

The Bureau dates back to the creation of the League. Every year, there are municipal emergencies. But they are typically short-lived moments followed by focused recovery efforts. The ongoing demands for information and support in the face of the pandemic has proven decisively the ongoing value of services provided by the Bureau of Municipal Information under the guidance of Director of Communications, Marketing, and Technology Taran Samhammer.

The League continues to offer the online Ordinance and Shared Service Libraries, a valuable service providing a sampling of enacted ordinances and shared services agreements from across the state on over 70 topics. The libraries may be accessed on the League’s website and are searchable by keyword.

The Bureau features resource pages for over 20 topics on the League website, including a COVID-19 Resource page. Other pages include critical subject information such as legislation pertaining to hot topics and their history, as well as updates via the News Flashes and links to pertinent resources and recent news articles. The Finance Center, Social Media Resource Center, and Bureau Reference Desk are just a part of the collection of information on matters of importance to municipalities.

The League also offers a diverse listing of publications, most of which are digital and include valuable data in Microsoft Excel spreadsheets.

**NJ Municipalities Magazine**

NJ Municipalities magazine continues to be a trusted resource for local officials statewide with digital and print editions. Monthly issues distributed from October through June educate and inform more than 6,300 readers and an estimated 19,000 pass-along readership as a platform and information resource guided by Managing Editor Amy Spiezio and newly full-time Advertising Manager Tasneem Kapadia.

As the post-pandemic operations roll along, the magazine continues to share information and strategies from around the state and on the national level, highlighting useful topics to assist local governments in their operations.

The magazine proudly highlights the works and worlds within New Jersey’s municipalities, honoring Show Off Your City winner Jersey City and the activities of communities throughout the state during Local Government Week. Other issues include publication of young essayist-winners of the Louis Bay II Future Municipal Leaders Scholarships and the latest inductees to the Mayors Hall of Fame.

Fueled by insightful editorial and advertising contributions from League members from all regions of New Jersey and their operational partners, as well as state commissioners and other experts, the magazine is:

- Provider of a wide range of stories to managers and policy-makers including, special focus sections on topics ranging from solar power to business development.
- Designed for easy navigation and visual interest.
- Environmentally and socially responsible in its operations, printing on industry-leading, environmentally responsible papers that use 10% post-consumer waste and FSC chain of custody certification.
- Created with print and digital readers in mind, with a growing publication archive in an electronic format based on the League’s website.
Training and In-Service Programs

While the COVID-19 pandemic has come to an end, the need for online programming has not. With advent of easy-to-use Webinar systems and the need to keep our members in their offices, the League has pivoted most of its traditional programming to a web-based platform. While we still have some programming in person such as the Newly Elected orientation and Mini Conference. Continuing Education/Special Programs Manager Danielle Holland-Htut develops plans to educate our members from the comfort of their own or home office without the long commute and time spent out of the office.

Approved continuing education programs serve as a cost-effective way for municipal professionals to maintain their respective state licenses. The League works cohesively with numerous accreditation bodies representing 20 government licenses, including Continuing Legal Education for New Jersey and Pennsylvania Attorneys, Municipal Licensees, Tax Assessors, Recycling Coordinators, Planning and Zoning Board Secretaries, Zoning Officials, Land Use Administrators, and Professional Engineers and Land Surveyors.

In addition to the Annual Conference, the League offered many professional development seminars and webinars, educating more than 2,000 attendees in 2020/2021.

Highlights included:
• Orientation for Newly Elected, Reelected, and Experienced Officials
• Budgeting for the Elected Official: Everything you Need to Know to Create, Balance, and Approve Your Municipalities’ Budget
• Best Practices for a Diverse Municipal Workplace
• One Day Mini Conference
• Cannabis in The Workplace
• Recent GRC Decisions and Q &A with the GRC
• Municipal Cannabis Law
• Understanding Collective Negotiations, Interest Arbitration and Chapter 78 and the Comptrollers Report on Sick Leave
• Local Finance Board Presents: Fire District Ethics, Budgeting, and Procurement, and More
• Budget, Ethics, and Procurement Updates

For more information on the League’s upcoming seminars and webinars, visit www.njlm.org/Seminars

Annual Conference

The NJLM Annual Conference remains the largest municipal conference in the country and a critical mainstay in the portfolio of services provided by the League. The Annual New Jersey State League of Municipalities Conference is a must-attend event that draws decision makers from all around the Garden State. The exhibit hall hosts commercial firms, government agencies, non-profits, and associations displaying the latest products and services to educate and assist NJ municipalities with solutions.

More than 123 educational sessions, clinics, panels, and workshops are conducted by the League and the 21 affiliate associations to provide invaluable learning and networking opportunities.

After a virtual conference in 2020, we were pleased to return to Atlantic City last year and the results exceeded all expectations. The 2021 Conference looked different out of necessity, but we adjusted accordingly and the 106th Conference was a huge success.

Whether honing skills in educational sessions, networking with peers at League events, or meeting with the innovators of goods and services in the Exhibit Hall, the Conference is an environment for local officials and professionals to focus on Building for Tomorrow. The 107th Annual Conference continued our path to the “new normal.”

Thanks to the efforts of Continuing Education/Special Programs Manager Danielle Holland-Htut, Finance and Administration Director Marie Kizer, Conference Business Development Director Kristin Lawrence, and Communications, Marketing, and Technology Director Taran Samhammer.

We look forward to seeing you in Atlantic City for the 108th Annual Conference, November 14-16, 2023.

NJLM Foundation

The New Jersey League of Municipalities’ Educational Foundation is an informational resource for local government that offers timely research and a proactive approach to resolving the complex issues affecting New Jersey’s diverse communities. It brings together municipal officials, academics, government officials,
business leaders and other stakeholders to share their visions and hopes for the future of public policy, and their solutions to the compelling challenges facing the state.

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**William J. Kearns Jr., Esq.** Legal Advisor; General Counsel, NJLM; Helmer, Conley & Kasselman

**Andrew LaFevre** Legislative Analyst, NJLM; Staff Liaison

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**Membership and Finance**

The League is completing its 107th year of service to the municipalities of New Jersey. Our membership currently includes 564 municipalities in the State of New Jersey. The League’s fiscal year runs from July 1 to June 30. The budget under which the League currently operates is set forth on this page.

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