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January 10, 2020

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

Monday, January 13, is the last scheduled day for the current legislative session. All bills that are not passed and sent to Governor by noon, Tuesday die and must be reintroduced in the new session that officially begins on Tuesday. We would like to call your attention to two action items on pending bills under State, items d and e. We will provide you a full Lamé Duck update next week.

I. State Issues

a. Governor Signs Legislation

On Thursday Governor Murphy signed into law the following bills:

[S-1242](#), which requires that whenever public water systems issue boil water notices. A notice must also be given to the mayor and municipal clerk of each affected municipality as soon as possible but no later than one hour after the public water system learns of the emergency or other condition. The notice must be given by both email and phone. The law also outlines the requirements of the notice. The notice must also be given in the same manner when the boil water notices are rescinded. P.L. 2019, c. 279 took effect on January 9, 2020.

[S-3594](#), which provides New Jersey employees' who are members of the National Guard with the same employment protections that are provided to members of the United States Armed Forces called to active duty. P.L. 2019, c. 286 took effect on January 9, 2020.

[A-5070](#), which authorizes certain municipalities to impose a 3.5% parking tax to fund mass transit pedestrian access projects. The tax would be in addition to parking taxes already authorized by law, except this new tax cannot be imposed whenever a special event parking tax surcharge is charged. The bill also allows the municipalities to provide certain discounts to their residents. This parking tax is available to municipalities with a population of 100,000 or greater. P.L. 2019, c. 289, which the League supported, took effect on January 9, 2020.

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

b. Governor Signs Bill Allowing Municipalities Access to Private Property for Lead Service Line Replacement

Yesterday, Governor Murphy, signed [S-4110](#) into law, a bill which the League supported, that provides clear authority for municipalities and municipal water systems to enter onto private property to perform lead service line replacement. The new law takes effect immediately.

The new law allows a municipality to pass an ordinance that would authorize a municipality, municipal water system, or their agent, to enter property to perform lead service line replacement. A municipality would be required to provide the property owner and any residents notice of the replacement at least 72 hours before entering the property.

This law provides municipalities with some of the tools necessary to begin addressing the State's issue with lead in drinking water. The League would like to thank the sponsors of this bill and the Governor for taking decisive action in passing and signing this important legislation.

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

c. Eleventh Hour Senate Action on 'Plastic Bag' Bill Slated

On Monday, according to reports and despite the continued objections of special interest groups, the Senate will vote on S-2776. The bill would ban the commercial use of single-use foam, paper, and plastic food and grocery containers. The bill, including amendments adopted yesterday, would eventually supersede local ordinances and impose a statewide ban on those products.

Please note: Any local ordinances, currently on the books or passed in the interim, would remain in effect for two years after the bill would be signed by the Governor.

At this time, the Assembly has not scheduled the bill for consideration. And, any bills that have not passed both Houses before noon on Tuesday – the end of the current legislative session – will die. They would need to be refiled, renumbered, and begin, again, their journeys through the legislative process.

The latest amendments will allow customer access to single-use plastic straws. Further, under these amendments, grocers will not be required to provide free reusable bags to customers, during the first two months of the ban's implementation. The bill calls for a three-year program to provide reusable bags to lower-income residents, which would be

allocated \$500,000 a year, under the January changes.

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

d. Committee Advances Bills Expanding Use of Preserved Farmlands Without Municipal Oversight

Yesterday, the Assembly Appropriations Committee approved legislation, opposed by the League that greatly expands the number and type of events that can be held on preserved farmland. The Assembly Committee Substitute for A-5384/A-5157 allows the owners of preserved farmland to host, by right, a number of special occasion events such as music, food, and other festivals, car shows, and weddings, all without municipal review, oversight or even prior notification.

Further, it is our belief that this legislation circumvents the objectives of the State's successful farmland preservation efforts, in which public dollars have been committed to permanently preserve prime agricultural lands throughout the Garden State. At the time such easements were bought and paid for, it was not allowed nor anticipated that these preserved farmlands would be used for the kind of nonagricultural activities this bill seeks to permit.

These bills are scheduled for Assembly vote on Monday, January 13.

We urge you to [contact your representatives](#) in the Assembly to voice your strong opposition to these bills.

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

e. Bill Requiring Electronic Review of Construction Permits Set for Vote

On Monday, January 13, the State Senate is scheduled to vote on [S-3927/A-4463](#), which the League opposes. S-3927/A-4463 would establish an electronic permit processing review system requiring electronic submission of applications for construction permits, plans, and specifications as required under the State Uniform Construction Code, and for the scheduling of inspections. All municipal enforcement agencies would be required to use this new system.

The League supports efforts to modernize the process of UCC applications and reviews; however we have some concerns with the bill. For one, certain documents required to be reviewed during the construction permitting process are not easily reviewable through electronic means. Municipal enforcement agencies will incur substantial costs to purchase the equipment necessary to implement the electronic review of these applications. And, while the bill allows municipalities to charge a surcharge for the first three years after the bill is adopted to recoup start-up costs, this may not be sufficient.

We encourage you to [ask your Senator](#) to vote against this legislation.

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

f. Library Construction Bond Act Grant Funding Applications Now Available

On Monday the Governor announced the launch of the first round of grant solicitations using the Library Construction Bond funds to support libraries providing modern and technologically efficient library facilities. Grants are available to fund projects such as ADA accessibility, major building renovations, and new construction projects. The State Librarian, in consultation with the President of Thomas Edison State University, will be responsible for the administration and oversight of the Library Construction Bond Act grant solicitation. [Grant applications](#) will be accepted through Monday, March 9, 2020 to Monday, April 6, 2020.

For information on the Public Library Construction Bond Act, please contact Tina Keresztury at 609-278-2640, ext. 133, or ckeresztury@njstatelib.org.

II. Federal Issue

a. Federal Budget Increases Delaware River Basin Funding

Among other items included in the Federal FY 2020 Budget, adopted just before Christmas, Congress appropriated \$9.7 million for the Delaware River Basin Restoration Program. This funding will be available to nonprofits and other groups, to support projects to improve water quality, restore wildlife habitat, and provide better public access to waterways and other natural resources. The Basin includes 40 percent of New Jersey's Land Area, and 22 percent of our population. Pennsylvania, Delaware and New York share portions of the Basin.

The Delaware River Basin Restoration Program is modeled on long-running support for similar ecosystems, such as the Chesapeake Bay and the Great Lakes. This funding will support eligible applicants in New Jersey and our neighboring States, including government entities, non-profit organizations, and institutes of education implement on-the-ground restoration and conservation projects. Projects will combat critical issues such as overdevelopment, stormwater runoff, flooding, stream erosion, and loss of wildlife habitat.

Since the passage of the Delaware River Basin Conservation Act at the end of 2016, the program has secured funding of \$5 million in fiscal year 2018 and \$6 million in FY2019, allowing applicants to seek grants of between \$50,000 and \$250,000 for new project starts. Pursuant to the 2016 Act, funding is meant '...to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities' Those grants are administered through the National Fish and Wildlife Foundation.

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

III. Annual League Conference

a. Claim Your CEUs from the 2019 League Conference

Attention Municipal Officials! Do Not Forget to Claim Your CEUs from the 2019 NJLM Annual Conference! Visit the [Conference Tracking page](#) to claim your credits.

IV. Also of Interest

a. Mayors Wellness Campaign

We would like to remind you about a resource available to your administration; the New Jersey Health Care Quality Institute's [Mayors Wellness Campaign \(MWC\)](#). The MWC partners with the League to provide a statewide community health initiative, offering Mayors and their staff evidence-based tools and strategies to champion healthy and active living to improve the overall health of their communities. You can join the MWC by signing the annual [Pledge of Participation](#).

The Quality Institute invites existing MWC towns to apply for the 2019 Mayors Wellness Campaign Healthy Town designation. The Healthy Town designation recognizes communities in which Mayors have made healthy lifestyles a top priority and are actively engaging all the members of their community in healthy living. The deadline to apply is **5 pm January 31, 2020**. At the Quality Institute web site you will find links to the Healthy Town Application and the Healthy Town Rubric to help guide you and understand the scoring process:

- [Healthy Town Application](#)
- [Healthy Town Rubric](#)

Please reach out to Julie DeSimone 609-452-5980 jdesimone@njhcqi.org for more information.

B. Light Up Public Spaces for Suffrage

NJLM's Women in Municipal Government Committee (WIMG) invites municipalities to light up their public spaces in purple to celebrate the 19th Amendment's ratification centennial. On February 9, 1920, New Jersey ratified the 19th Amendment, confirming women's right to vote. We ask you to illuminate your public spaces in purple, a suffrage color, for at least the week of February 10.

Please share your participation on social media using the hashtag #NJWomenVote and #NJLM.


In addition, the WIMG committee requests that municipalities consider [adopting this sample resolution](#) celebrating the centennial. New Jersey was the 29th of the original 36 states to ratify the 19th Amendment, ensuring it became a law. New Jersey was also home to suffragists including Alice Paul, who founded the National Woman's Party in 1916. Her Mt. Laurel home, Paulsdale, is a National Historic Landmark.

The WIMG Committee consists of **all** elected and appointed women mayors and council members in New Jersey. They encourage the active involvement and full participation of women in municipal government. Efforts include professional development, networking seminars, and other programs.

NJLM is a partner organization with NJ Women Vote, a group marking the centennial of women's suffrage and looking at the role of New Jersey women in the historic movement and today's government. NJ Women Vote is part of Discover NJ History.

Visit www.discovernjhistory.org for more information.

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



New Jersey State League of Municipalities


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