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January 24, 2020

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

I. State Issues

a. Lame Duck Wrap-Up: Governor Takes Action

Governor Murphy had until 12 noon Tuesday to take action on over 200 bills, which were sent to him at the end of the 2018-19 legislative term.

[Please see the Town Crier blog post of January 23](#) for bills the Governor pocket vetoed. Since it was the end of the legislative term, the Governor was able to pocket veto the bills without providing a veto statement.

[Please see this Town Crier blog post](#) for bills signed into law by the Governor.

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

b. League Acting as Amicus Presents Oral Argument to NJ Supreme Court

The New Jersey State Supreme Court, on Wednesday, heard oral arguments in [Shipyard Associates, L.P. v. City of Hoboken](#), a matter that the League is participating in as Amicus Curiae. This case deals with an interpretation of a provision of the Municipal Land Use Law (MLUL) which prohibits a municipality from applying newly enacting zoning ordinances to a project that has received final land use approval.

Under a different section of the MLUL, pending land use applications are granted a similar exemption from newly enacted local ordinances, except for ordinances related to public health and safety. However, unlike the section of the MLUL dealing with pending applications, the section concerning projects that have received final approval does not specifically mention a health and safety exception.

The League as amicus argued that there is an inherent exemption to the prohibition of enforcing post-application approval ordinances that should be read throughout the entirety of the MLUL. A reading of the MLUL to the contrary would undermine the legislative purpose of the MLUL – to encourage municipal actions to guide the appropriate land use of the development of all land in a manner which promotes the public health and safety.

The Court will now deliberate on the positions argued by the parties. We will update you on this matter once the Court issues its decision.

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

II. Federal Issue

a. Urge NJ Reps to Support Congress Recycling Bill

When the Chinese Market was closed in 2017, recycling became much more difficult and much more expensive for municipalities in New Jersey, and across the Nation. Yet American industry groups contend that the demand for recyclables in the domestic market exceeds the supply.

Greater citizen education to reduce contamination and increased investment in the recycling infrastructure could benefit towns, struggling to meet recycling targets. Help from other levels of government will be essential. And some help may be on the way.

The [RECYCLE Act](#) (S. 2941) introduced in the U.S. Senate, last November, would create a \$15 million federal grant program overseen by the Environmental Protection Agency. Through the program, states, local and tribal governments and nonprofits could apply for grant funding that would pay for programs that educate consumers about recycling in an effort to decrease contamination, and potentially make America's waste more marketable both domestically and in other foreign markets. Under the bill, the EPA would also be required to develop a recycling toolkit that could be used by local governments to improve their recycling rates and decrease contamination in their recycling collections.

This bill, which enjoys broad bipartisan sponsorship, awaits action in the Senate Environment and Public Works Committee, which includes, among its members, New Jersey's Senator Cory Booker.

The [RECOVER Act](#) (H.R. 5115) introduced in the U.S. House of Representatives, also last November, would provide \$500 million in matching federal grants to states, local and tribal governments to invest in improving their recycling infrastructure, programs, and education efforts.

This bill, with both Democratic and Republican sponsors, has been referred to the House Energy and Commerce Committee, which is chaired by New Jersey Congressman Frank Pallone.

Please contact Senators Booker and Menendez and your Representative in the House and urge them to join our efforts to advance both of these important initiatives.

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. Show Off Your City Contest Deadline Feb. 3

The Third Annual Show Off Your City Contest is accepting entries through February 3. Municipalities are invited to send us photos of their tourist attractions, downtown areas, economic development initiatives, parks, city halls, community groups and new projects. Entries will be posted on the [League's Facebook](#) page, website and some featured in the April issue of *NJ Municipalities*, and possibly other issues.

A winner will be chosen and receives a free League publication of their choice! Photos can be submitted to [Email: aspiezio@njlm.org](mailto:aspiezio@njlm.org), or mailed on CD or flash drive to 222 West State Street, Trenton, NJ 08608.

For full details, visit the [Show Off Your City Contest webpage](#).

b. "Recent OPRA Decisions and "Q & A with the GRC"

Wednesday, April 15, 2020

8:30 a.m. - 12:30 p.m.

DoubleTree Hotel

700 Hope Road,

Tinton Falls, NJ 07724

CEUs: CMFO/CCFO-4.0 Off MGMT/ANC;CTC-4.0 Gen/Sec;CPWM-4.0 GOVT;RMC-4.0 Rec;QPA-4.0 Off Admin/Gen Duties;CPA-4.0 PD;RPPO/RPPS-4.0 M/S;CRP-4.0 Classroom; Planning Board Secretaries-3.5 Tech, Zoning Officials-3.5 Tech, Land Use Administrators-3.5 Tech;CPC-3.5;NJCLE-4.0;PACLE-3.5

[Event Details for April 15 OPRA Program](#)

c. Campaign Contribution Notice

The New Jersey Division of Elections has requested we share the following information. It is important that come to the attention of each Municipal Clerk. Questions and inquiries for additional information should be directed to the Division of Elections at 609-292-3760 or reference New Jersey Elections law, P.L. 1975, c. 70.

“No holder of a public office or position shall demand payment or contribution from another holder of a public office or position for the campaign purposes of any candidate or for the use of any political party.”

d. 2020 Code Council Leadership Week and Building Safety Conference of NJ

April 28 to May 1 at Bally's Atlantic City. This is an intimate, unique opportunity for municipal government representatives to learn about “Safety 2.0,” the International Code Council's signature initiative to welcome a new generation of members and leaders to the building safety profession. This event includes three days of building safety training from leading experts in the industry, expansive networking opportunities, educational sessions and a job fair. At the job fair, municipal government representatives can pick the brains of safety experts from the following organizations: Municipal Electrical Inspectors Association, Municipal Construction Officials of NJ, NJ Plumbing Inspectors Association, NJ Fire Prevention and Protection Association, Building Officials Association of NJ and NJ Association of Technical Assistants.

Find a conference brochure [here](#) with more information.



New Jersey State League of Municipalities

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