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March 20, 2020

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

You may not hear this too often from others. But the staff of your League of Municipalities wants you to know how much we appreciate what you do for the people you serve. In normal times, we are grateful for your service. But at times like these, you go above and beyond the call of duty. You know how to handle a natural emergency. You have plans for that. But there is no playbook for this. More challenges will emerge in the weeks ahead. Our staff will continue to do what they can to help you through them. Those of us who, for whatever reason, are not in the office, will be working from home. Please don't hesitate to contact us, as the need arises.

To assist in providing guidance and information we have created a [COVID-19 resource page](#). We will continue to update the page as we get pertinent information and include announcements in our Daily Updates.

I. State Issues

a. Update on Murphy Administration Actions on COVID-19

On Monday, March 16 Governor Murphy held a joint press conference with Governor Cuomo of New York and Governor LaMont of Connecticut. There they announced that gatherings larger than 50 people will be prohibited. Gyms were closed at 8 PM and remain closed moving forward. Bars and Restaurants were also closed at 8 PM moving forward, with the ability to re-open each day to offer take-out and delivery services. Food establishments will be prohibited from offering eat-in services.

Pursuant to [Executive Order 104](#), the Governor also took the following action.

- Closure of ALL pre-K, K-12 schools, higher education institutions beginning March 18.
- Closure of ALL casinos, racetracks, theaters, gyms
- Closure of ALL non-essential retail, recreational and entertainment businesses after 8pm
- Ban gatherings of over 50 people
- Our [March 17 correspondence summarizes](#) Executive Order 104.

On Tuesday, March 17 The Division of Local Government Services issued [Local Finance Notice 2020-06](#) on emergency procurement and use of storm recovery reserves in response to the COVID-19 public health emergency and strongly recommended the cancellation of bid openings for non-essential goods and services. The Local Finance Notice also noted that municipalities and counties with storm recovery reserves may use those funds for the COVID-19 response. Our [March 15 correspondence](#) summarizes Local Finance Notice 2020-06.

On Thursday, March 19 Governor Murphy signed [Executive Order 105](#) regarding upcoming elections against the backdrop of the State of Emergency in place because of the COVID-19 pandemic.

To summarize, all March and April elections will be moved to Tuesday, May 12. Nominating petitions may still be filed in person if complete but going forward the nominating petition process will be moved online using an online petition form. The March 30 deadline will remain in place. The May elections will be conducted through Vote-By-Mail (VBM) with VBM ballots automatically sent to all voters. More details are at [Elections.NJ.Gov](#).

The June primary is not impacted, except for the petition process.

The Governor also announced the closure of personal care businesses at 8 pm last night, such as barbershops, hair salons, nail salons, tattoo parlors and massage parlors.

[The League's March 19 Town Crier blog](#) post provides greater detail about Executive Order 105.

On Friday, a COVID-19 testing site will open at Bergen County College. A second location is expected to open soon in Monmouth County at the PNC Bank Arts Center in Holmdel, with additional sites added in the upcoming days and weeks.

As of Thursday, November 19 there were 742 confirmed positive individuals who have contracted the virus, with 9 fatalities. Unfortunately, these numbers are expected to increase significantly in the upcoming weeks.

In the meanwhile, we urge you to follow the guidance of the Centers for Disease Control (CDC) and the State Department of Health. Please share that guidance with your residents. Links to those resources and more are available at the League [COVID 19 Resource page](#).

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

x120.

b. Senate Action on COVID-19 Bill Package

On Thursday the Senate considered all but one of the COVID-19 bill package [passed by the Assembly](#) earlier this week. The Senate **held action** on [A-3847/S-2285](#), which would provide paid leave without utilizing accumulated leave for local government employees under certain circumstances. The remaining bills are before the Governor for his consideration.

In addition to the COVID-19 bill package the Senate added as an emergency [S-2304](#) to ensure that workers impacted by epidemics of communicable diseases have access to leave needed to care for themselves or effected family members. The bill expands the scope of the State's temporary disability insurance and earned sick leave by expanding the law's definition of "serious health condition" to include an illness caused by an epidemic of a communicable disease, a known or suspected exposure to a communicable disease or efforts to prevent spread of a communicable disease. It also eliminates the one-week waiting period for disability benefits in such cases. In addition, the bill modifies the Family Leave Act so that the rights to reinstatement to employment provided to workers by that act are applied to the epidemic-related cases indicated in the bill. The Assembly will need to consider S-2304 before it heads to the Governor's desk.

Governor Murphy has already signed into law [A-3859/S-2276](#), which grants the Governor authority to issue an executive order prohibiting residential tenant eviction and eviction due to residential foreclosure during certain emergency circumstances. He then used his authority under the new law to issue [Executive Order No. 106](#) to effectuate a prohibition on eviction.

All of the other [COVID-19 bills](#) await the Governor's consideration.

Contacts:

- Michael F. Cerra, Assistant Executive Director, mcerra@njlm.org, 609-695-3481 x120.
- Lori Buckelew, Senior Legislative Analyst, lbuckelew@njlm.org, 609-695-3481 x112.
- Frank Marshall, Esq., Associate General Counsel, fmarshall@njlm.org, 609-695-3481 x137.
- Jon Moran, Senior Legislative Analyst, jmoran@njlm.org, 609-695-3481 x121.

c. Census 2020 – COVID-19 Update

The Census Bureau continues to carefully [monitor the COVID-19 situation](#) and is adjusting some operations. They are delaying start of both the [Mobile Questionnaire Assistance program](#) from March 30 to April 13 and Early Non Responsive follow-up operations from April 9 to April 23.

In addition, the Census Bureau is reminding [college students living in on-campus housing](#) that may be temporarily relocated due to the COVID-19 that they should be counted where they live and sleep most of the time.

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

d. Chief Justice Issues Order Extending Deadlines for Property Tax Appeals

Yesterday, in response to the disruptions caused by the COVID-19 public health crisis, New Jersey Supreme Court Chief Justice Rabner issued an [Order](#) extending the filing deadlines for complaints and counter-complaints for local property tax appeals.

The deadline extension applies to both the New Jersey Tax Court and New Jersey County Boards of Taxation. The new deadlines have been extended to the later of May 1, 2020, or 30 days following a determination by the Governor that the State of Emergency declared under Executive Order No. 103 has ended.

You should review this Order with your tax collector, assessor, and municipal attorney for more information.

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

II. Federal Issue

a. League Looks to Protect Public Employers in Next Congressional COVID-19 Bill

We have contacted our Congressional delegation to seek, for public employers, the same consideration that has been extended to private employers, concerning paid family and sick leave requirements.

The Families First Coronavirus Response Act (HR 6201) creates substantial new sick leave and family medical leave requirements on government employers of all sizes. NJLM supports the creation of this new requirement. We want to be clear about this point.

However, we have concerns with Sections 7001 (Payroll Credit for Required Paid Sick Leave) and 7003 (Payroll Credit for Required Paid Family Leave), which provide credits against payroll taxes to offset the cost of these mandates for only private employers.

Notably, HR 6201 requires local governments to provide paid family and sick leave, but expressly prohibits local governments from receiving the tax credits.

Local governments pay payroll taxes and therefore should not have been excluded from this provision with an express carve-out. Furthermore, the carve-out will create a new unfunded mandate on local governments at a time when they will experience economic stress.

In the next funding bill, which we understand the Senate is currently drafting, we urge the New Jersey delegation to advocate for a provision that strikes Secs. 7001(e)(4) and 7003(e)(4) from HR 6201. We need Congress to clarify that state and local government

employers, including those exempt from 26 USC 3111, fully qualify for both the section 7001 and 7003 credits.

We thank the staff at the National League of Cities for bringing this to our attention.

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. Register Now for the Preventing Sexual Harassment in Your Municipal Workplace Webinar

Friday, April 17, 2020

11:00 a.m. - 12:15 p.m.

Location: Your Computer

CEUs: CMFO/CCFO-1.5 Eth;CTC-1.5 Eth;CPWM-1.5 Eth;RMC-1.5 Eth;QPA-1.5 Eth;NJCLE-1.5 Eth; RPPO/RPPS-1.0 Eth; Planning/Zoning Board Secretary-1.0 Admin; Zoning Officer-1.0 Admin; Land Use Administrator-1.0 Admin

[Event Details for April 17 Preventing Sexual Harassment Webinar](#)



New Jersey State League of Municipalities

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