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May 28, 2021

- I. State Issues
- II. Federal Issues
- III. COVID-19 Weekly Update
- IV. 2020 Annual League Conference
- V. Also of Interest

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

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 Legislation Requiring Regional Approval of Large Warehouse Developments

Last week we alerted you about [SCS S-3688](#) advancing through the Senate Budget and Appropriations Committee. This legislation would require a regional economic impact report and allow review by adjacent municipalities for certain proposed retail warehouse developments. The League has had an opportunity to further review SCS S-3688, including the new language introduced at the Committee hearing, that would require masterplan review and property tax revaluation. Please review our recent [blog post](#) that outlines the provisions of the bill along with League concerns.

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

3481, x137.

b. Cannabis Regulatory Commission Seeking Input from Municipal Representatives

On June 1, 2021 at 12:00 p.m. the [Cannabis Regulatory Commission](#) (CRC) will be holding a meeting to seek input from municipal representatives about the emerging cannabis industry. At this meeting the CRC is asking for input from local officials as it develops its regulations on licensing, local approval, health, and safety. Anyone wishing to speak at the CRC meeting must register to do so by emailing MMPquestions@doh.nj.gov, with the subject line "June 1 Speaker." Include in the body of the email: your full name, phone number, and the name of your affiliated organization if applicable. You can also submit written comments by emailing them to MMPquestions@doh.nj.gov with the subject line "June 1 Written Comments."

Contact: Lori Buckelew, Assistant Executive Director, lbuckelew@njlm.org, 609-695-3481, x112.

c. NJ Attorney General Issues Directive On Use of Body Worn Cameras and Updated Policy

This week, Attorney General Gurbir Grewal issued [Directive No. 2021-5](#) revising policy regarding the use of body worn cameras (BWCs) and stored BWC recordings. The revised [Body Worn Camera Policy](#) incorporates the legislative directive that by June 1, 2021, all uniformed patrol officers be equipped with BWCs and expands upon it, directing additional officers engaged in a wider range of functions be equipped with BWCs.

The policy prohibits law enforcement officers from reviewing BWC recordings prior to preparing initial police reports in most cases; incorporates longer retention periods for BWC recordings; provides additional opportunities for the subjects of BWC recordings to review the evidence; and provides for disciplinary action against those who violate the policy.

We suggest that you review this new policy with your municipal attorney, chief of police, and municipal clerk to ensure the new requirements are properly followed.

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

d. NJ Supreme Court Dismisses Nearly 300,000 Old Municipal Court Cases

The NJ Supreme Court this week issued an [Order](#) dismissing nearly 300,000 dated, unresolved, minor municipal court matters in which a defendant's driver's license was suspended. The Order issued this week is part of the 2019 Omnibus Order which identified for dismissal nearly 1.7 million unresolved, minor municipal matters more than 10-years old. The Court is dismissing these cases in phases to allow municipal prosecutors the opportunity to review the cases for possible objections.

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

3481, x137.

e. Senate and Assembly Joint Resolution Urging Repeal of SALT Deduction Cap

Senator Loretta Weinberg has introduced [SJR-118](#), which urges Congress to repeal the deduction cap on State and Local Taxes (SALT). Assemblyman Gordon Johnson has proposed the Assembly companion, AJR-231. The League appreciates the support of this important measure.

For over 100 years, the SALT deduction has been available to American taxpayers. This deduction is a significant benefit to New Jersey residents who pay federal taxes. In 2017 the federal government limited the amount of the SALT deduction to \$10,000, at that time the average SALT deduction taken by New Jersey taxpayers was almost double that amount.

Full deductibility is vital to the long-term economic health of New Jersey. In 2017, the League passed Conference Resolution [2017-02, Urging Congress to Protect the Deductibility of State and Local Taxes](#). It has remained among the League's Federal priorities since the cap was enacted in 2017 and the League adopted League Conference Resolution [2019-14 Urging Congress to Restore the Full Deductibility of State and Local Taxes](#).

Thank you if you are among the many municipalities that have passed a resolution in support of this effort. If your municipality has not, please consider adopting the sample resolution, available in [word](#) or [pdf](#).

Contact: Paul Penna, Legislative Analyst, ppenna@njlm.org, 609 695-3481, x110.

II. Federal Issues

a. American Rescue Plan: Municipal Guidance and Available Federal Education Funding

On Monday night, the U.S. Treasury [released guidance for Non-Entitlement Units of government](#) (NEUs) generally categorized as municipalities with populations of less than 50,000 residents.

U.S Treasury has directed the State to make funding calculations based on specific instructions they provided. We have reached out to the State to ascertain how they plan to execute this program and will share more information when it is provided.

To determine what steps municipalities can take now to prepare to receive funding, as well as available federal education funds and deadlines, please read the League's [recent blog post](#) on the topic.

b. Federal Infrastructure Update

President Joe Biden introduced the [American Jobs Plan](#) and [American Families Plan](#), a \$4

trillion spending program over 10 years, to improve a wide variety of traditional and human infrastructure. President Biden has stated his desire for these proposals to garner bipartisan support and has engaged in negotiations with Republicans in the Senate. For a comprehensive run down of negotiations, please see the League's [recent blog post](#) on the subject.

Contact: Paul Penna, Legislative Analyst, ppenna@njlm.org, 609 695-3481, x110.

III. COVID-19 Weekly Update

This week Governor Murphy issued Executive Orders 242, which lifts major COVID-19 restrictions, as well as Executive Order 243, which rescinds the requirement for businesses and non-profits to accommodate remote work arrangements. The Governor also announced that New Jersey Department of Education released a draft of its [American Rescue Plan Elementary and Secondary School Emergency Relief Fund state plan](#) for public comment.

COVID Data for May 27, 2021:

- 340 new positive cases for a total of 886,902 confirmed cases
- 14 new confirmed deaths for a total of 23,503 confirmed deaths
- The rate of transmission is at 0.78
- 1,263 cases linked to 281 school outbreaks since August 2020
- 8,526,571 vaccine doses have been administered, including 4,851,078 who have received at least one dose and 3,989,899 who are fully vaccinated. 54% are Pfizer, 42% Moderna, and 4% J&J.

Executive Orders

[Executive Order 242](#): Lifting major COVID-19 restrictions. Effective May 28 the indoor mask mandate in public spaces, six-foot social distancing, the prohibition of dance floors at bars and restaurants, and the prohibition on ordering and eating/drinking while standing at bars and restaurants is lifted. Effective June 4 indoor gathering and capacity limits will be lifted. Businesses will still have the ability to require masks and social distancing. Childcare centers, youth summer camps, and schools will continue to adhere to the masking and social distancing guidelines.

[Executive Order 243](#): Rescinds sections of [Executive Order 107](#) (2020) to permit businesses and non-profits to require staff to report to a physical worksite; clarifies that employers in workplaces not open to the public are no longer mandated to require employees to wear a mask or social distance on the worksite where the employee provides proof that they are fully vaccinated; and clarifies that businesses can permit customers, visitors, and other authorized individuals to enter the worksite without requiring a mask or to social distance. The order also prohibits an employer from restricting individuals from wearing masks or penalize or retaliate against individuals who choose to wear a mask. Executive Order 243 takes effect June 4.

Vaccine Information

The vaccination incentive [Vax Pass under the new "Vax and Visit NJ"](#) continues while the

[Dinner with the Governor and First Lady, Shot and a Beer" program](#), and [Uncork the Vaccination](#) incentive programs expire on May 31.

Homebound residents who have not yet connected with their local health department, or a home health agency, and who need an in-home vaccination should visit www.covid19.nj.gov/homeboundvax or contact the call center at 855-568-0545.

Contacts:

- Mike Cerra, Executive Director, mcerra@njlm.org, 609-695-3481, x120.
- Lori Buckelew, Assistant Executive Director, lbuckelew@njlm.org, 609-695-3481, x112.

IV. 2020 Annual League Conference

a. It's Not Too Late!

We hope that the NJLM Virtual Conference allowed you to look back and forward on the challenges of the day, be it the COVID-19 pandemic, social and restorative justice or how to balance the competing interests in preparing for your 2021 budget. While we expect to be back in-person in Atlantic City in 2021, the virtual conference offers a unique benefit. The content of the approximately 80 programs and 145 virtual exhibitor booths will be available on-demand through October 31, 2021.

Anyone who is registered can simply log in to [the Conference website](#) to view any of the programs or visit any of the exhibitor booths. And for those who did not attend, it's not too late. We will continue to accept [registrations](#) for access to the Conference site. Those who register now will not be able to apply for CEUs but will have full access to all programs and exhibit booths. And please continue to visit the exhibitors who chose to support the 105th Annual Conference by stopping by their booths. You can contact exhibitors directly with any questions or comments by simply using the "Request Information" button on each booth. This will generate an automatic email to the exhibitor and they will contact you with a reply.

V. Also of Interest

a. 2021 Planning and Redevelopment Conference

New Jersey communities are struggling with a multitude of economic, social, and environmental challenges. Join hundreds of New Jersey professionals, elected officials, and community activists at the [2021 Planning and Redevelopment Conference](#) on June 10-11 hosted by [New Jersey Future](#) and [APA New Jersey](#), as we restart, recover, and reimagine land use in a rapidly changing and post-pandemic environment.

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New Jersey State League of Municipalities

222 West State Street, Trenton, NJ 08608
 Phone: 609-695-3481 Web: www.njlm.org

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