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September 24, 2021

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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. NJ Supreme Court Rules Dog Licenses are Subject to OPRA Disclosure

Earlier this week, the Supreme Court of New Jersey issued its decision in [Ernest Bozzi v. City of Jersey City](#), a case which the League participated in as amicus. In this case the Court was asked to determine whether a dog owner has an objectively reasonable expectation of privacy such that their personal information in a municipal dog licensing record might be exempt from disclosure under the Open Public Records Act (OPRA).

In a 5-2 decision, the Court ruled that owning a dog is a substantially public endeavor in which people do not have a reasonable expectation of privacy that would exempt their personal information from disclosure under the privacy clause of OPRA. The Court found no justifiable claim that public access to the names and addresses of dog owners would violate any reasonable expectation of privacy. The Court did however note that other information contained in a dog licenses record should be redacted, such as the dog's name, breed, and whether it was a service or therapy animal.

The League would like to thank Carl Woodward, Esq., of Carella, Byrne, Cecchi, Olstein, Brody & Angello, for his tremendous work in representing the League in this matter.

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

b. 2022 Fire District Budget and Election Guidance

On September 20, the Division of Local Government Services issued [Local Finance Notice 2021-16](#), which addresses the Calendar Year 2022 fire district budget process. All fire districts must submit their applications through the Financial Automation Submission and Tracking Solution (FAST). Only designated fire district officials may obtain FAST login credentials.

We would also like to highlight that:

- Prior to submission, users are required to upload the completed budget document, and all supporting documentation, and other related and annually transmitted forms through FAST. This includes contracts, shared services agreements, and grant agreements.
- After February 19, 2022, the Fire District election results for fire districts with February elections, or any fire district with capital, levy cap, or restricted fund balance referendums must be reported through the FAST portal using the “Elections” tab within the adopted fire district budget module.

For more information about the CY 2022 fire district elections please visit [The Division of Local Government Services Local Finance Notice Guidelines page](#).

Contact: Andrew LaFevre, Legislative Analyst, alafevre@njlm.org, 609-695-3481, x116.

c. DEP Climate Change Briefing

You're invited to participate in a second lunch and learn session by the NJ League of Municipalities, in partnership with the NJDEP, focusing on the economic impacts of climate change to municipal budgets and planning. Join NJDEP Commissioner, Shawn LaTourette, and Redfin Chief Economist, Dr. Daryl Fairweather, to discuss how the state and private companies are incorporating climate change impacts into their work and the effects on municipalities' bottom lines. Brief presentations by Commissioner LaTourette and Dr. Fairweather will be followed by a 30 minute Q&A session open to all attendees.

The virtual meeting will take place **Tuesday, September 28, from 12 p.m. to 1 p.m.** To register for the free event, please email legislation@njlm.org with the subject line “DEP Climate Change.”

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

d. League Hosts Free Election Law Changes Webinar for Elected Officials

The League will host a webinar for elected officials with New Jersey Secretary of State Tahesha Way to discuss recent changes to New Jersey's election laws. This webinar will

occur on **Wednesday, September 29, from 12:30 p.m. to 1:30 p.m.**

Registration for the free webinar is [now open](#).

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

II. Federal Issues

a. Federal Budget Update

SALT Deduction Cap & Budget Reconciliation Process Proceeding

Negotiations continue between the House and Senate on the topline price and included policies in the budget reconciliation package, including the status of the cap on SALT deductions. On Wednesday, President Joe Biden held several meetings with congressional members to come to an agreement.

The House of Representatives is expected to vote on the Infrastructure Investment and Jobs Act next week but is unclear whether it has the votes for passage if components of the budget reconciliation are not ironed out by then.

At a press availability on Thursday, Senate Majority Leader Chuck Schumer announced there was a framework in place to pay for the final agreement. However, further details were not provided and are not available at this time.

Appropriations & Debt Limit

On Tuesday, the House of Representatives passed a short-term funding bill that would keep the government funded until December 3 and includes \$28 billion for disaster relief and \$6 billion for Afghan refugee resettlement. It also raises the debt limit through December 2022.

Late on Thursday, Senator Schumer filed a cloture vote on the funding bill and it is scheduled for Monday. However, public reports indicate that the minority party is not expected to support it due to the increase in the debt limit and the stopgap measure will not clear the 60 vote threshold. It is unclear what happens next but it may require a party line vote in the Senate requiring an additional budget reconciliation process.

The federal fiscal year ends on September 30 and the U.S. Treasury believes it will run out of borrowing authority in mid to late October. The Office of Management and Budget, per policy, is issuing guidance 7 days prior to a possible lapse in government funding. There is much happening and we will continue to monitor and keep you apprised.

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

b. National Flood Insurance Program

Risk Rating 2.0, the National Flood Insurance Program (NFIP) rating system, is scheduled to go into effect on October 1.

This week, a bipartisan group of coastal Senators, including New Jersey's Senators Bob Menendez and Cory Booker [in a letter](#) to FEMA Administrator Deanne Criswell [urged a delay](#) in implementing Risk Rating 2.0 because of recent weather events and that the actuarial premiums indicate a steep rise in premiums for homeowners throughout the country.

We will continue to monitor this situation and appraise accordingly.

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

III. COVID-19 Weekly Update

Earlier this week the Governor Phil Murphy signed [Executive Order 264](#) requiring all childcare worker and facility employees be fully vaccinated by November 1 or face regular and weekly testing and clarify that masking policies in all childcare facilities must mirror those in school. As a result, all employees, all students and children in the facilities care 2 years or older and all visitors must wear facemask with limited exceptions. The Governor also announced that the Food and Drug Administration's Vaccines and Related Biological Products Advisory Committee recommended booster shots for those age 65 or older or those who are high risk of contracting COVID and who are six months or longer past their second dose of Pfizer. The state is awaiting final guidance from the CDC and FDA.

COVID Data for Friday, September 24, 2021:

- 2,040 new positive cases for a total of 992,586 confirmed cases
- 24 new confirmed deaths for a total of 24,515 confirmed deaths
- The rate of transmission is at 1.05
- 102 cases have been linked to 23 school outbreaks, which is defined as 3 or more laboratory confirmed cases among students or staff within a 14 day period.
- 11,549,807 vaccine doses have been administered, including 6,363,172 who have received at least one dose, and 5,627,551 who are fully vaccinated. 58% are Pfizer, 39% Moderna, and 4% J&J. In addition, 50,522 have received an additional dose of Pfizer and 41,314 have received an additional dose of Moderna.

Vaccine Information

As a reminder, the Department of Health is providing access to individuals COVID vaccination records through [NJ Docket, a secure and free smartphone app](#), which is CDC approved.

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. Also of Interest

a. Workshop for Local Officials: NJ's New Statewide Municipal Electric Vehicle Ordinance

Friday, October 1, from 2:30 to 3:30 p.m. in the SW corner of the Princeton Shopping Center, 301 N. Harrison Street, Princeton, NJ 08540 (near the Verizon store).

You are invited to a workshop hosted by ChargeEVC, in partnership with the NJLM, the New Jersey Department of Environmental Protection (DEP), the New Jersey Department of Community Affairs (DCA), and New Jersey Coalition of Automotive Retailers (NJCAR).

Join **Maria Connolly**, Principal Planner at NJDCA and **Peg Hanna**, Assistant Director at NJDEP to learn more about New Jersey's [new statewide municipal ordinance which streamlines the local approval process for installing electric vehicle charging infrastructure](#) and incentives that may be available to your town. Participants will have the opportunity to ask questions about statewide incentives and municipal ordinance as it begins to go into effect in their municipalities.

[Registration to Pre-Register for the Workshop](#)

Following the workshop, Sustainable Princeton will be holding [An Electric Evening at the Princeton Shopping Center](#) from 4 to 7 p.m. We invite you to stay to check out some of your favorite electric vehicle models and participate in a ride-and-drive.

COVID-19 PRECAUTIONS: Learning session will take place outdoors, under a tent, with spacing between participants.

b. Free Election Law Changes Briefing Webinar

The League, along with the Municipal Clerks' Association of New Jersey, will host a webinar on **Monday, September 27, from 12:00 noon to 1:00 p.m.** with New Jersey Division of Elections Director Robert "Bob" Giles to discuss recent changes to New Jersey's election laws in preparation for this November's elections.

Registration is [now open](#) for this webinar. Because it is a free webinar, CEUs will not be offered.

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

c. NJCRC to Hold Virtual Cannabis Information Webinar

The New Jersey Cannabis Regulatory Commission (NJCRC) will host an informational webinar on **Tuesday, September 28, at 7 p.m.** The webinar will cover an overview of the recreational cannabis rules, a breakdown of the social equity provisions, what potential

applicants can do to prepare for applications, protections for financial service agreements and other contracts, and expectations for neighborhoods with cannabis businesses.

Members of the public can submit questions to be answered during the meeting to communications@crc.nj.gov by noon on Monday, September 27. For more information and a link to the Zoom webinar, please see the [NJCRC's announcement](#).

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

d. State Comptroller Webinar on Best Practices for Using ARP

On **Thursday, October 7, 2021 from 10:00 a.m. to 11:30 a.m.**, the State Comptroller's Office will be hosting a free webinar on the Best Practices for Using Local Fiscal Recovery Funds. The webinar will include best practices for compliance, procurement, sub-recipient monitoring, and internal controls when using the American Rescue Plan Act's Local Fiscal Recovery Funds. To register email covid.oversight@osc.nj.gov with "Local Government Training in the subject line.

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



New Jersey State League of Municipalities

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