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## December 3, 2021

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

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### I. State Issues

#### a. League Hosting Webinar on National Opioid Settlement

On December 9 at 12 noon the League will be hosting an informational webinar with speakers from the State Attorney General's office along with others to discuss the [National Opioid Settlement](#). A national settlement agreement has been reached between national pharmaceutical distributors and states and local governments regarding the distributors role in the nationwide opioid abuse crisis. The settlement provides substantial funds to states and local governments for abatement of the opioids epidemic and will impose transformative changes in the way the settling distributors conduct their business.

The total amount of settlement funds allocated to each state is dependent upon the number of counties and municipalities that agree to participation. Greater participation from local governments triggers additional settlement funding being distributed to the state. You do not need to have filed a lawsuit to be part of the settlement, or to participate. However, the deadline to participate is fast approaching, with electronic [settlement registration](#) needing to be completed before January 2, 2022.

The League webinar will provide additional information on the settlement and what New Jersey municipalities need to do to ensure our state receives the most available settlement funds.

Please [register for the webinar](#) on the League's website.

**Contact:** Frank Marshall, Esq., Associate General Counsel, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481, x137.

## **b. Your Action Needed: PILOT Prevailing Wage Bill Moving Again**

Earlier this week we sent out a Legislative Alert advising that legislation ([ACS 1571 & 1576 /S-1956](#)) that would make any construction, reconstruction, demolition, alteration, custom fabrication, or repair work, or maintenance work on a property or premise that has received a tax abatement or tax exemption subject to Prevailing Wage Act may be moving in lame duck. As a reminder, we urge you to not only reach out to your Senator and Assembly representatives expressing strong opposition to the legislation, but also we request that you consider signing on to the [coalition letter opposing ACS 1571](#). For more information please visit [www.oppose1956.org](http://www.oppose1956.org)

### **Contacts:**

- Mike Cerra, Executive Director, [mcerra@njlm.org](mailto:mcerra@njlm.org), 609-695-3481, x120.
- Lori Buckelew, Assistant Executive Director, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481, x112.

## **c. OPRA/OPMA Legislation Update**

On November 15 the Open Public Meetings Act ([S-379](#)) and Open Public Records Act ([S-380](#)) bills were scheduled to be considered by the Senate State Government Committee. Failing to receive enough votes in committee, the bills were held.

The status of the bills moving forward is uncertain. We will continue to keep you apprised of the situation.

**Contact:** Lori Buckelew, Assistant Executive Director, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481, x112.

## **d .CY 2022 Budget Issues**

Earlier this week, the Division of Local Government Services issued [Local Finance Notice 2021-24](#) announcing that the Local Finance Board has extended the statutory calendar year 2022 budget deadlines. The Local Finance Notice also discusses the following CY 2022 Budget Issues:

### **Budget Deadlines**

Executive Budget transmission to the governing body in Faulkner municipalities is extended from January 15, 2022 to February 25, 2022.

**Budget Introduction** deadline is extended from February 10, 2022 to **March 31, 2022 or the next regularly scheduled meeting** after March 31, 2022.

**Budget Adoption** deadline is extended from March 20, 2022 to **April 29, 2022 or the**

**next regularly scheduled meeting** after April 29, 2022. Please note that a budget may be adopted anytime within 10 days of receiving the DLGS Director's certification of approval of the budget.

### **COVID-19 Issues**

**ARP funds in 2022 budget for loss revenue:** The loss revenue calculation must be submitted as supporting documentation with the budget.

**COVID Special Emergencies:** CY 2022 is the first installment to budget for the deferred charges for the COVID-19 Special Emergencies passed in 2020 and 2021. The deferred charges can be excluded from the 1977 and 2010 caps.

**COVID-affected revenues:** For FY 2022, the Director has authorized the use of a 3-year average for calculation of affected revenues (years 2019, 2020, and 2021). The governing body must pass a resolution, which must contain an analysis reporting the amounts per year along with average.

### **Health Insurance Contribution & Waivers**

The health insurance cap exclusion is based on the average State Health Benefits increase of 5% for CY 2022. The cap exclusion for the appropriation cap is 1% and 3% for the levy cap.

We strongly recommend you review this Local Finance Notice with your Chief Financial Officer, and Administrator.

**Contact:** Lori Buckelew, Assistant Executive Director, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481, x112.

### **e. Committee Advances Bill Shortening Wireless Equipment Permit Review Time**

On November 15 the Senate Community and Urban Affairs Committee advanced [S-4082/A-3165](#), which would provide that applications for the collocation of wireless equipment be processed administratively as a permit rather than an application for development. This change would mean that applications for collocating wireless equipment would be subject to a much shorter timeframe for review, 30-days as provided for in the bill, than what is currently allowed under federal and state law. This is of particular concerns for municipal officials as the proliferation of small cell technology has shown that permit applications for wireless equipment come in batches, requiring review of large number of applications in a shorter amount of time. For these reasons the League opposes this bill.

The sponsors of the bill and other legislators are aware of these concerns and have offered to make amendments to the legislation to ensure that local officials have ample time to review the applications to ensure the health and safety of our communities. The League looks forward to continuing to work with legislators to provide a solution to address our concerns.

**Contact:** Frank Marshall, Esq., Associate General Counsel, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481, x137.

## **f. Bill Amended to Include State Reimbursement for Disabled Veteran Property Tax Exemption**

S-1641 would permit all honorably discharged wartime veterans who received a service-related permanent disability determination resulting from their wartime service in the United States Armed Forces, including those who received a 100% disability determination, to receive a property tax exemption in the proportional amount of their service-related disability, as declared by the United States Department of Veterans Affairs.

The League initially opposed the bill due to the lack of state and/or federal funding to reimburse for the costs on local property taxpayers for the tax exemptions for disabled veterans. At the November 15 Senate Community Urban Affairs Committee, [S-1641](#) was amended to require the state to annually reimburse each taxing district 102% of the amount any disabled veterans' property tax exemption. We thank the sponsors, Senators Cruz-Perez and Gopal, for amending the bill to address our concerns. With the amendment of state reimbursement we now support S-1641.

**Contact:** Lori Buckelew, Assistant Executive Director, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481, x112..

## **g. Legislation to Regulate Snow Removal in Front of Access Points**

[S-2070](#) is scheduled to be heard on Monday in the Senate Transportation Committee. This bill prohibits snowplow operators from depositing snow in front of certain access points used by persons with disabilities. The bill applies to both public and private snowplow operators and would prohibit the deposit of snow on "any access ramp, curb cut, special parking space, or other improvement designed to provide access to persons with disabilities."

While a laudable goal, as it is currently drafted, the League opposes this legislation because it shifts responsibility to the municipality. However, we are working with the sponsor to identify a solution so the responsibility of snow removal from access points onto the sidewalk is on adjoining property owners and not on the snowplow operators.

We will keep you updated as the details change.

**Contact:** Paul Penna, Legislative Analyst, [ppenna@njlm.org](mailto:ppenna@njlm.org), 609-695-3481, x110.

## **II. Federal Issues**

### **a. Federal Budget Update**

On Thursday, both chambers of Congress passed a continuing resolution to fund the federal government until February 18, 2022. Government spending was set to expire today and would have triggered a government shutdown. Congress will utilize the extra time to negotiate an omnibus funding package for the fiscal year.

In Congressional testimony this week, Treasury Secretary Janet Yellen stated that the

debt ceiling needs to be raised as the country's borrowing authority expires sometime between the middle of December and February.

**Contact:** Paul Penna, Legislative Analyst, [ppenna@njlm.org](mailto:ppenna@njlm.org), 609-695-3481, x110.

### III. COVID-19 Weekly Update

During the recent COVID-19 briefings Governor Murphy noted that while the State is monitoring and prepared for Omicron variant the cases in New Jersey are being fueled by the Delta variant; everyone over the age of 18 is now eligible to receive a booster; and strongly encourages the wearing mask indoors and when social distancing is not possible and to get vaccinated.

#### COVID Data for Friday, December 3, 2021:

- 3,966 new positive cases for a total of 1,096,450 confirmed cases
- 14 new confirmed deaths for a total of 25,607 confirmed deaths
- The rate of transmission is at 1.15
- K-12 school outbreaks for the week ending November 28, 2021 there has been 3,024 new cases among students and 858 new staff cases.
- 13,867,873 vaccine doses have been administered, including 8,325,088 who have received at least one dose, and 6,017,095 who are fully vaccinated. 58% are Pfizer, 38% Moderna, and 4% J&J. In addition, the following additional doses have been administered: 752,863 of Pfizer, 625,300 of Moderna, and 29,274 of J&J.

#### Vaccine Information

Reminder 5 to 11-year-olds in New Jersey are now eligible to receive the pediatric Pfizer vaccine. The vaccine is administered in two doses, three weeks apart and is a lower dose than the dosage for those ages 12 and older. Parents are encouraged to read the [fact sheet](#), discuss any questions with their pediatrician, family physician or healthcare provider.

Boosters are now available for all adults 18 years of age or older. All Pfizer and Moderna vaccine recipients are eligible for a booster six months after completing their primary two-dose series. For J&J vaccine recipients are eligible for a booster two months after their primary dose.

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](http://www.covid19.nj.gov/homeboundvax) or contact the call center at 855-568-0545.

To find a vaccine site visit, including booster information, [www.covid19.nj.gov/vaccine](http://www.covid19.nj.gov/vaccine).

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.

#### Mental Health Resources

As a reminder, the Department of Children and Families has put together a new page on their COVID information hub with a wealth of mental health support resources for youth, for parents, and for educators. This all can be found at that website, [www.covid19.nj.gov/youthhelp](http://www.covid19.nj.gov/youthhelp)

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## IV. Also of Interest

### a. NJBPU's EV Tourism Incentive Grant Applications Due

The application deadline for the [Electric Vehicle Tourism Program](#) is 5:00 p.m. on Monday, December 6, 2021. This program provides grant funding for tourism destinations across the state to install electric vehicle charging infrastructure and equipment.

Locations ranging from boardwalks, parks, and other unique attractions, as well as overnight lodging establishments, have the opportunity to apply for funding for up to six Level-Two chargers and two DC Fast Chargers (DCFC) through the program as follows:

- \$2,000 per Level-Two charger
- 50% of Make-Ready costs, up to \$5,000 per Level-Two charger
- 50% of DCFC (charger and Make Ready costs), up to \$75,000 per charger

Please download the [application \(PDF\)](#) and [evaluation criteria \(Excel\)](#) form to get started. If you have questions about this program or the application, please email: [EV.programs@bpu.nj.gov](mailto:EV.programs@bpu.nj.gov)



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