

January 6, 2017

Re: Weekly Update

- I. State Policy Issues
- II. Federal Policy Issues
- III. 101st Annual Conference Recap
- IV. Primer for Local Officials
- V. Also of Interest

Dear Mayor:

Happy New Year!

I. State Policy Issues

We await the Governor's actions on bills which have passed both Houses and now sit on his desk, including:

a. [A-4189/S-2670](#), regarding Urban Enterprise Zones (UEZ), which will extend, for two years, UEZ authorization in municipalities where the program was scheduled to sunset at the end of 2016. (Those municipalities are Bridgeton, Camden, Newark, Plainfield and Trenton.) The remaining zones do not expire for a number of years.

Previously Governor Christie conditionally vetoed A-2576/S-1080, which would have extended UEZ designation for participating municipalities for another 10 years. With his conditional veto, the Governor asked instead, that the Legislature direct the Commissioner of the Department of Community Affairs (DCA) to conduct a study of the UEZ program "... which shall include, without limitation, an assessment of whether an alternative, location-based program to assist fiscally distressed municipalities is appropriate, and, if so, recommendations for the parameters of such a program ..."

Respecting the Governor's desire for a comprehensive analysis of the program, [A-4189/S-2670](#) is a compromise. The new legislation accepts the Governor's recommendation regarding a DCA study of the program and research into alternatives. However, the bill provides a two-year extension to the five UEZs that were set to expire at the end 2016.

You can click here to email the Governor and ask him to sign the compromise legislation.

Contact: Michael Cerra, Assistant Executive Director, mcerra@njslom.com, 609-695-3481 x120;

Jon Moran, Senior Legislative Analyst, jmoran@njslom.org, 609-695-3481 x121.

b. [S-981/A-2375](#), regarding electronic, or e-waste, passed the General Assembly by a vote of 60-12. S-981 previously passed the State Senate.

Please click [here](#) to ask the Governor to sign S-981 and A-2375 into law.

The League **supports** [S-981/A-2375](#), regarding so-called "e-waste." Specifically, this legislation would require each manufacturer of "covered electronic devices" to provide for the collection, transportation, and recycling of its market share in weight of all covered electronic devices collected in a program year. Similar legislation advanced in last year's lame duck session, but was pocket vetoed by the Governor.

The "Electronic Waste Management Act" is intended to require manufacturers to provide for the recycling of residential covered electronic devices at no cost to taxpayers. Unfortunately, despite the best of intentions, it has not worked out that way. Local governments have wound up subsidizing the program with taxpayer dollars in order to ensure that 100% of the material collected is properly recycled. S-981/A-2375 addresses this inequity for taxpayers.

We are further encouraged that the fiscal analysis prepared by the Office of Legislative Services (OLS) anticipates costs savings to local governments, if S-981/A-2375 were to be implemented.

S-981/A2375 will ensure that manufacturers provide for a "free and convenient" recycling program for all of the covered electronic devices that are collected and further eliminate the need for local governments, and by extension our property taxpayers, to either absorb these costs or eliminate their programs

[You can also click here to learn more on this legislation from the League's Town Crier blog.](#)

Contacts: Michael Cerra, Assistant Executive Director, mcerra@njslom.org, 609-695-3481 x120.

c. [A-3695](#), which preempts municipal regulation of some tax services such as Uber and Lyft, is opposed by the League. This legislation would unnecessarily exempt ride for hire services from local regulation. We have asked the Governor to conditionally veto the bill, so as to delete Section 26.

This proposal, in its current form, would create a new class of taxis, exempt from local oversight. Instead, the legislation establishes State-level safety and insurance requirements for transportation network companies that conduct business in this State. According to the bill, a 'transportation network company' is an entity that uses smartphone technology to connect a prospective passenger to a transportation network company driver. Section 26 of the bill exempts these entities and drivers from any local regulation.

Since 1917, in order to protect prospective passengers and the general public, and to preserve order, municipalities have been empowered by statute to license and regulate ride-for-hire businesses. Throughout that period, in order to protect the public, local governing bodies have

been responsive to concerns raised by passengers, pedestrians, local merchants and other motorists. Local first responders have attended to accidents. Local law enforcement has responded to incidents. While no level of regulation is perfect, municipalities have clearly demonstrated their effectiveness in this area for close to 100 years.

The manner in which the service is dispatched and provided does not materially alter the responsibilities that local governments will bear. Nor will the manner of dispatch obviate the concerns of local elected officials in ensuring the public's legitimate interests in public safety. Further, enactment of this bill could motivate traditional taxi and limousine businesses to avoid local over-sight, by requiring prospective passengers to use smartphone technology to hail a ride. That, in turn, could make it more difficult for older residents and for the economically disadvantaged to access transportation alternatives.

On that basis, absent deletion of the preemption provisions, the League of Municipalities cannot support this legislation.

Contact: Jon Moran, Sr. Legislative Analyst, jmoran@jslom.org, 609-695-3481 x121.

d. Calendar Year 2017 Budget Matters

Please [click here](#) for the League's December 21 background letter on calendar year 2017 (CY) budget matters.

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

e. NJDOT Issues Two Notices of Grant Fund Availability

The New Jersey Department of Transportation (NJDOT) has issued two notices of grant fund availability. The first grant fund is for Pedestrian Safety, Enforcement and Education and will amount to \$400,000 on a statewide basis in state fiscal year 2018. The second grant fund is to support projects that implement the State Highway Safety Plan and will amount to \$15,000,000 on a statewide basis in federal fiscal year 2018. For more information please click on a copy of the notices in the NJ Register [here](#).

Contact: Edward Purcell, Esq., Staff Attorney, epurcell@njslom.org, 609-695-3481 x137.

II. Federal Policy Issues

a. "Life's Most Persistent and Urgent Question"

On Monday, January 16, Americans will honor the legacy of the Rev. Dr. Martin Luther King, whose commitment to social justice, equal rights and non-violent protest has been celebrated as a National Holiday since 1986. Legislation signed in 1994 called on all citizens to mark the commemoration as a National Day of Service. And today, information on this observance can be

accessed at the Corporation for National and Community Service's website, on their [MLK Day page](#).

At that site, you can register a project that would benefit the people in your town. Once your project is registered on the site, citizens looking for service opportunities will have the opportunity to sign up to support your efforts.

You might also want to link your municipal website to that page, allowing your citizens to access information on Dr. King's life and work, in addition to links to service opportunities in your area.

Dr. King said, "Life's most persistent and urgent question is 'What are you doing for others?'"

The MLK National Day of Service can help us to begin to provide an answer. **Contact:** Jon Moran, Sr. Legislative Analyst, jmoran@jslom.org, 609-695-3481 x121.

b. FCC Seeks Comment on Wireless Facility Siting in the Right of Way

On December 22, 2016, the Federal Communication Commission (FCC) released a notice seeking comment on "potential Commission action to help expedite the deployment [of] next generation wireless infrastructure by providing guidance on how federal law applies to local government review of wireless facility siting applications and local requirements for gaining access to the right of way." A copy of this notice can be found [here](#). While deadlines may be extended comments, for now, must be filed by February 6, 2017.

This is a very important regulatory proceeding that will affect local government authority. Strong and factually based comments are necessary as a counterweight to proposals that would limit home rule.

If your municipality is interested in submitting comments please contact Edward Purcell, Esq., Staff Attorney, epurcell@njslom.org, 609-695-3481 x137.

For background on this issue, please click [here](#), for a white paper written by the League's Bureau of Municipal information. In addition, on January 30, we will be hosting a webinar on this issue. Click here for more information on the webinar.

Contact: Edward Purcell, Esq., Staff Attorney, epurcell@njslom.org, 609-695-3481 x137.

c. New Jersey Selected to Take Part in USDA Pilot

Thanks, in large part, to the efforts of New Jersey Mayors and municipal governing bodies, our State has been selected, as one of three, to participate in a United States Department of Agriculture (USDA) pilot program.

Each day, thousands of New Jersey residents struggle to put healthy food on the table for their families. As of July 2016, there were 858,572 persons in New Jersey receiving SNAP benefits,

which is approximately 10 percent of our state's population. A significant number of our constituents are dependent on these benefits to provide nutritious and affordable food for their children and families. According to the USDA, 524,000 individuals, or 6 percent of New Jersey's population, live in food deserts with in little access to healthy food options.

We thank those of you who visited the Mayors' Information Booth at the League Conference in November, where you had the opportunity to sign on to our letter to USDA Secretary Tom Vilsack In that letter, we urged Secretary Vilsack to include the Garden State in the upcoming two-year pilot that will enable (SNAP) participants to purchase their groceries online. We also thank those of you who responded to our follow-up request on this matter. (Please see our [fact sheet on the SNAP pilot program](#), for further details.)

We thank Senator Cory Booker for involving the League in this effort to include New Jersey in the pilot. We believe that this will bolster the initiative being spearheaded by League President and Bridgeton Mayor Albert Kelly to ensure better nutrition for children and families, living in need of assistance, all around our Garden State.

Contact: Jon Moran, Sr. Legislative Analyst, jmoran@jslom.org, 609-695-3481 x121.

III. 101st Annual Conference Recap

a. Conference Mobile App Helps After the Conference

The NJLM Conference mobile app can continue to assist you in finding presenters and exhibitors you may need to contact after the Annual League Conference. **The app can be downloaded from your device's app store, now through January 12 - search for "NJLM"**. You can keep a copy on your desktop or mobile phone to use all year long. And, to help us to continue enhancing your conference experience, please share your thoughts and suggestions on the app via the "Feedback" icon on the app menu. Click here to learn more about the 2016 Conference app.

b. Conference CEUs

You can now download the certificates for the CEUs you've earned at the Annual League Conference. For full information and instructions visit <http://nj-njslom.civicplus.com/300/Conference>

IV. Order the 2016-2017 Primer for Elected Officials

Whether you are a veteran or newly elected mayor or councilmember, the Primer for Elected Officials provides the basic information needed to carry out the responsibility of governing. It contains an updated directory of services provided by the New Jersey State League of Municipalities, a guide to Titles 40 and 40A of the New Jersey Statutes Annotated, and an up-to-the minute listing of State Agencies and the legislative priorities for the upcoming year.

See our web page for an order form: <https://nj-njslom.civicplus.com/DocumentCenter/View/259> . Alternatively, contact Suzanne Allen, at 609- 695-3481, ext. 129 or via email at sallen@njslom.com. The investment for members is \$20.00 and for non-members, \$30.00. **It is a necessary guide!**

V. Also of Interest

a. January Calendar Reminders

JAN. 10: Governor Chris Christie delivers his 7th State of the State address.

JAN. 20: President-elect Donald Trump is inaugurated.

JAN 23: First voting sessions of 2017 for state Senate and Assembly

b. Help other municipalities find vendors, while helping to support the League's magazine

Have you recently worked with a vendor and think that other municipalities could benefit from their services? Please tell your vendor about the League's magazine, ***NJ Municipalities!***

NJ Municipalities is an award winning monthly magazine read by over 6,355 readers. It has been a local government news source for over 100 years, and is celebrating its 100th anniversary in 2017!

Advertising can help spread your vendor's message! Let us know your vendor's contact information so that we can send them a free sample.

Thank you for your support of NJLM!

Contact: Taran B. Samhammer, Advertising Manager, tsamhammer@njslom.org, 609- 6953481, x124.

c. Healthy Communities is One of the NJLM Focuses for 2017!

United Health Foundation has released a report which finds **great news** for the State. **New Jersey is the 9th healthiest state in the nation** – up from #11 last year. The full report can be found at the America's Health Rankings website. [Click here](#) for a detailed report!

d. Snow Removal & Disposal Policy

Severe weather season is quickly approaching and the New Jersey Department of Environmental Protection (DEP) is reminding municipalities of the State's policy for proper Snow Removal and Disposal.

Municipalities are reminded, before and after a storm, to clear any blockages caused by snow and debris from storm drain catch basins. These efforts are especially important to help prevent

localized flooding that may result from melting snow and heavy rain. Please be sure to use appropriate precautions when attempting to clear any stormwater related infrastructure. The up-to-date policy can be found [here](#).

e. No Hate Town Hall

Join Kean University and the American Conference on Diversity for the No Hate Town Hall, an opportunity to engage in diversity and inclusion dialog related to current issues impacting people in New Jersey and across the nation, and encourage action by individuals and institutions to end hate and discrimination. The featured guest speaker is Southern Poverty Law Center Director of Outreach Lecia Brooks.

The two-hour event will be held at **Kean University - STEM Building; 1075 Morris Ave., Union, NJ 07083** on **Thursday, January 12, 2017 4 - 6 p.m.** It will feature panel discussions with experts from business, higher education, media and the community, who will focus on productive ways to address the ongoing challenges of dealing with hate, bias and bigotry in our communities

Free and open to the public, including diversity and inclusion leaders, professionals, local elected officials, and nonprofits. Register to attend at <http://www.kean.edu/no-hate-town-hall>

f. Healthy Town Award

Each year the Mayors Wellness Campaign awards a minimum of two "Healthy Town" awards, and two "Healthy Town to Watch" awards. Both awards are won through a highly competitive process, and assess health and wellness activities conducted in the past calendar year.

Submit your "Healthy Town" application to dlevine@njhcqi.org by **January 9, 2017**. For details see <http://www.njhcqi.org/initiative/mayors-wellness-campaign/mayors-wellness-healthy-towns-2/>.

g. Video Recording of Municipal Buildings

The League would like to make you aware that it has been informed by a number of municipalities about individuals who are video recording the public areas of municipal buildings. In some cases these recordings have been made by private persons. In other cases, these recordings have been made by individuals identifying themselves as working for Google Maps.

The League understands the safety concerns, coupled with the concerns for public access and transparency that are alerted by these activities. For an example of such videos you can search YouTube for "Time for Change Jersey Style." Consequently, we recommend that you discuss this issue with your municipal attorney and your Chief of Police.

Sincerely,

Michael J. Darcy, CAE
Executive Director