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October 19, 2018

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

I. State Issues

There are a number of legislative issues that we call to your attention and ask that you **please take action immediately**:

a. First Responders' Workers' Comp Re-Write Advances in Assembly

On Thursday in Trenton, the Assembly Labor Committee approved [S-716/A-1741](#), companion bills that make it much easier for any public safety worker – volunteer or professional – to receive a workers' compensation award. The League has joined the Municipal Excess Liability (MEL) fund in opposition to the bill, as currently drafted.

The bill would create the presumption - rebuttable only with "clear and convincing" evidence - that if, in the course of employment, a police officer, firefighter, emergency responder or nurse is exposed to a carcinogen or pathogen, that any subsequent injury, disability, chronic or coronary illness or death is compensable under workers' comp.

The change, from the current "preponderance of the evidence" standard to a "clear and convincing" rebuttal, will make it nearly impossible to contest such claims. The lower standard will result in more claims. More claims will lead to more awards. And more awards will impose greater costs on property taxpayers.

Please see our [June 6 Urgent Alert](#) for more details on this proposal, which will next be heard by the Assembly Appropriations Committee.

Please contact your Representatives in the General Assembly and urge them to oppose the bill, as currently drafted.

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

b. Call your State Legislators to Oppose S-2636/A-3731

Next Monday, October 22, [S-2636](#) and [A-3731](#) will be considered by the Senate Budget and Appropriations Committee and the Assembly Appropriations Committee, respectively. The League opposes this legislation, which would allow counties to establish a construction code office with authority to issue construction permits for county-owned buildings and structures and enter into shared service agreements with municipalities for broader code enforcement responsibilities.

Currently, construction code enforcement is performed either by a municipality or if a municipality declines to act as the enforcement agency, by the Department of Community Affairs (“DCA”). A-3731/S-2636 would authorize the creation of a county construction code office as a third possible option. However, unlike the current scheme for code enforcement, if created, a county construction office would operate in addition to the municipal code office or the DCA, whichever is applicable. This additional level of bureaucracy is redundant and unnecessary.

Municipalities are currently able to enter into shared service agreements or joint meetings with one another for construction code enforcement purposes, and many of them do. Any municipal savings that would be anticipated through a county-wide construction code enforcement office can and is already being realized through the use of shared services and joint meetings.

We are encouraging our members to reach out to their state representatives to oppose this legislation. In addition to your own representatives, you are encouraged to reach out to the members of both the Senate and Assembly Appropriations Committees to voice your opposition to these bills. Your representative’s contact information, broken down by municipality, can be found on the [State Legislature webpage](#). Contact information for members of the [Senate Budget and Appropriations Committee](#) and the [Assembly Appropriations Committee](#) can be found on their respective web pages.

Contact: Frank Marshall, Esq., League Staff Attorney, FMarshall@njslom.org, 609-695-3481 x 137.

c. OPRA & OPMA Bills Update

On October 15, the Senate Budget and Appropriations Committee held consideration of both [S-106](#), which makes various changes to law addressing meetings of public bodies and [S-107](#), which makes certain access changes to open public records act; establishes State public finance website and creates a program for development of local websites. For more information, please see our [October 5 blog post](#).

We anticipate additional amendments will be proposed to both of these bills when they are rescheduled for consideration by the Committee. The Committee meets again this Monday, October 22. The bills are not on the agenda as this is being sent out. It is possible, however, that the agenda could be revised to add the bill.

We suggest you contact the members of the Senate Budget and Appropriations Committee to express your concerns with the legislation.

[Sarlo, Paul A.](#) - Chair
[Stack, Brian P.](#) - Vice-Chair
[Addiego, Dawn Marie](#)
[Bucco, Anthony R.](#)
[Cruz-Perez, Nilsa](#)
[Cunningham, Sandra B.](#)
[Diegnan, Patrick J.](#)
[Greenstein, Linda R.](#)
[O'Scanlon, Declan J.](#)
[Oroho, Steven V.](#)
[Ruiz, M. Teresa](#)
[Singleton, Troy](#)
[Thompson, Samuel D.](#)

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

d. CY 2018/SFY 2019 Best Practices Checklist Issued

On October 15, the Division of Local Government Services issued the CY 2018/SFY 2019 Best Practices Checklist. [Local Finance Notice 2018-26](#) provides guidance on this year's process. Calendar Year municipalities must submit their Best Practices checklist by Monday, November 12, 2018. State Fiscal Year municipalities will have until Friday, April 5, 2019. For more on Best Practices, please see our recent [blog post](#).

The League has reviewed the Best Practices Checklist and has a number of significant objections to the questions posed in this year's list. The League, the New Jersey Municipal Managers Association, and the Government Finance Officers Association will meet with the Division early next week to address our mutual concerns.

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

e. NJ Department of Labor Publishes Proposed Earned Sick Leave Rules

On Monday the New Jersey Department of Labor and Workforce Development [published proposed new rules](#) implementing [P.L. 2018, c. 10](#), which requires all employers, including local governments, to provide employees with earned sick leave. As you should already be aware, P.L. 2018, c.10, takes effect October 29, 2018, and on that date all effected employers are required to provide employees one hour of earned sick leave for every 30 hours worked. More information on this can be found in the League's [blog post](#) from earlier this year.

The proposed new rules include sections addressing violations, administrative penalties and fees, interest, hearings, record keeping procedures, and more. A public hearing on these rules is scheduled for November 13, 2018 and written comments must be submitted by December 14, 2018. For further information on the public hearing or how to submit comments, please see the complete [notice of proposed rules](#).

The League, along with our affiliates, is reviewing the proposed new rules and will be

offering comments to address any concerns. It is suggested that you review these proposed rules with you labor counsel for more information on how you will be impacted.

Contact: Frank Marshall, Esq., League Staff Attorney, FMarshall@njslom.org, 609-695-3481 x 137.

f. Sample SALT Documents Now Available

The Division of Local Government Services has posted a model [donor information form](#) and [donor receipt form](#) for those municipalities that wish to implement a charitable trust. The donor information form is to be completed by a donor and submitted with their charitable fund contribution. The donor receipt form is to be issued to each donor by the municipality or county. For more on the SALT Charitable Contribution Law please see our [May 4 blog](#).

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

II. League Conference

a. Avoid Lines on-Site at the Annual League Conference

NJLM MEAL FUNCTION TICKETS

Order forms are now being accepted for the NJLM Annual Conference ticketed functions:

- Mayor's Box Luncheon Wednesday, November 14 at 12 Noon
- Women In Municipal Government Networking and Award Event Wednesday, November 14 at 5:15 p.m.
- League Delegates Luncheon Thursday, November 15 at 12:00 Noon
- Seating is limited and each year many delegates, unfortunately, have been turned away. Do not be disappointed by waiting until the last minute.

[Meal Functions Cover Letter](#)
[Ticketed Function Form \(PDF\)](#)
[Ticketed Function Form \(Word\)](#)

All Tickets ordered will be mailed on October 31, 2018. As a reminder, all League ticketed function events require a conference badge. The badge registration fee is a separate fee from the ticketed function fee. If you have not registered for a conference badge, **you must register onsite in Atlantic City**. You can learn more about conference badge registration by [going to the registration section of the website](#).

b. Unauthorized Hospitality Functions

The 103rd Annual League Conference will soon be upon us and we know you are looking forward to a productive and educational week.

Numerous exhibitors and groups have scheduled receptions and hospitality functions during the evening hours in Atlantic City. However each year there are a few commercial

entities that schedule hospitality function such as brunches and lunches which conflict with the Conference programming. These unauthorized functions should not be confused with legitimate business luncheons sponsored by our affiliated associations and their members. The League urges you not to attend daytime hospitality functions offered by commercial firms.

Instead, plan your daytime activities so you can derive the greatest educational benefit from attending the League Conference. League Education sessions begin at 9:00 AM, break at noon when there are informative Exhibitor Learning Sessions, resume at 2:00 and finally adjourn at 5:15.

As always, the League is available to answer your questions on any aspect of the annual conference and we strive to make your participation both enjoyable and highly productive.

Contact: Michael J. Darcy, CAE, Executive Director, mdarcy@njslom.org, 609-695-3481 x116.

c. Exhibits at the Annual Conference

Do you know a vendor that would be a good fit for the Annual Conference? If so, ask them about being an exhibitor or have them contact Kristin Lawrence, Exhibit Manager at 609-695-3481 x125 or klawrence@njslom.org. Information is also available on the [League's website](#).

d. Don't Forget! CEU Tracking System Procedures for 103rd Annual NJLM Conference

Badge Scanners will be used to track CEU Credits and Attendance at the NJLM 103rd Annual Conference.

For Sessions that Have CEU credit Available

- All Attendees looking to earn credit must scan-in and scan-out of these qualifying sessions* to earn their CEU credits.
- Attendees will claim their certificates after the conference via the League website www.njslom.org/confceu/

For more information or for a complete list of procedures please visit the [Conference Website](#).

* **Please note**, the procedures described above only apply to educational sessions. Business Meetings and Exhibitor Learning Sessions are **not** included in the scanning system.

III. Also of Interest

a. Reminder New Jersey Opioid Litigation – Municipal & County Survey

The Division of Local Government Services has issued [Local Finance Notice 2018-25](#) requesting municipalities and counties assistance in the New Jersey Opioid Litigation. As part of a comprehensive response to the opioid epidemic, the Attorney General and the

Division of Consumer Affairs have filed civil lawsuits seeking to hold opioid manufacturers liable for their contributions to a crisis afflicting local units across New Jersey. The State has sued, on behalf of all New Jersey residents, seeking relief sufficient to fund solutions to the opioid epidemic across New Jersey. To assist the State in its efforts to obtain relief on behalf of all New Jerseyans, the Office of the New Jersey Attorney General invites municipalities and counties to fill out a [survey](#) by Friday, November 2, 2018. If you have questions on the survey you can contact the Attorney General's Office at Response@NJOAG.gov.

b. NJ Homeowners Guide to Property Taxes

League affiliate the Association of Municipal Assessors of New Jersey collaborated with NJCPA, NJ Realtors, investors Foundation, and Rutgers to produce a "[Homeowners Guide To Property Taxes](#)". We have posted the guide for you to download and share with your residents.

You can also order printed copies with your municipality's seal at the [NJCPA website](#).

c. EDA Launches Redevelopment Program

The New Jersey Economic Development Authority (EDA) is launching the "21st Century Redevelopment Program" that will provide planning grants for communities to re-channel commercial and retail properties that are vacant and underutilized. The new program offers the opportunity for communities to present resourceful concepts for unused, undeveloped or underutilized properties that would contribute to the economy. The pilot round will start with \$250,000 of funding available in the form of planning grants up to \$50,000. The EDA will also have a second round of funding up to \$500,000 that is available through the Innovation Challenge Program which focuses on different elements than the Redevelopment Program and would allow for grants up to \$100,000.

Applications for both programs are available in November and accepted on a rolling basis.

To learn more go to <https://www.njeda.com/21stcenturyredevelopmentprogramrelease>.

Contact: Ciara Bradley, Legislative Administrator, CBradley@njslom.org, 609-695-3481 x120.

d. Attorney General 21/21 Community Policing Project

The Attorney General has [asked the 21 County Prosecutors](#) to organize quarterly public events to discuss issues relevant to community policing in the 21st century (the "21/21 Community Policing Project"). The goal of the project is to strengthen relationships between law enforcement officers and the communities they serve – and to address areas of concern before conflicts arise. Starting in spring 2018, each of the County Prosecutors will be responsible for organizing one meeting each on the following topics:

- **Spring 2018** (Apr-Jun) – Investigations of Officer-Involved Shootings
- **Summer 2018** (Jun-Aug) – Opioids
- **Fall 2018** (Sep-Nov) – Immigration Enforcement
- **Winter 2018-19** (Dec-Feb) – Bias Crimes

The events will include presentations and/or discussions on the quarterly topic. For a listing of scheduled public events contact [your county prosecutor](#) or visit the [21/21 Community Policing Project site](#).



New Jersey State League of Municipalities

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