

September 2, 2016

Re: Weekly Policy Update

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Dear Mayor:

I. Appellate Division Issues Important Ruling Regarding OPRA and Access to Investigatory Records

The Appellate Division has issued an important ruling regarding OPRA and access to investigatory records through OPRA. [In North Jersey Media Group v. Bergen County Prosecutor's Office](#), the court held:

- 1) that the Glomar doctrine, i.e. the ability to refuse to confirm or deny the existence of responsive records when those records are exempt under an existing exemption, is available under OPRA in certain circumstances;
- 2) pursuant to N.J.S.A. 47:1A-9(b) an exemption exists for information received or maintained by law enforcement agencies regarding a person who has not been arrested or charged with an offense ; and
- 3) reiterated that Vaughn indexes are not appropriate in every case, particularly when there is a *valid Glomar* response.

For more information please see our blog post at <https://njlmblog.wordpress.com/2016/09/> .

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

II. Governor Takes Action on Legislation

- a. On Wednesday, the Governor signed [A-3540](#), which addresses the use of the Stock Disclosure Form for limited liability companies and publicly trade entities. Effective

immediately, publicly traded entities will be required to submit the name and address of each person holding 10% or more interest in the company using the last annual filing with the Securities and Exchange Commission (or foreign equivalent). The entity must submit the website link containing the last annual filing and the relevant page number of the filing that contains the information. As a result of the new law, a revised Stock Disclosure Certification form will need to be developed. We are working to develop a new form and will keep you posted.

Contact: Lori Buckelew, Sr. Legislative Analyst, lbuckelew@njslom.org, 609-695-3481 x. 112.

- b. On Wednesday, the Governor also conditionally vetoed A-2576, a League supported bill that would have extended the Urban Enterprise Zone program. [Please click here](#) for more these developments.

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

- c. Governor Christie also conditionally vetoed A-3744, which establishes law enforcement assisted addiction and recovery programs. In his veto message the Governor noted his veto was to “ensure that the program functions most effectively to help persons suffering for addiction and not as a way to avoid prosecution for serious crimes”. The Governor’s changes include (1) requiring governing body approval to participate in the Law Enforcement Assisted Addiction and Recovery Support program; (2) requiring the Division of Mental Health and Addiction Services, who are already charged with establishing the program, to also provide procedures for maintaining the confidentiality of program participants; and (3) removes criminal or civil liability under certain circumstances for a county, municipality, official, employee, including police, volunteers, or treatment providers. The conditional veto must be considered by the full Assembly.

Contact: Lori Buckelew, Sr. Legislative Analyst, lbuckelew@njslom.org, 609-695-3481 x. 112.

d. **Important Updates**

[Please click here](#) for the League’s August 29 letter regarding additional reimbursement of Sandy FEMA Public Assistance for 9 counties.

[Please click here](#) for the League’s August 30 letter provided updates on the Governor’s recent Executive Order and line items veto impacting transitional aid, “best practices” penalties and the Transportation Trust Fund.

III. Supreme Court Issues New Court Rules Regarding Bail Reform

The New Jersey Supreme Court has issued [new court rules](#) that will go into effect on January 1, 2017. These new rules effectuate the 2014 bail reform constitutional amendment and subsequent statutory changes. These reforms removed the use of bail by New Jersey courts. Additionally, and among other changes, a hearing must occur within 48 hours of arrest if defendants are to be held before trial. The League is reviewing these rules to assess possible cost increases to local government.

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

IV. Funds are Available from the Hepatitis Inoculation Fund

“The New Jersey Department of Health is pleased to announce that funds are available from the Hepatitis Inoculation Fund for the reimbursement of costs of hepatitis B inoculations for certain emergency medical technicians, firefighters and police officers. For details please see this letter from the State Department of Health <http://www.njslom.org/documents/deptofhealth090116.pdf>

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

V. Apply for the 2016 Governor’s Environmental Excellence Awards

Applications are being accepted for New Jersey’s premier awards program for recognizing outstanding environmental performance, programs and projects throughout the state. These awards recognize significant contributions to environmental protection in New Jersey.

Nominations can be submitted for nine different categories. Full details are at www.nj.gov/dep/eeawards. The **submission deadline is September 28**.

The Governor’s Environmental Excellence Awards Program is sponsored by the New Jersey Department of Environmental Protection, the New Jersey Environmental Infrastructure Trust and the New Jersey Corporation for Advanced Technology, in partnership with the New Jersey State League of Municipalities.

Questions about the awards program can be forwarded to NJDEP employee Tanya Oznovich by calling (609) 984-9802 or emailing Tanya.Oznovich@dep.nj.gov.

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

VI. Pre-Registration for 101st NJLM Conference Opened August 1

Pre-registration for the NJLM Conference opened on Monday, August 1, by paper and online formats. The form and online registration links are located on our website, www.njslom.org.

Click on the tab “Conference,” select “Conference 2016” and click on the “Register Now” button to access your municipal pre-registration form or non-municipal registration form.

REMINDER: Pre-registration ends October 1, 2016. After October 1, 2016, all new registrations must be completed onsite in Atlantic City.

Contacts: Marie Johnson, Financial Administrator, mjohnson@njslom.org, 609-695-3481 x113;
or

Johniffer Harris, Assistant Financial Administrator, jharris@njslom.org, 609-6953481,
x119.

VII. New for 2016 – The League is going mobile!

Starting October 5th you can download the new official conference app. Access a fully searchable session schedule, interactive map of the exhibit floor, a thorough listing of exhibitors, and up-to-date event information. Don’t miss important sessions, speakers or exhibits – create a personalized schedule before you arrive at the Convention Center to maximize your experience! Download day is October 5 at www.njslom.org/2016conf/app

VIII. September Grant Page Posted

A new featured article has been posted in the League’s Grant Resource Center. This month’s article is titled: *Changes to New Jersey’s Energy Resilience Bank in 2016 and its Impact on NJ Municipalities*. New featured grant opportunities have also been listed. To read this month’s featured article, visit the League’s [Grant Resource Center](#).

League Contact: Taran Samhammer, tsamhammer@njslom.org or 609-695-3481 x124.

IX. Innovation in Government Award Nominations Sought

The New Jersey Department of Community Affairs and the New Jersey League of Municipalities will again acknowledge and promote Innovation in Governance through our annual recognition program. It gives you the chance to congratulate your public professionals and employees for a job well done. And it can help to demonstrate to your constituents the appreciation that other local officials, throughout New Jersey, have for your creativity and leadership. See how to nominate your program [by clicking here](#).

Contact: Ciara Bradley, Legislative Administrator, cbradley@njslom.org , 609-695-3481, x128.

X. Mayors Hall of Fame Reminder

Once again, the New Jersey State League of Municipalities Executive Board wants to pay tribute to mayors who have served at least 10 years as mayor. During the Mayors Box Luncheon at

Annual League Conference in November we will induct nominees to the Mayors Hall of Fame. See details on the nomination process here <http://nj-njslom.civicplus.com/246/Mayors-Elected-Officials-Hall-of-Fame>

XI. Visit Sustainable Jersey at the New Jersey League of Municipalities Conference

November 15-17, 2016. The Sustainable Jersey Awards Luncheon is on November 15, 2016. Sustainable Jersey has 9 sessions at the NJLM Conference. For more information, click [here](#):

XII. Stay Informed this Weekend as Stormy Weather Approaches New Jersey

[JCP&L offers a website](#) reporting storm information and outage status https://www.firstenergycorp.com/outages_help/current_outages_maps/my-town-search.html
PSE&G offers an outage reporting phone number Customer Service line at 1-800-436-PSEG; or by logging in to My Account on www.pseg.com, PSE&G's mobile-friendly website. Throughout weather events stay informed at www.pseg.com in the "Outage Center," under "How you can stay connected."

The League also recommends monitoring the [New Jersey Office of Emergency Management's website](#) (www.ready.gov/), [Facebook](#) page and [Twitter](#) feed, @ReadyNJ. The New Jersey State Police also have a very informative [Twitter](#) feed, @NJSP.

XIII. New Advocacy Tools for Local Officials

[As mentioned in our August 19 Friday recap letter](#), the League is rolling out some new tools and initiatives for our advocacy efforts. Please click here for more on our VoterVoice service.

We would suggest registering with that service to assist the League in future legislative efforts. We anticipate launching our first legislative campaign after Labor Day.

And please [click here](#) to read the League's new legislative blog, "The Town Crier."

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

Sincerely,

Michael J. Darcy, CAE Executive
Director