

Annual Report



Michael Cerra,
Executive Director,
New Jersey State
League of Municipalities

2023

An annual report should be both retrospective and prospective, highlighting accomplishments for the past year and continued objectives going forward. Likewise, the 108th Conference has done precisely that: looked to learn lessons from the past and looked forward to prepare for what is ahead.

Here at the League, we seek to help you do your job. We educate. We advocate. We are an information resource for you. We all confronted and overcome challenges the last three years, fully cognizant that further challenges lay ahead, and as local leaders, you must always be forward-looking to see the road ahead and how best to proceed.

The League aims to be your trusted resource and ally as you navigate this constant stream of change and challenges.



Show Off Your City: winning photo, Hazlet Fireworks

Legislative

The League's Legislative team, Lori Buckelew Deputy Executive Director & Director of Government Affairs; Senior Legislative Analyst Paul Penna, Legislative Analyst Andrew LaFevre; Frank Marshall, League's Associate General Counsel; and Legislative Administrator Shirley Cade continue to advocate on behalf of municipalities to continue home rule and municipal discretion.

In the mid-year of the two-year legislative session, NJLM's Legislative team focused on issues important to local governments, serving as an active voice for local officials on topics including:

Energy Tax Receipts: The League advocates for the reinstatement of Energy Tax Recipients Funding, which is among our top priorities. During the FY2023 state budget negotiations, the League tirelessly advocated for the complete restoration of ETR. Supported unanimously by the Senate and most of the Assembly, a one-time allocation of \$75 million was secured for the Municipal Relief Fund.

In the FY 2024 State Budget process, we negotiated for full restoration of ETR funding. Despite extensive discussions and support from the Senate, the Assembly advocated for the Assembly Speaker's Stay NJ Program, which offers a 50% property tax credit to residents over 65 years earning under \$500,000 annually from SFY 2026, capped at \$6,500. While complete ETR restoration was not achieved, an additional \$150 million was secured in the Municipal Relief Fund by the League and each municipality received additional funds.

Opioid Settlements: In 2021, a \$26 billion national settlement was announced with four of the largest pharmaceutical companies in the United States. The settlement was reached to resolve thousands of lawsuits from state and local governments over the role these companies played in the opioid epidemic that has devastated communities across the country.

New Jersey is set to receive \$641 million, to be divided equally with 50% going to the state and 50% going to counties and qualifying municipalities. New Jersey was able to obtain the maximum benefit amount under the Settlement Agreement after obtaining 100% participation among its 21 counties and 241 qualifying municipalities.



In late 2022, settlement agreements were announced with three pharmacy chains and two additional manufacturers. The settlement will provide an additional \$20.1 billion to states and local governments across the US, with New Jersey set to receive up to \$508.1 million. Again achieving 100% participation, NJ is positioned to achieve the highest possible settlement. The League worked with the State Attorney General's office to ensure our members were aware of the settlements and the deadline to participate. The League has also worked with the Attorney General's office to host a Lunch & Learn webinar about the permitted uses of settlement funds.

Municipal Stormwater Management Permit: In December 2022, the New Jersey Department of Environmental Protection (NJDEP) adopted a renewed Tier A Municipal Stormwater Separate Storm Sewer System (MS4) General Permit containing new, more stringent, permit conditions. The NJDEP also reclassified all municipalities within the state as Tier A municipalities, effectively eliminating the less-onerous Tier B classification that many smaller municipalities were subject to.

The additional conditions within the newly adopted Tier A MS4 permit will undoubtedly come at a substantial cost to municipalities, with the formerly Tier B municipalities facing even higher costs as they attempt to comply with many new permit requirements.

In March of this year, the NJDEP announced the availability of \$19 million in grants to help municipalities transition to the new MS4 permitting requirements. The 101 former Tier B municipalities are eligible for \$75,000 in grants, while the remaining 456 original Tier A municipalities are eligible for \$25,000 in grants. It is anticipated that the amount to comply with the new Tier A permit requirements will far exceed the grant money made available.

As part of the new Tier A permit, the NJDEP was to adopt model ordinances related to tree-removal and private salt pile storage. The League participated comments on early drafts and comments are ongoing. There is no timetable for a more formal draft.

The League maintains that the NJDEP's creating and mandating additional MS4 permit conditions amounts to an unconstitutional unfunded mandate, an issue that may be decided by the Council on Local Mandates.

State Health Benefits Plan Rate Increase: The State Health Benefits Commission (SHBC) approved a 7.4%



Show Off Your City: Aberdeen Cliffwood beach



Show Off Your City: East Brunswick Heavenly Farms

increase for State Health Benefits Program (SHBP) Plan Year 2024 for the Local Government Employer Group.

The League partnered with the New Jersey Conference of Mayors (NJCM), the New Jersey Urban Mayor Association (NJUMA), and the New Jersey Association of Counties (NJAC) seeking relief from the legislature and administration. In the short-term, financial assistance for the rate increases and an extended enrollment period. In the long-term, county and local representation on the State Health Benefits Commission, examination of cost-saving solutions to the plans, and legislative changes. In his budget address Governor Murphy included \$200 million for funding to assist local governments in health benefits increase, however, the final budget did not include the \$200 million.

20 & Out: In July Governor Murphy signed legislation permitting police and fire employees to retire after 20 years of service, regardless of age, with a retirement benefit of 50% of final compensation for an additional three years. The legislation (S-3090/A-4498) was introduced because P.L. 2021, c. 52, which already provided for 20 and out, was set to sunset in May 2023. As introduced the legislation would have made the 20 and out benefit permanent.

The League joined the New Jersey Association of Counties in opposing this enhanced benefit as the additional costs will be borne by taxpayers at a time when local governments can least afford it. The Governor conditionally vetoed the bill, adding the additional three-year window so the impact of the benefit can be evaluated.

In his conditional veto message, the Governor noted that “while the two-year period provided some valuable insight into the impact that the 20 and out benefit could have on the PFRS in the short term, I am concerned that it is still too early to ascertain the long-term impacts that this benefit will have on the system.” It will sunset July 2026.

Liquor License Reform: The League is actively pushing for substantial liquor license reform. The League's Liquor License Taskforce has actively engaged in conversations with both the state legislature and the Governor's Office, targeting the modernization of the outdated liquor license laws. The taskforce is now led by NJLM Board Member Mayor Shelley Brindle of Westfield, succeeding former Brick Mayor Judge John Ducey.

LIHWAP: Early this year the legislature undertook efforts to expand participation in the Low Income Household Water Assistance Program (LIHWAP), a federal funding

program assisting low-income households pay past due water or sewer bills accumulated during the COVID pandemic. The program directly pays the utility, but a vendor agreement must be signed with the Department of Community Affairs, and utilities were reluctant.

S-3333 was introduced, which would have prohibited drinking water and wastewater utilities, including municipal utilities, from taking collection actions unless that utility has agreed to participate in the LIHWAP. While the League agreed that increased participation in LIHWAP was needed, we opposed the idea of an outright ban on all collection activities. The League worked with the bill's sponsor, Senator Cruz-Perez, and the Association of Environmental Authorities to learn the sewer and water utilities' reasons for not signing the DCA agreement. The League was able to propose changes to the bill that would address the concerns of the utilities and would ultimately expand participation in the LIHWAP. The sponsors agreed, the bill passed the legislature, and it was signed by the Governor.

Election Bills: The Legislature passed and the Governor signed a few bills that affect NJ municipal elections. A-5175/S-3519 (P.L. 2023, c.124) makes changes to General Election timelines dealing with issues that municipal and county clerks engage in and have become time consuming because of new early voting and vote-by-mail provisions including petition deadlines, ballot question petitions, vacancies, ballot printing, and certification. The League was generally supportive of most provisions of this legislation; however, we had concerns with Sections 19 and 20 of the bill which move the reorganization date for November non-partisan elections from January 1 (or later that week as designated by local ordinance) to January 15 (or later as designated by local ordinance).

A-5176/S-3594 (P.L. 2023, c.131) requires periodic reporting of election results on the night of primary and general elections and until final tally thereafter and appropriates \$1.5 million to the Department of State to effectuating the provisions of this legislation. This legislation requires vote totals to be posted by 11:59 p.m. on the primary and general election day and by 9 p.m. each subsequent day until the results are complete. The bill passed the Assembly 73-1 and the Senate 34-1. The legislation takes effect for the 2023 general election and all elections thereafter.

Third-Party Inspections: On Jan. 5, Gov. Murphy signed into law P.L.2022, c.139 (A-573), expanding the



Show Off Your City: Hillsborough Rainbow Hill Road



Show Off Your City: Paterson visitors center

use of third-party private construction inspections, and allowing municipalities more flexibility to hire private inspectors to perform inspections. The new law also allows applicants, under certain circumstances, to hire their own private inspectors, forgoing municipal inspectors.

The League opposed this legislation as introduced and continued to oppose it, although amendments were made that addressed some of our concerns. While the increased flexibility provided to municipal construction offices is appreciated, the League remained concerned with how expanding the use of third-party private inspectors will impact the recruitment and retention of municipal inspectors. More importantly, we remain concerned about the quality and integrity of inspections when they are removed from the neutral auspices of the municipal government.

OPRA Reforms: The League has long advocated for reforms to the Open Public Records Act (OPRA), which was signed into law in 2002 with no significant legislative changes since, even though the type of records, technology, and how businesses operate have dramatically changed. The League continues to work with the Municipal Clerks Association of New Jersey, the New Jersey Association of Counties, and the New Jersey School Board Association calling for reforms.

Assemblyman Danielsen has introduced four pieces of legislation to begin the conversation on OPRA reform. A-5613 makes various changes to the process for requesting access to government records; A-5614 increases membership of Government Records Council (GRC), provides for advisory opinions, requires complaints to be initiated with the Council, limits attorneys' fees, and appropriates \$250,000; A-5615 provides for protective orders to limit requests for access to government records in certain cases; and A-5616 makes various changes to the process for requesting access to government records.

Affordable Housing: The League's Mayors Housing Policy Committee, co-chaired by Past Presidents Mayor Janice Mironov of East Windsor and Mayor Colleen Mahr of Fanwood, has created a Mayors' Working Group to identify challenges and ideas of common interest and develop concrete constructive proposals for Legislative and Administrative consideration, especially in light of the upcoming 2025 Affordable Housing Fourth Round. The Working Group has begun a series of roundtable discussions with Mayors that will continue into 2024.

Washington Update

DC Visits: With the League's federal partner, the National League of Cities (NLC), Mayor Heck made multiple visits to Washington to lobby for League priorities. Along with League staff, Mayor Heck met with Congressmen Kean, Pascrell, and Pallone, as well as with high-ranking staff of Senators Menendez and Booker, Congresswomen Sherrill, and Watson Coleman.

Elizabeth Mayor Chris Bollwage, NJLM Past President, testified in September on reauthorization of the Brownfields Program on behalf of the League's federal partner, the NLC, and the U.S. Conference of Mayors before the House Energy and Commerce Subcommittee on Environment, Manufacturing, and Critical Minerals. The Brownfields Program expires this year and must be reauthorized for another five years, otherwise the program expires.

ARPA Clawback: During federal debt ceiling negotiations between President Biden and then-House Speaker Kevin McCarthy, the potential clawback of State and Local Fiscal Recovery Funds (SLFRF) was on the table. The rescission of these funds was not included in the final agreement. For municipalities it is still imperative to obligate these funds before the 2024 statutory deadline.

National Flood Insurance Program Reauthorization (NFIP RE): The NFIP Reauthorization Act of 2023 addresses various aspects of the flood insurance program. By tackling issues such as rate hikes, affordability, solvency, mitigation, mapping accuracy, oversight, and claims process reforms, the act aims to create a more stable and effective flood insurance program that can better serve communities at risk of flooding. The Act is consistent with the League's 2022-06 Conference Resolution Advocating for Long-Term NFIP Reauthorization.

BEAD: The National Telecommunications and Information Administration (NTIA) will be allocating \$263.7 million to New Jersey through the federal Broadband, Equity, Access, and Deployment (BEAD) program. The draft Volume One of the implementation plan was published on October 24 and public comment is open until November 29. The League is working with the OBC and BPU to solicit feedback from municipalities. We are currently reviewing the draft and anticipate submitting written comments.

Local Franchise Authority: H.R. 3557 will preempt important local authority while offering no improvement



Show Off Your City: Pennsauken skate park



Show Off Your City: Plumsted Township

in broadband service to our communities. The League opposes this legislation because local governments are just as, if not more, eager as Internet Service Providers (ISPs) to have quality broadband infrastructure deployed throughout their communities. This legislation deprives citizens and their local governments of the ability to preserve property rights and maintain public safety.

Federal Grant Opportunities: The League continues to frequently update membership on available federal grant opportunities that municipalities are eligible participants. Resources through News Flashes the Mayors' Newswire.

Legal

The League has been busy advocating for municipalities in the courts this past year. Our legal department, led by General Counsel William Kearns, Deputy General Counsel Trishka Cecil Waterbury, and Associate General Counsel Frank Marshall, participated in various amicus interventions in 2023 before both the New Jersey Appellate Division and Supreme Court. The legal matters at issue were diverse but once again matters related to OPRA in some way or another saw the most action. The League participates in these cases because they have statewide impact and municipal interests are served by our involvement.

In addition to our amicus work, the League's legal department is helpful resource to municipal attorneys, a clearinghouse for ideas and practices and monitor and report on

important court decisions at the state and federal level that impact our members. Attorneys must continually adapt to a changing legal landscape and our legal department is a strong resource to help them in this task.

One case at the forefront of these efforts is the recent decision from the US Supreme Court, *Tyler v. Hennepin County*, which will undoubtedly result in a change in New Jersey's tax sale law. The League was invited by the Administrative Office of the Courts to join a working group to review the court's processes to ensure compliance with Tyler and to examine what a proper legislative fix would look like. Associate General Counsel, Frank Marshall is representing the League on this working group. We expect action from the legislature to come in lame duck and for the courts to make changes shortly thereafter.

Outside of the court context, our legal department has also been busy advocating for municipal interests before a variety of state administrative agencies including the DEP, DCA and BPU. Issues before these agencies have ranged from stormwater control, third-party private inspections, to the siting of offshore wind turbines.

The legal department continues to create useful resource material. This includes various publications offered by the League, contributing to the League magazine with articles on areas of interest, and writing blog posts to outline new laws and regulations.

The legal department also maintains the League's ordinance and resolution library, a valuable tool for municipal attorneys, elected officials, and others that allows users to see how other municipalities have solved problems,





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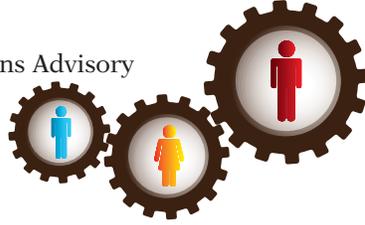
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helping them to better address their own.

The League's legal department works on legislative and regulatory advocacy with members of the League's legislative staff to provide analysis on legislative affairs. The League's Associate General Counsel frequently represents the League and municipal interests as a stakeholder on a variety of issues before the State's regulatory bodies and legislative committees.

Labor Relations

The League's Labor Relations Advisory Service is conducted by the League's Labor Relations Counsels, Angelo Genova and Joseph Hannon of the firm Genova Burns LLC. And now the League has bolstered its Labor Relations offerings by the retention of former municipal manager and former Director of the Division of Local Government Services Matthew U. Watkins.



Joseph Hannon is available to respond to a broad range of public employer labor and employment law questions as a telephone or email service of the League. As part of the Labor Relations Advisory Service, Genova Burns provides expert attorney presentations at several League seminars throughout the year and during the Annual Conference. He also authors the Labor Relations column in *NJ Municipalities* magazine.

Matt Watkins is available to provide assistance and insight into negotiation skills and strategies and trends. He provides Labor Negotiations columns to *NJ Municipalities* magazine and can provide guidance on these trends and negotiating with your local bargaining units. He will be conducting Management Workshops in 2024.

Bureau of Municipal information

The Bureau dates back to the creation of the League. Every year, there are municipal emergencies. But they are typically short-lived moments followed by focused recovery efforts. The ongoing demands for information and support post-pandemic has proven decisively the ongoing value of services provided by the Bureau of Municipal Information.

The League continues to offer the online Ordinance and

Shared Service Libraries, a valuable service providing a sampling of enacted ordinances and shared services agreements from across the state on over 70 topics. The searchable libraries may be accessed on the League's website.

The Bureau features resource pages for over 20 topics on the League website. Pages include critical subject information such as legislation pertaining to hot topics and their history, as well as updates via the News Flashes and links to pertinent resources and recent news articles. The Finance Center, Social Media Resource Center, and Bureau Reference Desk are just a part of the collection of information on matters of importance to municipalities. Publications and digital content overseen by Taran Samhammer, the League's Director of Marketing Communications and Technology. New research, an areas of growth for the League, is developed by Research Associate Ciara Bradley.

The League also offers a diverse listing of publications, most of which are digital and include valuable data in Microsoft Excel spreadsheets.

NJ Municipalities Magazine

Each year, *NJ Municipalities* shines the spotlight on local governments around the state through articles, departments, columns, and news items that continue a 100+ year tradition of League communications. A trusted resource, the magazine strives to inform and inspire more than 6,300 readers and estimated 19,000 pass-along readers.



This year, Managing Editor Amy Spiezio and Advertising Manager Tasneem Kapadia worked with a wide array of contributors to create monthly print and digital issues October through June. Pulling from all segments of municipal government, the magazine ran more than 200 articles telling the stories of elected officials' successful strategies, professionals' constant improvements in operations, and suppliers' latest goods and services—useful tools for local governing.

NJ Municipalities proudly published Hazlet's win of the Show Off Your City 2023, the inspiring activities of Local Government Week, the encouraging entries of the Louis Bay II Future Municipal Leadership Scholarships, and the impressive staying power of those named to the League's Halls of Fame. The magazine continually seeks focused responses from those creating the policies that impact



Show Off Your City: Princeton



Show Off Your City: Roseland

League members. 222 West State Street, New Jersey Knowledge, Gold Dome, Tech Update, Labor Relations, Legal Q&A, Local Governing, and Labor Negotiations provide specific information written by thought leaders for the improvement of day-to-day municipal functions on topics including cyber security, property taxes, pedestrian malls, drug testing, campaign finance, and leave policies.

One of the magazine's core functions is to help local leaders prepare for the future. Throughout this year, *NJ Municipalities* has run stories in special focus sections on different aspects of the timely local issues like public health, technology, infrastructure, leadership, and the environment.

We will continue to advocate for local government officials by seeking and publishing the information that will help them to thrive. We will also continue to invite local government officials to share their stories with their peers in local government and encourage them to subscribe to the magazine for themselves and their teams.

Training & In-Service Programs

Approved continuing education programs serve as a cost-effective way for municipal professionals to maintain their respective state licenses. The League works cohesively with numerous accreditation bodies representing 20 government licenses, including Continuing Legal Education for New Jersey and Pennsylvania Attorneys, Municipal Licensees, Tax Assessors, Recycling Coordinators, Planning and Zoning Board Secretaries, Zoning Officials, Land Use Administrators, and Professional Engineers and Land Surveyors.

In addition to the Annual Conference, the League's offerings for professional development seminars and webinars, educating more than 2,000 attendees in 2023/2024 is overseen by Danielle Holland-Htut, Senior Manager for Continuing Education. Highlights included:

- Orientation for Newly Elected, Reelected, and Experienced Officials
- Budgeting for the Elected Official: Everything you Need to Know to Create, Balance, and Approve Your Municipalities' Budget
- Labor Negotiations 2023
- One-Day Mini-Conference
- Licensing Update
- Going Out to Bid for Banking Services
- Employee Discipline
- Paying your Employees
- Warehouse Zoning and Planning
- Mayors' Legislative Day
- Budget, Ethics, and Procurement Updates

For more information on the League's upcoming seminars and webinars, visit www.njlm.org/Seminars



NJLM Annual Conference

The NJLM Annual Conference is the largest municipal conference in the country and a critical mainstay in the portfolio of services provided by the League. The Annual New Jersey State League of Municipalities Conference is a must-attend event that draws leaders from all around the Garden State.

This year, the exhibit hall was sold out in September and hosted commercial firms, government agencies, non-profits, and associations displaying the latest products and services to educate and assist NJ municipalities with solutions. Over 670 vendors occupied over 1,100 booths. Additionally, more than 125 educational sessions, clinics, panels, and workshops are conducted by the League and the 21 affiliate associations to provide invaluable learning and networking opportunities.

Whether honing skills in educational sessions, networking with peers at League events, or meeting with the innovators of goods and services in the Exhibit Hall, the Conference is an environment for local officials and professionals to share knowledge, experiences.

We look forward to seeing you in Atlantic City for the 109th Annual Conference, November 19-21, 2024.



Promoting Innovation in Municipal Government is an informational resource for local government that offers timely research and a proactive approach to resolving the complex issues affecting New Jersey's diverse communities. It brings together municipal officials, academics, government officials, business leaders and other stakeholders to share their visions and hopes for the future of public policy, and their solutions to the compelling challenges facing the state.



Show Off Your City: Summit SPA city hall

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Membership and Finance

The League is completing its 108th year of service to the municipalities of New Jersey. Our membership currently includes 564 municipalities in the State of New Jersey. The League's fiscal year runs from July 1 to June 30. The budget under which the League currently operates is set forth on this page.

**NJLM
2023 - 2024 Adopted Budget**

INCOME	
1 Appropriation of Prior Cash Bal	0
2 Membership Dues	728,401
3 Magazine	330,000
4 NJLM Conference	2,720,622
5 Interest	12,000
6 Publications	20,400
7 Seminars	143,000
8 Miscellaneous Receipts	5,000
9 Internet Advertising	310,000
10 Sub-Leases Base Rent	89,370
11 Sub-Leases Expense Rent	72,017
12 Sub-Leases Parking Space Rental	17,700
13 Corporate Supporters	65,000
14 Employee Medical Contributions	83,000
Total	4,596,510
EXPENSE	
15 Salaries	1,600,000
16 Social Security & Medicare	122,400
17 Pension Employer Portion	238,000
18 Disability Insurance	1,500
19 Medical Benefits	502,447
20 Workers Compensation Ins	4,950
21 Unemployment Compensation Insurance	0
22 Magazine	197,100
23 Office Expense	35,000
24 Legislative	61,000
25 NJLM Conference	812,000
26 Board & Office Meetings	12,800
27 Executive Meetings/Travel	10,000
28 Staff Meetings/Travel	9,300
29 Staff Memberships	1,550
30 Postage	30,000
31 Equipment Payments	17,000
32 Maintenance on Equip.	4,000
33 Printing	10,000
34 Books, Subscriptions	6,550
35 Seminars	45,000
36 Telephone	16,000
37 Audit	10,500
38 Legal	50,000
39 Insurance & Bond Premium	44,799
40 National League of Cities	38,000
41 Temporary Help	5,800
42 Technology	55,500
43 Internet Web Maintenance	5,000
44 Photocopying	5,000
45 Scholarships	3,000
46 222 Base Rent	422,795
47 222 Expense Rent	181,652
48 Online Ordinance Shared Services	2,100
49 Tuition Reimbursement	2,000
Total	4,562,743