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May 22, 2020

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

To assist in providing guidance and information we have created a [COVID-19 resource page](#). We will continue to update the page as we get pertinent information and include announcements in our Daily Updates.

I. State

a. COVID-19 Update

Yesterday, the Governor announced that an additional 1,304 confirmed positive test results for COVID-19, bringing the statewide total to 151,472. He also announced another 98 deaths, bringing the statewide total to 10,843.

New hospitalizations continue a downward trend. The Governor reported that 3,208 patients being treated in hospitals, a decrease of almost 200 from the day before.

The State has lost over 750,000 jobs and the unemployment hit an unfortunate record of 15.3% in April.

Today (Friday) the Governor will sign an Executive Order allowing for permissible outdoor gatherings will be expanded from 10 to 25. Indoor gatherings will remain at 10. This order

will also allow for the openings of public and private campgrounds immediately. The order does not pertain to outdoor dining or graduations. On this, the Governor indicated to have guidance early next week.

In the past week, the Governor signed the following Executive Orders as a result of the pandemic:

[Executive Order 144](#): Executive Order to Protect Public Health by Mailing Every Registered Voter a VBM Ballot or Application Ahead of the Primary Election

[Executive Order 145](#): Executive Order Allowing Elective Surgeries and Invasive Procedures to Resume on May 26

[Executive Order 146](#): Executive Order to Reopen Charter Fishing and Watercraft Rental Businesses

[Executive Order 147](#): Executive Order which authorizes certain outdoor activities at recreational businesses such as archery ranges, batting cages, golf driving ranges, horseback riding, shooting, ranges, tennis clubs, community gardens.

See the League [COVID-19 page](#) for all our resources and communications.

In light of the current pandemic, we remind you of NJ Mental Health Cares; the state's behavioral health information and referral service offers assistance to people dealing with anxiety and stress related to the COVID-19 outbreak. Residents can call 1-866-202-HELP (4357) for free, confidential support. NJ Mental Health Cares will be answered from 8 a.m. to 8 p.m. seven days a week by live trained specialists.

According to the New Jersey Department of Labor, that have been over 930,000 new unemployment claims filed since the start of the state of emergency. There are now almost 622,000 collecting unemployment.

Contact: Michael F. Cerra, Assistant Executive Director, mcerra@njlm.org, 609-695-3481 x120.

b. State Budget Update

Today State Treasurer Liz Muoio issued [a report on the fiscal condition of the state budget](#). The report indicates that the State can expect an up-to \$10 billion shortfall between now and June 2021. The data reflects a shortfall of \$2.75 billion through the remainder of the current budget year, which has now been extended to September 30. Further, a \$7.3 billion shortfall is expected in FY 2021, which will run from October 1 through June 30, 2021.

The League is in the process of reviewing the data and will report back to you, with a particular focus on the impact of municipal property tax relief funding.

Contacts:

- Jon Moran, Senior Legislative Analyst, jmoran@njlm.org, 609-695-3481 x121.
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x112.

c. State Planning Commission Extends Town Center Designation Period

The State Planning Commission this week issued a [Notice of Rule Waiver/Modification/Suspension](#) pursuant to Executive Order No. 103, which temporarily relaxes regulatory provisions concerning the expiration of town center designations made pursuant to the State Plan (N.J.A.C. 5:85-7-21).

The State Planning Commission's regulations permit previously approved center designations by municipalities with expiration dates on or before December 31, 2019, to remain in effect until June 30, 2020. The action taken by the Commission this week extends the center designations with expiration dates on or before December 31, 2019 to 180 days following the expiration of Executive Order No. 103.

You should review this notice with your administrator and planning board for more information.

Contact: Frank Marshall, Esq., Associate General Counsel, fmarshall@njlm.org, 609-695-3481 x137.

II. Federal

a. FCC to Consider Further Action Preempting Local Authority

This week the Federal Communications Commission [announced](#) that it would be considering at its June 9th open meeting, the "[State/Local Approval of Wireless Equipment Modifications Under Section 6409\(a\)](#)" [Declaratory Ruling and Notice of Proposed Rulemaking](#). The League opposes the Declaratory Ruling (Ruling) and Notice of Proposed Rulemaking (NPRM).

The Ruling and the NPRM stem from petitions filed by the Wireless Industry Association (WIA) and the Communications Technology Industry Association (CTIA), in late 2019. These proposals aim to further limit local oversight of wireless towers and pole attachments. If enacted, the proposals would substantially limit current authority local governments have to manage changes made to large wireless towers in their communities, as well as further limiting the control pole owners, such as local governments or utilities, have over pole attachments. For more information please see the League's recent [blog post](#).

The League has submitted a letter to FCC Commissioners, opposing the Ruling and NPRM and supporting the [comments that the National League of Cities](#) and other local government groups have submitted in regard to the WIA and CTIA Petitions.

We strongly urge all to write to the FCC expressing their opposition to this unnecessary and inappropriate preemption of local control. If you do submit a letter, we kindly request that you please be sure to copy the League.

Contact: Frank Marshall, Esq., Associate General Counsel, fmarshall@njlm.org, 609-695-3481 x137.

b. NJ Municipalities Need a Federal Lifeline. Local Citizens and Businesses Need Local Services

New Jersey Main Streets will not recover their vibrancy, without effective local services. Programs for Senior Citizens will suffer, without the support of municipal government. Youth recreational opportunities will shrink, without local assistance. But the costs of contending with COVID-19, and the loss of revenues that the virus has dealt – and will continue to deal – to local budgets, will force municipal officials to slash funding across important line items. They will need to reassess every single expenditure. And those services, that support, and that assistance might be substantially less than anyone would want it to be.

If local economies are to recover – if local communities are to flourish again – local citizens and businesses need vital local services. New Jersey municipalities need a Federal lifeline. We sincerely appreciate the many members of our State's Congressional Delegation who are working on our behalf.

Last Friday, the House of Representatives passed the HEROES Act. Thanks to the advocacy of Congressman Frank Pallone, that bill includes a \$375 Billion 'Coronavirus Local Fiscal Relief Fund.' The vote, largely along party lines, was 203-199. Though declared 'dead on arrival' in the Senate by Majority Leader Mitch McConnell, this action is becoming the basis for further negotiations toward a bipartisan consensus on the next COVID response action in Washington.

On Monday, Senator Bob Menendez introduced in the Upper House S.3752, the State and Municipal Aid for Recovery and Transition (SMART) bill. On Tuesday, Congresswoman Mikie Sherrill introduced its companion, H.R. 6954, in the House. Sponsors for S.3752 include three Republicans and three Democrats, including our Junior Senator Cory Booker. H.R. 6954 lists as cosponsors five Democrats and five Republicans, including New Jersey's Josh Gottheimer. That kind of across-the-aisle support will be crucial to success in Congress. If enacted, the SMART Fund would provide \$80.6 Billion for all American municipalities, regardless of size, would be matched by another \$80.6 Billion for all American counties.

Also on Tuesday, Federal Reserve Chairman Jerome Powell told the Senate Banking Committee that failing to provide relief to state and local governments could put a drag on the economy for years. "We have the evidence of the global financial crisis and the years afterward, where state and local government layoffs and lack of hiring did weigh on economic growth," he said.

"Something like 13% of the work force is in state and local government. A lot of the critical services that people rely on day to day are you know, provided at the state and local level. With ... balanced budget provisions ... revenue goes down sharply, it can mean job cuts or service cuts. So, those are all important things to consider in going forward," the Chairman stated.

As Congress has debated a series of COVID relief bills over the past few months, the New Jersey League of Municipalities has consistently supports funding for small businesses, funding for health care, funding for non-profits, funding for the unemployed, funding for mental health and addiction disorder services, funding for schools, and funding for the

State of New Jersey. But Congress has yet to pass a bill earmarking a single penny of general aid for a single New Jersey municipality.

Please thank Senators Menendez and Booker and your District's Representative in the House for their efforts on our behalf. And please reach out to your business community and to your non-profit service providers. They need to add their voices to yours.

The National League of Cities, our partner in Washington, has launched a national campaign to focus attention on what municipalities are doing, on what they need to continue to do it, and on what they will need to restore local economies and the social fabric of their communities, severely weakened by the stress of COVID-19. More than 170 business and community organizations have already endorsed the [Cities Are Essential](#) campaign, aiming to achieve one clear goal: Direct federal support for cities, towns, townships, boroughs, and villages, regardless of size.

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

c. National Guidance at Your Fingertips

Local leaders are on the front line of the COVID-19 pandemic. On their [website](#), you will find National League of Cities generated tools and best practices, updates on federal guidance, resources from the state municipal leagues around the country and from partners, and other critical information to help with local preparedness and response. We must stand strong together, support one another, and address each challenge hour by hour, and day by day.

III. Also of Interest

a. The Online Mini Conference

June 10, 11, 12, 2020
Location: Your Computer

The NJLM Online Mini Conference is now open for registration. The Conference will take place over June 10, 11, and 12, 2020 and offer 12 different webinars for attendees to join for one low price. CEUs are available for Finance Officers, Tax Collectors, Public Works, Municipal Clerks, Accountants, Recycling Professionals, and New Jersey Attorneys. Some attendees can earn up to **16.5 CEUs in three days!** Cost for Members is \$115 per person and \$130 for nonmembers.

For a schedule of webinars and the registration form please visit the [Mini Conference website](#).

If you have any questions please contact Danielle Holland-Htut at 609-695-3481 ext 118 or dholland@njlm.org.



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New Jersey State League of Municipalities

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