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## February 19, 2021

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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.

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### I. State

#### a. COVID-19 Weekly Update

This week's COVID-19 news from Trenton: Governor Phil Murphy along with Acting Commissioner of Education Angelica Allen-McMillan released a plan on the learning gap. Vaccination deliveries have been delayed due to weather but it is anticipated that the vaccines will be delivered early next week in addition to next week's allotment. An Executive Order extending the Public Health Emergency has been issued.

#### For February 19, 2021:

- 2,669 new positive cases for a total of 678,306 confirmed cases
- 64 new confirmed deaths for a total of 24,495 confirmed deaths
- The rate of transmission is at 0.91

- 686 cases linked to 144 school outbreaks since August
- 1,559,569 vaccine doses have been administered, including 1,102,687 first doses and 456,045 second doses. 55% have been Moderna and 45% Pfizer.

## **Vaccine Information**

The state hotline 855-568-0545 continues to assist residents, with live agents from 8:00 a.m. to 8:00 p.m., in getting information on how to register, as well as how to schedule vaccine appointments as people become eligible. The agents remind residents that there is no out of pocket expense to get vaccinated and that the two vaccines are not interchangeable.

The state continues to encourage the general public to [pre-register for eligibility for the vaccine online](#). Individuals will be permitted to input their personal, contact, health insurance, and demographic information. Those who are immediately eligible based on screening questions will be able to schedule an appointment.

## **Executive Orders**

[Executive Order 222](#): extends the Public Health Emergency an additional 30 days. Governor Murphy noted that “extending the public health emergency allows the Department of Health to continue its vaccination efforts, including prioritizing high-risk individuals, promoting adequate staffing at vaccination sites, and overseeing second dose administration.”

## **Unemployment Information**

The Department of Labor [announced](#) for the week ending February 13 the initial weekly unemployment claims total 11,563, a 29% decrease from last week and the lowest number of new initial claims since mid-March of last year.

**Contact:** Lori Buckelew, Assistant Executive Director, lbuckelew@njlm.org, 609-695-3481 x112.

## **b. Cannabis Update**

Due to the rescheduling of the Assembly Voting Session, Governor Phil Murphy now has until Monday, February 22 to take action on legislation ([A-21/S-1](#)) legalizing the adult use of cannabis and [A-1897](#), which deals with decriminalization of marijuana related offenses. The penalties for underage possession of cannabis remains the outstanding issue. Later today, the Senate Judiciary Committee will be considering legislation ([S-3454](#)) that addresses underage possession or consumption of various forms of cannabis, including legal consequences. We will continue to keep you posted.

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

## **c. Appellate Panel Rules on Medical Cannabis Facility Permit Applications**

This week, the NJ Appellate Division issued an unpublished decision, allowing the state to resume its review of medical marijuana license applications. Review had previously been put on hold while the court examined a challenge to the application process brought by

certain applicants.

A majority of the challenges were due to issues regarding how the Department of Health handled certain electronic documents submitted with applications. A few challenges, however, dealt with uncertainty regarding regulatory language that require an applicant provide as part of their application package, “written verification of the approval of the community or governing body of the municipality...” When applicants provided letters of support from community members and other documents not from the municipal governing body, the Department of Health denied these applications.

The applicants argued, and the Appellate Division agreed, that the plain language of the regulations do not require a formal action or any action for that matter, from the governing body of the host-municipality.

The League is reviewing this ruling to determine what, if any, general municipal impact this ruling will have and to determine any appropriate action. We will keep you updated on this matter as we continue to examine the decision.

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

#### **d. Bill Seeks to Remove Limits on One-Day Social Affair Liquor Permits**

[Assembly Bill 5310](#) was introduced to exempt municipal owed premises from the limit on one day temporary liquor permits for Municipalities. Under current regulations, premises are limited to 25 one day social affairs permits per year. The cost for a one-day permit that allows for civic, religious, educational, and veteran organizations is \$100. Any other permit issued shall not be less than \$10 and not more than \$2,000. A-5310 removes this limit for premises owed by a municipality or if an event is sponsored by a municipality.

Assembly Bill 5310, which the League supports, was originally scheduled to be heard by the Assembly Oversight, Reform and Federal Relations Committee on Thursday. We will advise when the committee hearing is rescheduled.

**Contact:** Andrew LaFevre Legislative Analyst, alafevre@njlm.org 609-695-3481 x116.

#### **e. Governor Murphy Signs Executive Order Creating ‘Climate Office’ and ‘Council on Green Economy’**

Governor Murphy, this week, signed [Executive Order 221](#) (EO 221) establishing the Governor’s Office of Climate Action and the Green Economy (“Climate Office”). The purpose of the Climate Office is to coordinate the policymaking processes of the Executive Branch departments and agencies with respect to all climate change and green economy issues. EO 221 also creates the New Jersey Council on the Green Economy, consisting of various executive department heads, and tasked with developing and analyzing the transition to “green jobs” throughout the state. The Council will also examine training opportunities for workers to be ready for green jobs, with a focus on communities traditionally underrepresented.

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

## **f. Update on S-1**

Since 2011, Senate President Sweeney has been advancing legislation ([S-1](#)) to encourage shared services by making various civil service reforms, but would permit the state to withhold state aid from municipalities that did not implement a shared service agreement. For the past 10 years the League has been working with the Senate President to address municipal concerns. While the intent of legislation has always been to encourage sharing of services, over the years the bill has undergone amendments on various issues, such as civil service reforms, some of which we viewed positively and some less so. The one constant that has remained is the voter penalty – if the voters reject a recommendation of Local Unit Alignment, Reorganization, and Consolidation Commission (LUARCC) then the municipality would lose state aid (ERT/CMPTRA) equal to the amount of savings LUARCC certifies the municipality would have if they enacted the shared services.

Given the significant number of amendments Senate President Sweeney and cosponsor Senator Vin Gopal have made to address our concerns both on the Civil Service reforms and the LUARCC process, the League, after a review of the latest amendments with League leadership, will be taking a neutral position on the bill. We still continue to express our objections to the penalty, especially if the voters reject the recommendation, and the stick approach to shared services instead of the carrot. Please see our [recent blog post](#) for information on the provisions of S-1 related to shared service Civil Service reforms, Labor Issues, and LUARCC.

**Contact:** Lori Buckelew, Assistant Executive Director, lbuckelew@njlm.org, 609-695-3481 x112.

## **g. Governor Announces \$250 million Transportation Investment**

Joined by local, State, and Federal officials on Wednesday, Governor Murphy [announced](#) a \$250 million investment in Camden's Walter Rand Transportation Center that will be multimodal, improve accessibility, and connect NJ Transit buses, private buses, PATCO, River Line light rail and the eventual expansion of light rail, to Glassboro.

NJ Transit will issue a request for proposal for design work. There will be new parking, retail, and commercial and residential development near the Center to make it a true transit hub. It was noted that this is a transformational project for the city and region and will serve Camden and South Jersey for generations.

**Contact:** Paul Penna, Legislative Analyst, ppenna@njlm.org, 609 695-3481, x110.

## **II. Federal**

### **a. House Oversight and Reform Passes Reconciliation Bill that Includes State and Local Government Aid**

Last Friday, after a series of amendments were offered, including ones designed to limit and hinder state and local aid distribution, and were defeated, the House Oversight and

Reform Committee reported favorably the [state and local government aid section](#) under the COVID-19 emergency aid reconciliation package. The package, along with components from other House committees heads to the House Budget Committee, which is scheduled to meet this Monday.

According to the formulas distributed to the committee, New Jersey will receive \$6.483 billion and New Jersey localities will receive \$2.945 billion for a total of \$9.428 billion. The League has an estimate of what all municipalities may receive if the formula does not change. For your individual municipality estimated amount please reach out to the contact information below.

This process remains fluid and provisions can change. We will keep you updated as developments warrant.

**Contact:** Paul Penna, Legislative Analyst, [ppenna@njlm.org](mailto:ppenna@njlm.org) or 609-695-3481, x110.

### **b. Senators Menendez and Booker Discuss American Rescue Plan with Elected Officials**

On Thursday, League President, Clinton Town Mayor Janice Kovach and League staff joined more than 200 elected officials discussed the American Rescue Plan with U.S. Senators Bob Menendez and Cory Booker on a virtual call. The Senators gave an overview of the American Rescue Plan funding elements and spent more than an hour answering questions and listening to concerns and suggestions from local elected officials.

They warned that the legislation that comes to the Senate from the House of Representatives is likely to change, and that are fighting for direct payments to all types of local government using a modified Community Development Block grant formula. There was a question regarding removing the deduction cap for state and local taxes and the Senators noted that they are fighting to remove it but it is costly because revenue previously allocated for the SALT deduction was reallocated to other purposes in the 2017 tax law.

**Contact:** Paul Penna, Legislative Analyst, [ppenna@njlm.org](mailto:ppenna@njlm.org), 609 695-3481, x110.

## **III. 2020 Annual League Conference**

### **a. Print Your CEU Certificates from the 2020 NJLM Virtual Conference**

The tracking system from the 2020 NJLM Virtual Conference is now open. To print your certificates visit the [Tracking System webpage](#). The system will be available until May 1, 2021.

### **b. It's Not Too Late!**

We hope that the NJLM Virtual Conference allowed you to look back and forward on the challenges of the day, be it the COVID-19 pandemic, social and restorative justice or how to balance the competing interests in preparing for your 2021 budget. While we hope to be

back in-person in Atlantic City in 2021, the virtual conference offers a unique benefit. The content of the approximately 80 programs and 145 virtual exhibitor booths will be available on-demand through October 31, 2021.

Anyone who is registered can simply log in to [the Conference website](#) to view any of the programs or visit any of the exhibitor booths. And for those who did not attend, it's not too late. We will continue to [accept registrations](#) for access to the Conference site. Those who register now will not be able to apply for CEUs but will have full access to all programs and exhibit booths. And please continue to visit the exhibitors who chose to support the 105th Annual Conference by stopping by their booths. You can contact exhibitors directly with any questions or comments by simply using the "Request Information" button on each booth. This will generate an automatic email to the exhibitor and they will contact you with a reply.

## IV. Also of Interest

### a. Briefing for Stakeholders Involved in Emergency Management

**Tuesday, March 2nd from 2:00PM – 3:00PM ET**

The FirstNet Authority in cooperation with AT&T are offering insight into the nationwide public safety broadband network, which is the only nationwide network purpose built for first responders – and those who support their vital efforts.

See and hear some of the latest developments regarding **broadband communications for Emergency Management**.

You can [register](#) for the March 2 live session.

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