



[Click to view newsletter archives](#)

October 8, 2021

- I. State Issues
- II. Federal Issues
- III. COVID-19 Weekly Update
- IV. Also of Interest

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 Issues

a. Briefing with Acting Attorney General Andrew Bruck

Please join us on **Wednesday, October 13, at 2:00 p.m.** for a virtual briefing with Acting Attorney General Andrew Bruck as he discusses his current initiatives and priorities. Acting Consumer of Affairs Director Sean Neafsey will be joining Acting Attorney General Bruck.

[Register](#) for this free briefing today. A link to the briefing will be sent to registrants the morning of the briefing.

b. Governor Signs Measure to Expand Law Prohibiting Age Discrimination in Employment

Governor Murphy on Tuesday signed into law [A-681](#), legislation that expands the scope of law prohibiting age discrimination. The new measure deletes a previous provision of the law that permitted a government employer to require retirement when an employee attains

a particular age if the employer can show that the retirement age bears a manifest relationship to the employment in question. The new law also amends section of the Law Against Discrimination that previously allowed an employer from refusing to employ or promote any person over 70 years of age. These changes took effect on October 5, 2021.

You should review these changes with your municipal attorney and labor counsel to ensure compliance with the new standards.

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

c. Governor Signs Bill that Prohibits Number of Tickets in Review Process

Yesterday Governor Murphy signed [S-1322/A-4058](#), now P.L.2021, c.249, which prohibits law enforcement agencies from considering the number of arrests made and citations issued when evaluating police officer's professional performance. It adds discipline as a prohibited criteria and prohibits the posting of number of arrests in a public place.

The League opposed this legislation as an unnecessary intrusion into the municipal personnel process. The act takes effect immediately.

We encourage you to review this new law with your labor attorney, administrator, and police chief.

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

d. FEMA Extends Hurricane Ida Request for Public Assistance Deadline

The New Jersey State Police announced that FEMA has approved New Jersey's request to extend the Request for Public Assistance (RPA) deadline for Hurricane Ida relief. The new deadline is varies for each county as follows:

- November 4 for Bergen, Gloucester, Hunterdon, Middlesex, Passaic, and Somerset Counties;
- November 9 for Essex, Hudson, Mercer, and Union Counties; and
- November 10 for Morris County.

The application procedures used to process grants require that the New Jersey Office of Emergency Management submit completed RPAs through the Grants Portal (GP) program delivery system to the Federal Coordinating Officer (FCO) for each potential sub-recipient requesting public assistance.

Applicants must use the [FEMA Grants Portal](#). In order to register, please create your RPA. More information and questions can be obtained on specific subjects:

- For questions related to submitting an RPA, email publicassistance@njsp.org
- For technical questions related only to NJEMGrants.org, email NJEMGrantsHelp@njsp.org
- For technical questions related only to FEMA Grants Portal – call 866-337-8448
- For grant eligibility questions related to your incurred costs, please

email publicassistance@njsp.org

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

e. Executive Order Increases Poll Worker's Salary

On Tuesday Governor Murphy signed [Executive Order 266](#) making changes to poll workers' salary for the upcoming General Election. Under Executive Order 226 poll workers' pay for elections is increased from \$200 to \$300 and poll workers working during the Early Voting will receive a supplemental payment for each hour worked equal to a pro-rated hourly rate consistent with \$100 supplemental pay. In addition, the Executive Order suspended the requirement that board workers be a resident of the county in which they serve.

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

f. Rule Change Allows Legal Sale of Home-Baked Goods

The NJ Department of Health on Monday [published rules](#) that allow home-based bakers to apply for a permit to run a "cottage food" business, ending New Jersey's status as the last remaining state to not allow the practice. The new rules limit the type of foods that can be sold to items such as baked goods, candy, dried fruit, jelly, preserves, and a number of other foods not requiring refrigeration or heating.

Cottage food operators must first obtain a permit from the Public Health and Food Protection Program within the NJ Department of Health before they can legally begin sales. Permit applicants are required to obtain certification from an accredited program showing that the applicant is a food protection manager in good standing. Applicants with private well water must also have their water tested for microbiological impurities.

Applicants seeking a permit must comply with all local laws of the municipality in which they seek to operate a cottage food operation. This includes all zoning and land use regulations, as well as business licensing requirements. State and local health officials are permitted to inspect the premises where goods are prepared in order to insure compliance or investigate a complaint, but an inspection is not required as part of the permitting process.

You should review these new rules with your municipal attorney and business administrator for more information.

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

g. 2021 Municipal Best Practices Inventory Due November 3

As a reminder: all municipalities, including State Fiscal Year municipalities, must submit their [Best Practices Inventory](#) by Wednesday, November 3, 2021. [Local Finance Notice 2021-17](#) provides guidance on this year's process.

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

3481, x112.

II. Federal Issues

a. Federal Update

Debt Ceiling & Continuing Resolution

Earlier this week, Senate leadership came to a short-term agreement to increase the federal [debt limit by \\$480 billion](#). It is estimated that amount will allow for normal payment of expenses through December 3. The Senate passed the bill on Thursday. The House is expected to return and advance the measure next week before the government is estimated to run out of borrowing authority on October 18.

Last week Congress passed, and President Joe Biden signed, a continuing resolution to fund the government's current spending levels through December 3 and will need to deal with the spending and debt issues again before the end of the year.

Infrastructure

Negotiations to pass the Infrastructure Investment and Jobs Act (IIJA) and the Biden Administration's Build Back Better program through the budget reconciliation process ended over the weekend without either measure advancing.

The Biden Administration, Senate Leadership and moderate members, and House Leadership are negotiating the topline amount for the Build Back Better program and expect to vote on both measures by the end of October. Members from New Jersey congressional delegation continues to advocate for inclusion of the removal of the State and Local Taxes (SALT) deduction cap and have indicated they will not support the bill without it. The League supports and thanks the several members for their continued advocacy.

We will continue to keep you posted on the quickly changing federal budget negotiations and process.

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

b. U.S. Appeals Court Rejects SALT Cap Challenge

This week, the U.S. Court of Appeals for the Second Circuit [rejected the efforts of New Jersey](#) and three other states challenging the federal government's 2017 implementation of a \$10,000 cap on the deduction of state and local taxes (SALT) on individual income tax returns. The states claimed that the SALT deduction is constitutionally mandated, or in the alternative, "the limitation violates the 10th Amendment because it coerces them to abandon their preferred fiscal policies." The appeals court agreed with the district court, finding that the claim lacked merit.

The ruling is a blow to efforts to overturn the 2017 SALT deduction cap, which has a disproportioned effect on states like New Jersey that rely on property taxes almost exclusively to fund local governments. The matter could be appealed to the U.S. Supreme

Court although it is unclear at this time whether this would be pursued.

Repeal of the SALT deduction cap continues to be an issue that Congress is negotiating as part of the Biden Administration's Build Back Better agenda. Several New Jersey members have publicly declared they will not support a legislative package that excludes repeal the SALT deduction cap.

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

c. New Jersey Congressional Redistricting Commission Announces Public Meeting Schedule

This week, the New Jersey Congressional Redistricting Commission announced there would be 10 public hearings to gain input from advocates and the public in advance of a January deadline to adopt the decennial congressional map.

The commission announced three of the 10 hearing dates and times. Virtual hearings will be held on October 23 and October 30, both at 10 a.m., and an in-person hearing on October 26 at 6:00 p.m., with a location to be announced. The remaining meeting dates and locations have yet to be announced. Registration information has yet to be made available and the [congressional redistricting website](#) is being updated.

After this past year's apportionment, New Jersey will continue to send 12 members to Washington DC to represent the state in the US House of Representatives.

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

III. COVID-19 Weekly Update

Earlier this week the Governor Phil Murphy announced that schools will be required to report COVID data on a weekly basis to the State's Department of Health; clarified that the Executive Order that all school staff be either fully vaccinated by October 18 or face regular testing includes all bus drivers as well, regardless of whether they're district employees or independently contracted; and noted that 75% of all eligible New Jersey residents fully vaccinated, and more than 83% of eligible residents have now received at least their first shot.

COVID Data for Friday, October 8, 2021:

- 1,661 new positive cases for a total of 1,014,968 confirmed cases
- 19 new confirmed deaths for a total of 24,773 confirmed deaths
- The rate of transmission is at 0.90
- 30 new cases have been linked to 69 school outbreaks
- 11,871,453 vaccine doses have been administered, including 6,594,598 who have received at least one dose, and 5,725,442 who are fully vaccinated. 58% are Pfizer, 38% Moderna, and 4% J&J. In addition, 172,700 have received an additional dose of Pfizer and 52,410 have received an additional dose of

Moderna.

Vaccine Information

Boosters are available for all Pfizer recipients who completed their initial two-shot course at least six months ago and who are ages 65 and over, individuals ages 18 and older who have underlying medical conditions which may make them more susceptible to the virus, or whose employment situation may also put them at higher risk, including first responders and healthcare workers, educators and daycare employees, correctional facility workers, those whose jobs are along our public transit system, food and agricultural workers including grocery store employees, manufacturing workers, and correction workers.

As a reminder, the Department of Health is providing access to individuals COVID vaccination records through [NJ Docket, a secure and free smartphone app](#), which is CDC approved.

Homebound residents who have not yet connected with their local health department, or a home health agency, and who need an in-home vaccination should visit www.covid19.nj.gov/homeboundvax or contact the call center at 855-568-0545.

To find a vaccine site visit www.covid19.nj.gov/vaccine.

Mental Health Resources

As a reminder, the Department of Children and Families has put together a new page on their COVID information hub with a wealth of mental health support resources for youth, for parents, and for educators. This all can be found at that website, www.covid19.nj.gov/youthhelp.

Contacts:

- Mike Cerra, Executive Director, mcerra@njlm.org, 609-695-3481, x120.
- Lori Buckelew, Assistant Executive Director, lbuckelew@njlm.org, 609-695-3481, x112.

IV. Also of Interest

a. The League is Extending the Deadline for the Innovation in Governance Program – Submit Your Applications Now!

The New Jersey Department of Community Affairs (DCA) and the New Jersey League of Municipalities (NJLM) will again acknowledge and promote Innovation in Governance through our annual recognition program. This is a great opportunity to showcase innovative solutions to any problems that have cropped up – either suddenly or over time – in your municipality. It can also be an opportunity to let your peers in on innovations that prevented problems from even arising.

The deadline is extended to **Friday, October 15, 2021**, and is fast approaching.

[Visit our awards page](#) to see previous years of impressive ideas created by our winning municipalities as well as the full invitation and application to this year's program.

Contact: Ciara Bradley, Legislative Administrator, CBradley@njlm.org, 609-695-3481, x128.



New Jersey State League of Municipalities

222 West State Street, Trenton, NJ 08608
Phone: 609-695-3481 Web: www.njlm.org

NJLM on Social Media: [Facebook](#) [Twitter](#) [LinkedIn](#) [YouTube](#)

 [Share on Facebook](#)  [Share on Twitter](#)  [Share via Email](#)

Copyright 2021 NJLM. All Rights Reserved.
222 West State Street, Trenton, NJ 08608

If you no longer wish to receive emails from us, you may [Unsubscribe](#).

Powered by 

Email not displaying correctly? [View it in your browser.](#)