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## August 30, 2019

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

### I. State Issues

#### a. Governor Asks Legislature to Consider New Tax Incentive Programs

Governor Phil Murphy has issued a [conditional veto](#) (CV) of S-3901, returning the bill to the Legislature with recommended changes to reform the state's tax incentive programs. S-3901 would have extended the Economic Opportunity Act in its entirety to January 31, 2020, seven months beyond its sunset date of June 30, 2019. Due to that sunset, New Jersey is currently without a tax incentive program to encourage investments in economic development. The Governor views the State's current incentive regime as flawed and subject to abuse.

The recommendations outlined in the Governor's conditional veto would replace the current tax incentive. In their stead, the Governor has asked the Legislature to concur with his conditions, which include the following five new initiatives:

- \* NJ Forward – This jobs-based program would provide credits to companies engaged in high-growth industries, U.S. businesses creating a Northeast headquarters, foreign businesses creating a U.S. headquarters, and major job retention projects.
- \* NJ Aspire – This program would encourage investments in commercial, residential, and mixed-use projects through a place-based gap financing program.

\* Brownfields Redevelopment Program – This program would augment EDA's Brownfields Loan Program, promote more remediation projects, and increase job creation.

\* Historic Preservation Tax Credit Program – This program, modeled after the National Historic Tax Credit program, would partially reimburse developers who revitalize income-producing historic buildings.

\* Innovation Evergreen Fund – This fund would be designed to boost venture capital investment into Garden State startups.

The Governor's alternative proposal would cap the combined total annual value of the incentives at \$400 million. The legislation provides flexibility for the state to award additional tax credits for certain transformative projects, including for projects that deliver food sources to food deserts as designated in consultation with the Departments of Agriculture and Community Affairs.

Hoping for a compromise with the Governor, Senate President Steve Sweeney indicated that he intends to consult with former State Senators Joe Kyrillos and Ray Lesniak. The Senate President has called them 'the architects of all of the incentive bills over the last two decades.' Former Senators Lesniak and Kyrillos have already met with the Governor's staff to discuss incentive reform.

As discussions continue, at this time, the Senate President does not intend to move toward an override of the Governor's CV. We will keep you posted.

**Contact:** Jon Moran, Senior Legislative Analyst, [jmoran@njlm.org](mailto:jmoran@njlm.org), 609-695-3481, x121.

## **b. Governor Vetoes Use of Digital Parking Meters for Monitoring Parking Compliance**

On Monday Governor Murphy vetoed [A-4135](#), which would have authorized the State or a local government to use a digital parking meter or other electronic parking compliance device to monitor parking compliance within its jurisdiction. The bill, would have also established the "Designated Drivers to Prevent Drunk Driving Fatalities Fund."

In his [veto message](#), Governor Murphy expressed his concern that the meters would dramatically increase the number of parking tickets issued, citing the number of violations issued by Palisades Park pilot program, and that this would increase the fines paid by New Jersey residents.

The Governor further stated that "if we are going to seek additional revenue to support important public priorities, I firmly believe that we should first ask those at the very top, such as those with incomes in excess of \$1 million, to pay their fair share. I do not believe it is appropriate to protect the tax breaks enjoyed by the wealthiest New Jerseyans while extracting additional money from low-and middle-income New Jerseyans, many of whom are struggling to make ends meet. I will not allow technological advances to multiply the likelihood of an unexpected parking ticket, which can devastate a resident or family living paycheck to paycheck."

The Governor also stated that he is "committed to making New Jersey a state in which all residents can both afford to live and maximize their talents and abilities. I believe that the

use of digital parking meters and the likely flood of parking tickets that would result will make New Jersey less affordable.”

**Contact:** Lori Buckelew, Senior Legislative Analyst, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481, x112.

### **c. Governor Murphy Conditionally Vetoes Bill Establishing NJ Violence Intervention Program**

On August 23 Governor Murphy conditionally vetoed [S-3309](#), which would have established the New Jersey Violence Intervention Program (NJVIP). Furthermore, the bill would have required the Attorney General to award funds on a competitive basis to municipalities, not for profit health agencies, law enforcement agencies, and non-profit organizations that serve communities with disproportionately high rates of homicides and other incidents involving the use of firearms. This legislation would require the Attorney General to establish, advertise, and administer grants through the NJVIP, conduct program evaluations to determine the effectiveness of the violence intervention programs, provide written reports to provide transparency regarding the effectiveness of the programs, and hold public forums to gather community input regarding the programs.

In his [conditional veto](#) message, Governor Murphy noted the administration would also use federal Victims of Crime Act (VOCA) Assistance grants to support NJVIP; therefore, it is “important to ensure that the rules governing NJVIP do not violate the criteria for qualifying for VOCA Assistance grants.” The language changes in the conditional veto more “closely align with VOCA Assistance grant eligibility criteria.” The conditional veto adds language that incorporates and emphasizes targeted services, clarifies that hospitals receiving NJVIP grants must be not-for-profit or use not-for-profit entities to run their violence intervention programs and will allow the Attorney General to establish any additional conditions or limitations to ensure that VOCA Assistance grant funding is awarded in compliance with federal law.

**Contact:** Lori Buckelew, Senior Legislative Analyst, [lbuckelew@njlm.org](mailto:lbuckelew@njlm.org), 609-695-3481, x112.

### **d. Governor Signs Bill Amending Laws Governing Remediation of Contaminated Sites**

Governor Murphy on Friday signed into law [A-5293](#) (now, P.L.2019, c.263) which makes various changes to laws governing the remediation of contaminated sites. The new law, which the League supported, expands the functions of the Site Remediation Reform Act of 2009 and the Licensed Site Remediation Professional (LSRP) program, adding prerequisites for licensure to strengthen protections of public health and safety and the environment.

Some of the new requirements implemented by the amendments include better communication with both the public and local governing body on the status of site remediation. Status reports and other information that was previously required to be sent only to the Department of Environmental Protection must now also be provided to the local governing body and, upon request, to the public.

The amendments also make it clear that municipal courts have jurisdiction to impose a civil penalty for minor violations of the Site Remediation Reform Act. While municipal courts have always heard these “ticket” violations the authority to do so had never been specifically allocated, until now.

**Contact:** Frank Marshall, Esq., League Staff Attorney, [fmarshall@njlm.org](mailto:fmarshall@njlm.org), 609-695-3481, x137.

## **II. Federal Issue**

### **a. Urging Federal Action on Gateway Portal Bridge**

Yesterday Governor Murphy was joined by New Jersey Legislative Leaders and members of New Jersey Congressional Delegation in calling upon federal officials to join the State in funding the replacement of the 108 year old moveable Portal Bridge. In his [remarks](#), the Governor noted that New Jersey is ready to start America’s next great infrastructure project with a designed, permitted, and shovel-ready project.

**Contact:** Jon Moran, Senior Legislative Analyst, [jmoran@njlm.org](mailto:jmoran@njlm.org), 609-695-3481, x121.

## **III. Annual League Conference**

### **a. 104<sup>th</sup> Annual League Conference Pre-Registration Opened Aug. 1**

Pre-Registration for the 104th Annual League Conference has begun! Costs for pre-registration are \$55 for government officials and \$ 105 for non-government officials. Pre-registration runs through October 1. After the pre-registration period has ended, attendees must pay for their registration onsite at the Atlantic City Convention Center. On-site registration rates are \$65 for Government Officials and \$125 for non-government officials.

For more information on pre-registration, please visit the [Conference website](#).

**Contact:** Johnnifer Harris, Assistant Financial Administrator, [jharris@njlm.org](mailto:jharris@njlm.org) x119.

### **b. NJLM Annual Conference Exhibit Booth Registration is Open!**

Invite your vendors to exhibit at the 2019 NJLM Annual Conference and showcase their product or service to other municipalities. Exhibit space is over 90% sold out, so contact your vendors today—or send us a note and we’ll reach out to them! The [2019 Exhibitor and Sponsorship Prospectus \(PDF\)](#), [Interactive Floor Plan](#) and [other exhibit information](#) can be downloaded on the League website.

**Contact:** Kristin Lawrence, Director of Exhibition and Sponsorships, 609-695-3481, x125, [klawrence@njlm.org](mailto:klawrence@njlm.org).

### **c. Reserve Your Hotel for the Annual League Conference**

Preparations for the Annual League Conference, November 19-21, are underway and the hotel reservations system is open for attendees and exhibitors at the [League Conference Web Page](#). There you will also see a preliminary schedule of conference sessions.

Staying in Atlantic City for the Conference is a great way to get the most from your attendance at the Conference. Staying over will maximize your time and opportunities to participate in the educational, informational, and networking opportunities offered throughout the Annual League Conference.

#### **d. Unauthorized Hotel Reservation Services**

Every year there are unauthorized firms soliciting housing and hotel reservations from attendees at the Annual League Conference. We assure you that the only firm authorized to handle our conference housing reservations is AC Central Reservations. This information is on the top of the [official conference housing form](#) sent to all municipal clerks and posted on the League website.

Using unauthorized reservation services creates real problems for you and the conference as a whole. You cannot be assured your credit card information is secure and your room reservation may not actually be made. Using unauthorized services means your room will not be part of the official conference housing block and you will not get emergency housing information (which happened in both 2011 and 2012), nor will there be adequate shuttle bus services to your hotel.

As always, the League is available to answer your questions on any aspect of the annual conference and we strive to make your participation both enjoyable and highly productive.

**Contact:** Michael J. Darcy, CAE, Executive Director, [mdarcy@njlm.org](mailto:mdarcy@njlm.org), 609-695-3481, x116.

## IV. Also of Interest

### a. The League is Now Accepting Applications for the Innovation in Governance Program!

The New Jersey Department of Community Affairs (DCA) and the New Jersey State League of Municipalities 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 ever arising.

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](mailto:CBradley@njlm.org), 609-695-3481, x128.

### b. 17<sup>th</sup> Annual Michael A. Pane Award Nominations Are Now Being Accepted

In honor of the memory of Michael A. Pane, the 17th annual award will be presented to a professional (attorney, engineer, or planner) that personifies outstanding ability, integrity, and a high standard of ethics in his or her dealings with local government. This award includes a \$500 honorarium.

Mr. Pane personified and promoted integrity in local government, and it is the purpose of this award to recognize an individual who has over a period of years demonstrated the same professional commitment to service and, who by so doing, has set high standards that all involved in local government should strive to match.

The award ceremony will be held during the League's Annual Conference in Atlantic City, on Thursday, November 21, during a session of the New Jersey Institute of Local Government Attorneys. Nominations for this award will be accepted through September 15, 2019.

**Please mail, fax, or email your nomination to:**

Johnnifer Harris  
c/o NJLM Educational Foundation, Inc.  
222 West State Street  
Trenton, New Jersey 08608  
Fax: 609-695-5156, Email: [jharris@njlm.org](mailto:jharris@njlm.org)

A list of past award winners can be found on the [League Website](#).

For additional information, contact John Gillespie at 856-985-4083.






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