



August 11, 2022

Dear Mayor,

The summer is going fast, which means planning for fall events is in full swing. Just a reminder to mark your calendar for our Mayors Gathering on Sunday, October 2 at the Breakers in Spring Lake. The program for the day will include a discussion on wind energy with industry representatives and state regulators. This will be followed by a luncheon and networking with your fellow mayors. Registration materials will be forthcoming. We are looking forward to seeing you there.

Here's a roundup of recent news and events across the state and nation that may be of interest to you.

Around the State

Expansion of Outdoor Dining

Last week Governor Phil Murphy signed S-2364 which allows for an expansion of outdoor dining across the state for another two years. The practice began during the pandemic to assist eateries in staying open when restrictions on indoor dining severely curtailed eating out. The measure allows restaurants, bars, distilleries and breweries to operate outdoors, setting up tents and tables on sidewalks, roadways and parking lots, until at least Nov. 24, 2024. The authorization was due to expire this November, but both chambers of the state Legislature approved the extension in June without any opposition. The bill, S-2364, allows businesses to file an application with municipal zoning officers to extend their dining and drinking areas outdoors onto patios, decks, yards, walkways, parking lots and public sidewalks.

The state Division of Alcoholic Beverage Control was also authorized to continue approving permits to breweries, distilleries and wineries to sell their wares at farmers markets.

Reimbursement Available for Spotted Lantern Fly Treatment

The NJ Department of Agriculture (NJDA) has announced that reimbursement funding is available for all New Jersey counties for treatment of the spotted lanternfly. The funding amount can be as much as \$15,000 and possibly more. The funds will be given to municipalities for costs they accrue for chemical treatment activities associated with spotted lanternfly control. The municipal assistance that is available from the NJDA include, but are not limited to, the following:

- Approved use pesticides
- Monetary reimbursements for county approved pesticide purchases
- Monetary reimbursements for pesticide applications made by county certified employees who are certified pesticide applicators.
- Monetary reimbursements for pesticide applications made by contracted independent certified pesticide applicators.*
- Provide monetary reimbursements available up to but not exceeding \$15,000 per County.
- Provide training to the participating county agency.

Additionally, if the County is interested in procuring services through independent contractors for treatment services, the County will submit a request to the NJDA with details of the independent contractor. Complete information about the grant as well as the grant application can be found [here](#).

Guidance on Warehouses

The New Jersey Office of Planning Advocacy recently issued NON-mandatory guidance about locations and processes for review of warehouses in New Jersey, to help municipalities deal with the growing number of proposals to build warehouses in their communities. Previously, a draft version of the guidance had been released in June. The guidance is supposedly intended to help municipalities provide economic opportunities while also protecting New Jersey's critical infrastructure and environmental. ***Attached above is their guidance document.***

State Issues Drought Watch Urges Water Conservation

New Jersey Commissioner of Environmental Protection Shawn M. LaTourette issued a **statewide drought watch** as of **August 9, 2022**, and the Murphy Administration is urging residents and businesses to conserve water as persistent dry and hot conditions continue to stress water supplies throughout the state. The Commissioner's declaration of a drought watch is the first in the State's three-stage drought advisory system. The watch is intended to sow public awareness and appreciation of the stress upon water supply sources and encourage voluntary water conservation measures. If conditions do not improve, declaration of a drought warning or a drought emergency with mandatory water use restrictions may become necessary. Voluntary conservation measures at the watch stage can help to avoid more serious and restrictive drought conditions.

The DEP is continuing to closely monitor drought indicators, which include precipitation, stream flows, reservoir levels, ground water levels, and water demand. DEP will continue to inform the public, local governments, and water systems of future actions to mitigate the risk of more severe conditions.

The DEP has prepared a **Conserve Water Toolkit** which provides infographics, a flyer, a video and social media resources that can be downloaded and used by organizations and government agencies to spread information on drought conditions and water conservation. The toolkit can be accessed online at the

following [link](#).

Governor Signs S-1368 Requiring Municipalities to Create Business Insurance Registry

Last Friday, Governor Murphy signed into law [S-1368](#) requiring all business owners and owners of multifamily rental units to maintain certain levels of liability insurance. In addition, the new law requires that all business owners and owners of multifamily rental units annually register a certificate of insurance with the municipality where the business or rental unit is located.

The bill does not make an appropriation for the costs to municipalities to maintain this new registry or to enforce the State's new policy. A municipality is, however, authorized to charge a reasonable administrative fee for the certificate of registration. The law also does not provide any additional details or guidance to municipalities on the contents or form of the certificate of insurance.

When initially introduced, this legislation required the New Jersey Department of Community Affairs to act as the enforcement agent for this measure. However, last-minute amendments made under the radar shortly before both houses voted on the measure, appear to place the entire new registration program as well as the onus to enforce this state-mandated policy on individual municipalities. The NJ Conference of Mayors, as well as the NJ League of Municipalities formally expressed objections to the Governor's office about the bill, but regrettably their office did not reply or engage on the legislation.

The requirement for business owners and multifamily unit owners to register with the municipality becomes effective in 90 days.

Around the Nation

On Wednesday, with mayors from across America looking on, President Joe Biden signed into law the Creating Helpful Incentives to Produce Semiconductors (CHIPS) and Science Act of 2022. The bill was championed by America's mayors, with the U.S. Conference of Mayors (USCM) [sending a letter to congressional leadership](#) last month urging its passage.

Celebrating today's bill signing, USCM President Miami Mayor Francis Suarez issued the following statement: "America and its cities are stronger, and our future is more secure, thanks to this law and its investments in science and semiconductor manufacturing. These increases in research and in high-tech workforces are critical to the economic strength of cities across the country. Mayors have been urging lawmakers in Washington to protect our country's leadership in technology, which is also fundamental to American national security. We thank members of Congress who got this done and put America's interests before party or politics."

Sincerely,



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