

# nj municipalities

Official Publication of the New Jersey State League of Municipalities

May 2020



## Communities in Crisis

Towns work to support their citizens through pandemic

Communications Tips

Complete Streets



Focus: **Transportation**

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## 6

### Focus:



## Transportation

### ABOUT THE COVER

Signage was posted across Middletown to keep residents informed, including signage on township playgrounds letting people know that they were closed to the public.

### 6 UpFront:

#### Complete and Green Streets for All

Eatontown Borough meets community needs through complete and green streets

[Randall Solomon, Executive Director, Sustainable Jersey](#)

### Features

#### 20 Crisis Outreach

Municipalities' communications push into overdrive to keep communities connected during pandemic

[Amy Spiezio, Managing Editor, NJ Municipalities Magazine](#)

#### 25 Communications Advice

Pointers for communities trying to navigate through crisis interactions

#### 26 FOCUS: Somers Point's New Waterfront Gem

20-slip bayfront transient marina now open in Somers Point's Historic Bay District

[Jack Glasser, Mayor, Somers Point](#)

#### 30 Doing Business

NJBAC helps municipalities help local businesses

[Melanie Willoughby, Executive Director, NJ Business Action Center](#)

# contents

Volume 97 | Issue 5, May 2020



## 32 The Local Assistance Bureau

Transforming good ideas into practical solutions for your community

Melanie Walter, Director, New Jersey Division of Local Government Services

## 34 Building Safety Month

International Code Council highlights sustainable and affordable building safety solutions in New Jersey

Stephen Jones, Senior Government Relations Regional Manager, International Code Council

## 36 Environmental Legislation

Major New Jersey 2019 Developments

John M. Scagnelli, Esq., Environmental Counsel, New Jersey State League of Municipalities; Partner, Chair of the Environmental & Land Use Law Group, Scarinci Hollenbeck, LLC

## Departments

### 4 222 West State Street

Michael J. Darcy, CAE

### 10 NJ Now

### 16 Washington Op-Ed

Senator Bob Menendez

### 18 Member Op-Ed

Paul Muir

### 40 Legal Q&A

Frank Marshall, Esq.

### 42 Finance Center

### 44 Gold Dome

Ben Dworkin, Ph.D.

### 46 Legislative Update

### 50 Business Card Directory

### 52 New Jersey Votes For Women / Supporters



“Residents continue to count on local government to keep them safe, keep the essentials available, and keep them hopeful.”

## (Not) From 222

Like most of you, I am taking my turn working from home. It is especially challenging for you, I am sure, when local government is responsible for executing the response to the COVID-19 pandemic. All thoughts turn to your front line workers in public safety who are taking great risks to protect your residents. We hear daily reports of struggles to properly equip emergency responders, law enforcement, health-care workers and anyone who needs to provide hands on care for our residents most in need. So many of them have fallen ill and too many have died responding at this time of greatest need. It's a debt our communities cannot repay, only hold deep in our hearts as we move forward.

Residents continue to count on local government to keep them safe, keep the essentials available, and keep them hopeful. Your League leadership knows you cannot accomplish all this without resources and the flexibility to act according to the unique circumstances of your municipality. President Jim Perry, First Vice President Janice Kovach, Second Vice President William Chegwiddden and Third Vice President Sue Howard have been working diligently to communicate these concerns to Congress, the Murphy Administration and New Jersey legislative leadership. They have co-signed letters to specific Members of Congress urging them to join efforts at passing a 4th federal stabilization package aimed specifically at smaller municipalities. They have been on frequent calls with the Murphy administration urgently requesting greater flexibility for municipalities struggling to meet deadlines, requirements, and financial obligations.

And they have communicated support for rapid legislative responses to address issues requiring statutory exceptions. But they can not do it alone. They need you to add your voice to theirs by communicating with your members of Congress and State Legislators..

In support of the League's leadership, your Trenton staff has been working constantly to monitor the progress and effort at the Federal, State and local levels to understand the pandemic impacts and develop effective responses. League staff spend hours each day on conference calls with the White House, Governor's office, groups of mayors, and groups of municipal professionals in order to shape the detailed requests for needed legislative and regulatory responses. Fortunately we have close relationships with all these State offices and, through the National League of Cities, an effective presence in Washington.

As local government officials we know you need reliable information, guidance and ideas to help implement your actions locally. To assist, early on the League created a COVID-19 web page where all the resources continue to be compiled for you to access, [www.njlm.org/1085/Coronavirus-COVID-19](http://www.njlm.org/1085/Coronavirus-COVID-19). That resource was augmented by a webinar with more reference materials, and blog posts offering an ongoing in depth explanation of the complex issues and responses. Please take a moment to see these resources and if they are missing something you need, please contact me so we can add that.

Most of us are not in our offices and sadly some local government workers have sacrificed all and will never return. We offer our thoughts and prayers for them, and commit to support you and all the local officials who continue the hard work of restoring our New Jersey. 🇺🇸

*Michael Darcy*

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# Complete and Green Streets for All

Eatontown Borough meets community needs through complete and green streets

RANDALL SOLOMON, *Executive Director, Sustainable Jersey*



**H**ave you visited one of the hundreds of New Jersey communities that have adopted or implemented policies promoting complete streets? Maybe you have heard of complete streets or green streets, but you are not exactly sure what it means or how it can benefit your community.

A Complete Streets event held before COVID-19 social distancing requirements.

Complete streets are designed for all users, all modes of transportation and all ability levels. They balance the needs of drivers, pedestrians, bicyclists, transit riders, emergency responders, and goods movement based on the local context. Green streets focus on incorporating green stormwater infrastructure to reduce flooding, cool and clean the air, and provide many other environmental, economic, and societal benefits.

### Leading a movement

New Jersey is a leader in the complete streets movement. In 2009, the New Jersey Department of Transportation (NJDOT) was among the first state DOTs in the nation to adopt a complete streets policy. Communities of all sizes throughout the state have joined NJDOT in adopting complete streets policies. Eight New Jersey counties and 167 municipalities have adopted complete streets resolutions impacting 3.8 million (44%) of the state's residents. While

New Jersey leads the nation in the number of complete streets resolutions adopted, moving forward with implementation has been challenging and more guidance was needed.

In July 2019, NJDOT released the *Complete and Green Streets for All: Model Complete Streets Policy and Guide*. The guide was developed in collaboration with a wide range of government and nonprofit partners led by Tri-State Transportation Campaign and the Alan M. Voorhees Transportation Center (VTC) at Rutgers University, and included New Jersey Future, Sustainable Jersey, American Heart Association, Transportation Management Associations, AARP and many other stakeholder organizations.

According to Janna Chernetz, Deputy Director of the Tri-State Transportation Campaign, "the new model policy not only gets to the heart of transportation needs for everyone in the community, but embeds the policy in land use and

transportation decisions, ensuring its implementation. We are proud that this guide can be used not only by transportation professionals, but also by community members, elected officials and others interested in strengthening mobility choices in their communities."

The *Model Complete Streets Policy and Guide* sharpens the focus on:

1. Implementing complete streets policies
2. Incorporating green streets and green infrastructure into complete streets projects
3. Recognizing the economic benefits of active transportation
4. Prioritizing health, equity, and fairness in transportation expenditures and project selection.

### Helping communities implement at the local level

"We know that municipalities need more knowledge, skills and resources to



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## Upfront: Complete & Green Streets

turn their ideas for complete streets into reality,” said North Jersey Transportation Planning Authority (NJTPA) Executive Director Mary D. Ameen.

NJTPA created the Complete Streets Technical Assistance Program to assist municipalities with advancing or implementing complete streets. The program is financed by the Federal Transit Administration and the Federal Highway Administration of the U.S. Department of Transportation. Under this program, the NJTPA, Sustainable Jersey and VTC at Rutgers University are providing training and direct technical assistance to municipalities to advance complete streets initiatives.

### **Borough of Eatontown adopts plans to become complete, green, and healthy**

Eatontown is a suburban community in Monmouth County that has a number of attractive parks. But access to these parks on foot or by bicycle is constrained by a lack of sidewalks and bicycle lanes. Eatontown took steps to improve transportation options and address connectivity.

In 2017, Eatontown created an ad hoc group, the Complete Streets Advisory



Borough of Eatontown Complete Streets Advisory Committee accepts recognition for their efforts.

Eatontown Mayor Anthony Talerico Jr. is a lifelong resident. He explained, “Before the leadership in Eatontown had heard the term complete streets, we had a list of needs that fit the bill. As we updated our master plan, the borough departments were raising issues like connectivity to our parks, the need to

To better understand the challenges, the Complete Streets Advisory Committee held several community walks through the local parks. Representatives from Eatontown’s emergency services groups, such as police, fire, emergency medical services, office of emergency management and the community emergency response team, all participated. The walks created a partnership between the community, organizations and the borough staff that facilitated the complete streets planning process and helped identify a potential route to connect the parks and community destinations.

Eatontown Borough leveraged VTC’s expertise through the Complete Streets Technical Assistance Program to develop the Eatontown Greenway Plan, which outlines recommended improvements. Many of the improvements described in the plan can be done as a demonstration project or as part of regular maintenance for the corridor. By making the changes quickly with low-cost materials, the municipality can receive meaningful feedback from residents based on their experience.

In 2019, with guidance from the New Jersey Routes to School Resource Center at VTC, Eatontown Borough became the first municipality to pass an ordinance

## **In 2019, with guidance from the New Jersey Routes to School Resource Center at VTC, Eatontown Borough became the first municipality to pass an ordinance using the Complete and Green Streets for All model policy.**

Committee, to investigate and start a complete streets effort. In August 2018, the Borough was one of nine communities selected to receive up to \$10,000 in technical assistance from the Complete Streets Technical Assistance Program. At the same time, Eatontown examined updating their 2014 complete streets resolution with a comprehensive complete and green streets ordinance.

reduce pedestrian crashes, and promote the health value of walking and biking.”

He added, “Around the same time, an Eatontown volunteer and a borough councilwoman attended Sustainable Jersey’s complete streets workshop at the New Jersey League of Municipalities’ Annual Conference in Atlantic City. They returned energized and shared what they had learned about complete streets.”

using the Complete and Green Streets for All model policy.

“I am thankful for the efforts of our volunteers, employees and professionals, contributing to Eatontown’s Complete Streets Policy,” Mayor Talerico said. “Making roads safe for all users— drivers, cyclists, pedestrians and those with disabilities—should be a priority. New neighborhoods must connect to old. At the same time, we should install sidewalks and bike lanes to improve connectivity in our existing neighborhoods.”

Currently, Eatontown is collecting feedback and pursuing grant funding to complete the Eatontown Greenway. “The Borough is using the checklists that were adopted as part of its Complete Street ordinance to guide project selection, planning, design, construction, funding and maintenance,” Mayor Talerico said. “Thanks to the list, we added a sidewalk around a new apartment complex being built and are working with the county to connect our parks with the addition of sidewalks, crosswalks and bike lanes.”

## Sustainable Jersey promotes Complete and Green Streets for All

In 2020, to assist municipalities in using the new model policy, Sustainable Jersey updated its existing complete streets certification actions. Sustainable Jersey along with a consortium of complete and green streets partners will work for municipal adoption and implementation of these policies.

“Complete streets help us to plan better. It touches all that we do and has been great for the community,” Eatontown Mayor Anthony Talerico Jr. summarized. “When we develop our roads, we look at infrastructure and maintenance opportunities that will improve the environment, when we plan for our parks—we are now connecting them.”



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## Cerra Named Next NJLM Executive Director

**T**he New Jersey State League of Municipalities Executive Board has selected Mike Cerra to serve as the new Executive Director of the statewide local government association, effective July 1, 2020. The appointment effective date coincides with the planned retirement of the current Executive Director, Michael J. Darcy CAE, following his 30 plus years of service to the League.

The Assistant Executive Director and Director of Government Affairs, Cerra is in his 24th year with the League. The appointment will make Cerra the chief staff executive of the statewide organization of 565 municipal governments as they work through such issues as the state government pension and benefit reforms, affordable housing, state diversion of local energy revenues, and all of the challenges that lay ahead as a result of the COVID-19 pandemic.

His responsibilities also include assuming the duties of Executive Director for the NJLM Educational Foundation and the 222 West State Corporation, which owns the League headquarters building.

League President and Hardwick Committeeman James Perry Sr. noted, “on behalf of the Board, we thank Michael Darcy for this three decades of service. His leadership has seen the services offered to the League’s membership expand and the League’s Annual Conference continue as the largest municipal conference in the country.”

“The League Executive Board also has great confidence in Mike Cerra and his ability to guide our organization through these challenging times,” Perry added. “His long tenure and depth of knowledge about the League and local government point to the League’s strength and mean our organizational focus will not waiver from the needs of New Jersey local officials. He has been a key component of our successful team and will ensure we continue that success without interruption.”



Mike Cerra earned a B.A. from Fordham University and a M.P.A. from Rutgers, the State University. He joined the League in 1996 as the Chief of the League’s Bureau of Municipal Information. Cerra became a legislative agent for the League, focused on land use, environment, and economic development issues in 2001, and later became the Director of Government Affairs. Since 2015, Cerra has held the position of Assistant Executive Director. He has also served as President of the NJ Chapter of the American Society of Public Administration and as a trustee of the Lawrenceville Main Street.

The New Jersey State League of Municipalities is a voluntary association created in 1915 to help communities do a better job of self-government through pooling information resources and brain power.

A list of the members of the Executive Board and previous Executive Directors are available at the League website, [www.njlm.org](http://www.njlm.org). 

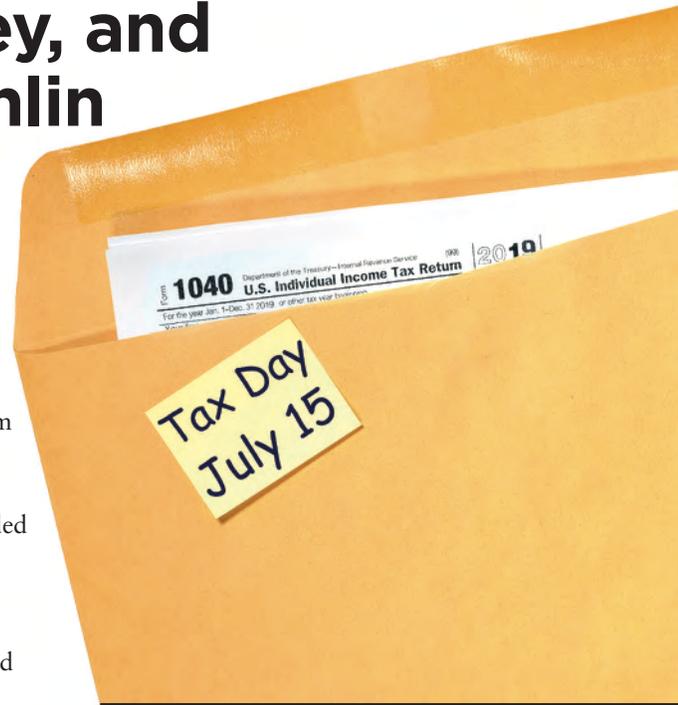
# Joint Statement by Governor Murphy, Senate President Sweeney, and Assembly Speaker Coughlin

**G**overnor Phil Murphy, Senate President Steve Sweeney and Assembly Speaker Craig Coughlin issued the following joint statement today on the tax filing deadline and the state budget timetable:

“The ongoing COVID-19 pandemic has caused hardships, financial strain, and disruptions for many New Jerseyans and New Jersey businesses. As part of our response, we have reached agreement that the state income tax filing deadline and the corporation business tax filing deadline will be extended from April 15th to July 15th.

“Additionally, as part of the whole-of-government effort that is going into fighting COVID-19, we have agreed that the state fiscal year should be extended to September 30th. This will allow the Administration and the Legislature to focus fully on leading New Jersey out of this crisis, and to allow for a robust, comprehensive, and well-informed budget process later in the year.

“We are committed to working together to enact the necessary legislation and supplemental appropriations to accomplish these goals.”





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# NJEDA Announces Application Launch Date for Loan Program for Small Businesses Impacted by COVID-19

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The New Jersey Economic Development Authority (NJEDA) launched the application for its Small Business Emergency Assistance Loan Program on Monday, April 13, 2020 at 9:00 am. A link to the program application is posted on the State's COVID-19 Business Information Hub, <https://cv.business.nj.gov/>.

To provide business owners the opportunity to prepare to apply for the loan, a PDF version of the application is also available. The loan program is part of a package of initiatives to support businesses and workers facing economic hardship due to the outbreak of the novel coronavirus COVID-19.

The NJEDA's COVID-19 initiatives focus on businesses that have been hit hardest by the novel coronavirus outbreak: local small businesses, mid-size businesses that have had to close or drastically reconfigure operations, and new businesses that were just getting on their feet before the crisis hit. The programs provide a suite of compatible offerings that address these businesses' varied needs and include mechanisms to provide funding and assistance as quickly as possible.

The Small Business Emergency Assistance Loan Program is a \$10 million program that will provide working capital loans of up to \$100,000 to small and mid-size businesses with a physical commercial location in New Jersey. To qualify, businesses must have less than \$5 million in annual revenues and be able to show a negative impact resulting from the COVID-19 outbreak. Loans made through the program will have 10-year terms with 0% interest for the first five years, then resetting to the NJEDA's prevailing floor rate for the remaining five years, with a 3% cap. 🇺🇸

@ To learn more about NJEDA resources for businesses call NJEDA Customer Care at 609-858-6767 or visit [www.njeda.com](http://www.njeda.com) and follow @NewJerseyEDA on Facebook, Twitter, and LinkedIn.

Comprehensive information about New Jersey's response to the novel coronavirus outbreak is available at <https://covid19.nj.gov/>.



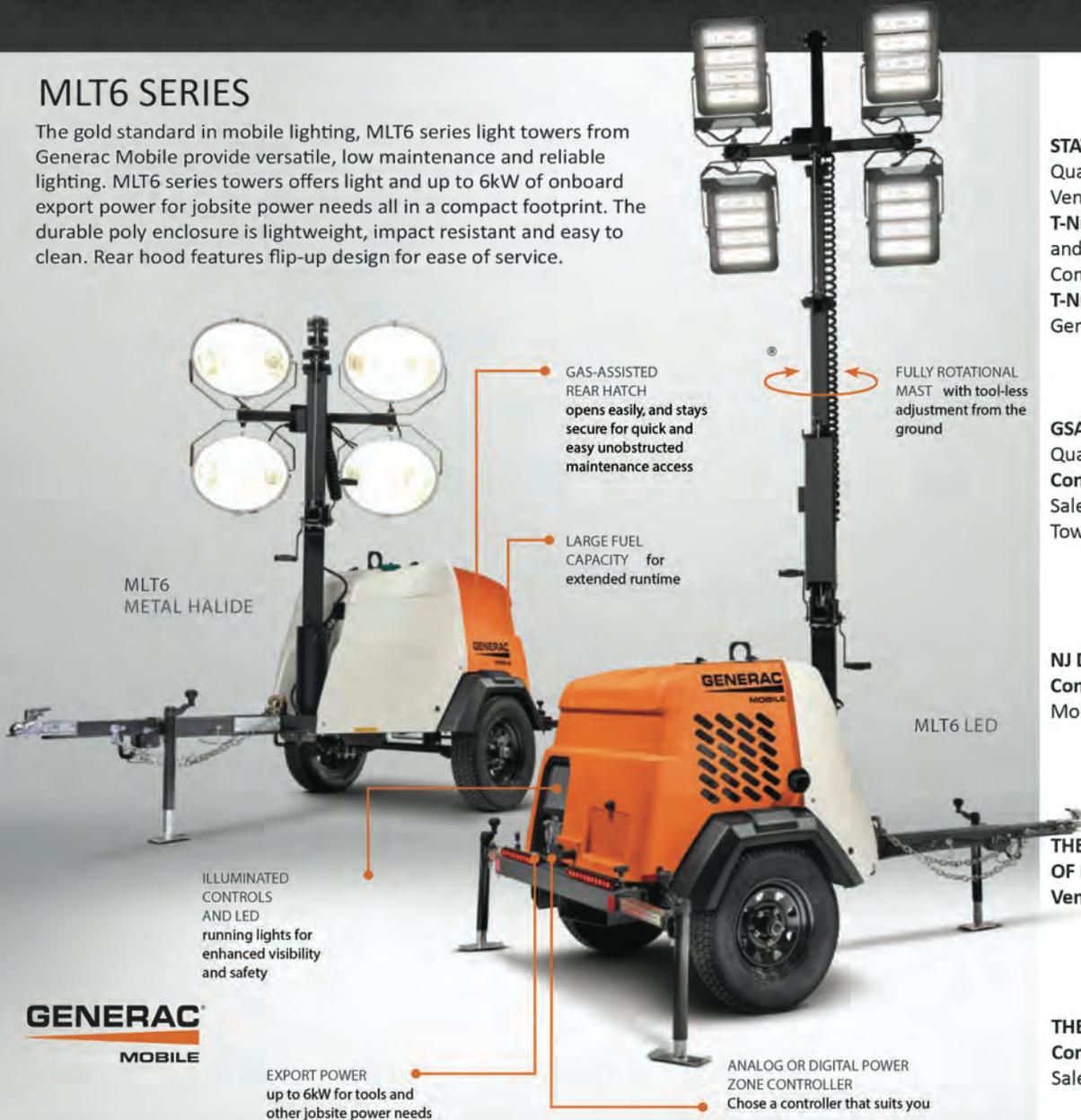
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# Governor Provides Guidelines to COVID-19 Response in Executive Orders

**G**overnor Phil Murphy made a rapid recovery from surgery removing a thought-to-be cancerous tumor on his kidney to dive into the response to COVID-19. Steering the state through uncharted waters, his orders provided guidance to state, county, and local governments, as well as businesses and citizens. The following is a rundown of Executive Orders to date at press time.

- EO 102** Establishing Coronavirus Task Force
- EO 103** Declaration of a Public Health Emergency and a State of Emergency
- EO 104** Aggressive Social Distancing Measures to Mitigate Further Spread of COVID-19
- EO 105** Changes to Upcoming New Jersey Elections in Response to COVID-19
- EO 106** Moratorium on Removals of Individuals Due to Evictions or Foreclosures
- EO 107** Directs all residents to stay at home until further notice
- EO 108** Invalidates any county or municipal restriction that in any way will or might conflict with any of the provisions of Executive Order No. 107
- EO 109** Suspends All Elective Surgeries, Invasive Procedures to Preserve Essential Equipment and Hospital Capacity
- EO 110** Requiring Child Care Centers Close on April 1 Unless Serving Children of Essential Workers
- EO 111** Directing Health Care Facilities to Report Data, Including PPE Inventory and Bed Capacity Daily
- EO 112** Remove Barriers to Health Care Professionals Joining New Jersey's COVID-19 Response & Provide Protections for Front Line Health Care Responders
- EO 113** Authorizing Commandeering of Property such as Medical Supplies
- EO 114** Directs U.S. & NJ Flags to Fly at Half-Staff Indefinitely in Honor of Those Who Have Lost Their Lives or Have Been Affected by COVID-19
- EO 115** To Strengthen COVID-19 Response Efforts by Allowing Certain Retirees to Return to Public Employment
- EO 116** Extending Statutory Deadlines for School Districts Whose Elections Were Moved from April to May
- EO 117** Waiving Student Assessment Requirements for 2019-2020 School Year
- EO 118** Closing State and County Parks to Further Social Distancing
- EO 119** Extending Public Health Emergency in New Jersey
- EO 120** Postponement of June 2nd Primary Elections until July 7th
- EO 121** Allowing Greater Weight Limit for Vehicles Carrying COVID-19 Relief Supplies
- EO 122** to Cease All Non-Essential Construction Projects and Imposes Additional Mitigation Requirements on Essential Retail Businesses and Industries to Limit the Spread of COVID-19
- EO 123** Extending Insurance Premium Grace Periods
- EO 124** to Establish a Process to Grant Temporary Reprieve to Certain At-Risk Inmates
- EO 125** to Implement Additional Mitigation Requirements on NJ TRANSIT, Private Carriers, and Restaurants to Limit the Spread of COVID-19
- EO 126** Prohibiting Cable and Telecommunications Providers from Terminating Internet and Voice Service
- EO 127** Extending Certain Deadlines Associated with Rulemaking

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## Attorney General Directives

Attorney General Gurbir Grewal has also provided guidance for local governments and citizens:

**AG Directive 2020-1 Revised March 27, 2020:**

Directive instructing all law enforcement agencies and officers on the appropriate use of COVID-19 information from public health officers.

**AG Directive 2020-2**

**Deadlines:** Directive Updating Certain Reporting, Training, and Certification Deadlines

**AG Directive 2020-3:**

Directive Regarding Non-Prosecution of Healthcare Facilities and Professionals Adhering to Triage Protocols During COVID-19 Pandemic

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# WASHINGTON

## We Need Safe, Efficient, and Reliable Railways

BOB MENENDEZ, U.S. Senator

Every day, thousands of New Jerseyans board trains to go to work or school, visit family, see a doctor or even catch a Broadway show. And every day, they risk getting stuck on a train to nowhere because of our failing century-old rail infrastructure.

Most urgently in need of repair is the 10-mile stretch of track between Newark and New York Penn Station.

There's the rickety, 110-year-old Portal Bridge that spans the Hackensack River between Kearny and Secaucus and often jams when it swings open for passing boats. It can take hours for crews with sledgehammers to go out there and literally bang the span shut. Its wooden structure has even caught fire on a hot, dry day.

Likewise, the condition of the nearby Hudson River tunnels is increasingly dire. The crumbling concrete tunnels took a major hit when Superstorm Sandy's salty floodwaters eroded their electrical infrastructure and accelerated their decay.

And the often-overlooked Sawtooth Bridges that pass over existing NJ Transit and PATH tracks are in pretty bad shape, too.

All told, nearly 200,000 Amtrak and NJ Transit commuters aboard 450 trains cross this ailing and aging infrastructure every single day. It is the lynchpin of the Northeast Corridor connecting Boston to Washington, D.C., which helps support 20% of our nation's GDP.

Yet, this critical 10-mile stretch of rail is increasingly unreliable. If any one part of it fails, rail service grinds to a halt, causing massive delays and disruptions across our entire transportation network. And a shutdown could cost our economy \$100 million a day.

We need safe, efficient, and reliable railways capable of supporting our economy in the 21st century. What we need is the Gateway Project to build a new Hudson River tunnel, repair the old ones, and replace the Portal and Sawtooth Bridges, among other improvements.

The U.S. Chamber of Commerce gets it. They've called Gateway a key project of national significance. And Federal Reserve Chairman Jay Powell gets it too. During a recent Senate Banking Committee hearing, I asked him about the risks posed by inaction, and he testified that a sustained outage would have serious economic consequences for the nation at large.

Public officials and industry leaders alike understand that the longer we wait to build out Gateway, the greater the risks to our economy.

Yet, the only one who doesn't seem to get it is President Trump.

Under his watch, Administration officials have invented new roadblocks for Gateway out of thin air. For example, Transportation Secretary Elaine Chao recently announced she would withhold the Environmental Impact Statement (EIS) for the new Hudson River tunnel until their ratings improved under the Capital Investment Grant (CIG) Program, despite this linkage having no basis in prior precedent or in law.

Year after year, the Trump Administration has erected new hurdles to delay approvals and stall federal funding for the Gateway Project. Yet I refuse to let this President's political games jeopardize the most economically significant infrastructure project in America.

That's why New Jersey's congressional delegation, along with Governor Murphy, NJ Transit, Amtrak, and other stakeholders have worked tirelessly to keep Gateway moving forward. And thanks to our efforts, we're beginning to see some signs of light at the end of this very, very long tunnel.

Recently, the Portal Bridge replacement project earned a long-overdue higher rating from the Federal Transit Administration, moving it one step closer to receiving federal funding. In the meantime, I helped convince the U.S. Coast Guard to restrict marine traffic along the Hackensack during rush hours so Portal doesn't have to swing open and risk disruptions during peak times.

Likewise, the Federal Railroad Administration finalized the Environmental Assessment for the Sawtooth Bridges replacement project, allowing Amtrak and NJ Transit to move forward with preliminary engineering work. The project will not only replace two century-old bridges, but also double the number of tracks from two to four and clear the way for faster speeds.

And in the face of presidential budget proposals that threaten to derail major infrastructure projects, Republicans and Democrats from New Jersey and New York have joined hands and successfully passed through Congress annual appropriation agreements that plus-up funding to federal programs that can be used to advance Gateway.

I will not sugarcoat things. In the Trump-era, progress is much slower than it should be. I have long said that we can get Gateway done faster, cheaper, and better with President Trump onboard. Yet, until our President truly grasps the potentially catastrophic consequences of an infrastructure failure along the Northeast Corridor, leaders in the private and public sectors must continue working every lever possible to move Gateway forward.

Getting Gateway done is not a question of if, but when. It will happen and I am fully committed to seeing it through. 🇺🇸

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# Municipalities Must Consider Tax Payments in the COVID-19 Pandemic

PAUL MUIR, *Committeeman and Mayor Emeritus, Lebanon*

**C**COVID-19, or the Coronavirus, will be something all of us will be impacted by in so many ways. Municipalities have been tasked with responding to our residents needs as they face each of these challenges. The medical impact and social changes are significant, but one of the deepest impacts to many communities and individuals will be financial.

As small and medium businesses are forced to close, restrict operations, or furlough employees, municipalities will be faced with the fact that businesses, landlords, and individuals will be struggling financially. One of the biggest topics residents and municipal governments have been working through during this time is addressing what to do to offer property tax relief. This is no easy task and has many implications.

The easy answer would be to defer the payment date of the quarterly taxes from May 1st. This isn't such an easy solution as that date cannot be moved by the municipality, it needs to be an action of the State Legislature. The Legislature and Governor may be looking at the possibility of addressing the due date, but this has implications, and the next quarterly payment may not be when the financial impact will be felt the most.

The municipality will still be responsible for the payments it owes to the schools, counties, libraries and other entities it collects for; this will also have to be addressed. Most municipalities would not have the ability to surmount the cash flow issue this would create.

Another issue is that the financial impact will last longer than the immediate disruption to businesses. The August payment may be more significantly impacted than May, as that is when the real cash crunch of being closed, being laid off, or furloughed for one or more months hits and the economy will take time to ramp back up.

Lessons can be learned from the 2008 financial crisis. Municipalities should be reviewing what their Tax Collectors experienced then. Municipalities should be reviewing their tax rolls for the percentage of properties that have their taxes paid by a mortgage lender. Often these properties will have consistent tax payments even if the underlying property goes into default. These numbers and their impact to the municipal budget will vary based on the commercial vs. residential ratios and even

the types of community (urban, suburban/commuter or rural). Once you know the percentage of properties that pay their taxes direct, then you can start to calculate the potential impact to your budget and work on solutions.

**Lessons can be learned from the 2008 financial crisis. Municipalities should be reviewing what their Tax Collectors experienced then.**

One of the most immediate solutions that municipalities do have control over are fees and interest charged on late payments. Municipalities should look to see where they are able to reduce and/or eliminate interest charges on late payments. The operating budget of the municipality should not be impacted by the reduction or elimination of these fees, yet it could offer relief to homeowners and landlords, especially landlords who deferred or reduced rental payments for their tenants. The municipality will also have to review how long they want to reduce or suspend interest charges, this may be needed for at least two quarterly payments to provide the relief necessary.

Another aspect is that this should be a regional effort, having one municipality aggressively addressing this issue will not suffice to help the greater community as so many face this challenge. This is the time where the relationships built through the New Jersey League of Municipalities become even more important.

These are difficult and possibly confusing times, addressing property tax relief is one way a municipality can help the entire community. It will alleviate financial stress on landlords who can pass this on to the tenants as well as provide relief to residential properties which will allow those people the opportunity to help restart of the economy once we find our way back to normal. 🦋

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As we celebrate our 90th Anniversary, **NJBOA** is proud to be the **only** statewide association, inclusive of Code Officials, and members of other diverse backgrounds, that is recognized by the Department of Community Affairs. **NJBOA** will continue to actively support and participate in the Building Safety Conference of New Jersey, as we have done for over 35 years. **NJBOA** is an organization that remains strong in membership, welcoming new applicants each year. **NJBOA** is a tried and true brotherhood whose success is written in its legacy. The **NJBOA** Executive Board would like thank our members, Past Presidents, and communities, for their unwavering support, which has helped pave the way to its success thus far. **NJBOA** will continue to forge ahead with strong leadership and the proven confidence of its members, through this decade and beyond.

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# Crisis Outreach

## Municipalities' communications push into overdrive to keep communities connected during pandemic

AMY SPIEZIO, *Managing Editor, NJ Municipalities Magazine*

The phrase “in this together” has become the sign off on Newark Director of Communications Sondra D. Roberts’ emails. In municipalities around the state and around the country, officials are striving to keep residents informed, calm, and safe as they all strive to maintain a sense of normalcy in an extraordinary time responding to COVID-19.

We spoke with communications managers throughout the Garden State about how they’ve stepped up their efforts and how they’re successfully connecting with residents.



### EVESHAM

Zane Clark, Director of Public Information/ADA Coordinator, Evesham Township said, “Being proactive has been key to Evesham Township successfully reaching members of our community during the COVID-19 emergency. Even before the state had its first presumptive positive case on March 4, our municipality was already exploring methods to promote important information

about the virus and the preventative measures needed to keep our residents safe.”

“Evesham Township has utilized every available communication tool at our disposal, from posting information on our municipal website and local TV access station, to sharing regular updates on our social media pages, to issuing press releases for the local media,” Clark noted.

The township has also been providing regular live videos through Facebook, where Clark, Evesham Fire-Rescue Chief and OEM Coordinator Carl Bittenbender, Evesham Township Police Department Chief Christopher Chew and Township Manager Robert Corrales all give updates to residents. The videos have been extremely popular with residents, each

averaging more than 10,000 views.

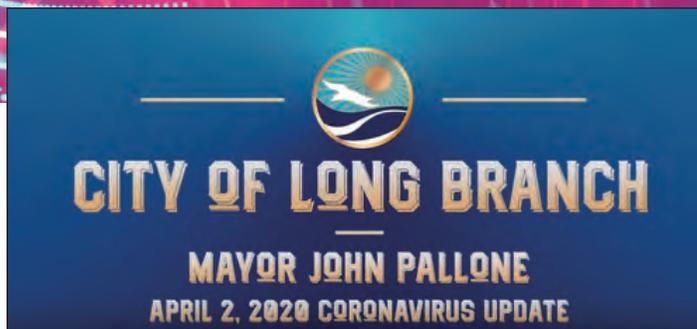
Clark gets face to face, from a distance, “I’ve also been broadcasting live videos on Facebook most days. These videos bring our faces to residents in a time of reduced human contact, and for residents to see us talking directly to them brings more of a connection to the important messages we’re trying to share.”



### HANOVER

In Hanover, Joseph A. Giorgio, RMC, Hanover Township Business Administrator/Municipal Clerk and Public Information Officer, noted that officials stay in contact by updating of the website and sending electronic news alerts for those members of the public who sign up. They also communicate through press releases and recorded email and voice mail messages.

For those who venture to town hall and stay at home, the focus is directing citizens to helpful resources, “information, forms are provided in our outer lobby, and emphasis is placed in our releases and on our website on phone numbers and hot lines where the public can get help.”



## LONG BRANCH

In Long Branch, Lindsay DeAngelis, Assistant to the Business Administrator and Human Resources Manager, noted that “outreach to the public has mostly been through our website, email blast, social media, and ALERT LONG BRANCH alert

system (robocalls) that provides residents with texts and calls when they sign up.”

They’ve had good results from a variety of media, “We have found that the page we made on our website made dedicating information to coronavirus has been successful,” she said. “We have also done press releases, signs around town, and flyers. We also started a program called ‘LOCAL TO GO’ ([www.longbranch.org/localtogo](http://www.longbranch.org/localtogo)) where we post restaurants who are still providing takeout and delivery. This helps our restaurants and the residents/community use this as a tool to help when choosing where to order food from. Restaurants sign up through our website.”



The **New Jersey Municipal Management Association (NJMMA)** is a statewide professional association made up of municipal managers and administrators. Founded in 1954, the NJMMA has been a valued resource for local government for more than 60 years. The members of this proud association know all about municipal government, and here is what you need to know about them:

- NJMMA's membership currently represents over 250 full-time professional managers statewide.
- Members are responsible for many of the essential services that are delivered daily to more than four million New Jersey residents.
- The Association's primary objective is to ensure members are well prepared to deliver local government services, efficiently and effectively, working in conjunction with the elected officials who serve in local government.
- NJMMA's leadership are the primary advocates and spokespersons for professional local government management across the state.
- The Association is recognized by elected officials throughout the state for its members' expertise, contributions to the enactment of sound public policy, and the delivery of public services.
- NJMMA has been affiliated with Rutgers University for the past nine years, providing members with the assistance, technical training, and support that comes with a partnership with a nationally recognized state university.
- The Association maintains ongoing relationships with other New Jersey professional associations, which collectively represent nearly all licensed officials working in local and state government.

For more information on the NJMMA, or to become a member, please contact Executive Director Alan Zalkind at [zalkind@docs.rutgers.edu](mailto:zalkind@docs.rutgers.edu).



## NEWARK

In Newark, Communications Director Sondra D. Roberts notes that Mayor Baraka gives a COVID-19 Daily Update via Facebook Live (Monday to Friday, and any necessary special updates during the weekend) that has more than 40K views daily. “We also send messages to opt-in text subscribers, utilize social media, and share information on our website. In addition to press releases, we distribute information via our very own Newark News. Additionally, we held a virtual town hall, send robocalls, and we created a FAQ mailer that was sent to every resident.”

## NEW BRUNSWICK

Bert Baron, Public Information Officer for the City of New Brunswick said the city’s outreach began with the sharing of the County Office of Health’s dedicated COVID-19 website, which was linked to the state and the CDC’s most up-to-date pages. From there, a local page was created on the City’s site that offered additional links and pages as the pandemic spread.

County and state releases and posts are shared on the website and the content is forwarded through New Brunswick’s social media platforms.

“The City also is creating and producing a daily 30-minute radio show and Podcast (complete with a Spanish postscript) to share current important information. A local AM radio station (WCTC) has agreed to air the Podcast to get the info out to listeners,” he added.



## OAKLAND

In the Borough of Oakland, they have been utilizing every channel to reach our residents during the Coronavirus Pandemic, noted Michael E. Carelli, Assistant to the Administrator Borough of Oakland.

“We have been posting daily Coronavirus Updates, which include information from the County.

These updates are posted to our Borough Website, Facebook and Twitter Accounts, and are sent out via email blasts. We also post graphics on our local TV Station. In addition, the Borough releases daily Reverse 9-1-1 messages to keep residents informed on what is going on in Oakland.”

They have also set-up a Coronavirus Information HUB Page at [www.oakland-nj.org/coronavirus-covid-19-information-hub](http://www.oakland-nj.org/coronavirus-covid-19-information-hub). The page features a list of daily updates, CDC and Health Department Information, Guidance for Businesses and Workers, and various ways to support local businesses and restaurants during this difficult time.

The Borough has also created an online survey where Oakland business owners can submit information on how the public can help their business during this difficult time. Whether it is purchasing gift cards, ordering take out and/or delivery, or simply showing support on social media. “We also created a “Support Oakland Restaurants” poster which shows what restaurants are currently open, what services they offer, and their current hours,” Carelli noted, “The poster is updated daily due to changing restrictions and many businesses changing their hours daily.”



## SUMMIT

Amy Cairns, Summit’s Chief Communications Officer noted that the communication office updates the city website, sends push notifications and issues news releases regularly, often daily. “We post on social media two to three times each day. While we have an established process, this new crisis required us to add staff from departments that provide non-essential services, and extend hours for our part-time people. It really has been an all-hands-on-deck effort,” she said.

“Our website was a primary focus of our outreach,” she added. “Staff updated the homepage newsfeed with information provided by the state and county, as well as our regional health office, and we built a designated COVID-19 Resources page. The homepage and COVID-19 Resources page continues to be updated multiple times each day.”

Summit has a designated staff member that posts on and monitors Facebook, Twitter and Instagram. Mayor Nora Radest also provides five or more Facebook live updates each week, along with other videos created for social media to address emerging issues and community needs. Other elected officials actively share information online as well.

Taking into consideration that not all members of the community are online, Cairns noted, “we rely on our local cable television partner HTTV to share our news releases and social media posts on its station, as well as record videos with the mayor and key staff to broadcast to viewers. News releases and media advisories are sent to local organizations and print publications to reach seniors and others that may not have Internet access.”



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## MIDDLETOWN: Step by Step

Tara Berson, Public Information Officer, Township of Middletown notes that Middletown Township has been conducting outreach to the community through the following channels:

**Website:** We created a landing page for all COVID-19 related information ([www.middletownnj.org/coronavirus](http://www.middletownnj.org/coronavirus)) including links to COVID-19 resources and Governor Murphy’s executive orders, notices about Municipal building closures/event cancellations, press releases, daily updates from the Health Department regarding the number of positive/negative cases, details about how to access Township services remotely and more. There is also a Public Health Alert emergency bar along the top of all of our website pages that directs residents to the COVID-19 landing page.

**E-newsletter:** The Township has a weekly e-newsletter, Middletown Minutes, that is distributed to over 8,000 subscribers. We utilized this distribution list to blast out several “COVID-19” Updates per week in March. In April, the e-newsletter had a section dedicated to any COVID-19 specific updates and resources. The updates were hosted on our coronavirus site.

**Social Media:** We shared all of our COVID-19 related information/graphics through our social media channels



which include Facebook, Instagram, and Twitter. We also shared informational videos about social distancing and other best practices from the Centers for Disease Control and Prevention on our Middletown, NJ YouTube channel. Additionally, we had an open flow of information sharing with our Board of Education via social media which was beneficial for both parties.

**TV Station:** We shared all information related to COVID-19 on our municipal channel, in addition to the CDC’s videos about the importance of social distancing, washing hands, etc.

**Signage:** Signage was posted across town to keep residents informed. We had a large digital signboard in a central location that directed residents to both local and state resources, signs on all of our Municipal facilities informing community members that public access was restricted, as well as signage on Township playgrounds letting people know that they were closed to the public. 📌

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# Communications Advice

## Pointers for communities trying to navigate through crisis interactions

**F**irefighters, Police, EMT, and other first responders were on the front line every day of the pandemic. Meanwhile, behind closed doors local officials fought on a second front to communicate the important precautions and assistance available to the members of their communities.

**We spoke with communications experts around the state who provided tips and advice for managing crisis situations.**

### Think Outside the Box

These are unprecedented times, so municipalities have to be creative and think outside of the box in order to reach their residents. Our municipality established a special phone number and email specifically for residents who might need help in response to the challenges surrounding the COVID-19 restrictions. This initiative also allows the township to collect information from residents, businesses, nonprofits and religious institutions that want to help during the crisis. Township staff have been working diligently to connect residents in need with volunteers who can provide assistance.

Township staff have also been in regular contact with all the essential restaurants, convenience stores, liquor stores and grocery stores in Evesham Township to catalogue the business that are still open to serve our residents. The township has been able to promote this information through our social media so residents know where they can still meet their essential needs while also supporting our local businesses.

Through the use of “#eveshamstrong” we’ve encouraged residents to share photos of the ways they’ve been practicing social distancing.

We’ve also published regular photos of Public Works employees and police officers still out on our streets performing their regular duties, just to let residents know that the municipality is still providing all their essential services.

—Zane Clark, Director of Public Information/ADA Coordinator, Evesham Township

### Be Agile

It’s important to be agile, inform, show compassion, keep the goal in mind, and use different methods of communication in order to reach the greater community.

—Sondra D. Roberts, Communications Director, Office of the Mayor/Office of Communication, City of Newark

### Ask for Help

Ask for help. This crisis calls for seven days a week, around-the-clock communications and one person or even two people cannot do it alone.

We try to share links to information from the State of NJ information hub: covid19.nj.gov, Union County and federal resources including the CDC, WHO and White House rather than creating content ourselves. It definitely saves time.

If it helps, pull information and use anything you like including photos and graphics from our COVID-19 Resources page at cityofsummit.org/coronavirus or CityofSummitNJ on Facebook.

—Amy Cairns, Chief Communications Officer, Summit

### Practice Patience, Be a Team

Be patient with the public—and your colleagues. Teamwork is never more important than during emergencies, especially one as unprecedented as the COVID-19 pandemic. Share your skills with co-workers to help ease stress and keep morale high.

When you’re preparing copy, think as a member of the public. For example, the Township recently added two new resources on our website to help residents help themselves. The first is an “at a glance” contact sheet with numbers highlighting where to get help for emergencies, which department would handle the concern or question.

The other is a new “How Do I...” tab serving as a navigational tool to bring the public to the page they will need.

And finally, where possible, use links to information from the state agencies overseeing the pandemic.

—Joseph A. Giorgio, RMC, Hanover Township Business Administrator/Municipal Clerk, Public Information Officer

### Engage from Every Angle

Use as many different platforms and mediums as you can. Not everyone is on social media and some people really rely on website information that they can keep going to.

Keep updating everything as much as possible because information is changing what feels like every second.

—Lindsay DeAngelis, Assistant to the Business Administrator and Human Resources Manager, Long Branch

### Provide Consistent, Timely, and Accurate Information

When communicating to the public a consistent flow of timely and accurate information is key. Your community members need to know where exactly they can go to access information.

We found it was very helpful to create a “mini-site” for all COVID-19 related information so our residents didn’t have to dig for it elsewhere. We were also diligent about updating the site on a daily basis so our residents knew that we were presenting the full picture to them, including the town’s numbers of positive COVID-19 cases.

It’s also very important to utilize your social media platforms to ensure that you reach different audiences.

—Tara Berson, Public Information Officer, Township of Middletown

### Centralize Information

My advice for other communities, especially during the Coronavirus Pandemic, is to have a centralized source of information, especially during an emergency, where relevant information is shared multiple times a day to keep the public educated and informed.”

—Michael Carelli, Assistant to the Administrator, Oakland



# Somers Point's New Waterfront Gem

20-slip bayfront transient marina now open in Somers Point's Historic Bay District

JACK GLASSER, *Mayor, Somers Point*

The City of Somers Point recently unveiled its new bayfront transient marina featuring 20 transient boat slips. The marina also offers slips for tour boats and emergency vessels. In the very near future, amenities will also include electric, water, and pump-out facilities for transient boaters.

With the help of Atlantic County, the state, grants, and the hard work of Somers Point City Council, we proudly enhanced our vibrant waterfront with the addition of this beautiful transient marina.

Somers Point is surrounded by water, with Patcong Creek, Great Egg Harbor River, and Great Egg Harbor Bay making up three of its boundaries. The City is well-positioned to entice visitors to stop, enjoy, and explore everything the City has to offer.

Our bayside waterfront hosts a number of maritime businesses that provide mooring, sales, and service for hundreds of private watercrafts each year. The lively and walkable Bay Avenue district also hosts fine and casual dining, pubs, lodging. Recreation-related businesses, galleries and shops, live weekly concerts throughout the summer, as well as the City's largest annual celebration known as Bayfest are further draws.

Boaters who visit the marina will increase revenue at restaurants, local stores, and other attractions.

As a result, the marina is expected to be an economic driver for the City and a fixture at the waterfront for many years to come.

## Preparing for launch

With any new development comes the possibility of challenges. Planning for the marina project began nearly two decades ago. But the effort did not come to fruition until recently.

A project that includes dredging as an integral component can be particularly challenging. The City initially looked at a plan to dredge the entire Bay Avenue waterfront, but that was not immediately feasible.

Luckily, the dredging requirements specifically for the transient marina called for much less volume. We explored several ideas that would allow us to use the dredge materials in a beneficial manner. In the end, we settled on creating an embankment to



## Smooth Sailing to a Bright Future

As the proud mayor of this City and a long-time resident, I envision a bright future for Somers Point. I see a City that flourishes with the arts, entertainment and business, and has a well-maintained infrastructure. Somers Point is a robust market for residents and second-home buyers, and now offers an incredible transient marina.

Those of us who call Somers Point home know that it is a destination in its own right, worthy of a second look by tourists headed to the bigger resort towns. Somers Point is walkable, bikeable, and offers incredible opportunities to experience the town both on and off the waterfront, including scenic recreational parks, a picturesque bike path, an 18-hole professional golf course, and a historic walking tour of the city.

So many small towns risk stagnation. But here in Somers Point we work to combat this by continuously evolving and repositioning our local economy. This commitment to growth is evident in the many initiatives implemented over the years such as our marketing, branding and second-home buyer campaigns, new business outreach and promotions. We owe much of this success to the members of City Council and the Economic Development Advisory Commission, whose energy and passion fuels our plans.

The transient marina project is one of the many plans we have for the bay front and City as a whole. Behind the scenes, we are eagerly conceptualizing and implementing more ideas that will reinforce Somers Point as the best place to live, work, and play at the shore, all while keeping the City viable well into the future.

View completed construction on the marina itself.

### Economic beacon

With the successful addition of a transient marina, the potential economic and social benefits abound. We are confident that the marina will be a mighty stimulus for tourism. We expect it will draw more visitors to our beautiful City and provide an additional opportunity for enjoyment of the Historic Bay District.

Visitors will be able to catch a show at Bay Avenue's rebuilt Gateway Playhouse, shop at local boutiques and galleries, and have drinks and dinner at one of the City's restaurants. The marina will increase socialization for our current residents and visitors.

In addition, the marina will be a catalyst to creating life-long visitors by establishing a mecca for like-minded boaters, providing additional access for people to grab a bite to eat at nearby restaurants and other popular spots by the marina.

help protect a popular thoroughfare that is part of our local emergency evacuation roadway network.

Atlantic County assisted with the approvals for relocating the dredging materials along Somers Point/Mays Landing Road.

While this planning was ongoing, the City was able to secure grants to help fund the marina. Securing funding took several years to complete. With help from the City's planning firm, we obtained grants to contribute to the cost of the marina.

A \$1.45 million National Boating Infrastructure Grant assisted in funding the dredging and construction for the marina. Also, a \$35,000 grant for grant for the construction of the pump-out station came from the United States Fish and Wildlife Service through the New Jersey Division of Fish and Wildlife in partnership with the New Jersey Clean Vessel Act Program and the Marine Trades Association of New Jersey.

Dredging and construction began, and the marina was completed in time for a Summer 2019 opening. Wickberg Marina Contracting, Inc., of Belford completed the dredging phase of the project. Walters Marine Construction of Ocean



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**Focus:**  
**Somers Point**

There will be infinite ways to socialize. The transient marina will add an ambience that many other developments cannot achieve as a venue for exciting waterfront activities that include fishing, crabbing, cruising, and waterfront dining. Marina will be an enhancement for all to enjoy, giving visitors and residents the ability to hop in their boats and take in



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the beautiful sights as they sit moored offshore or take a cruise around the bay.

The transient marina offers real convenience for boaters, giving them the ability to stay overnight or longer if they wish, with hookups for water and electric and a pump-out for larger vessels.

The marina will also be a significant draw for the sale and/or rental of residential, retail, commercial, or office space businesses. In many ways, it is a natural part of development and is complementary to our marketing campaigns targeting businesses and second-home buyers. It serves as an anchor for correlative developments adjacent to it, such as a waterfront restaurant, with the opportunity for continued expansion thereby enhancing the waterfront.

By appealing to many age demographics, there are significant benefits to the community in terms of additional, and much needed, access to the water for both active and passive public use. This additional access to the waterfront can help to bridge the gap, bringing people from offshore who might not typically visit, as well as be a great attraction for millennials.

Somers Point is an ideal place to live, work and play, all within walking distance of many activities. These same features may well prove attractive to aging baby boomers looking for a convenient and easily navigated environment that is dynamic and active. Many will find that our bayside community, located just minutes from major seaside destinations, is rich in history, diversity, camaraderie, and fun. 🦞

Mayor Jack Glasser is a veteran of the United States Air Force and New Jersey Air National Guard, and is a retired Captain of the Northfield Police Department. He has been mayor of Somers Point for the past 12 years, where he and his wife Diane currently reside.



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# Doing Business

## NJBAC helps municipalities help local businesses

MELANIE WILLOUGHBY, *Executive Director, NJ Business Action Center*

**W**ho knows better than local officials about the needs of the businesses in their town?

Municipal officials are often the first to hear when a new business is looking for a location, who is seeking to expand, or who is ready to hire employees. They are also the first to get questions about state laws, regulations, permitting, licenses, and more.

The New Jersey Business Action Center (NJBAC) can be the resource that you turn to for answers to these questions. The NJBAC, a state office within the New Jersey Department of State, is based in Trenton and ready to answer basic questions in minutes or work with businesses one-on-one to resolve more complicated issues.

### Answering questions, streamlining processes

We help businesses find new locations, construct their buildings and hire skilled workers. We coordinate with state agencies like the Department of Transportation, Department of Environmental Protection, Department of Community Affairs and Division of Consumer Affairs to develop solutions, set up meetings regarding permitting and regulatory challenges to help streamline the process, and more.

We can talk about the basics of starting a business, creating a business plan, selecting a form of incorporation and choosing a trade name. As the idea progresses, we can help find lenders and state and federal lending or grant programs aimed at helping innovative companies get off the ground.

We are also focused on helping businesses understand the new state laws that apply to them, such as family leave policies, paid sick leave and independent contractor regulations and how to stay in compliance with these regulations.

### In case of emergency

If your community has endured a disaster or emergency, we can also help. Our team works to give businesses the resources to recover and get back to work.

It's important to know that no business is too big or small for us to work with. Of course, small business is our focus, but the definition of small business is so varied that it can apply to a company with 10 employees or 100 employees.



To learn more about the center, visit us online at [www.nj.gov/state/bac/bac.shtml](http://www.nj.gov/state/bac/bac.shtml) or call us at 1-800-JERSEY-7.

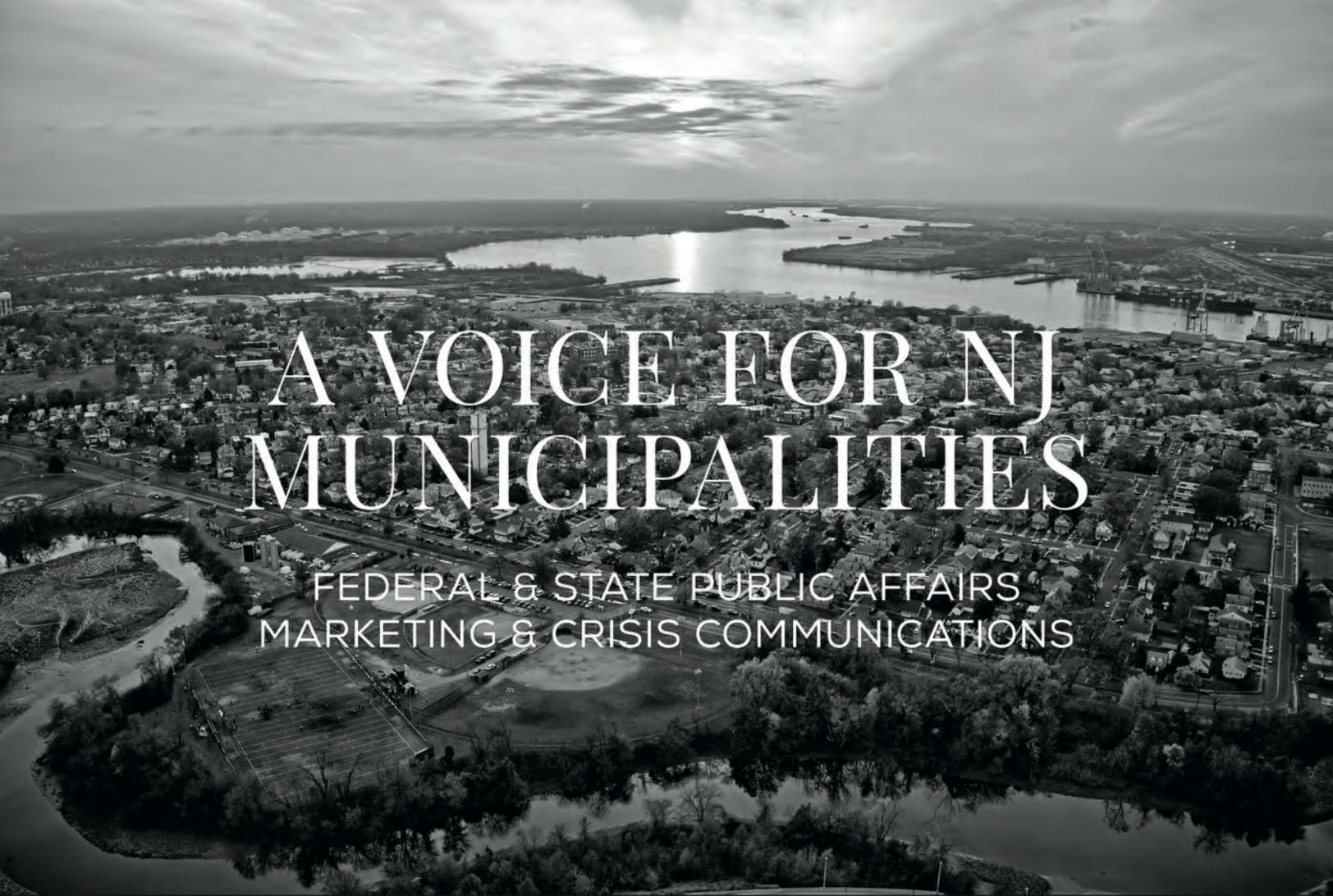
Our online resources include the comprehensive Guide to Doing Business in New Jersey and the Business Assistance Guide, which highlights grant and loan programs available to businesses, as well as a great selection of podcasts. Some of the most popular offerings online are the How-To Guides, a collection of detailed documents that focus on topic such as franchising and choosing a location. 📌



### For More Information, Call...

We have our Business Helpline, 1-800-JERSEY-7 that you can refer businesses to. It receives more than 25,000 calls a year and is answered by experienced people who work to get answers to business questions.

Or you can call the Business Helpline, to get answers to your own questions about working with businesses.



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# The Local Assistance Bureau

Transforming good ideas into practical solutions for your community

MELANIE WALTER, *Director, New Jersey Division of Local Government Services*



**W**aterford Township in Camden County recently finished restructuring virtually its entire organization from business administration to construction office to public works in order to achieve cost savings for its taxpayers. They did so without having to hire a private consultant or pay a single penny.

## How did Waterford accomplish this?

Township officials contacted the Local Assistance Bureau at the New Jersey Department of Community Affairs (DCA) and asked for technical assistance.

The Local Assistance Bureau (LAB) employs an innovative approach to local services, utilizing experienced local government professionals and data-driven analytics to provide comprehensive management consulting services to local governments throughout the state.

The LAB launched in 2019 with the mission of helping local governments achieve excellence in governance by cultivating best practices. LAB links local governments to the State's network of resources. LAB also provides custom guidance.

As Governor Phil Murphy said, "Our state is only as strong as our communities and the local governments that serve them."

As part of this mission to better serve our communities, the LAB is focused on empowering local entities by bolstering their ability to provide cost-effective services to their constituents.

Today, the LAB has more than 35 active projects. These are cost-saving initiatives where our advisors are working with municipalities free of charge.

## Capacity to help

We have the capacity to help far more municipalities and encourage local government officials to contact us. Within a week of receiving a request for assistance, LAB staff can be in your community meeting with administrators and the governing body to discuss your needs.

We understand there may be hesitance on the part of some local governments to take advantage of this service. There may be concerns over how it might be perceived by the public. The fact is DCA's Division of Local Government Services (DLGS) has historically led the nation when it comes to the breadth and depth of expertise provided to municipalities. This is regardless of their fiscal health.

The creation of the LAB is our way of continuing to uphold this tradition. We provide valuable resources that all local governments can tap into for a fresh perspective. No issue or challenge is too small or too daunting for the LAB team.

LAB technical assistance advisors are experienced municipal officials and professionals. They know what it's like to be on the front lines, running local governments in New Jersey. They are subject matter experts in local budget law, local bond law,

local public contracts law, local authorities' fiscal control law, civil service, and other statutory and regulatory standards.

Plus, their experience working at the state level affords them a bird's eye view and understanding of how common issues and trends can impact local governance. Which is to say, our advisors can approach a challenge from both micro and macro levels.

They also have expertise in areas such as administration, finance and purchasing, labor negotiations, emergency dispatch, public safety, human resources, risk management, and public works.

For example, if a town wants to find a more efficient way to operate its public works department or deploy its resources during snowstorms, the LAB team can help with that. If a municipality wants to train its staff on the do's and don'ts of local government ethics, the LAB can assist with that, too. The LAB is also able to help with economic development and planning, procurement, data aggregation, and best practices, among other projects.

**Local decision-making**

Our focus is to facilitate informed decision-making and progress at the local level. We know local government officials have good ideas, but if you don't have the resources or expertise to turn an idea into reality, nothing changes.

Our goal is to get the most benefit out of every tax dollar that we can and we're here to support local governments

in that mission. We look forward to working with you! The LAB can help transform good ideas into practical solutions for your community. 🦋

@ We visit local governments on a by-request basis, so call 609-292-6858 or email us at localassistance@dca.nj.gov.

**Employee Recruiting Assistance**

One area where the LAB can save local governments money is employee recruiting. Why spend tens of thousands of dollars to recruit prospective professional employees when the LAB can provide search resources for free?

We are available to meet with officials to help determine the municipality's staffing needs, assist with the job advertisement, review submitted applications and resumes, establish the interview structure and questions, and participate in the interview process to help the municipality select the best candidate.

The LAB does all of this at no cost to local governments.

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# Building Safety Month

International Code Council highlights sustainable and affordable building safety solutions in New Jersey

STEPHEN JONES, *Senior Government Relations Regional Manager, International Code Council*

According to the National Oceanic and Atmospheric Administration (NOAA), there were 14 weather and climate disaster events with losses exceeding \$1 billion each across the United States in 2019. With natural disasters increasing in severity and frequency, advanced planning for devastating weather events is critical.

Residing along the coastline presents additional risk exposure for New Jersey, especially as it relates to hurricanes. Considering the damage sustained from Superstorm Sandy in 2012, it is clear that New Jersey is not exempt from that type of devastating damage.

This exposure to future risk makes its reliance on the most modern, up-to-date building codes imperative. Disaster mitigation through the adoption and enforcement of building codes provides communities with an added level of protection in the event of a natural disaster.

## Growing state

New Jersey is a consistently growing state with new buildings, homes and structures popping up what seems to be every hour. According to the State of New Jersey Department of Community Affairs, there was a 16% increase in housing units authorized by building permits for new construction from 2018 to 2019.

There is a need to accommodate this additional infrastructure and do so in a way that ensures safety, sustainability and resilience.

Organizations such as the International Code Council continue to work on creating building safety solutions that are affordable, safe and sustainable. As a primary goal, the Code Council develops model codes and standards that can be adopted and used to construct safe and resilient structures.

It is thanks to their I-Codes that buildings can remain structurally sound in the presence of an increasingly tumultuous weather environment and New Jersey continues to lead the nation in implementing the most updated codes available. In fact, Governor Phil Murphy was the first governor in the country to submit a proclamation recognizing and supporting May as “Building Safety Month.”

## Importance of enforcement

But more than the need for the development of these codes, it is crucial to make sure these codes are properly enforced by appropriately trained professionals, which includes plan reviewers, inspectors and other qualified experts. Most building

departments are staffed with a network of highly trained and dedicated code enforcement officials who perform both plan reviews as well as thorough inspections.

It’s imperative that those building officials are well-trained and up to date on code advancements through continued education. Studies show effective code enforcement decreases loss following disasters by up to 25%. Research also shows that every dollar spent on mitigation saves about \$11 for taxpayers in future disaster recovery costs. Having the most up-to-date building codes will not only save lives, but money, time, and resources as well. 📌

## May is Building Safety Month

Building Safety Month, presented by the International Code Council, is an educational campaign that takes place worldwide every May. Its goal is to raise awareness about the importance of building codes and a strong system of code enforcement so that homeowners, government officials, and the public have the information needed to ensure safety in the spaces where they live, work, and learn.

This year’s theme focuses on “Safer Buildings, Safer Communities, Safer World” and emphasizes four key themes: Disaster Preparedness; Water Safety; Resiliency, Sustainability and Innovation; and Training the Next Generation.

The campaign encourages education, which is of high importance, especially to New Jersey, as the need for responsible growth and the safety of resilient communities continues to be a high priority within the state.

## SAFER Buildings, SAFER Communities, SAFER World



• **Week 1:**  
May 1–10  
Disaster Preparedness



• **Week 2:**  
May 11–17  
Water Safety



• **Week 3:**  
May 18–24  
Resiliency. Sustainability.  
Innovation.



• **Week 4:**  
May 25–31  
Training the Next  
Generation

[www.buildingsafetymonth.org](http://www.buildingsafetymonth.org) #BuildingSafety365    

# Environmental Legislation

## Major New Jersey 2019 developments

JOHN M. SCAGNELLI, ESQ., *Environmental Counsel, New Jersey State League of Municipalities; Partner, Chair of the Environmental & Land Use Law Group, Scarinci Hollenbeck, LLC*



In 2019, the Murphy Administration continued its emphasis upon the protection of New Jersey's air, water and natural resources. Particular attention was given to climate change, coastal resiliency, and protection of New Jersey's drinking water supply.

The Administration also worked on the development of offshore wind energy, stopping the illegal dumping of contaminated soil and debris, amendments to the New Jersey Site Remediation Reform Act (SRRA 2.0), enactment of the stormwater utilities law, environmental justice and environmental enforcement.

### **Climate Change Resilience Strategy/ Offshore Wind Energy**

On October 29, 2019, Governor Murphy signed Executive Order No. 89, which established a statewide climate change resilience strategy. The Order established a Climate and Flood Resilience Program with a Chief Resilience Officer within the

New Jersey Department of Environmental Protection (NJDEP), and an Interagency Council on Climate Resilience.

The Council and Chief Resilience Officer are required to deliver to the Governor by September 1, 2020 a Statewide Climate Change Resilience Strategy, which includes a Coastal Resilience Plan.

On February 6, 2020, the Governor and NJDEP Commissioner announced an effort to modernize New Jersey's environmental regulations to protect New Jersey's communities and economy against the threats of climate change with a rule making process titled New Jersey Protecting Against Climate Threats (NJ PACT), based upon the Governor's Executive Order No. 100, issued on January 27, 2020.

The Murphy Administration continued to emphasize offshore wind energy. On November 19, 2019, the Governor signed Executive Order No. 92, which increased the existing goal of 3,500 megawatts of offshore wind energy generation by 2030 to 7,500 megawatts by 2035.

NJDEP has held stakeholder sessions related to the offshore wind energy, and offshore wind energy developers have plans to build offshore wind farms on leased federal tracts off the New Jersey shore. Construction Operations Plans (COPs) are expected to be released by the offshore wind developers by mid-2020 and the COPs will contain specifics regarding necessary onshore support infrastructure.

**Stormwater Utilities – Managing Stormwater Runoff**

On March 18, 2019, the Governor signed the Stormwater Utilities Bill, S-1073/A-2694, allowing counties,

**A draft environmental justice guidance was released by NJDEP on December 17, 2018, underwent stakeholder review in 2019, and is anticipated to be issued in 2020.**

municipalities, and authorities to establish stormwater utilities, collect fees and charges relating to stormwater runoff, and operate stormwater management systems. Municipalities must annually remit to the State Treasurer 5% of the fees and charges collected or \$50,000, whichever is less, to fund a Clean Stormwater and Flood Reduction Fund, with the funds to be used by NJDEP for stormwater pollution reduction projects.

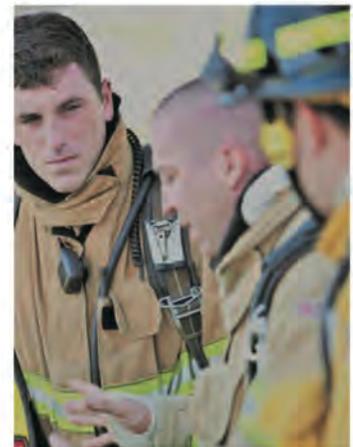
**Illegal Dumping of Contaminated Soil and Debris (Dirty Dirt)**

The Murphy Administration and NJDEP paid attention to the illegal dumping of contaminated soil and debris (dirty dirt) by dirt brokers. There were several highly publicized incidents of dirt brokers depositing dirty dirt on properties without NJDEP or other approvals. NJDEP took legal action in several cases.

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## Environmental Legislation

In an effort to tighten up controls regarding the movement and disposal of dirty dirt, the Governor signed into law A-4267/S1683, P.L. 2019, c.397. The law requires dirt brokers to undergo state background checks and obtain licenses under the State's A-901 solid waste licensing program, and requires

New Jersey's Attorney General to set up an information exchange system with New York and other states in the region to share information on the movement and disposal of Dirty Dirt.

NJDEP also established a Guard Your Backyard webpage to assist municipalities with Dirty Dirt problems and prepared

a model ordinance for municipalities relating to the movement and disposal of Dirty Dirt, which can be found at [guardyourbackyard.nj.gov](http://guardyourbackyard.nj.gov).

## Environmental Enforcement/ Environmental Justice

The Murphy Administration has continued its emphasis upon environmental enforcement and the protection of environmental justice communities from disproportionate exposure to air, water, and soil pollution.

In 2019, the New Jersey State Attorney General Grewal and the NJDEP Commissioner filed a number of Natural Resource Damages (NRD) lawsuits related to PFAS contamination and releases of hazardous and toxic substances into soil and groundwater at properties in minority and lower income communities. Affected communities included the cities of Newark, Trenton, Camden, Kearney and East Orange.

NJDEP also filed lawsuits related to the illegal dumping of dirty dirt in Camden, at a solid waste dump in Vernon Township in Sussex County, and at a solid waste dump in Plumstead Township in Ocean County.

In the environmental justice area, Governor Murphy's Executive Order No. 23 directed NJDEP to develop guidance requiring all Executive Branch Departments and Agencies to consider environmental justice in implementing their statutory and regulatory responsibilities. A draft environmental justice guidance was released by NJDEP on December 17, 2018, underwent stakeholder review in 2019, and is anticipated to be issued in 2020.

## SRRA 2.0 Amendments to the Site Remediation Reform Act

On August 23, 2019, Governor Murphy signed into law the SRRA 2.0 Amendments to the Site Remediation Reform Act, P.L. 2019, c.263. SRRA established the Licensed Site Remediation Professional Program (LSRP) under which New Jersey LSRPs oversee environmental cleanups in the State.

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# Protection of Drinking Water

## Emerging Contaminants (PFAS)/Lead

The Murphy Administration and NJDEP have continued their focus upon the protection of New Jersey's drinking supplies with particular attention to perfluoroalkyl and polyfluoroalkyl substances (PFAS) and lead in New Jersey's drinking water.

In September 2018, NJDEP established a maximum contaminant level (MCL) for perfluoronanoic acid (PFNA) of 13ng/l, and on April 1, 2019, proposed MCLs of 14 ng/l for perfluorooctanoic acid (PFOA) and 13 ng/l for perfluorooctane sulfonic acid (PFOS). PFAS contaminants were commonly used in flame-retardant fabrics and chemicals used in firefighting foams.

Lead contamination in the drinking water supplies of some urbanized state communities was also addressed. On July 16, 2016, the State Board of Education had adopted regulations which required testing for lead in drinking water in public schools in New Jersey.

NJDEP has advised that approximately 60 municipalities have lead exceedances in their drinking water, and the Department worked in 2019 to increase water infrastructure funding through the drinking water fund to address lead contamination entering the water supply through lead piping and fixtures by corrosion control and other measures.

The Amendments of particular interest to municipalities expanded the obligations of persons responsible for conducting the remediations of contaminated sites to provide additional work plans, data and reports regarding remediations being conducted to municipalities.

The New Jersey Site Remediation

Professional Licensing Board is now revising its regulations to address the SRRA 2.0 Amendments, and is expected that proposed Board regulations will be issued this year.

The above developments show that 2019 was an active year on the environmental front in New Jersey. 🌿



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## Public Meetings in the Time of COVID-19

FRANK MARSHALL, ESQ., NJLM Associate General Counsel



### How should public meetings be addressed during the COVID-19 outbreak, when public gatherings are being limited?



During times of heightened threats of communicable diseases, like the COVID-19 outbreak, municipal governing bodies may wish to cancel or reschedule meetings so as to avoid a situation where large numbers of the public are gathered together. Generally speaking, the municipal governing body has broad discretion to cancel or reschedule its own meetings. In fact, it is not necessary that a public health crisis or threat of such exist for the governing body to cancel or reschedule a meeting. You may do so at any time for a variety of reasons.

However, a governing body cannot indefinitely postpone meetings. There comes a point where the continued operation of municipal business requires a public meeting take place. During a prolonged public emergency, like what we are seeking with the COVID-19 outbreak, a municipality must consider hosting a remote public meeting.

The logistics of a remote meeting will look different for each municipality based primarily on your technological capabilities. Regardless of the technology used, every municipality and entity should have two main goals—to comply with the Open Public Meetings Act (OPMA), and to ensure adequate access and participation from the public.

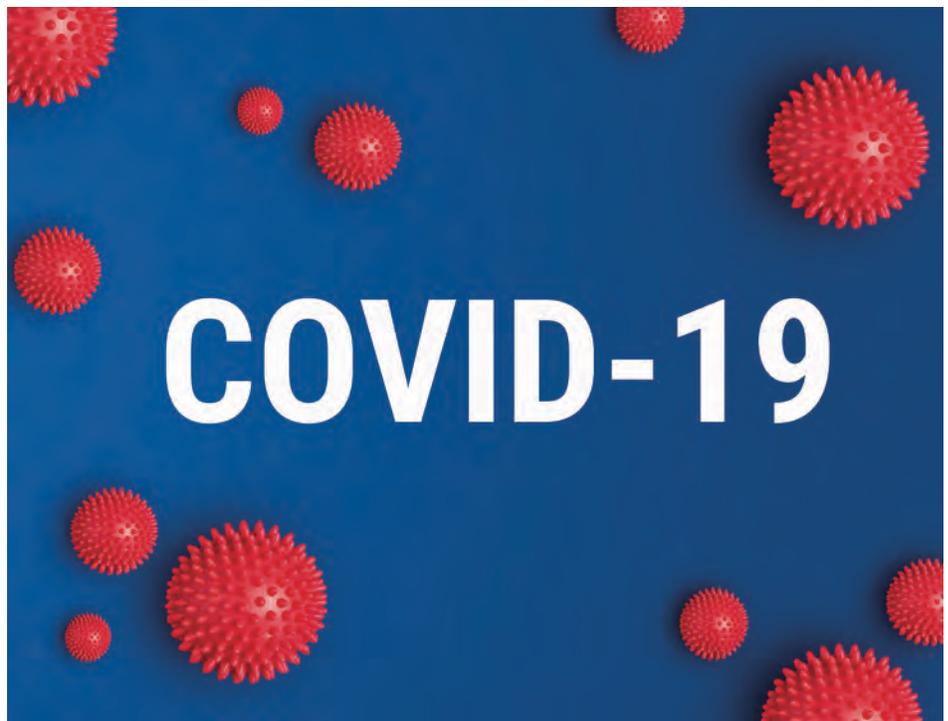
As far as OPMA compliance is concerned, there is not much difference between what is required for a traditional in-person public meeting and a remote meeting. All notice and publication requirements must be met for remote meetings the same as

they are for in-person meeting. Similarly, a remote meeting must offer the opportunity for public participation the same as an in-person meeting would require.

But, as suggested by guidance recently issued from the Division of Local Government Services (DLGS), you must include in your published meeting notice instructions on how the public can access and participate in the remote meeting. This can include information related to a phone-in number, a web address, or other means to join the meetings.

Part and parcel of ensuring adequate public access and participation is choosing the right technology to use for a remote meeting. Each technology will have its benefits and shortcomings and the selection requires careful consideration. In choosing what technology to use you should also consider the technological capabilities of the anticipated attendees.

For example, a conference call in line may provide a better opportunity for the public to listen in and participate as having access to a phone is pretty common. However, there are drawbacks to using a conference line. Depending on what service



you select, it may be difficult to handle the public comment portion of your meeting. Conversely, streaming the meeting via a service such as Facebook Live would allow participants to submit questions throughout the meeting and have them answered during the public participation portion. However, a drawback of this is that not everyone has easy access to a computer or another device capable of tuning in to the streaming service.

With these benefits and drawbacks in mind, it may be beneficial to take a belt and suspenders approach. That is to say your municipality may want to take advantage of multiple means of hosting a remote meeting. This way you provide ample opportunity for as many people to participate as possible.

Finally, this discussion would be incomplete if P.L. 2020, c.11 wasn't addressed. This newly adopted legislation made changes to the OPMA in response to the COVID-19 outbreak. The law change, which took effect March 20, 2020, explicitly authorizes a public body to conduct a meeting and public business, cause a meeting to be open to the public, vote, and receive public comment by means of communication or other electronic equipment during a state of emergency, public health emergency, or state of local

disaster emergency. While this additional language may have been unnecessary as the OPMA had been interpreted prior to this to allow remote meetings, the change does provide explicit authority.

Perhaps more importantly, the bill also allows a public body to provide notice of meetings electronically through the internet during the time of a public

emergency. However, where this type of notice is utilized, public bodies are, to the extent practicable, limited in the matters they can address. When electronic notice is used a public meeting must be limited to matters necessary for the continuing operation of government and that relate to the applicable emergency declaration. 🦋

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### More COVID-19 Q&A's on League Website

The League's website is home to a fuller list of COVID-19 related questions and answers. Among the topics covered are:

- Public Health
- Quarantine Maintenance
- Business Assistance

@ For more information, visit [www.njlm.org/covid-19](http://www.njlm.org/covid-19)

# FINANCE CENTER



## Local Finance Considerations for Spring, Summer, and Beyond

As is the case in most segments of day-to-day operations in this new normal created by COVID-19, local governments are facing a new and unique set of concerns. Many issues are still under consideration, but guidance has been provided on some critical matters.

The following summarizes some of the concerns addressed by the League's March 26 webinar: Update on COVID-19 State and Local Issues and Responses

### ESTIMATED TAX BILLS

Due to the disruption caused by COVID-19, the Division of Local Government Services (DLGS) has released guidance, Local Finance Notice 2020-07, for municipalities. They strongly recommend estimated tax bills for 2020. In addition, estimated tax bills must be mailed no later than June 30. Governing bodies must adopt resolutions authorizing these changes.

### DEBT SERVICE PAYMENTS

The DLGS has sent reminders to Chief Financial Officers regarding the advanced scheduling of debt service payments. Properly authorized and certified payment may be scheduled to take place electronically on a future date. CFO's may contract a bank to act as a paying agent for debt service obligations to assure payment is made.

### EMERGENCY PROCUREMENT

In an emergency affecting public health, safety, or welfare that requires the immediate delivery of goods or the performance of services there are several procurement considerations.

- Contracts may be awarded without public bidding, regardless of threshold
- Contracts are exempted from Pay-to-Play
- Contracts may be entered into without obtaining Business Registration Certificate. However, please remember that payment cannot be made until the certificate is provided.
- In the case of Public Works contracts, contractor must be notified at the time of award of both the Public Works Contractor Registration and Prevailing Wage requirements.

### BID OPENINGS

The DLGS has made a host of recommendations, including that the bid receipt date should be longer than the statutory minimums; bid advertisements should include any modified hand delivery methods or acceptance procedures; in-person bid openings must

maintain appropriate social distancing; if holding in-person bid openings, encourage the public the option to review the bid opening remotely in real time; and broadcast the bid opening live using web conference call or livestreaming technology.

**It has been confirmed that storm recovery reserves may be used for COVID-19 response.**

### STORM RECOVERY RESERVES

It has been confirmed that storm recovery reserves may be used for COVID-19 response. Any reimbursement of these expenditures must be deposited back into the reserve.

To establish a storm recovery reserve or convert a preexisting snow removal reserve to storm recovery the governing body must adopt a resolution that must be sent to the DLGS. Towns do not need to have had a snow removal reserve to establish a storm recovery reserve.

### HOMESTEAD CREDITS

In the case of the State rescinding Homestead Credits, the Tax Collector must provide the following language to include in any tax bills already issued:

"In light of the unprecedented COVID-19 pandemic, the State has placed funding for Homestead Credits in reserve to meet emergency and statutorily required obligations. Your bill has been adjusted accordingly"

If the municipality did not issue a corrected quarterly taxpayer billing statement, it will not be reimbursed for the costs of the credit. The State will reimburse municipalities for the administrative costs of issuing revised statements.

### PROPERTY TAX APPEALS

For this year, NJ Supreme Court Justice Rabner has issued an order extending the deadline for Property Tax Appeals. This order applies to both the New Jersey Tax Court and New Jersey County Boards of Taxation. The new deadlines are the later of May 1, 2020, or 30 days following a determination declared emergency has ended. 📌

@ For the complete slide deck from the presentation, please visit [www.njlm.org/covid-19](http://www.njlm.org/covid-19).

*This column is for informational purposes only, and is not intended as legal or financial advice. Please consult your professional staff on issues of interest.*

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# GOLD DOME

## Leadership Lessons for Budgeting During the Coronavirus Crisis



BEN DWORKIN, PH.D., *Director, Rowan University Institute for Public Policy & Citizenship (RIPPAC)*

**T**he Coronavirus pandemic presents New Jersey with a health care problem that has spread into an economic problem. The physical well-being of the public is priority number one. But the long-lasting effects of an economic shutdown brought on by social distancing will also require some very tough and painful budget decisions; choices that will affect millions of New Jerseyans.

Trenton has to navigate these treacherous budget waters over two different fiscal years—the current FY2020 (now extended until September 30) and next year’s FY2021 (now starting on October 1). The closest analogous situation in New Jersey was when the Great Recession began in September 2008, and lessons gleaned from those years may well help in today’s crisis.

The state constitution requires that New Jersey’s budget remain in balance throughout the year. So if revenues fall dramatically, adjustments in spending have to be made right away, which is exactly what happened in 2008. At press time, Governor Phil Murphy and the Legislature have replenished the state’s surplus and “rainy day fund” to \$1.26 billion—decisions that will greatly help New Jersey maintain its current obligations.

But even that isn’t enough to account for what might be several months of a massive economic contraction. An additional \$920 million in authorized spending has now been put on hold, including \$45 million in municipal aid.

### Cash flow challenge

Another current challenge for New Jersey is cash flow. Now that the April 15 deadline for state income tax filings has been moved to the summer, Trenton isn’t likely to have the revenue it desperately needs this spring. In part, this explains the delay in setting the new deadline. New Jersey needed to provide every opportunity for people to get their filings done sooner rather than later.

The \$2 trillion federal stimulus package should help states cover most essential services, but with the depth and breadth of the pandemic still unknown, further demands on Washington by the states are likely.

The FY2020 challenges are somewhat more manageable than when state revenues also dropped suddenly and precipitously during the Great Recession. In that case, the state still had nine

months to go before the new fiscal year. The burden of keeping a balanced budget through immediate cuts was significant and couldn’t be delayed. Today, with five months left in the newly extended fiscal year, the state’s budget challenges are slightly easier to handle.

The decisions required for FY2021, however, will be much more difficult, even with the year’s start put off until October 1 from July 1. Estimating future revenues, a constitutional power granted exclusively to the Governor, is a rather sophisticated science. Murphy proposed a \$40.9 billion budget in February and it is hard to see how tax revenues will continue to be what was originally projected, given the effective shutdown of large portions of the economy.

## As state officials move forward, there are some lessons in leadership and fiscal crisis management that can be gleaned from the Great Recession of 2008.

The budget process is currently in the hands of the Democratic-controlled legislature. It’s not likely to stay there. If history is any guide, it will be the Murphy administration that will be tasked with revising its proposal by making the tough decisions on what gets cut in the coming fiscal year, given the new economic realities.

According to some experts, next year’s budget is more likely to be a shell of the grand spending vision that the Governor outlined originally. Even with the current fiscal year extended by three months, it still requires a great deal of optimism to assume that everything will be back to “normal” by then. With a more modest budget, both the Governor and the legislature can keep their options open for when things do turn around and new revenue starts flowing in.

For municipalities, the current budget crisis is also hugely dependent on Washington’s largesse, which should eventually filter down in the form of municipal and school aid. In the meantime, property taxes will still be collected, thereby providing local officials with the bulk of the funding upon which they rely.

Again, depending on the depth and breadth of the current health and economic crises, elected officials at all levels are likely to face some very difficult budgetary choices; each decision having its own moral, political, and policy implications. The need for political courage, something we don't always see in Trenton, will be acute.

As state officials move forward, there are some lessons in leadership and fiscal crisis management that can be gleaned from the Great Recession of 2008.

**1. Stay calm, deliberative, and measured in actions and words.**

Let the data drive your decision making.

**2. Make sure that your course of action isn't going to cause an immediate and negative counter-action.**

There will be consequences to everything you do, of course, but delayed negative outcomes (such as those that come with not making a full pension payment) are generally preferable to

decisions that have more immediate consequences, such as closing group homes, laying off state police and other essential state employees, etc.

Further, merely pushing the financial burden down to lower levels of government, say, for example, by cutting municipal or school aid to balance the state budget, will have immediate counteractive effects as well.

**3. Take this opportunity to re-evaluate existing programs.**

Granted, over recent years the state budget has been pared down significantly. But eliminating an existing program that has outlived its effectiveness might allow the more vital similar programs to remain fully funded. Of course, this re-evaluation is difficult in the easiest of times. Nonetheless, the impetus for new thinking is certainly present today.

**4. For the governor, ensure that your cabinet and each department's public constituencies**

**recognizes that everyone is in this together and, at the same time, that not everyone is equal.**

Some state expenditures are more important than others. Pulling this off requires a tremendous amount of discipline imposed from the governor on down.

**5. The governor will also need to stand by senior staff who are speaking for the administration.**

The team has to be unified to get the ship of state through this storm. Allowing those affected by decisions to circumvent the process by appealing to a higher authority in the administration may do more damage than good.

Now is the time when New Jersey needs its state officials to step up and manage government well. The challenges are real and the lessons from 2008 may provide the best guidance in this uncertain time. 

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# LEGISLATIVE UPDATE

## Preliminary State and Federal Response to COVID-19

Both the State Legislature and Congress have been at work creating COVID-19-centric legislation managing concerns impacting individuals, industries, and governments. The League's legislative team is reviewing the legislation, providing insights and condensed information as it becomes available.

Below is a summary of the laws signed recently by Gov. Phil Murphy, organized by topic.

### Municipal Concerns

#### **P.L. 2020, c. 5 Provides county clerks with additional week to mail ballots for 2020 primary election.**

- County clerks provided with an additional week to proof, print, prepare, and mail vote-by-mail ballots.
- Military and overseas ballots must still be mailed by April 18, 2020.
- The additional week provided by this bill will only apply to the 2020 primary election.
- Expires on the date of the 2020 primary election

#### **P.L. 2020, c. 10 Modifies deadline by which public agency is required to respond to request for government record during period of emergency.**

- Only applicable during a period of a declared State of Emergency, Public Health Emergency, or State of Local Disaster Emergency.
- The seven business days or soon as possible deadline to respond to Open Public Records Act (OPRA) requests does not apply.
- The records custodian must make reasonable effort, as the circumstance permit, to respond to an OPRA request within the seven business days or soon as possible deadline.

#### **P.L. 2020, c. 11 Allows public bodies to conduct meetings by electronic means during periods of emergency.**

- Permissible only during a declared State of Emergency, Public Health Emergency, or State of Local Disaster Emergency.
- Permits a public body to perform any of the following by electronic means:
  - conduct a meeting and any public business,
  - cause a meeting to be open to the public,
  - vote, or
  - receive public comment.
- Will not violate the Open Public Meetings Act.
- Adequate notice of meeting can be by electronic notice

- When using this option, to the extent practicable, the public business should be limited to matters necessary for the continuing operation of government related to the emergency.
- Department of Community Affairs and State Board of Education, must adopt regulations for boards of education.
- Does not rescind N.J.S.A. 10:4-10(b), emergency meeting provision.

#### **P.L. 2020, c. 12 Extends deadlines for adoption of county and municipal budgets under certain circumstances.**

- Current law allows the Director of Local Government Services to extend the deadlines for approval and adoption of county and municipal budgets, only with approval of the Local Finance Board.
- This bill would permit, during a declared State of Emergency or Public Health Emergency, the Director of the Division of Local Government Services to unilaterally extend the statutory dates for introduction and approval of county and municipal budgets without needing approval by Local Finance Board.

### Individual Citizen and Business Concerns

#### **P.L. 2020, c. 8 Expands EDA small business loan program to include small businesses negatively affected by certain epidemics**

- Authorizes the New Jersey Economic Development Authority (EDA) to provide grants during periods of emergency declared by the Governor, for the duration of economic disruptions due to the emergency.
- Extends the uses for funds in the Economic Recovery Fund and provides that EDA may extend NJ Grow Projects, if project delay is a result of economic hardship as a result of the state of emergency.

#### **P.L. 2020, c. 16 Limits return of items purchased from retail food stores under certain circumstances.**

- To inhibit the further spread of COVID-19 and protect public health.
- Makes it unlawful for any retail food store to accept the return of groceries and other foodstuff purchased during and 30 days following the COVID-19 State of Emergency.
- At its discretion, a retail food store may accept the return of groceries and other foodstuff if it determines they are unsafe for use or defective. Such returned goods cannot be offered for resale.

- Defines “groceries and other food-stuff” as dairy products, meats, and delicatessen products, produce products, seafood products, carbonated beverages, coffee, and other beverages, snack foods, candy products, baked products, paper products, household cleaning items, health and beauty products, frozen foods, pet foods and supplies, and any other edible product not previously listed.

- Defines “retail food store” as any retail establishment where groceries and other foodstuffs are regularly and customarily sold in a bona fide manner for off-premise consumption.

**P.L. 2020, c. 9 Concerns time off from work in connections with infectious disease.**

- Prohibits an employer, during the Public Health Emergency and State of Emergency declared by the Governor in Executive Order 103 of 2020, from terminating or refusing to reinstate an employee if the employee requests or

takes time off from work based on a recommendation from a licensed medical professional to do so as a result of COVID-19.

- This would seemingly apply to all employers, including municipal employers.

- There is a \$2,500 penalty for an employer that violates the provisions of this bill.

**P.L. 2020, c. 15 Permits corporations to hold shareholders’ meeting in part or solely by means of remote communication during state of emergency.**

- Permits corporations to hold shareholders’ meetings in part or solely by means of remote communication.

- During a State of Emergency declared by the Governor, a meeting of shareholders may be held by means of remote communication to the extent the board authorizes and adopts guidelines and procedures governing such a meeting.

- Shareholders participating in a meeting of shareholders by means of remote communication are deemed to be present in person and are entitled to vote at the meeting, regardless of whether the meeting is held at a designated place or solely by means of remote communication.

**P.L. 2020, c. 4 Permits professional and occupational licensing boards to expedite licensure of certain individuals during state of emergency or public health emergency.**

- Allows the Division of Consumer Affairs in the Department of Law and Public Safety, with the approval of the Attorney General, to expedite the professional and occupational licensing process for out-of-state individuals when the Governor has declared a state of emergency.

- To qualify for the expedited process the individual applicant must have a corresponding license, certificate of

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## Legislative Update

registration or certification in good standing from another jurisdiction.

- The ability to expedite applications means the Division of Consumer Affairs has the authority to waive certain requirements such as criminal history record background check and payment of certain fees.

### Health Issues

#### **P.L. 2020, c. 7 Requires health insurance and Medicaid coverage for testing and treatment of coronavirus disease 2019.**

- Requires health insurance carriers (health, hospital and medical service corporations, health maintenance organizations, and insurance companies), the State and School Employees' Health Benefits Programs (SEHBP) and the State Medicaid program, to provide coverage for expenses incurred in:
  - The testing for COVID-19, provided that a licensed medical practitioner has issued a medical order for that testing.
  - The delivery of health care services through telemedicine or telehealth in accordance with the provisions of N.J.S.A. 45:1-61 et seq.
  - The requirements remain in effect during the Public Health Emergency

and State of Emergency declared by the Governor in Executive Order 103 of 2020.

- Requires the coverage to be provided to the same extent as for any other services under the health benefits plan, except that no cost-sharing may be imposed on the coverage provided pursuant to the bill.

- Applies to all health benefit plans currently in effect as well as any insurance plans issued on or after March 20, 2020.

#### **P.L. 2020, c. 3 Facilitates use of telemedicine and telehealth to respond to health emergencies.**

- Provides that, for the duration of the public health emergency declared in response to the COVID-19, any health care practitioner will be authorized to provide and bill for services using telemedicine and telehealth, regardless of whether rules and regulations concerning the practice of telemedicine and telehealth have been adopted.
- The services authorized under the bill will include the full range of services set forth in the definitions of telemedicine and telehealth pursuant to N.J.S.A. 45:1-61 that are appropriate under the standard of care.

#### **P.L. 2020, c. 13 Authorizes licensed health care facilities and laboratories to develop and administer coronavirus disease 2019 (COVID-19) tests.**

- Provides that, for the duration of the public health emergency declared in connection with the COVID-19, all licensed health care facilities and clinical laboratories will be authorized to collect specimens for the purposes of testing for COVID-19.
- Commissioner of Health is expressly authorized, during a public health emergency, to waive mandatory staffing ratio requirements for health care facilities.

#### **P.L. 2020, c. 14 Requires food access information be displayed on websites of 2-1-1 system and executive branch departments during public health emergencies to the extent practicable.**

- Requires the statewide 2-1-1 system and all executive branch departments, to the extent practicable, to prominently display information concerning food access programs and resources through their main websites and social media throughout the duration of any declared public health emergency.

#### **P.L. 2020, c. 1 Concerns prohibition of residential tenant eviction and eviction due to residential foreclosure during certain emergency circumstances**

- Provides the Governor with the authority, if a public health emergency or state of emergency or both have been declared, to issue an Executive Order that would prohibit the lessee, tenant, homeowner, or any other person from being removed from a residential property.
- Evictions and foreclosure proceedings may be initiated or continued but the enforcement of judgements for possessions, warrants of removal, and writs of possessions shall be stayed during the Governor's Executive Order.
- Residential property for these purposes does not include any hotel, motel, or other guest house, or part thereof rented to a transient guest or seasonal tenant, or a residential health care facility. 🏠

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## Washington's COVID-19 efforts: **Federal CARES Act**

### **The Coronavirus Aid, Relief, and Economic Security Act (the CARES bill), was signed by President Trump on March 27.**

In terms of assistance specifically to local governments, the League reviewed information released on the \$150 Billion State and Local Stabilization Fund. About \$139 billion will be distributed to the states, for their own use (55%) and for redistribution to 'qualifying' local governments (45%). These funds can only be used to fund extraordinary costs caused by COVID-19. These must be costs over and above funding included in each entity's current operating budget. They cannot be used to cover revenues not collected, as a result of the financial impact of the Coronavirus on taxpayers.

The State of New Jersey is slated to receive \$3.444 billion. Of that total, a minimum of \$1.894 billion is earmarked for State use. The balance, \$1.550 billion, COULD be distributed to 'qualifying' local government.

### **Questions regarding 'qualified' local governments have created uncertainty. Specifically, Section 601(d), provides:**

"A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section to cover only those costs of the State, Tribal government, or unit of local government that— (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).

### **And, Section 601(g)(2) of the CARES Act states:**

"LOCAL GOVERNMENT—The term 'unit of local government' means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level with a population that exceeds 500,000."

The particular issue is whether the prepositional phrase "with a population that exceeds 500,000" modifies all the political subdivisions listed (a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level) or modifies only the political subdivision immediately preceding it, "other unit of general government below the State level."

The issue is important because it determines which political subdivisions are entitled to receive direct funding under the Coronavirus Relief Fund in Section 601.

Our partners at the National League of Cities (NLC) have launched an effort to secure CARES Act funding for all COVID-19 impacted municipalities, regardless of size. NLC Executive Director Clarence Anthony has written to U.S. Treasurer Steve Mnuchin requesting a favorable interpretation of the new law.

Federal Departments and agencies are currently at work developing procedures for funding distributions and application advice for provisions subject to an application process.

@ For information on other components of this massive bill, see our [www.njlm.org/blog](http://www.njlm.org/blog)



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# Women's Suffrage Read All About It: Suffragist Reading List



**W**hile many of the spring events celebrating the suffrage centennial around the state and country have been postponed, it's a good time to read about the women's suffrage movement. The following is a rundown of options for all-ages inspired by the League of Women Voters's resource list.

For overviews of the suffrage movement, *The Concise History of Woman Suffrage: Selections from the Classic Work of Stanton, Anthony, Gage and Harper*, edited by Mari Jo and Paul Buhle is a collection of primary documents by the movement's leaders. Considered the standard history of the suffrage fight, *Century of Struggle: The Woman's Rights Movement in the United States* by Eleanor Flexner and Ellen Fitzpatrick was recent enlarged and remains a comprehensive history.

For a closer look at the specific individuals who created and continued the suffrage movement to its ultimate success, Mia Bay's *To Tell the Truth Freely: The Life of Ida B. Wells* explores her work fighting for rights for black people of all genders and women of all races. In *Elizabeth Cady Stanton: An American Life*, Lori Ginzberg takes her readers through the extraordinary woman and her complicated choices that made her a very human fighter. In her autobiography, *A Colored Woman in a White World*, Mary Church Terrell details her lifetime's efforts for women's rights and racial justice. Susan Ware's *Why They Marched: Untold Stories of the Women who Fought for the Right to Vote* provides 19 biographic sketches of

fighters for women's suffrage.

An auto-mobile campaign for women's suffrage is recreated in *Around America to Win the Vote: Two Suffragists, a Kitten, and 10,000 Miles* by Mara Rockliff. For grammar-school-aged kids, *The Princess and the Suffragette* by Holly Webb shares a tales of friendship and female empowerment in the setting of the suffrage movement.

Teen readers can enjoy Anna Carely's *The Making of Mollie* and Sally Nicholls' *Things a Bright Girl Can Do*. Young adult non-fiction includes Pam Pollack's *Who Was Susan B. Anthony?*, Kerrie Logan Hoolihan's *Rightfully Ours: How Women Won the Vote: 21 Activities*, and Susan Zimet's *Roses and Radicals: The Epic Story of How American Women Won the Right to Vote*.

And while it's not on the list, no New Jersey-based suffrage reading list is complete without a volume about Alice Paul. *A Women's Crusade: Alice Paul and the Battle for the Ballot* by Mary Walton cover's Paul's daring and unconservative tactics including nonviolence civil disobedience, that pushed for the passage and signing of the 19th Amendment. ♡

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