

nj municipalities

New Jersey State League of Municipalities

June 2020

Serving the Front Line

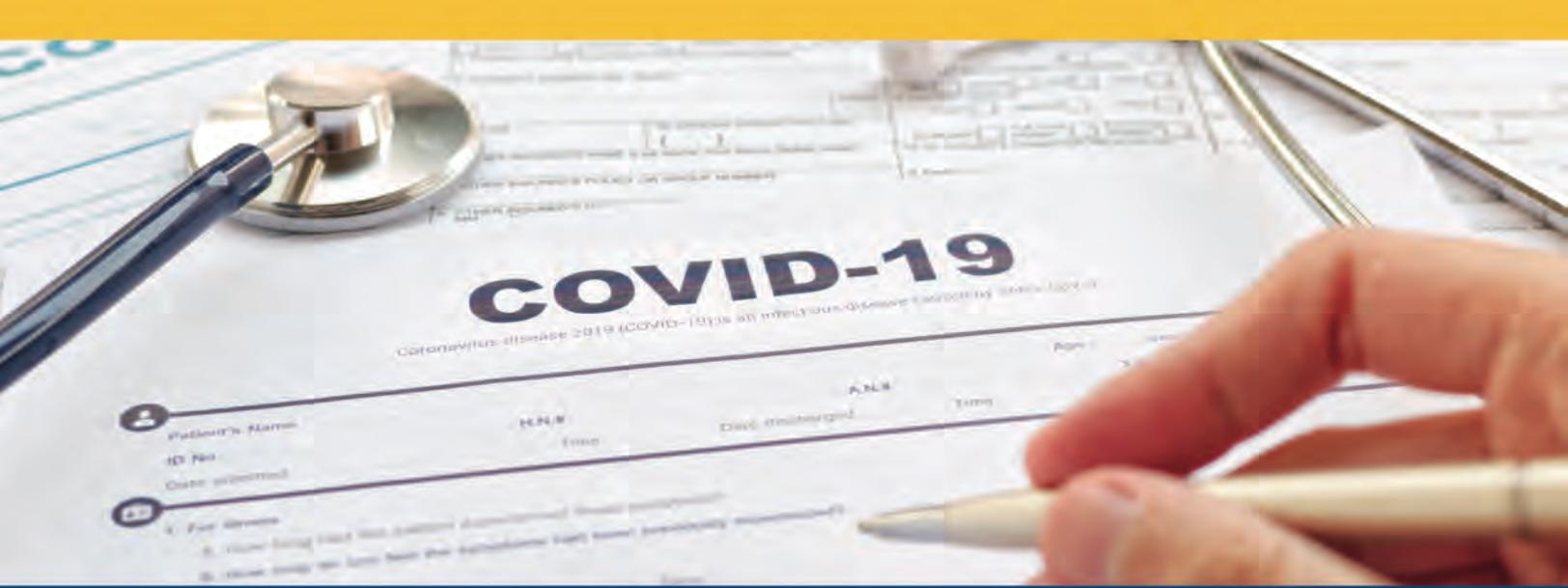
Michael Darcy says farewell to the League after 30-plus years

Water Outlook

CASA at Work



Focus: Outlook 2020 & Beyond



ADDRESSING THE PUBLIC HEALTH CRISIS

The MEL and its 19 affiliated Joint Insurance Funds were established by their members to address serious emergencies. Over the last 35 years, we have built the organizational skills and accumulated the financial resources needed to address this crisis.

CLAIMS

Each JIF has arrangements to ensure claims will be paid in a timely fashion. Special New Jersey provisions protect all career and volunteer public safety workers in addition to coverage for all other employees and volunteers.

SPECIAL COVID-19 CLAIMS COMMITTEE

The MEL also established a special committee to resolve matters pertaining to the Coronavirus. This provides direct access for members to address these issues. The committee will also research questions related to FEMA recoveries.

MEMBER MUNICIPAL BOND ISSUANCE

The MEL recently established a Joint Cash Management and Investment (JCMI) pool that will purchase up to \$100 million of debt securities issued by MEL members to help stabilize the volatile bond market.

2021 BUDGET RATE FREEZE

At the June meeting, the MEL plans to adopt a rate freeze for the 2021 budget to assist its affiliated JIFs next year.

SAFETY TRAINING

The MEL offers numerous online safety training programs. Course details are available in the MEL Safety Institute Course Catalogue on the MEL website.



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New Jersey Municipalities Magazine

Volume 97 | Issue 6

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2020

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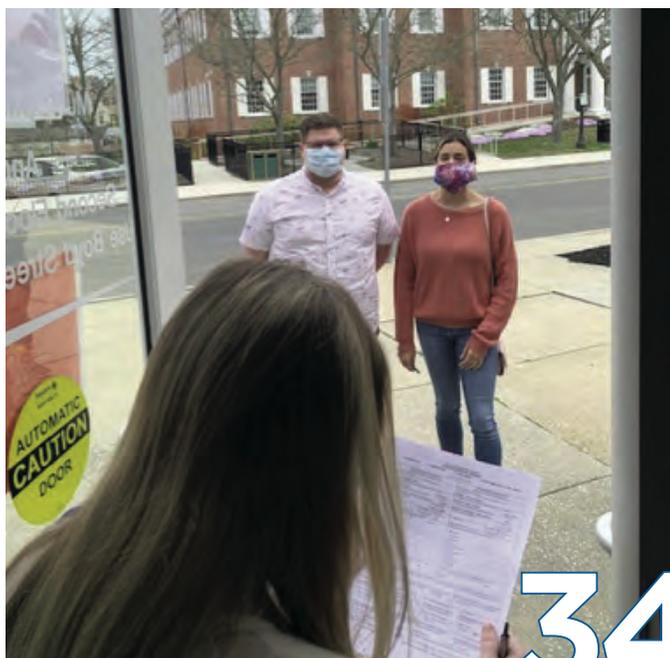
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“Clarity is hard to come by when dealing with a historic pandemic, but the League can work to provide you with insight and understanding, as we work toward clarity.”

Now and Years from Now

Now...

This is being written as the State parks have just been reopened. By the time I send this to print, they may be closed again. I know you, as local government officials, are dealing with a constantly changing stream of Executive Orders, statutory changes, Administrative Orders, regulatory guidance, revenue shortfalls, increased expenses, stressed resources, and anxious residents.

You are managing to help your community through this changing stream, and it's difficult to be confident of the next steps. The League is working to sort through as much of this as possible to assist your understanding of the impacts and, hopefully, provide you with options.

If I were to summarize what I am hearing from local officials, it would be they need clarity and they need options. Clarity is hard to come by when dealing with a historic pandemic, but the League can work to provide you with insight and understanding, as we work toward clarity. For help with insight and understanding, I recommend our Town Crier blog and COVID-19 page www.njlm.org/COVID-19.

Options, too, are a challenge when Orders and Guidance are forcing change without regard to your municipality's circumstances. To respond, we are working hard to find flexible funding that will enable you to have response options. With limited reserves and no relief from your payments to other governmental units, your high-touch municipal services and first responders cannot continue without flexible funds. We know federal funds have arrived in New Jersey and some are

supposed to be allocated to help municipalities. But while everything else is moving quickly, these funds are not.

Hopefully by the time you read this that situation has changed.

And Years from Now...

Years from now, municipal officials reading *New Jersey Municipalities* will wonder how their colleagues addressed the enormous challenges of COVID-19. We were scared, we were anxious, and we had questions. We acted with creativity and innovation. We did not lose sight of those who needed help and found a thousand individual ways to provide that help.

With great purpose, we considered all the vulnerable people in our community. And years from now, our future colleagues will ask how we addressed the culture of sexual harassment in government that still was prevalent in our time.

We were angry, we were concerned for our colleagues, our friends, and we made a conscious decision to act. We agreed to adopt codes of conduct and hold each other accountable. We faced the harassers and spoke out to end harassment. We acted to change the culture so that from our time forward our colleagues in government would be safe.

As local officials meet challenges now and years from now, we can choose to follow the path laid out by Camden's own Walt Whitman who conveys through time to us today the idea that New Jerseyans are all one, "none more and not one a barleycorn less". 🍷

Michael Darcy

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Water Outlook

Ensuring water quality and accountability
into the future

CHERYL NORTON, *President, New Jersey American Water;
Chief Environmental Officer, American Water*

Water plays a critical role in the daily lives of New Jerseyans. This was true before the COVID-19 pandemic struck our communities and will be true long after we have all recovered from the uncertainty of these times.

As COVID-19 began to reshape our daily lives, we knew there were countless issues that would weigh on the minds of New Jersey residents. New Jersey American Water set out to ensure that water service was not one of them.

We quickly moved to suspend shut-offs for nonpayment and restored previously discontinued residential customer service. We suspended late fees indefinitely and worked with customers who were experiencing hardships, including offering the option to apply for payment programs and our H2O Help to Others payment assistance program. More information about this program is available on www.newjerseyamwater.com, or through our program administrator, New Jersey Shares, at www.njshares.org.

Beyond COVID-19

While we strove to ensure we could help the communities we serve during the COVID-19 public health emergency, we also did not lose sight of our central

focus: to deliver clean, safe water. The impacts of aging infrastructure, increased water quality regulations, and weather variability all demand that water utilities proactively plan and

public water systems to improve the safety, reliability, and administrative oversight of their water systems. With a focus on accountability and transparency, this law establishes statewide standards

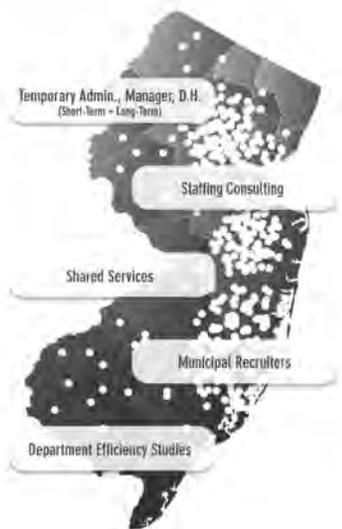
While we strove to ensure we could help the communities we serve during the COVID-19 public health emergency, we also did not lose sight of our central focus: to deliver clean, safe water.

invest in their systems to meet current challenges and anticipate and prepare for future ones.

Passed into law in July 2017, the Water Quality Accountability Act (WQAA) established requirements for

consistent with industry best practices for investment into and operation of water systems for all purveyors with more than 500 service connections.

As part of the certification, the responsible corporate officer of the system, if a



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Mayor John McCormac
Township of Woodbridge

JPM helped us hire two members of our Senior Management Team and handled everything tremendously.



Mayor Thomas Andes
Township of Denville

Dan and his team at JPM were instrumental in recruiting exactly the right person as our first Executive Director of our newly created Business Improvement District.



Mayor Fred Tagliarini
Township of Aberdeen

JPM provided an outstanding Temporary DPW Director, and completed an outstanding Efficiency Study of our DPW.



Mayor Beth Holtzman
City of Ventnor

Best decision we made; Maria Mento and Joe Verruni are very knowledgeable and always accessible.



Stephen Mountain
Manager, Township of Randolph

JPM was very responsive to our needs and utilized a process that was fair and organized. They helped us select the best professional for the position.



Mayor Richard Onderko
Borough of Manville

Best Municipal Government Advisors I've met in 10 years in elected office. Helped us recruit a fantastic Administrator. Thanks Dan and JPM.



George Jackson
Administrator, Borough of Eatontown

JPM's thorough recruitment and selection process led us to just the experienced professional we were looking for.



Mayor Dina Long
Borough of Sea Bright

One of the best decisions we made after Sandy was bringing experienced professionals from JPM onto our team. Joe Verruni and Debbie Smith provided the expertise and guidance we needed to navigate the recovery and rebuilding.

For more testimonials, visit jerseyprofessionalmgmt.com/testimonials • 908-276-2777 • jpm@jerseyprofessionalmgmt.com

The WQAA sets a new standard for water providers in the following areas:

Asset Management: The WQAA requires purveyors of public water to create and implement an asset management plan designed to inspect, maintain, repair, and renew its infrastructure.

Hydrant & Valve Maintenance: Purveyors are also required to routinely inspect, maintain, and repair valves and fire hydrants throughout the system. Additionally, purveyors are required to obtain GPS coordinates for these assets.

private company, or the mayor or Municipal Utility Authority executive director if a municipality, must sign off on the submissions.

systems and utilizes a certification process involving licensed operators and the management team responsible for the systems. Additionally, all certifi-

robust asset management plan that includes replacing aging pipes on about a 90- to 100-year rate annually, which is well above the WQAA's suggested 150-year rate. We also work with our towns to coordinate pipe work with their paving program whenever possible, to minimize disruption for residents.

More information about New Jersey American Water's compliance with the Water Quality Accountability Act is available at www.newjerseyamwater.com, under Water Quality.

The provision of safe, affordable water service isn't easy, but in unprecedented times like this, we work hard to avoid it becoming one additional thing people to have to worry about. Utilizing science and technology, as well as a group of incredibly talented operations, engineering and water quality professionals, we are making it happen for each of the communities we serve. 🌊

Cheryl Norton is President of New Jersey American Water and Chief Environmental Officer of American Water.

The provision of safe, affordable water service isn't easy, but in unprecedented times like this, we work hard to avoid it becoming one additional thing people to have to worry about.

New Jersey American Water had already complied with many of the requirements of this new law when it passed in 2017. Since its passage, the company has achieved compliance for every benchmark of certification either as it was due or well in advance of the specified deadlines. The company conducts extensive internal auditing quarterly to further ensure compliance, tracks progress with work management

cations were further supported by the various routine inspections conducted annually by the New Jersey Department of Environmental Protection Water Supply Division.

Investment in our system is a critical component of our compliance. New Jersey American Water invests more than \$350 million annually, about \$1 million a day, into its systems to ensure quality and reliability. The company has a



Cybersecurity Program: Purveyors that utilize internet-connected control systems are required to create a formal cybersecurity program, in accordance with requirements established by the New Jersey Board of Public Utilities (BPU).

Mitigation Plan for Safe Drinking Water Act Violations: As a supplement to the Safe Drinking Water Act, purveyors who exceed a certain number of violations within any 12-month period are required to submit a formal mitigation plan to show how the specific violation will be addressed and a timeline for implementation of the plan.

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The advertisement features a central logo for Christensen Recycling, which consists of a stylized 'S' shape above the company name. The name 'CHRISTENSEN' is in a bold, blue, sans-serif font, and 'Recycling' is in a blue script font. To the left and right of the logo are two blue starburst shapes containing white text. Below the logo is a photograph of a black roll-off dumpster and a red and white truck with a crane attachment, parked on a grassy area.

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Local Government Week 2020

Adaptation helps boost spirits for municipalities, citizens

The second annual Local Government Week was considerably different from last year's celebration of the work and play of municipalities around the state. This year, municipalities working to keep services running through the COVID-19 pandemic weren't able to invite citizens into municipal buildings in person, or to hold outdoor activities. But many towns did creatively endeavor to reach out and keep communications open.

Even within a modified framework, Local Government Week emphasized that from simple to complex, there were still many opportunities to engage residents, highlight the beauty of towns around the state, and show off the dedicated work of municipal staff from a digital platform.

NJ Local Government Week is a time for municipalities to encourage civic education, community collaboration, volunteerism, and local pride. Through NJ Local Government Week, the League hopes to bring awareness to the role local government plays in achieving the best life for communities. We all hope Local Government Week 2021 brings communities together in person, but we congratulate and support those who have made life better for residents this year in that face of unprecedented crisis. 🦋

2 DCA celebrates LOCAL GOVERNMENT WEEK! New Jersey residents... Share a photo with us of you or someone in your community helping to fight COVID-19

Look out for each other! With distance!



Captions: 1. Evesham's first responders were shown at work during the pandemic. 2. The New Jersey Department of Consumer Affairs supported Local Government Week in its social media. 3. South Toms River Police Department helped coordinate donations for distribution. 4. Millburn Township held a week of events to keep morale high for residents. 5. Summit highlighted the ongoing work being done by local government during the shutdown. 6. Local Government Week 2020 in Garwood included a #ThrowbackThursday where residents were invited to post and tag their favorite memories of the borough on Facebook. 7. Bethlehem pitched in to help the entire community with donations to those in need.

League Joins NLC Cities Are Essential Campaign

NJLM is joining its federal partner, the National League of Cities (NLC), in its "Cities Are Essential" campaign. Launched in May, the effort aims to secure \$500 billion in direct federal aid and economic relief from the COVID-19 pandemic over the next two years.

"Cities are essential—to the fabric of this nation, to the pandemic response effort, and to the 200 million residents we provide essential services for," said Clarence Anthony, CEO and Executive Director, National League of Cities. "The federal government must act now. It's been almost two months since

the first bill providing Coronavirus relief was passed by Congress, and most communities haven't received a cent in aid."

"Cities aren't asking for a federal bailout. This is a partnership during a time of crisis to help America bounce back," said Joe Buscaino, Los Angeles Council President Pro Tempore and President, National League of Cities. "We not only want America to survive, but thrive. Cities are the engine of the American economy. We want to get our engines running—and we can, if we stand together." 🦋

@ For response and recovery resources for local leaders, visit www.covid19.nlc.org

How can the Bureau of Municipal Information help your municipality?

Top 5 ways

- 1** Increase efficiency
(by using the tools available in our online resource centers)
- 2** Increase knowledge on a subject
(topic summaries: found on resource center webpages; & in-depth bill histories: found on NJLM's blog)
- 3** Learn from other municipalities
(visit the library of ordinances and shared service agreements enacted throughout the State)
- 4** Stay current: Read what's in-the-news
(subscribe to news flashes to have topic updates emailed to you; or read through the article links featured in individual resource centers)
- 5** Ask questions - discuss with an expert
(League advisory & consultation services are available on several topics)

Resources on over 30 topics



NJLM Rolls Out Local Government Campaign

NJLM has launched the #MunisAreEssential campaign to ensure that local government voices—those closest to the citizens and closest to the solutions—are clearly heard.

#MunisAreEssential will include tools for local officials to contact their state and federal legislators to support bills that will address revenue shortfalls for municipalities.

Education of citizens on the basic principles of how local government budgets work will also be a primary focus.

Unlike previous emergencies, COVID-19 is a major revenue loss event. In many cases this loss will not be recaptured for several years, if ever.

Municipalities need flexibility and options to them to create long-term financial problems. Without legislation addressing the revenue shortfall, local governments throughout the state will be required to take extreme measures that will gut local government and eliminate critical public services, such as in senior and recreational programs, police and first responder furloughs, and elimination of community events.

Local budgets are already lean due to service reductions made after the 2008 recession, Superstorm Sandy and in compliance with the 2% levy cap. Depleting surplus and reserves will have disastrous long-term financial consequences.

@ For sample resolutions and letters to support these efforts, please visit www.njlm.org/MunisAreEssential.

NJLM Online Mini Conference Open for Registration

The NJLM Online Mini Conference is now open for registration at www.njlm.org/online-mini-conference.

The Conference will take place over June 10, 11, and 12, 2020 and offer 12 different webinars for attendees at one low price. Some attendees can earn up to 16.5 CEU's in three days!

Cost for members is \$115 per person and \$130 for nonmembers. 💡

@ Visit www.njlm.org/seminars or contact Danielle Holland-Htut at dholland@njlm.org or 609-695-3481, Ext. 118

JUNE

June 10-12

The Online Mini Conference

9:00 a.m.-4:15 p.m.
Your Computer

June 10

9:00 a.m. - 10:15 a.m.
Tax Sale 101

11:00 a.m. - 12:15 p.m.

5G and Its Impacts on Municipalities

1:30 p.m. - 2:45 p.m.
Financial State of Affairs for the State of New Jersey and Local Governments from the Perspective of Moody's and Its Professional Advisors

3:00 p.m. - 4:15 p.m.
Licensing Updates from the ABC

June 11

9:00 a.m.-10:15 a.m.
How to Reduce the Incidence of Fraud in Municipal Operations

11:00 a.m. - 12:15 p.m.
Green Purchasing – Has It Wilted on the Vine?

1:30 p.m. - 2:45 p.m.
Estimated Billing

3:00 p.m. - 4:15 p.m.
Public Purchasing Topic-E-Bidding

June 12

9:00 a.m.-10:15 a.m.
How Close Are You to Being Falsely Prosecuted?

11:00 a.m. - 12:15 p.m.
The Cost of Sexual Harassment Claims and How They Can Affect Your Municipal Budget

1:30 p.m. - 2:45 p.m.
Working from Home-What Technology Meets the Needs of My Municipality

3:00 p.m. - 4:15 p.m.
Electronic Records and Information Management for New Jersey Public Agencies

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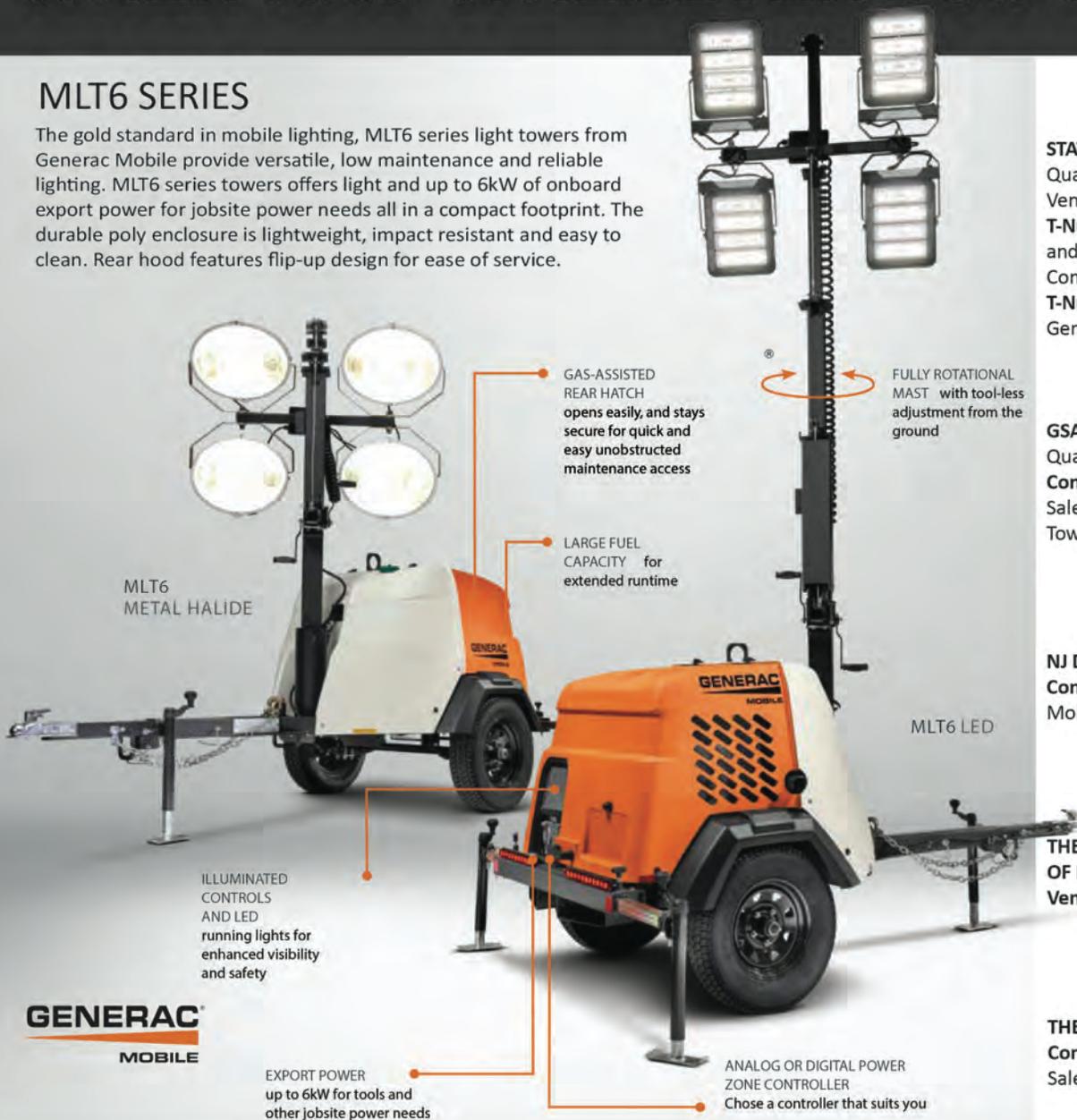
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T-Number T2871- Trailer Mounted Generators Statewide

GSA



Qualified Small Business
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NJ DOT

Contract # G-4014-NJDOT - Mobile Light Towers



THE PORT AUTHORITY OF NY & NJ:
Vendor #: 0000181636



THE CITY OF NEWARK
Contract #: G219261-2-2 - Sale of All Generators



Serving the Front Line

Michael Darcy
says farewell
to the League
after 30-plus years

Michael Darcy, CAE, started at the New Jersey State League of Municipalities in 1990 and has worked with most departments here over the course of his tenure before becoming Executive Director in 2015.

As he prepares to depart, Darcy reminisces on some of the highlights of his career.



These changes have been good for local governments, Darcy said, “There are benefits from that growing complexity such as efficiency, effectiveness, reliability, resiliency or environmental benefits.”

Throughout the years, Darcy has seen one bit of knowledge missing that he'd like the public to embrace. “It's frustrating that people forget that local government is made up of your neighbors, the people who live in your town. It is truly local and you do have access to it if you have problems. It's one level of government where you don't need to complain about it. You can go and make changes to it. It's very accessible and receptive.”

With 30-plus years at the League, Darcy noted that his best times have related to getting out and meeting members.

“Generally, my most memorable and special times have been when I travel to small groups of local government officials and listen to them talk about their local issues. It's been important to always help keep their perspective in the front of my mind—and it has allowed me to see some of the spectacular places that make up the state of New Jersey.”

Being out there has helped him map the changes in local government, the most notable being speed. “Services, ideas, responses are created, changed, and then recreated,” he said. “Local government changes happened constantly rather than in incremental steps. That's not making a judgment about whether it's helpful to make change quicker or not, it's just a fact of life that speed is the one thing that has most notably changed over time.

He also noted that the complexity of local government has increased. “Many standard municipal services continue over decades but the complexity with how they are delivered changes. Think of the science involved in engineering a road, or delivering water, power, data. These are the same services but their delivery is more complex over time.”



When asked how he would encourage the next generation of local government officials to commit to a lifetime of service to local government, Darcy modestly replied, “I would not feel comfortable answering this question because I don’t feel like I have given a life of service that local officials have. They truly do that work from the goodness of their heart without expectation of rewards or compensation. They engage as local officials out of concern for their neighbors.”

But after working with so many committed and talented leaders, Darcy is in the position to give good advice about the future of the League and its future members:

“A great asset for future League leaders is to understand how the League exists—only by the joint support of all the municipalities. So every municipality is important in the League of Municipalities and their municipal needs must drive the League’s actions.”

“Also, along the same lines, the League does not exist alone. The League has help from its sister Leagues across the country and the National League of Cities in Washington DC. They are all an integral part of a nationwide network of state leagues that works together, because what happens at the federal level and in other parts of the country can have big impacts in New Jersey.”

In preparing for his retirement on June 30, Darcy expressed his appreciation for the local municipal officials with whom he’d spent a full and rich career. “I know, and all League staff know, that local officials don’t normally get the respect and appreciation that they deserve. They give so much of their time only for the fact that they love their communities and want to see the best for them. It’s the ultimate in volunteering and caring for your neighbor. When we approach our challenges with that in mind it makes everything possible.”

Along with his gratitude for his long tenure, Darcy looked to a future of pleasures, including enjoying the great outdoors with his family, “I’m planning on picnicking—once the parks open for picnicking again.” 🦋

Remembering When...

Executive Director Michael J. Darcy, CAE, guides us through his years at the New Jersey State League of Municipalities.

“In summary: The first 10 years were a breeze. The last 20 years, not so much.”

1990 In the Beginning

One of my first days working for the League, I was walking down State Street and bumped into a parade. It was Governor Florio’s inauguration parade. So, I figured every day at the League would be like that.

In 1990, the League also got its first fax machine, keeping with a tradition of using the latest tools to help League members.

Early 1990s Getting Tech

We held several government technology exhibitions at the Garden State Exhibit Center. I brought my Mac512Ke computer in from home to be used for data entry and keeping records.

2000 A New Millennium

The League did not have the feared problems with Y2K. Little did we know what the future would have in store.

2001 September 11th

We lived through the attacks on September 11th, and our world was forever changed. Security became the newest normal in municipal priorities.

2007 A New Home

The League restored the historic Roebing mansion, creating a new headquarters for itself for the foreseeable future.

2008-09 A Great Recession

The Great Recession creates a sustained reduction in municipal revenues that leads to drastic cuts in programs, furloughs, part-time offices, and dropping property values that would take years to recover. The League focused on finding municipal efficiencies and getting flexible responses for local officials to use.

2012 Superstorm Sandy

New Jersey municipal efforts to provide basic food and shelter were heroic and sustained over a long time. Clean up and restoration was done on a scale and speed normally reserved for wartime. The League Conference was cancelled for the first time. Our efforts to obtain Federal funds were met with shocking objections from some parts of the country. To this day, we are still working on restoring pockets of communities and learning what climate change has in store for local government going forward.

2020 Covid-19

The pandemic closed New Jersey starting in March. The impacts are only beginning to be fully understood as thousands fall to the disease. The State remains closed to all but essential business, and all in-person gatherings are cancelled. Local government is at the frontline with emergency response services.



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NJLM's New Executive Director

Michael Cerra discusses his years of League experience and hopes for the future

Michael Cerra transitions to the Executive Director post on July 1.

Here he discusses his decades at the League leading to the new role as well as the rich potential of the organization.

Q How has your 25+ years with the League prepared you for your new role?

Michael Cerra: Having worked with elected and appointed officials for these many years, I have a healthy respect for those in public service, the challenges they face on a daily basis, and the hard work they put into their public service.

Having lived through the ups and downs of nature and government, I have an understanding of what local officials need when we hit our valleys, and what can be achieved in the peaks. I've counseled on drafting local ordinances, advocated for significant legislative changes, and opposed changes harmful to local government and worked with our leaders, our partners, and sometimes our adversaries to assist local officials in their responsibilities.

They say that those who don't learn from the past are doomed to repeat it. By extension, the institutional history of the League, mine included, helps us to see what will come down the path forward and best prepare for it.



Q What do you see as the biggest challenges before you and the League's membership?

MC: Our biggest challenge is, and likely will be for some time forward, to push back on any efforts from the State or Federal governments to preempt the actions of local governments. We cannot allow even well-meaning policies from Trenton or DC to replace the good judgement of locally elected and appointed officials.

The League must continue to be the loudest voice calling out for property tax relief and for a restoration of the locally generated funding that is statutorily required to be returned to local governments.

Also, we must compel the Administration and Legislature to reenter the playing field on affordable housing, get us out of the courts, and replace the current dysfunction with a rational state policy.

And, ultimately, we must do all this while speaking in a unified, clear voice from all corners of the State.

Q What do you have the greatest hopes for in terms of local government?

MC: Municipal government remains the most efficient and effective form of government, delivering an extraordinary wide range of services directly to its residents. Too often, well-intended ideas and requirements are pushed down from above without full consideration of the local impact.

My great hope for local government is that the innovation and dedication we witness daily is pushed up from the local level so to better inform decision making at the State and Federal levels.

Q Can you give the members any previews of ideas you'll be implementing?

MC: The League will continue its efforts to enhance membership engagement, involve more elected

officials in the League, and give them the tools necessary to respond to their constituents and to lawmakers and regulators.

At the same, I believe this is an opportunity to refine how the League delivers its services, be it government affairs, communications, continuing

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New NJLM Executive Director

education, and the annual Conference, to name just a few. This, I hope, will allow us to build up on the foundation created by my predecessors and grow the capacity of the League itself.

Q Would you like to say something about Michael Darcy and the other Executive Directors whose path you follow?

MC: I have been extremely fortunate to work under two Executive Directors who set a standard for how an association like ours should be managed. Both understood and stayed true to the mission of the League while creating a foundation to build upon.

When I was hired, Bill Dressel had just been appointed the Executive Director about a year earlier. Throughout his tenure, he set a standard for the League's advocacy work—a tireless push to defend local autonomy and discretion.



For over 24 years, and the last 5 years with him as Executive Director, I've worked alongside Michael Darcy. Over the years at the League, he has been an instrumental part of the growth of the League's Annual conference, which is the largest municipal conference in country and sets the standard for continuing education and networking.

Dressel and Darcy each were careful to balance the many function areas of the League to continue to deliver a high-level of member service. I have not

just one, but two models to follow as I step into this new role. 🦋

Biography

Mike Cerra has been with the League since October 1996, and has held progressive staff positions, including Chief of the League's Bureau of Municipal Information, Senior Legislative Analyst, and Director of Government Affairs.

Cerra is Past President of the NJ Chapter of the American Society for Public Administration and a board member for the Lawrenceville Main Street. He earned a B.A. from Fordham University and an M.P.A. from Rutgers University.

He will take on the role of Executive Director on July 1, 2020. He assumed the duties of Assistant Executive Director on July 1, 2015. As Assistant Executive Director, he has been responsible for general administration and multiple complex programs and services offered by NJLM, the NJLM Educational Foundation, and the 222 West State Street Urban Renewal Corporation.



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To See New Jersey's Development Future, Look to the Past

Current challenge must not stop planning for future

TIM SULLIVAN, *Chief Executive Officer, New Jersey Economic Development Authority*

New Jersey Opportunity Zones



Municipalities with Opportunity Zones

Opportunity Zones Mapping Tools

Tools and General Information

Resources for Local Governments

Resources for Businesses, Developers, and Investors

Resources for Opportunity Zone Residents and Stakeholders

Frequently Asked Questions



While we are all struggling with the challenges COVID-19 presents for businesses, workers, and communities, it is important we continue to plan for the future. This is a difficult time, but we will get through it, and when we do, we must be prepared to get our economy back on track.

A key part of that will be fostering new development to create the vibrant live/work/play communities that will drive New Jersey's economic growth. Achieving these goals requires thinking years ahead, but, here in New Jersey, looking to the future often begins with looking to the past.

Reclaiming spaces

As the most densely populated state and one of the oldest states in the nation, New Jersey is home to millions of acres of land that drove the American economy in the past but now sit vacant, often contaminated and dangerous. From the Roebling Complex in Trenton that manufactured the wire rope used to build the Brooklyn and Golden Gate Bridges to Paterson's historic Hinchliffe Stadium, which hosted Negro League baseball

games, there are hundreds of historic sites that used to be centers of business and culture but now sit empty. There are also thousands of abandoned factories, laundromats, gas stations, and other contaminated sites that are not only eyesores but also dangers to the communities where they are located and drains on the local tax base.

Repurposing these historic and contaminated sites into productive community assets is critical not only to improve the lives of millions of New Jerseyans who live near these sites, but also to attract top businesses and talent to New Jersey. That is why the New Jersey Economic Development Authority (NJEDA) is working with partners in state government as well as municipal leaders, nonprofits, and investors to revitalize vacant and contaminated properties.

Two of the most powerful tools we have for addressing these challenges are our Opportunity Zone strategy and Governor Murphy’s brownfields-specific investment programs.

Opportunity Zone strategy

New Jersey is leading the nation in developing a comprehensive suite of supports for municipal leaders, investors, entrepreneurs, and community groups seeking to improve Opportunity Zone communities. Our Opportunity Zone strategy is focused on driving private investments in inclusive, equitable development projects that promote business growth and job creation, especially in communities that have been passed over by developers in the past.

The centerpiece of this strategy is the recently launched Opportunity Zone Marketplace. This is an online portal designed to connect investors nationwide with business investment, real estate, and community improvement projects in Opportunity Zones. The Opportunity Zone Marketplace includes a Project Marketplace featuring business and real estate project opportunities, and a Network that facilitates connections among investors, developers, local leaders, project sponsors, business and property owners, and service providers. Individuals and organizations can join the Statewide Network, as well as Local Networks specific to individual municipalities.

To ensure cities are prepared to make the most of the connections they make through the Marketplace, the NJEDA launched the Opportunity Zone Challenge in July 2019. It is a competitive grant program aimed at supporting efforts to attract responsible private investment and build capacity around economic development. So far, we have awarded grants to Flemington, Hackensack, Jersey City, Paterson, and Cumberland County which has partnered with the cities of Vineland, Millville, and Bridgeton to support a wide range of planning and capacity-building initiatives. All are focused on paving the way for successful Opportunity Zone development in these communities.

New Jersey also offers an online Opportunity Zone “One-Stop Shop” that provides a big-picture view of the program, how it overlaps with special state designation areas, and how it can be leveraged with other state incentives to help stimulate community investment. The site also features a list of resources and FAQs for businesses, developers and

investors, residents, and stakeholders. Resources are provided for local governments and community organizations, such as guides for strategic planning and tips on measuring outcomes.

Brownfields programs

Our Opportunity Zone programs target communities that have been passed over

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Focus: Economic Development

by investors in the past. The NJEDA's expanded brownfields programs create tools developers and municipal leaders can use to return dangerous, contaminated properties to productive use as parks, retail destinations, and other community assets. This is a critical component of smart urban planning that stimulates economic growth while cleaning up contaminated sites and minimizing the sprawl that comes with new development.

To facilitate brownfield redevelopment, the NJEDA has created a new position, Senior Brownfields Advisor. The advisor will be dedicated to working with communities and developers to facilitate brownfield cleanup and redevelopment. We are also building out a suite of brownfields-specific investment programs. This includes a loan program that provides low-interest bridge financing to make the remediation phase of brownfield redevelopment projects financially viable. A proposed Brownfields Tax Credit that would provide tax incentives for projects that clean up brownfield sites is also part of the program.

In addition to these financing programs, the NJEDA recently supported the expansion of the New Jersey Department of Environmental Protection (NJDEP) Community Collaborative Initiative (CCI). An already-successful program, it embeds NJDEP staff in targeted communities to help them navigate complex environmental stressors and set a pathway for successful remediation. We are working

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- **Pursue** Projects shaping the future of New Jersey communities.



JOIN

The screenshot shows the NJEDA website's navigation menu and the Opportunity Zone Challenge Program page. The navigation menu includes: About Us & Public Information, Financing & Incentives, Office of Economic Transformation, Bidding Opportunities, Real Estate Development, Applications & Forms, and Careers. The main content area is titled "Opportunity Zone Challenge Program" and lists several links: Opportunity Zone Grant Application - Cover Sheet & Application Instructions, Attachment A - Application Information Form, Attachment B - Fee Plan Budget Disbursement Schedule, Opportunity Zone Challenge - Process Flow and Necessary Documentation, ShareFile Upload Instructions, and Clarification on Documentation needed for Application Mayor/ Executive Director Letter.

with NJIT to establish the Brownfields Center at NJIT, which will provide guidance and resources to local governments and communities to help them navigate the redevelopment process.

The challenges COVID-19 has created will not last forever, and we need to plan for the brighter future that is coming. We have vast untapped resources left over from our past as an industrial and manufacturing hub and returning these vacant and contaminated spaces to productive use is critical to paving the way for next generation of businesses and jobs.

We look forward to collaborating with municipal leaders, business owners, investors, nonprofits, and other community

partners every step of the way. Our goal is to work in partnership with you to provide the resources and support you need to undertake locally appropriate projects that address your community's specific needs and achieve your specific vision of success.

The remnants of New Jersey's past are all around us—often in the form of dangerous eyesores. But with the right resources and partners, we can transform these leftovers from our past into the building blocks of our future. 🇯🇵

Tim Sullivan is CEO of the New Jersey Economic Development Authority (NJEDA).

About the NJEDA

The NJEDA serves as the State's principal agency for driving economic growth. The NJEDA is committed to making New Jersey a national model for inclusive and sustainable economic development by focusing on key strategies to help build strong and dynamic communities, create good jobs for New Jersey residents, and provide pathways to a stronger and fairer economy. Through partnerships with a diverse range of stakeholders, the NJEDA creates and implements initiatives to enhance the economic vitality and quality of life in the State and strengthen New Jersey's long-term economic competitiveness.

Websites:

Opportunity Zone Marketplace
<https://oppsites.com/newjerseymarketplace>

Opportunity Zone Challenge
<https://tinyurl.com/ybucdakw>

Brownfields Loan Program
www.njeda.com/financing_incentives/large_business/Brownfields-Loan-Program

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Newark Moving Forward

Winning the battle against COVID-19

RAS J. BARAKA, Mayor, Newark; Executive Board Member, NJLM



As written on April 20, 2020...
Less than 40 days after Newark learned of its first confirmed positive case of Novel Coronavirus (COVID-19), I told Newark residents on our Facebook page that our city has suffered more than 250 deaths and over 2,100 residents ill with the virus. This is only a small part of a worldwide tragedy of unimaginable proportions that continues to rage with the end far in sight—leaving stressed economies, silent streets, shuttered businesses, and families with more questions than they have answers. Yet, we still have hope, exude perseverance, and our community embodies resiliency.

These grim facts need no rehearsal. They require action at every level of our society, from the White House to a three-apartment house in Newark’s East Ward. Newark’s battle against COVID-19 cannot be won in hospitals alone.

Our community must come together by staying separated. We imposed a strict lockdown on the entire City of Newark—all 13 miles of it—closing non-essential businesses, and assigning roving police patrols to issue summonses and tickets to persons who gather in groups, which would spread coronavirus. A visitor to

Newark today would find shuttered stores, empty streets, and closed parks. In short, like any city in America today.

But there’s more to this story. We are taking active measures to support our residents and their needs in this hour of trial. Measures to restore the economic strength and stability of our businesses, prevent our residents from suffering from foreclosure and eviction, assisting our homeless population with life-saving shelter, and even assisting our arts community to protect the cultural strength of Newark.



Mayor Ras Baraka, left, at one of his Facebook Live press conferences.

Our most important measure has been a four-city act of unity that unites Newark with its neighboring communities of Orange, East Orange, and Irvington in four joint and combined operations to support the health and wellness of all these municipalities.

This, of course, is not enough. While these steps enforce health and safety measures, they do not address economic issues. Here is what we are doing on those fronts:

- Approximately \$1 million investment in rapid, short-term rental housing for 300 of the most vulnerable Newark residents, including those without permanent addresses.

- Up to \$1 million investment in community-based non-profits that serve Newark residents.

- With \$2 million earmarked for a small business grant program, the City is offering about 200 business grants up to \$10,000 to provide working capital for operating costs, payroll, accounts payable, inventory, equipment, rent, taxes, licensing or other business-related expenses.

- A \$1 million investment in the “Live Newark” program to provide down payment and rehabilitation funds for up to 100 Newark homeowners.

- Up to \$750,000 arts initiative investment assisting up to 30 arts and

cultural organizations with operating funds and capital funds.

- Also, the tax assessor is accepting applications from building owners with business tenants who have been negatively affected by COVID-19. The buildings will be reassessed to reduce the taxes owed by the building and the tax savings will be passed along to the small business tenants in form of a rent reduction.

We are also calling upon the spiritual and moral strength of our residents and businesses with “Be Still Mondays,” in which we encourage people and businesses—essential and non-essential—to “be still” on Mondays, by staying home and not opening their businesses, to reduce the chances that Coronavirus may be spread in Newark, to show support of all essential workers, and to exude community-wide solidarity.

These are major initiatives that will have both short- and long-term impact on how our city withstands, faces, and battles back against Coronavirus. Once again,



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Newark Moving Forward

Newark is leading the way, teaching the nation lessons in strength by coming together to unite in the face of uncertainty.

Our residents are fighting back every day, by staying home, only going out for essential trips, and keeping their neighbors and friends informed and uplifted through one of our greatest challenges.

Our business and non-profit community has deployed their formidable resources to provide residents with financial support, food delivery, and free food for those in need.

Newark will overcome this pandemic and come out stronger in spite of it.

Our Public Schools have shifted from in-class learning to online study. We may not have traditional proms and graduations in May and June, but we will find ways to celebrate the achievements of our students.

Our municipal agencies have worked immense hours to enforce the law, ensure the health of our residents, replace lead service lines, keep clean water flowing, and perform such unheralded but vital tasks as repairing potholes and traffic lights, collecting waste, and communicating information to media and residents. Some have contracted coronavirus in doing so, and some of our nearest and dearest have lost this fight.

Lastly, we cannot commend enough the heroic work of our health officers and first responders, who are in the front line of this crisis, bearing the brunt of the disease. They risk their lives almost around the clock to treat and restore the health of victims of the pandemic. The debt we all owe them is beyond measure.

Newark has undergone many trials and tests—two World Wars, the Great Depression, economic instability, and the Rebellion. Coronavirus may be our latest and possibly our harshest as it is invisible, deadly, and does not differentiate between victims. But Newark has survived them all, and together, we will overcome this pandemic and come out stronger in spite of it. 🦋

Newark and its neighboring communities of Orange, East Orange, and Irvington have created several strategies to contain and conquer coronavirus.

Operation Lockdown

- The four municipalities jointly enforce complete lockdowns on their communities.
- Until the situation is re-evaluated, non-essential and non-emergency travel is barred on the streets of these communities.
- Joint police units patrol borders and other points.
- Violators face summonses and other legal action.

Operation Clean Business

- Essential businesses that are allowed to remain open must clean their premises.
- To do so, they must frequently wipe down high touch points including doors and counters.
- Employees and customers must practice social distancing.
- At the close of the business day, owners are encouraged to sanitize their businesses.
- Health inspectors ensure that this is carried out.

Operation Wipedown

- Owners of senior citizen centers and complexes must sanitize public areas, including high touch points such as: mailboxes, elevators, doorknobs, and countertops three times a day with disinfectant.
- Owners must sign compliance statements, saying that they have adhered to the order.
- Inspectors ensure that owners adhere to these policies, collecting compliance statements.
- If inspectors find the owners have not taken required sanitization measures, the inspectors will cite the owners for appropriate legal action.

Operation Mobile Wellness Checks

- Police departments conduct mobile patrols, making sure that people are practicing social distancing and enforcing Governor Murphy's Executive Order.
- Violators are ticketed and face legal action.

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CASA at Work

Volunteers are the heart and soul of New Jersey during COVID-19

APRIL AARONSON, *Executive Director, CASA of New Jersey*

New Jersey health officials battled the COVID-19 pandemic, fighting to stem the tide of new cases. Meanwhile, an equally insidious public health emergency simmered: increased rates of child abuse and neglect.



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Risk factors for child maltreatment soar during times of crisis because our sense of normalcy is challenged. Daily patterns of activity have been interrupted due to social distancing protocols and necessary “stay at home” requirements.

economy and real or potential job loss exacerbate already heightened tensions within the household.

Increased rates of child abuse are highly correlated when fear, anxiety, and social isolation are combined.

or neglect as well as from the removal from their primary caretakers. Many have special medical, educational, and behavioral health needs, making it even more challenging for resource families during this time of stress and isolation.

Now, more than ever, these families need additional supports and outlets for their concerns. Now, more than ever, these children need to know that they are safe and well cared for.

Answering the call

All 14 CASA Programs throughout New Jersey are rising to the occasion with initiatives and programs to address these challenges with volunteer advocates and community partners. CASA volunteers and programs are stepping up during this pandemic. We will continue keeping children safe and advocating for their best interest, but also to ensure that they have the things they need during this period of isolation.

Many CASA volunteers are also helping children and teens with their homework. Just as important, they are listening to and addressing the needs of resource parents and kinship caregivers during this time of crisis.

When parents and their children are cooped up together indoors over extended periods, patience is tested and tempers can flare for even the most stable of families. Uncertainty about the

For children who have been removed from their homes due to abuse or neglect, these dangers are exacerbated and the risk heightened. These children have already suffered trauma from their abuse

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Child Safety

Part of this is by keeping these children engaged in activities.

Art and activities packets, bicycles and bike helmets, games, books, and other play items have been donated to them to help brighten their days. Older youths have been given computers and electronic notebooks so they are better able to keep up with schoolwork and communicate with family and friends online.

Many CASA volunteers are also helping children and teens with their homework. Just as important, they are listening to and addressing the needs of resource parents and kinship caregivers during this time of crisis. Responses include everything from diapers and formula, to assistance with accessing free or low-cost internet.

Profiles of Support

Thanks to the generosity of its supporters, CASA of Hudson County, for example, is distributing more than \$11,000 worth of games, workbooks, puzzles, art kits, books, and diapers to the children it serves.

This couldn't be done so efficiently without the help of a CASA volunteer, who has been making daily runs throughout Jersey City to drop off care packages. The Jersey City resident, armed with his Latex gloves, mask, and cell phone, is making a big difference in the lives of children confined to their foster placements in apartments and homes.

He delivered a big package to twins, who celebrated their 12th birthday in May. Among other things, the kids received a box of cake mix, a can of icing and lots of decorations to create a party. They were so excited when they opened the box that the twins called the volunteer to thank him personally.

Passaic County CASA has collaborated with local food banks, soup kitchens, and community service agencies to address food insecurity. They have provided food delivery services to families unable to venture out of their homes. Volunteer advocates and agency volunteers have delivered week's supplies of meals to needy families in Paterson.

Your Opportunity



Have you ever wondered how you can make a difference in the life of a child?

If you are curious about the requirements to be a CASA volunteer, the simple answer is time, compassion, commitment, and a bit of training. CASA volunteers usually visit a child who has been assigned to them approximately once a month.

During the pandemic, these visits are being done remotely and more often, sometimes weekly. CASA volunteers work as facilitators to secure resources and services such as therapeutic evaluations for a child and family, tutoring services, educational resources, medical services, etc. CASA volunteers provide consistency and facilitate a strong foundation for a child's growth and development.

CASA of Somerset, Hunterdon and Warren Counties (CASA SHaW) has also provided vulnerable children and families items they can utilize as they have coped with social realities during the COVID-19 crisis.

In addition to helping children in foster care, CASA SHaW has also delivered items like First Night bags, toiletry kits, birthday bags and boxes, nightlights, books, pajamas, school supplies, crayons and coloring books, backpacks, puzzles, games, and socks to other families in the community who need support.

Staff also made “comfort bags” for medical personnel at local hospitals with donations from the Bound Brook Women’s Club. These donations came to CASA SHaW from friends like St. John of the Mountain Church in Bernardsville, New York Life in Lebanon, the Jack and Jill Club of Central New Jersey, numerous women’s club groups in the tri-counties, and many other community partners.

CASA SHaW recently received a heartwarming message from a grandmother indicating that her depressed 13-year old grandson, of whom she has custody, was elated to have received a birthday bag, a birthday box, and a First Night bag. She said, “it has been years since I have seen him as excited as he was going through his birthday bag and the other things you brought,”

More help needed

Court Appointed Special Advocates are community members who volunteer with local CASA programs serving each county in the state. CASA volunteers work with children in the child welfare system who have already been removed from their homes due to abuse or neglect. For many of these children, risks to their personal well-being and safety are amplified during the coronavirus crisis due to special medical, educational, and behavioral health needs.

CASA represents a statewide network of community-based, non-profit programs that recruit, screen, train and supervise volunteers to “Speak Up for a

Child” removed from home due to abuse or neglect. CASA is the only program in New Jersey that uses trained volunteers to work one-on-one with children, ensuring that each one gets the services needed and achieves permanency in a safe, nurturing home.

CASA programs throughout the state need volunteers now more than ever. We

have already put mechanisms for remote screening and training into place. We encourage you to join us either by volunteering or by helping CASA Programs ensure children are safe. 🦋

@ For more information about becoming a CASA volunteer, visit www.CASAforChildrenNJ.org.

Local Lifeline for Small Businesses

Middle Township government teams up with chamber to form task force offering support and resources

TIM DONOHUE, Mayor, Middle Township;
Sheri Berkery, Consultant, Account Manager, Laura Bishop Communications



Middle Township Chamber of Commerce President Bob Noel at a State of the Township Address.

A month into the COVID-19 restrictions that upended businesses across the state, the idea of Middle Township Business Recovery Task Force was introduced.

The Middle Township Chamber of Commerce, together with Middle Township’s Economic Development Council and Economic Development/Grants Office, is at the helm of Middle Township Business Recovery Task Force.

Time to Analyze

For now, the most productive thing business owners can do is plan for reopening, including any adjustments needed to conform to social-distancing guidelines. To offer guidance to business owners, the task force created an informational page on the Middle Township Chamber website. Business owners can register through the site to stay informed on updates and opportunities, such as Zoom Q&A sessions with local business and political leaders.

The webpage, <https://mtcc4u.com/business-recovery-3>, includes links to an array of resources, including loan applications, and summaries of federal initiatives such as the Paycheck Protection Program, which offers forgivable loans to small businesses to maintain payroll during the COVID-19 crisis.

“By creating a central pool of information for our business owners and holding regular, online information sessions, we save folks time, money, and aggravation,” said Economic Development Council Chairman Brian Murphy.

The Middle Township Business Recovery Task Force also established a private Facebook group for local business owners, that run by the Mayor’s office with Nancy Sittineri, the Township’s Economic Development and Grants Coordinator.

Jersey Shore Season

We don’t have the option to not open Cape May County for the summer. It’s a problem we have, and we need to manage it—and we can manage it. Through late April, Cape May County, along with New Jersey’s other southernmost counties, had consistently recorded the lowest number of COVID-19 cases across the state.

With the most vulnerable people self-isolating at home, the rest of the population should be able to soon return to work while still practicing social distancing and wearing masks.

I don't think people really realize what that would mean if we didn't have a summer. If we lost \$6 billion in tourism revenue and \$550 million in tax revenue, and all these jobs and all these tips and all that gas that didn't get pumped, and if we headed into next fall with no income and no one able to collect unemployment all winter ... it's a nightmare.

While focusing on Middle Township's needs, I have been on conference calls with Cape May County freeholders and fellow mayors to discuss the crucial question of when the Jersey Shore might be ready for visitors. So far, the consensus is to start slowly with the goal of a wider reopening in July and August.

The White House's criteria for states to reopen include a decline in COVID-19 cases for 14 days. But even after that point, leaders must use extreme caution. If we slip up, the restrictions may have to start all over again.

Any decisions about reopening the local economy must consider all factors. We need to have a strong understanding

of where we actually are with COVID-19 in Cape May County, and balance that with what's at stake. The economic disaster that we could have would affect thousands of people's mental health and fiscal health.

Saving ourselves, businesses

As funding for small businesses gets sorted out at the state and federal level, Bellevue Tavern owner Dennis M. Roberts said Middle Township's task force could provide powerful advocacy. "It gives business owners the chance to share their thoughts and the ability to share them in one voice," he said. "It will give local leaders input from the business community to pass along to those above them."

Bob Noel, President of the Middle Township Chamber of Commerce, has reached out to business owners who registered for the task force to learn more about their concerns. Some were discouraged after missing out on the first round of small business loans.



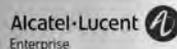
Bellevue Tavern in Cape May Court House owner Dennis M. Roberts.



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Local Lifeline

Others are wary of accepting loans, afraid to incur debt in a shaky environment. Noel leverages his financial background to help talk them through the options.

The chamber president said he hopes to see re-openings soon for Middle Township's burgeoning restaurant scene and the service providers he calls the "artisans," including barbers and beauty shops, the electricians, and other contractors.

"We know the consequences of a bad choice, and we will be cautious enough not to put ourselves in a bad position," he said.

In the meantime, business owners' livelihoods remain in limbo. In the immediate future, decisions that involve public health as well as the economy loom large for local leaders.

This is going to be one of the hardest things we've ever done. This is going to be

our legacy. How we manage the problem will be what people remember about us. 🦋

@ For more on the Middle Township Small Business Recovery Task Force, go to <https://mtcc4u.com/business-recovery>.

For more on the Cape May County Chamber of Commerce's webinars to aid small businesses, go to <https://capemaycountychamber.com>.

Focus on Businesses

Doug Burke, board chairman of the Cape May County Chamber of Commerce and the owner of Burke Motors, a family-run car dealership in Cape May Court House, is determined to keep the 108-year-old business running.

"We made it through the Spanish flu pandemic, two world wars, and a depression. We're planning on being around another 100 years," Burke said.

Burke Motors has adapted by offering "contact-free" sales and service. Customers can purchase a car online, or come to the dealership by appointment to test-drive vehicles that have been thoroughly wiped down. Still, Burke acknowledges the restrictions have taken a toll.

"It's tough for us. We're significantly down in our workforce... people are under a stay-at-home order," he said.

He was also looking ahead to the summer months, when Cape May County's population typically balloons from 80,000 to 1 million "on any given weekend." "We're concerned about summer. From a Chamber of Commerce standpoint, it's critical we figure out a path forward," Burke said.

It's a scenario restaurant owner Dennis M. Roberts has worried about while overseeing dramatically scaled-down operations at the Bellevue Tavern located on Cape May Court House's Main Street.

"A lot of seasonal operators won't make it if they can't open soon," he said. "One of the things we have to look at is that South Jersey is not the densest part of New Jersey. We have to consider some tiered options for a safe reopening."

Roberts, who was able to retain about a third of his work



force as the Bellevue Tavern remains open for takeout, said that new federal government loan programs tied to payroll haven't been a fit for all small businesses.

"What they should be doing is direct grants to operating small businesses trying to survive," he said.

Roberts also hopes the government will intercede in a standoff with insurance companies over business interruption insurance. He has maintained business interruption insurance for 20 years, but like other business owners, has not been able to file a claim because insurers don't consider a pandemic to be a covered loss.

The National Association of Insurance Commissioners released a statement on the issue that read, in part:

"Business interruption policies were generally not designed or priced to provide coverage against communicable diseases, such as COVID-19 and therefore include exclusions for that risk."

"It's been very stressful. We went from having a great winter to literally zero that first week, and it's slowly come back in trickles. We're operating in an environment with so much ambiguity moving forward," Roberts said.

Burke agreed that the uncertainty is keeping business owners on edge.

"We just don't know what the future looks like. Is it 50%, 75% of what it was pre-COVID? The concern on the other side is the unemployment rate. Will there be the demand that there was in, say, February?"

Middle Township’s Creative Services

Picking up a marriage license might be the one type of municipal transaction that’s guaranteed to end in smiles. As Middle Township has adapted to evolving state restrictions under COVID-19, its Clerk’s Office is still issuing marriage licenses. But workers are no longer seeing smiles.

The couples applying for marriage licenses wear face masks, as does the municipal worker who administers the oath required in the process. It’s one of many steps the Township has taken to ensure routine services can continue.

“We are providing them with the application in advance so that they can complete certain portions prior to coming to the building,” said Middle Township Deputy Township Clerk Andrea Singley, noting that according to New Jersey law, 72 hours needs to lapse between the date of application for a marriage license and the time it is issued. “Once they arrive to the building with an appointment, we issue both the couple and their witness the oath and collect payment through the front door, all while wearing masks, of course. We then schedule a follow-up appointment for them to pick up the license, which again is done through the front door. No one ever enters the building.”

Some Township employees do need to enter the Municipal Building, including those who record tax payments and process vendor invoices. Anyone who works in the building practices social distancing, said Business Administrator Kim Krauss.

“A majority of our employees continue to split shifts to minimize contact with one another,” she said. Middle Township police, for example, are organized into eight separate squads so they can minimize contact.

And the Public Works Department crews are split into two groups, which is a particular challenge as they handle a marked increase in yard debris. “Public works is kicking butt right now... hopefully everyone bears with us,” Deputy Mayor Theron “Ike” Gandy said. “We’re dealing with a skeleton crew and doing the work of 10 crews.”

Municipal staff members working remotely are often putting in hours far beyond their normal shifts, said Krauss. “Most employees are now checking emails as soon as they wake up in the morning, while doing homework with their school-aged children, until they turn the lights off at night to go to bed,” she said.

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Mayors Wellness Campaign

The mayors of New Jersey’s “Healthy Towns” use data, creativity, and community engagement

JULIE DESIMONE, LSW,
*Program Officer,
Mayors Wellness Campaign,
New Jersey Health Care
Quality Institute*

New Jersey communities, supported by the Mayors Wellness Campaign (MWC), are creating innovative ways to improve the health and wellbeing of their residents. From mobile fresh food markets to health fairs, bike trails, and outdoor yoga, the creativity of local leaders across the state is responding to local needs.



Ridgewood Yoga in the Park 2019

The New Jersey Health Care Quality Institute (Quality Institute) has been leading the MWC in partnership with the New Jersey State League of Municipalities since 2006. The MWC recently recognized towns for their dedication and success in creating programs to improve overall health in their communities.

Healthy Towns

More than 400 communities participate in the MWC, which provides evidence-based tools and strategies to promote wellness through mostly low- or no-cost programs.

Several key elements set the winners apart.

Use of data. The Healthy Town application asks towns to first assess their local needs, including social determinants of health. Meaningful data is key to a successful program.

For instance, 2019 Healthy Town to Watch Asbury Park conducted an assessment that showed their residents suffer from higher rates of obesity, diabetes, and high blood pressure than the rest of Monmouth County. Based on these results, the town focused on programs to improve physical and heart health.



Wildwood Crest staff basketball game 2019

Holistic View. The MWC has found that a holistic view of community health encourages towns to consider how social determinants of health are affecting their residents. A town’s ability to address multiple components of health and wellness beyond physical activity elevated its approach.

Ridgewood, a 2019 Healthy Town to Watch, launched a Stigma Free Initiative to engage residents to raise awareness about mental health issues and reduce the stigma surrounding mental health.

Conversations of Your Life. 2019 Healthy Towns Bridgewater Township and Montclair, along with Healthy Towns to Watch Princeton and Westwood, all provided creative Conversations of Your Life (COYL) programs. COYL is a Quality Institute program to encourage end-of-life care planning and family conversations on this often-challenging topic.

Food Insecurity. 2019 Healthy Town Scotch Plains and 2019 Healthy Town to Watch Morristown, hosted food drives to address food insecurity.

Here are some other examples of innovative programs by Healthy Town designees:

- Aromatherapy, meditation, and yoga classes

- Free 30-day gym memberships
- Farmers markets
- Senior health fairs
- Mobile food markets
- Healthy corner store initiatives
- Closing streets to promote pedestrian-friendly events
- Walk and bike to school programs

Starting with Mayors

Also key to success in creating a culture of health in a community, is leadership from the mayor. The 2019 Healthy Town designees all had mayors who were involved and committed to championing the efforts of their MWC.

They participated in “Walk with the Mayor” events, hosted Healthy Cookoff Challenges, and provided resources and

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Plainfield Mayors Walk 2019

support to continue their MWC programs and create new ones.

Strengthening your program. The Quality Institute is encouraging all towns to continue strengthening their MWC programs and to consider applying for the 2020 Healthy Town designations, which will be awarded in early 2021. Towns are also encouraged to use local data and evaluate the effectiveness of their current programs as they make decisions about future programs. As always, Quality Institute staff is eager to support any town seeking to create or improve their MWC.

Now, more than ever, people see the importance of health and community engagement. From ensuring that your residents have access to healthy food; to identifying and giving an extra hand to those that need it in trying times; to sponsoring programs that promote better physical and mental health—a well-run MWC can meet your local needs.

The Quality Institute staff is here to help you start or expand your MWC. Town leaders can reach out to the MWC at www.njhcqi.org/mayors-wellness-campaign/.

Julie DeSimone is Program Officer of the Mayors Wellness Campaign, a program of the New Jersey Health Care Quality Institute

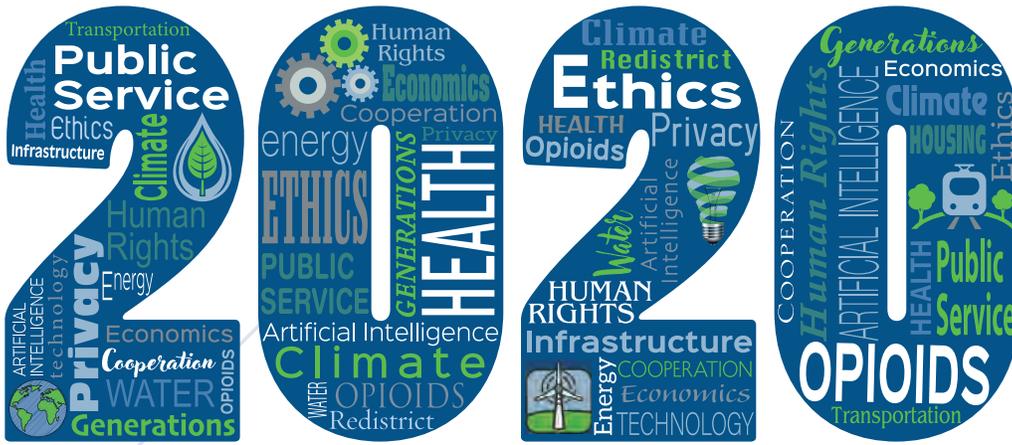
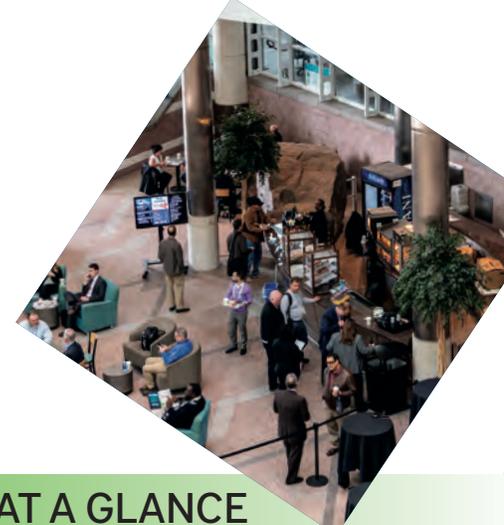
2019 Healthy TOWNS

The MWC named seven 2019 Healthy Towns:

Bergenfield
Bridgewater Township
Elizabeth
Freehold Township
Montclair
Plainfield
Scotch Plains

Another 12 towns were designated as 2019 Healthy Towns to Watch, and five were designated as 2019 Healthy Town Up-and-Coming.

Conference Preview



NJLM Conference

105th Annual • November 17-19
Atlantic City Convention Center
#njleague

In 2020 we have a vision of local governments working harder than ever to ensure as many services as possible for citizens. This work is a complex, multifaceted effort that makes taking the time to share successes and opportunities with peers a critical factor for recovering from the pandemic crisis.

The New Jersey State League of Municipalities' 105th Annual League Conference will provide that opportunity for learning, information exchange, and connecting with new vendors and peers.

We are committed to providing access to the latest information, products, and services in a supportive and secure setting. (Please see our new Code of Conduct on page 5 of the preview.)

Looking to the new decade, local government will face the challenges and embrace the opportunities in 2020 and beyond.

SCHEDULE AT A GLANCE

Tuesday, November 17

Exhibit Hall (9 a.m.-5 p.m.)

Choose from League & Affiliate sessions including:

- Mayors' Wellness Campaign
- DLGS Updates
- Energy Master Plan

Conference Orientation: Coffee with Leadership & Legislative Primer

NJLM Resolution Committee Meeting

Wednesday, November 18

Exhibit Hall (8:30 a.m. to 5 p.m.)

Choose League & Affiliate sessions, including:

- Cannabis Power Session
- Status of Public Health
- Economic Stimulus

Mayors Box Luncheon & Executive Briefing

Women in Municipal Government Networking & Awards Event

Thursday, November 19

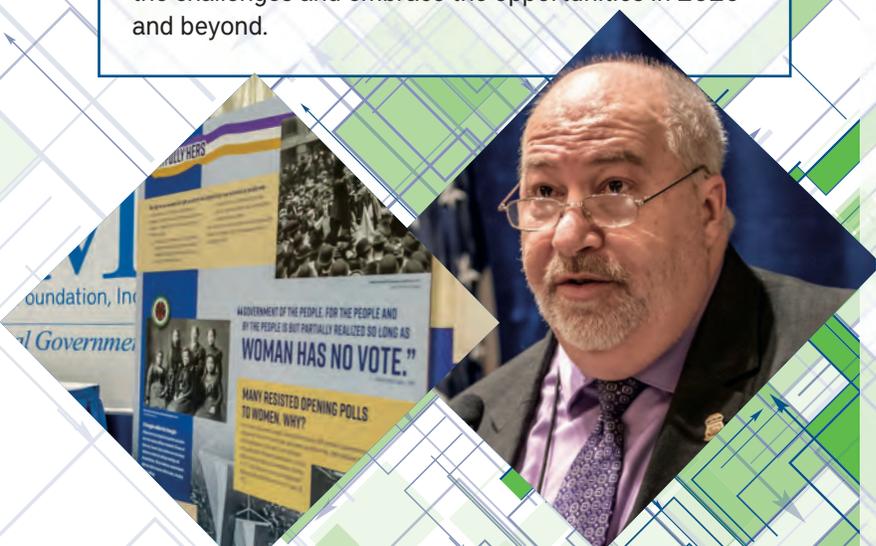
Exhibit Hall (8:30 a.m. to 1 p.m.)

Choose from League & Affiliate sessions, including:

- Planning Special Occasion Events
- Interest Arbitration & Negotiation Update
- Labor Law & Personnel Policy Update

League Luncheon

NJLM Annual Business Meeting



The NJ State League of Municipalities is watching the coronavirus (COVID-19) situation very closely. Based on the current status, we are proceeding with the planning and execution of the 2020 NJ League of Municipalities Conference in November. We will continue to post updates and advise of any changes. All dates and events are subject to change.

Welcome!

Attending the League Conference in Atlantic City, November 17-19 at the Atlantic City Conventions Center is easier than ever this year, with the same strong educational offerings that make this a must-attend event. Attendees have a variety of information resources to help keep you in touch and up-to-date.

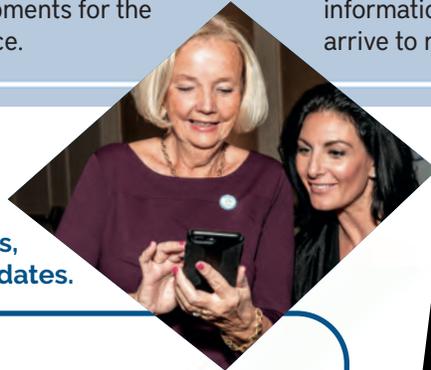
WEBSITE Visit the League's website, www.njlm.org, to catch up on the latest developments for the 105th Annual League Conference.

SOCIAL NETWORKING Follow us on Facebook and Twitter @NJ_League or #njleague for immediate notices on changes to the schedule of League educational sessions, shuttle bus changes, announcements about sold-out League events, and more.

DOWNLOAD THE APP Download the 2020 Conference app on October 1 for an interactive exhibit floor plan and searchable list of exhibitors along with fully searchable session schedule, and up-to-the-minute event information. Create a personalized schedule before you arrive to maximize your conference experience!

TIMELINE

Please use this dateline as an easy reference to the deadlines, due dates, and event save the dates.



JUNE

June 1 Room reservations open for everyone.
www.njlm.org/conference



AUGUST

August 1 Conference Registration opens via www.njlm.org/conference
August 31 Meal function ticket forms available at www.njlm.org/conference



OCTOBER

October 1 Conference Pre-Registration rate ends.
October 2 Onsite registration rates apply
October 1 Download Conference App
October 2 League Resolution topics due to Executive Director Michael Cerra, mcerra@njlm.org
October 16 Final text League Resolutions due to Executive Director Michael Cerra, mcerra@njlm.org



NOVEMBER

November 4-15 Room cancellation deadlines (visit www.njlm.org/conference for details)
November 17-19 105th League Conference
November 17 League Resolution Committee Meeting
November 18 Mayors Box Luncheon, Hall of Fame Awards, Innovation in Government Awards & Briefing
November 18 Women in Municipal Government (WIMG) Networking & Awards Event
November 19 League Delegates Municipal Luncheon
November 19 NJLM Annual Business Meeting

“The NJLM Conference is a great opportunity to connect with existing clients and network with other NJ towns and businesses. The conference is heavily attended making it a worthwhile event for vendors with lots of great conversations to be had. We look forward to this conference every year.”

—Emily Burns, Marketing,
Spatial Data Logic

EXHIBITORS SHARE VISIONS FOR BETTER FUTURE

91% of 2019 post conference survey respondents agreed: "The Exhibit hall and exhibitors provide valuable resources."

Each year, attendees visit the Exhibit Hall searching for solutions and services to make local government operate more efficiently and effectively. This year, the right partners will be key in the recovery process, and the Exhibitors at the League Conference are consistently the right match for attendees when it comes to planning for the future.

The following companies are exhibiting at the League Conference and are eager to offer their knowledge, products, and services to assist municipal officials. Be sure to visit their booths to see how they can assist you. Visit, www.njlm.org/exhibit for more exhibitor information or to learn more about becoming an exhibitor.

Contact: Kristin Lawrence, Director of Exhibition and Sponsorships, at klawrence@njlm.org.

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DMR Architects
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Munidex, Inc.
Musco Sports Lighting
National Water Main Cleaning Co.
New Horizon Lighting Inc.
New Jersey American Water Co.
New Jersey Conference of Mayors
New Jersey Health Insurance Fund
New Jersey Natural Gas
New Jersey One Call
New Jersey Parking Institute
New Jersey Planning Officials
NJ - Cooperative Purchasing & DSS
NJ - Dept of Community Affairs
NJ - Dept of Transportation
NJ - Division of Taxation LPT
NJ - DOT Local Aid Resource Center
NJ - Housing & Mortgage Finance

NJ - Redevelopment Authority
NJ - Unclaimed Property
NJ Clean Communities
NJ GMIS
NJ Police Chiefs Association
NJ Recreation & Park Assoc.
NJ SEM
NJ Shade Tree Federation
NJ Water Environment Assoc.
North American Pipeline Services
Northeast Sweepers & Rentals
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Pac-Van Inc.
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RFS Commercial, Inc.
Richard Grubb & Associates, Inc.
Rileighs Outdoor Décor
RJP Hotsy LLC
Roberts Engineering Group LLC
Rutgers Continuing Education
Sanitation Equipment Corp.
Save Barnegat Bay
SealMaster
Settembrino Architects
Shaw Sports Turf
Signify Lighting
Smart Metering Technologies
SOLitude Lake Management
Spatial Data Logic
SSP Architects
Statewide Insurance Fund
Stormwater Compliance Solutions
Storr Tractor Company
Suburban Consulting Engineers
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DETAILS

Every year, the League fine-tunes operations to make attending the Conference as easy as possible. Consider the following while making your plans.

ACCOMODATIONS

This month, Universal Attendee Housing Forms were mailed to municipal clerks and the online housing reservation site went live at www.njlm.org/conference. The Housing Department reserves blocks of rooms for assignment only to League delegates using these official reservation methods.

Using unauthorized reservation services creates real problems for you and the conference as a whole. You cannot be assured your payment information is secure

and your room reservations may not actually be made. Also, your room block will not be part of the official conference housing block, so you won't get emergency housing information, nor will there be adequate shuttle bus services to your hotel.

Transportation from official conference hotels to the Convention Center will be provided by shuttle service.

EDUCATION

Your visit to the League conference is an opportunity to take part in the nation's largest gathering of municipal officials. This year we are focusing our educational efforts not only on the usual necessities for local governments, but also on the tools you need for a full recovery from the pandemic.

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In addition to dozens of League sessions approved for CEUs, NJLM's 21 Affiliated Associations are also producing sessions approved for CEUs:

- American Public Works Association—New Jersey Chapter
- Association of Municipal Assessors of New Jersey
- Community Recreation Society of New Jersey
- Government Finance Officers Association of New Jersey
- Governmental Purchasing Association of New Jersey
- Jersey Access Group
- Municipal Clerks Association of New Jersey, Inc.
- Municipal Court Administrators Association of New Jersey
- Municipal Electrical Inspectors Association of New Jersey, Inc.
- Municipal Welfare Association of New Jersey
- New Jersey Association of County and City Health Officials
- New Jersey Building Officials Association
- New Jersey Fire Prevention and Protection Association
- New Jersey Institute of Local Government Attorneys
- New Jersey Municipal Management Association
- New Jersey Planning Officials, Inc.
- New Jersey Society of Municipal Engineers, Inc.
- New Jersey State Municipal Prosecutors Association
- New Jersey State Plumbing Inspectors Association, Inc.
- Registrars' Association of New Jersey
- Tax Collectors and Treasurers Association of New Jersey

NJLM CODE OF CONDUCT

This Code of Conduct outlines our expectations for all those who participate in League meetings and events, as well as the consequences for unacceptable behavior.

This policy applies to any “participant” at League of Municipalities (NJLM) events, including but not limited to staff, contractors, vendors, exhibitors, venue staff, members, presenters, and all attendees. We expect all participants to abide by this Code of Conduct in all venues at NJLM meetings and events, including ancillary events and official and unofficial social gatherings.

The League intends to maintain a welcoming professional atmosphere in all aspects of the Annual League Conference. To that end, conduct that violates this Code should not be tolerated by anyone who witnesses it, or is subjected to it.

Professional conduct includes using care in words that you choose. Harassment, even harassment that a person believes is a “joke,” is unacceptable behavior. Sexist, racist, and other exclusionary jokes are unacceptable and offensive to those around you. Excessive swearing and offensive jokes are not professional behavior and violate the League code of conduct. Retaliation for reporting harassment is a violation of the Code of Conduct.

Examples of Unacceptable Behaviors and Conduct

- ◆ Intimidating, harassing, abusive, discriminatory, derogatory or demeaning speech or actions.
- ◆ Harmful or prejudicial comments or images related to gender, gender identity, gender expression, sexual orientation, race, ethnicity, religion, disability, age, appearance, or other personal characteristics.
- ◆ Deliberate intimidation, stalking or following.
- ◆ Harassing photography or recording.
- ◆ Sustained disruption of talks or other events.
- ◆ Unwelcome and uninvited attention or contact, including unwelcome touching or groping.
- ◆ Assault.
- ◆ Real or implied threat of harm including physical, professional, or financial.
- ◆ Advocating for or encouraging any of the above behavior.

Participants engaging in unacceptable behavior are subject to responses deemed appropriate by the League including but not limited to:

verbal warning, removal from NJLM events, prohibition from attending future events, notifying the offender’s employer. If you are subjected to, or witness such behavior, contact League staff. All reports are confidential to the extent permitted by law.

To Report Unacceptable Behavior – All Reports are Confidential During the Annual League Conference, contact any League Staff Member identified by a white ribbon on their name badge or at the registration counters in the main lobby of the second level in the Convention Center. League Staff will direct you to a trained person who will assist you. Your report and any assistance will remain confidential to the extent permitted by law.

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To Connect with Professionals with Relevant Expertise 24/7:

New Jersey Coalition Against Sexual Assault (NJCASA)
609-631-4450

New Jersey Crime Victim’s Law Center:
973-729-9342

National Sexual Violence Hotline:
800-656-HOPE

Rape Crisis Center in Atlantic County:
Atlantic County Women’s Center 609-646-6767

List of New Jersey Sexual Violence Service Program in Each County:

<https://njcasa.org/find-help/>

FROM THE DESK OF . . .

New Jersey Municipal Management Association Members Working Together Through Pandemic & Beyond

ALEXANDER MCDONALD, *President; Business Administrator, Township of Millburn*

Members of the New Jersey Municipal Management Association (NJMMA) have been using the organization's membership base to share information and best practices for municipal administrators to help their local governments adapt to the public health emergency.

NJMMA has created an online resource library, <https://njmma.org/library>, for local government officials with various materials regarding COVID-19. It has also opened access to its website-based resource library to all administrators, a feature normally reserved for members only.

"Our group of administrators has been tireless in their work to help each other and their communities," said Alex McDonald, President of NJMMA. "The camaraderie that the managers have shown in helping each other has been extraordinary, and I extend my deepest thanks to the NJMMA executive board for the work they've done to ensure our managers have the support they need to keep municipal operations running smoothly in this unprecedented time."

NJMMA has also hired a labor attorney, Matthew Giacobbe of Cleary, Giacobbe, Alfieri and Jacobs, to put together a weekly report that answers questions from managers about state and federal legislation related to the public health emergency. Other resources available include sample staff schedules, sample first responder guidelines, employee rights information, and much more.

"There are 565 towns in New Jersey," said Theresa Casagrande, Borough Administrator of Fair Haven and a Past President of NJMMA. "There is no point in all of us starting from scratch. Our greatest resource is the varied experiences and expertise that is shared among my fellow colleagues and I don't think any of us could respond as well as we have without the shared support."

Local government is often referred to as the most accessible and tangible form of government, as constituents can often just walk into town hall to see their officials. With the COVID-19 public health emergency, that is not possible. In response, some NJMMA members put together a "Skip the Trip to Town Hall" flyer to help residents understand how they can still interact with their local government offices without leaving their home.

This flyer is part of the shared online resource library.

In addition to the NJMMA library being extended to non-members, the library has also been offered to New Jersey's Department of Community Affairs at their request, showing the state's acknowledgement of the important work of the NJMMA members in this difficult time.

"Municipalities are facing an entirely new challenge with COVID-19," said Patrick Wherry, Administrator of Waldwick and NJMMA member. "Through the NJMMA, managers with decades of experience are sharing their questions, concerns, and insight on how to best manage during this crisis with the membership and non-members across the state. This sharing has been a tremendous benefit to me and to the community I serve. It is a privilege to be a part of a group with such a dedication to good government." 🦋

About NJMMA

The New Jersey Municipal Management Association (NJMMA) is an organization of professional local government administrators and assistants whose goal is to improve the quality of local government in New Jersey through professional management.

The Association creates an information network offering the free flow of ideas thereby enhancing each member's ability to deal with the problems and pressures of the profession. This includes approximately 250 municipalities as members, a network of retired professional managers and a close working relationship with the NJ Government Finance Officers Association, The Clerks Association and other governmental organizations.

The New Jersey Municipal Management Association is a NJLM affiliate and is also allied with the International City/County Management Association.

@ For more information or to become a member, visit www.njmma.org.



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Letter to State Leadership

The following letter was sent by the League's Officers: JAMES J. PERRY, Sr. President, Committeeman, Hardwick Township; JANICE KOVACH, 1st Vice President, Mayor, Clinton Town; WILLIAM J. CHEGWIDDEN, 2nd Vice President, Mayor, Wharton Borough; and SUE HOWARD, 3rd Vice President, Mayor, Monmouth Beach Borough

They urge the State's leadership to consider the needs of municipalities in the development of the state budget.



Dear Governor Murphy, Senate President Sweeney and Assembly Speaker Coughlin:

With all the challenges facing New Jersey government, State and local, we understand the need to extend the current State Fiscal Year. We appreciate all that you have already done, and continue to do, to limit the damage that COVID-19 inflicts on New Jersey families, our public health infrastructure, and private and public finances.

For our municipal governments, you, and the Department of Community Affairs, have recognized our needs and provided considerable flexibility. For that, and on behalf of every mayor, governing body member, and municipal frontline employee, we thank you.

We respect the tough decisions you are making every day. The people who we represent are making some tough choices, too.

On their behalf, as you consider budgetary adjustments, going forward respectfully, we ask that you consider the following.

Municipalities continue to deliver vital services to the people of New Jersey. Few municipalities will see any of the funding that has been authorized by Congress, to date. It is only a matter of time before the virus has an impact on property tax collection rates. And, as municipal government collects property taxes on behalf of schools and counties, and must provide those entities with 100% of their levies, the lack of non-property tax revenue sources and reduced collection rates will only serve to erode local services and could well necessitate staff reductions. We have all seen the results of such reductions during prior fiscal crises including closed fire stations, reduced police forces, and trimmed social services.

In the past, whenever State government has faced a fiscal crisis, municipal property tax relief has been reduced or

**We respect the tough decisions
you are making every day.**

**The people who we represent are
making some tough choices, too.**

delayed. Energy Tax Receipts and Consolidated Municipal Property Tax Relief Aid are meant to replace taxes that were once assessed and collected at the municipal level. They are not meant to make things better for municipal property taxpayers. They were only intended to keep things from getting worse.

In the years following the 2008 financial crisis, those sources were slashed by about \$331 million. Those cuts have never been restored. We cannot ask you to start the restoration now. But we must ask you to carefully consider the impact that any further cuts would have on municipal operations.

We also ask you to consider the impact that changes to the ETR/CMPTRA distribution schedule could have on municipal cash flow. We appreciate the cash flow problems that face the State. And we hope that funding from Washington will help address the impact of those problems on the State's budget. Please consider the impact that delayed distributions would have on local budgets.

Again, we thank you for all you are doing. We stand ready to assist in any way we can. And we are grateful for your continuing consideration of the vital work being done by New Jersey municipalities and our frontline employees. 🦠



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COVID-19 a Health Crisis and a Fiscal Crisis

GERRY SENESKI, *President, NJ Government Finance Officers Association;
Chief Finance Officer, Cumberland County*

We made it through the Great Recession and Superstorm Sandy. Problems caused by COVID-19 will eventually also pass. Each challenge makes us stronger as we adjust to circumstances beyond our control. We learn from our experiences and correct our mistakes.

Every year we preach to our governing body the need to reserve from Fund Balance at least one month's expenses, a rainy-day fund of 8.33% of our operating budget. It seems like it rains harder every year! With certain towns extending the grace period on property taxes to 30 days, it is important to have fiscal capacity, understanding the requirement for timely payment to the school and county whose portion of the tax levy is several multiples of the municipal portion.

Are May Property Taxes in jeopardy? Probably not. Most taxes are held in escrow, by banks. A large share of those without mortgages are retirees whose Social Security or pensions are not impacted. But yes, there are plenty of small business owners who have been struggling since mid-March. The best option a municipality can take is a needs-based solution to delinquent taxes. This becomes more important as the August payment approaches. We cannot continue to delay tax payments and still pay our bills.

Has your town prepared estimated tax bills for the August due date? You should. Budgets are adopted, with DLGS approval, based upon preliminary estimates of State Aid, but must be held waiting for the final State Budget before our tax levies can be certified. DLGS recommended estimated tax bills for August 1, 2020. We all know there is a significant cost for any mass mailing, and we hold our breath as we wait for the final State Aid numbers. Let's add just one more concern. As this crisis drags on will August tax collections decline? August could be a higher risk than May.

Now let's move forward to 2021. That Fund Balance we reserved is most certainly depleted, with a deficit a very good possibility. Understanding that Fund Balance is the result of

revenue collected in excess of what was anticipated with expenses less than what was appropriated. Simple formula? Spend more while collecting less is not a formula for solvency. In addition to the potential volatility of Property Tax revenue we will all see revenue reductions such as Interest Earnings, Court Fines, Construction Code, Recreation, Parking, Mercantile Licenses, Sheriff Sales, Real Estate Transfer Fees, Passports and possibly several others (State Aid?).

We are getting a little bit closer.

We cut our appropriations.

We increased our taxes.

We pumped up revenues, hoping to bounce back to normal.

It's bad enough that your Fund Balance is depleted but now we must face a 2021 Budget where Anticipated Revenues cannot exceed what was realized in 2020. This "solvency" principal has been engrained in New Jersey local government finance since the Great Depression, over 90 years. This restriction prohibits overly zealous projections and corrects the impact of temporary drops for certain revenues.

A balanced budget means Anticipated Revenue equals Appropriations. Anticipated Revenue is made up of Property Taxes, Fund Balance and Other Miscellaneous Revenues. Reductions to Property Taxes, Fund Balance and to a large majority of Other Miscellaneous Revenues requires more than the most severe Draconian cuts to Appropriations. We have

NEVER experienced a fiscal crisis like this.

What options do we have? Of course, there will be spending cuts such as reductions in force (RIF) but that alone will not balance our budgets. It is possible that the State could provide some form of CAP relief. As one part of a comprehensive plan that is helpful. However, we cannot balance a 2021 budget by pushing it all onto our taxpayers. The DLGS Director has discretion over anticipating revenue in excess of the prior year actual collections. It has been discussed that 2019 actual revenue be used as the baseline for what is anticipated for 2021.

We are getting a little bit closer. We cut our appropriations. We increased our taxes. We pumped up revenues, hoping to bounce back to normal. What about Fund Balance? A deficit in Fund Balance

must be raised in the next budget year, the 2020 deficit added to the 2021 Budget. Not only do we lose the opportunity to anticipate Fund Balance as a Revenue, but we must also recreate what was depleted. Where does that money come from?

A very creative proposal (A-3971) will allow municipalities and counties to finance 2020 emergency expense and revenue deficits. This was originally brought forward by a working group of CFOs, Financial Advisors and Bond Counsels. The initial reaction of many financial minded people is “finance operating expenses?” If there were other options, I would share that opinion. This is an extraordinary fiscal crisis requiring an extraordinary solution.

This financing allows us to begin 2021 with the same Fund Balance as when we began 2020. I will stay out of the

calculation weeds, but generally stated this concept very objectively limits what can be borrowed. Understanding that the dust does not settle precisely on December 31, 2020, the initial financing will be Notes that will be permanently financed within 24 months after the end of the emergency. That allows for State or Federal assistance (i.e. FEMA) to be applied against the deficit. Bonds will be limited to the final “net” deficit. The term for these Bonds is 10 years, with permission from the Local Finance Board required for Bonds issued beyond 10 years or if the debt will exceed 20% of the prior year’s budget.

I look forward to moving on from this to begin resiliency plans for our next disaster, since we now can comprehend cloud computing and remote meetings. Good luck to everybody, stay safe and be strong! 🍀

McManimon, Scotland & Baumann, LLC

Mitigating the Challenges Impacting Businesses and Local Government Services During These Difficult Times



In these extraordinary times, businesses, governments and individuals are struggling and the legal landscape is changing by the hour. We know you are wondering how you can continue your business, how you can provide timely information and services to your constituents and are worrying about the long-term effects of this emergency. McManimon, Scotland & Baumann, LLC stands ready to support you. Our attorneys are leaders in corporate law, debtor/creditor relations, bankruptcy, public finance and local government law, to name a few. We are constantly staying abreast of new developments in State and Federal law, including executive orders, new laws, and administrative policies, and we are crafting innovative solutions to the unprecedented challenges we are all facing. MS&B is here to assist you, your business or your

community in addressing these unique legal challenges during these difficult times.

Our team is well-prepared to meet these uncertainties and to continue through these challenging and changing times to provide you with the same level of assistance and guidance you’ve come to expect of us.

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LABOR RELATIONS



JOSEPH M. HANNON, ESQ.,
Genova Burns, LLC,
NJLM Labor Counsel

Thinking About Implementing Furloughs? Don't Forget to Ask the Unions

With the unprecedented outbreak of COVID-19 and the different programs that municipalities may utilize, many municipalities facing tight budgets are examining whether they should furlough their own public employees. When making this decision, public employers must be mindful of their collective bargaining obligations. Although the decision to implement layoffs is a managerial prerogative, the decision to furlough employees (i.e., a leave of absence without pay) must be negotiated with the union.

Confusion over this distinction stems from the last financial crisis in 2009 and the New Jersey Supreme Court's decision in *Borough of Keyport v. International Union of Operating Engineers*, 222 N.J. 314 (2015). The Court in *Keyport* had held that the municipality had a managerial prerogative to institute furloughs during an economic crisis. The Court's ruling, however, relied on a temporary Civil Service regulation that authorized civil service employers to institute furloughs in response to the Great Recession. Bear in mind *Keyport* only dealt with civil service employers. Non-civil service employers will be discussed in more detail below.

The Court held that although the emergency regulation did not create the sort of mandate that would preempt negotiation, it nonetheless expressed a substantial public policy supporting temporary layoffs during a time of economic crisis. The regulation authorized a furlough mechanism that offered municipalities a tool through which swift action could be taken to address pressing fiscal distress. Based on this expression of public policy, the Court held that the municipality's interest in determining governmental policy in this circumstance outweighed the impact on the conditions of employment.

But the Court in *Keyport* noted that municipalities could not unilaterally furlough employees any time they claimed "fiscal crisis," and that a manufactured crisis would not outweigh the employees' work and welfare interests. This was reaffirmed by the New Jersey Supreme Court soon after in *Matter of Robbinsville Twp. Bd. of Ed.*, 227 N.J. 192 (2016), when a

school board, which is not subject to civil service, sought to unilaterally impose temporary employee layoffs in response to what it described as an economic crisis. The Court distinguished this case, where the employer claimed there was an economic crisis, to *Keyport*, where the Civil Service had issued an emergency regulation in response to the Great Recession. In concluding that the holding in *Keyport* did not apply, the Court pointed out that:

Had the temporary regulation not provided that extra managerial authority, the fact patterns in the three consolidated cases in *Keyport* would have foundered on the third-prong analysis. Allowing a claimed need for management prerogative to prevail in tight budgetary times in order for municipal governmental policy to be properly determined would eviscerate the durability of collective negotiated agreements.

Municipal employers should be mindful to include employees' collective bargaining agents before implementing furloughs.

In short, the employer's right in *Keyport* to unilaterally implement furloughs only existed due to the emergency regulation. In the absence of such direction from the State establishing a clear public policy supporting temporary layoffs, the Court held that the decision to implement furloughs is negotiable under the Employer-Employee Relations Act.

In Relation to Current Events

In light of the current economic crisis, unanswered questions can sow confusion for municipal employers. In the absence of a State regulation explicitly establishing a public policy favoring temporary layoffs, what other evidence of the current crisis be introduced to establish such a policy exists? Is this unprecedented situation and its tangible impact on municipal budgets

alone sufficient to establish such a public policy, or must the State grant municipalities the authority to implement furloughs? If the latter is the case, and if the Civil Service Commission creates such an emergency regulation, would this declaration of public policy apply to non-Civil Service jurisdictions as well?

The New Jersey Supreme Court has not directly addressed these questions, and they will likely remain unanswered until well after the pandemic has ended. But under the guidance we do have, in the absence of explicit regulation or similar declaration of public policy from the State, municipal employers would be prudent to assume that their obligation to negotiate furloughs still exists.

Civil Service Municipalities For municipalities that are subject to civil service, they must be mindful of the civil service regulations concerning layoffs. Under civil service rules, furloughs are an alternative to layoffs. While layoffs are non-negotiable, the

Civil Service process for layoffs is quite lengthy and it advises municipalities to seek alternatives to layoffs, which includes voluntary furloughs.

In addition, municipalities may seek a voluntary furlough program pursuant to N.J.A.C. 4A:6-1.23. However, a voluntary furlough program must get Commission approval no later than 30 days prior to implementation. Further, as it is voluntary, the terms of the program must be negotiated, and individual employees must agree to participate. The furlough may last no longer than 30 workdays in a calendar year, which can be extended by the employee, for an additional 60 workdays. The workdays may be taken in full, intermittently, or in shorter workdays. Any furlough program must balance the needs of the municipalities and adjust once actual participation is determined.

Non-Civil Service Municipalities For non-civil service municipalities who are therefore not subject to the rigors of

the civil service regulations, the analysis is similar. But, the ability to implement a furlough program could be much quicker as long as there is cooperation from the bargaining unit. As the Civil Service regulations do not apply, municipalities may implement a furlough program, but it is subject to negotiations with the unions. Again, while layoffs are non-negotiable, furloughs are negotiable.

With this in mind, municipal employers should be mindful to include employees' collective bargaining agents before implementing furloughs. Unlike permanent layoffs, these furloughs are generally negotiable, and the State has given no indication that the current situation has changed the general rule. Those municipalities seeking to take advantage of this option must ensure the union's agreement and reduce that agreement to writing. 

The author thanks Brian McKeegan, Esq. for his assistance with this article.

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<p style="text-align: center;">New Jersey Statutes TITLES 40 & 40A MUNICIPALITIES & COUNTIES</p> <p style="text-align: center;">Perfect For Municipal Offices That Need Access To The Laws Of NJ</p> <p style="text-align: center; font-size: small;">Complete in One Paperback Volume Also Available Online at www.gannlaw.com</p> <div style="text-align: center;">  </div>	<p style="text-align: center;">NJ ZONING & LAND USE ADMINISTRATION</p> <p style="text-align: center;">By William M. Cox</p> <p style="text-align: center;">Revised & Updated By Stuart R. Koenig (2011-12), Jonathan Drill & Lisa John-Basta</p> <ul style="list-style-type: none"> • Organization and powers of municipal boards. • Requirements for variance, site plan, subdivision and other applications. • Hearing, decision and appeal procedure. • Passage of zoning ordinances. • Challenges to zoning ordinances. • Potential liability of boards and board members. • Fundamentals of environmental regulation <p style="text-align: center; font-size: x-small;">With Full Text of The Municipal Land Use Law (N.J.S. 40:55D)</p>	<p style="text-align: center; font-size: small;"><i>Also Available</i></p> <p style="text-align: center;">NJ CLAIMS AGAINST PUBLIC ENTITIES</p> <p style="text-align: center; font-size: x-small;">Comments & Annotations By Harry A. Margolis and Robert Novack</p> <hr/> <p style="text-align: center;">NJ MUNICIPAL COURT PRACTICE</p> <p style="text-align: center; font-size: x-small;">Michael S. Richmond & Keith J. Burns</p> <hr/> <p style="text-align: center;">NJ PUBLIC EDUCATION EMPLOYMENT LAW</p> <p style="text-align: center; font-size: x-small;">By Maurice W. McLaughlin</p> <hr/> <p style="text-align: center;">NJ POLICE MANUAL</p>
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OPRA Requests, Planning Board Meetings

FRANK MARSHALL, ESQ., NJLM Associate General Counsel



Do all records requests need to be made through OPRA?

No. Residents have a right to access and review the records of their governing bodies. While it has become common for all requests for records to be made under the auspices of the Open Public Records Act (OPRA), it should be clarified that OPRA was never meant to be the sole mechanism through which all requests for records must be made. Instead, OPRA, with its strict response time requirements, is more appropriately viewed as a tool for residents to enforce their right to access records.

Practically speaking, it is much easier to fulfill records requests outside of the OPRA context. This is mainly due to the fact that requests made under OPRA carry the risk of court challenges, a strict time to respond, and the possibility of prevailing attorney fees. These factors cause OPRA requests to be viewed more as an adversarial process, when it shouldn't be.

Without the OPRA sword of Damocles hanging over their heads, record custodians are much more apt to participate in a collaborative effort to ensure residents are getting access to the records they seek. And, the municipal clerk, who is in almost every instance the municipal records custodian, has many other obligations to tend to without needing to worry about responding to OPRA within such a tight timeframe.

There are things your municipality can do in an effort to curtail the number of OPRA requests you receive. For example, some municipalities have created a "records portal" where efforts have been made to host many of the most frequently requested records online. By hosting these documents online, and making the public aware of it, you reduce the need for OPRA requests and remove the need for assistance from municipal employees to gain access. People can review the records at their convenience, at any time, without needing to submit an OPRA request and taking up the limited time of the municipal clerk.

While a records portal may help reduce the number of OPRA requests, it is important to note this does not eliminate a records custodian's duty to respond to valid OPRA requests. If an OPRA request is received, it is not enough for the records custodian to respond by simply directing the requester to record. The record custodian must provide the record to the requestor.

Regardless of the reason, every level of government should endeavor to make their records available and accessible to all.



Can our planning board hold a hearing on a development application without a quorum present?

Yes, your planning board can hold a hearing on an application without a quorum present. However, a planning board cannot vote on an application unless a quorum is present. This was recently examined in an unpublished Appellate Division decision, *Montenero v. Toms River Twp. Planning Board*, A-5767-17T4 (NJ. App. Div. Mar. 9, 2020).

In *Montenero* the court examined a challenge to a 9-member planning board's decision to grant a variance based on the argument that the board's action was invalid because they lacked a quorum during the hearing of the application. In this case, three meetings were held to review an application.

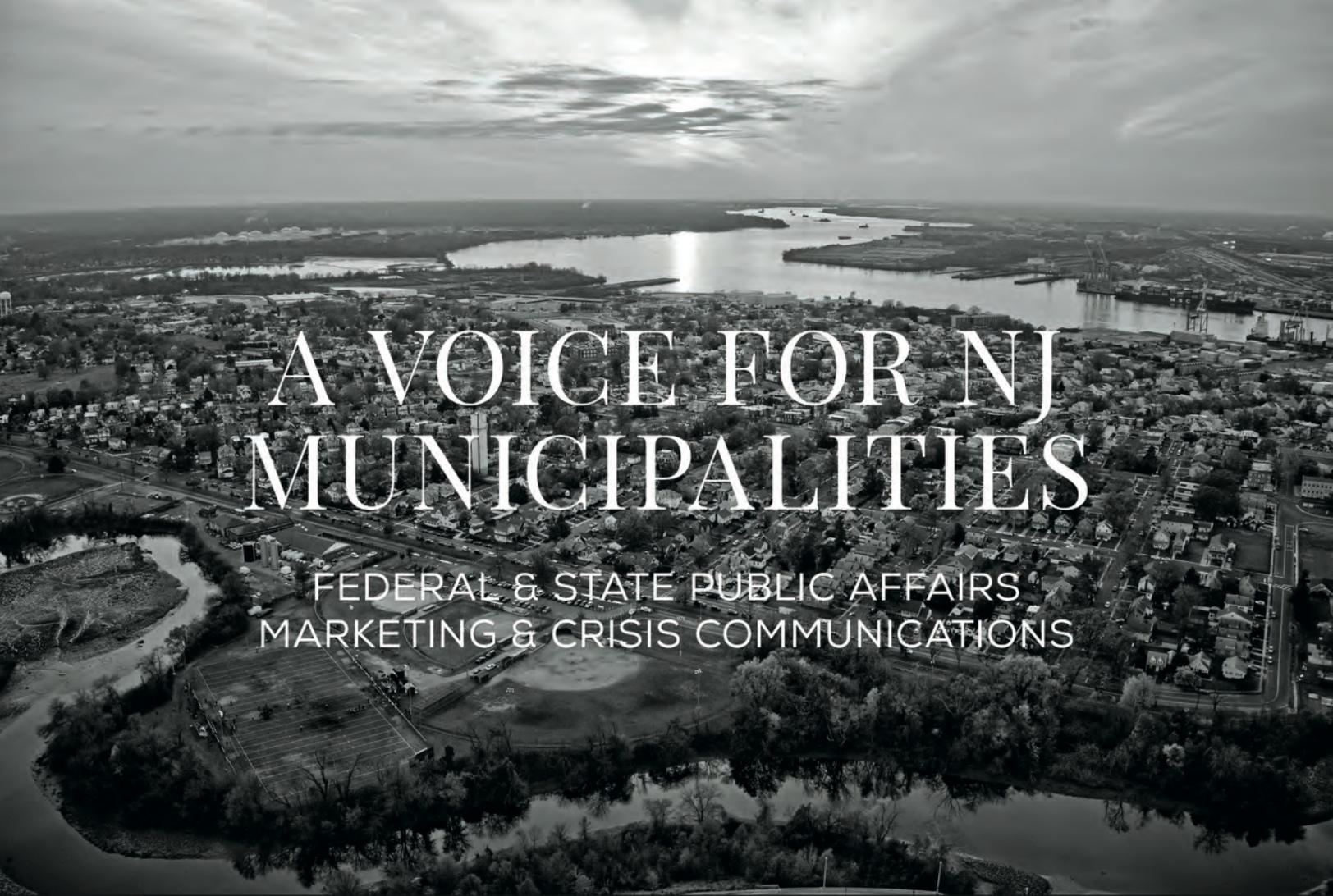
Five Board members were present at the initial hearing on developer's application, during which the developer presented the testimony of its engineer and at the second meeting, during which an opportunity was afforded to cross-examine the engineer. The board member absent during the first meeting appeared at the second meeting, but one member present at the first meeting was absent from the second.

The vote at the second meeting was postponed because the member absent during the first hearing had not listened to the recording of that meeting, a pre-condition to her voting based on N.J.S.A. 40:55D-10.2. All six members were present at the third meeting, voting five to one to approve the subdivision.

Montenero argued the board lacked a required quorum of five members at the second meeting because the member who was absent at the first hearing had not yet listened to the recording of the first meeting and was thus ineligible to vote. It was contended that the four members eligible to vote did not constitute a quorum rendering that hearing a nullity.

The court disagreed with the challenger, finding that voting is the action that requires a quorum, not the conduct of other business that is recorded for later review. The court noted that the Legislature anticipated that members of planning boards and other municipal agencies would be unable to attend every meeting. With this in mind, they provided a mechanism for absent members to become informed of the business transacted at any missed meeting before voting at a meeting at which a quorum is present.

So, while it is necessary that a quorum be present for the planning board to vote on an application, a quorum is not necessarily required at all hearings. You should review this ruling with your planning board attorney for further guidance. 🦋



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Don't Let the Tone Fool You



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

In any national crisis, there is the chance for political unity, an opportunity for adversaries to come together out of sense of duty to the public. American democracy with so many tensions built into the system—branches of government, partisanship, ambition, etc.—faces even greater hurdles to achieve this level of comity.

In several ways, New Jersey has benefitted from this dynamic as the state faces the COVID-19 pandemic.

We've seen a decrease in the sharp-elbowed rhetoric that often typifies New Jersey political discourse. Trenton has also seen additional focus on listening to and, where possible, working with those across the aisle, if not on major legislation then certainly on smaller items. Governor Phil Murphy and his team are keen to utilize every state legislator as a conduit for information needed by so many struggling New Jerseyans.

However, beneath the surface, the tensions remain and—like so many New Jerseyans forced into isolation—are itching to be unleashed.

New Jersey vs. the Trump administration. It's clear that President Donald Trump is very conscious of those who are "nice" to him and those who aren't. So it's no surprise that the Murphy administration, desperate like many other state governments for immediate federal assistance during this crisis, began avoiding the harsh confrontational back-and-forth that previously characterized New Jersey's relationship with the White House.

Alas, when it became clear that Washington restricted its aid to states to a narrow scope of coronavirus-related expenditures, Murphy went ballistic and, in effect, said that the feds had lied to him. Courteousness with the President was always going to be tough, given Trump's polarizing nature. It remains to be seen whether everyone can play nice again.

Murphy administration vs. the GOP. Republicans in Trenton have always had their disagreements with the governor, but the pandemic forced them to express them with a softer touch. The velvet gloves will soon come off as more fundamental policy disagreements come to the fore.

In addition, the 2020 election is around the corner and the state GOP is anxious to win back congressional seats won by Democrats in districts that had been gerrymandered to favor the Republicans.

New Jersey is already facing a bevy of challenges in managing massive health and economic crises simultaneously.

Republicans are hardly intimidated by Murphy's 71% approval rating in mid-April. They remember all too well the high approval ratings achieved by President George H.W. Bush following the invasion of Iraq and President George W. Bush after 9/11—and how those numbers both dissipated quickly.

Winning elections requires drawing contrasts with your opponents, and there are simply too many critical races coming up for Republicans to maintain any current "Kumbaya moment."

Sweeney vs. Murphy. The current crisis has done little to sweep away the high level of distrust and animosity that exists between Senate President Steve Sweeney and the governor, and

their staffs. Both sides view their opponents as crassly political, at best, or incompetent, at worst.

Further, in the current situation, the executive and legislature are hardly co-equal branches of government. The emergency powers employed by Murphy elevate him far above the traditional “balance of power” dynamic. Nonetheless, Sweeney and his supporters have found ways to assert their own prerogatives.

One example is the governor’s executive order to broaden civil immunity coverage for first-responders and other medical personnel responding to the surge in COVID-19 cases. Senate leadership had issues with the way the executive order was written, and therefore drafted its own civil immunity law. Though the two sides eventually forged a compromise, the episode offers additional insight into the tug-of-war that continues just out of the public’s view.

Into the open

There are three big issues that will force all of these tensions into the open, and they are coming soon.

The first two issues involve the state budget that must now be passed by Sept. 30, having been extended from June 30. The state is potentially facing a 20% shortfall in revenue, roughly \$8 billion. With replenishment funds from Washington D.C. still being debated, the state is going to have to make some major decisions.

Bonding. Murphy has proposed issuing state bonds to cover New Jersey’s shortfall until (hopefully) federal relief arrives. They see it as the best way to avoid gutting programs throughout the state. Sweeney and others have argued that bonding will force the state to pay much higher interest rates and saddle future generations—long after Murphy leaves office—with having to pay it all back. They contend it’s better to use federal money as a short-term bridge

loan to be paid back over a few years, not decades, with the resulting lower interest payments. For their part, the Republicans in Trenton want no part of state bonding that doesn’t receive voter approval, something that the Murphy administration is hoping to avoid by using its emergency powers.

Pensions. If you are facing a multi-billion shortfall for the coming fiscal year, there are only a few places to find that kind of money. Skipping or short-changing annual pension payments, in effect, protects funding for everyone who needs the money today at the expense of those who need it for tomorrow. It is, even proponents acknowledge, a bad choice from an array of bad choices.

The governor is hesitant to go down this road. He staked his campaign and his administration on doing right by the public sector unions, whose employees continue to pay their share into the pension fund and for whom state payments to the fund are a primary concern.

If things get bad enough, there are more

than a few voices in Trenton eager to see enactment of new reforms of the pension system as a way toward compromise.

Reopening the Economy. The third issue that is likely to bring forth an array of political tensions into public view involves the decisions on how to reopen and reinvigorate the state’s economy. Though a Monmouth University Poll found that only 11% of New Jerseyans think the current isolation measures imposed by the state have gone too far, everyone recognizes that patience is wearing thin. State legislators, ever sensitive to the large number of calls and emails they are getting from increasingly desperate constituents, will soon start making their own demands more forcefully and publicly.

New Jersey is already facing a bevy of challenges in managing massive health and economic crises simultaneously. For a while, an effort for public unity has reigned. However, in the near future, long-time tensions are likely to burst into the open, offering still another set of challenges for the state. 📌

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PUBLISHED IN MAY 2020

LEGISLATIVE UPDATE

Further Legislation Signed to Support Functions During Pandemic Crisis

MICHAEL F. CERRA, *NJLM Assistant Executive Director*;
LORI BUCKELEW & JON R. MORAN, *NJLM Senior Legislative Analysts*;
FRANK MARSHALL, *NJLM Associate General Counsel*

While the quick action of the Executive Orders of Gov. Phil Murphy has kept the state rolling, legislation has formalized and clarified these actions during the COVID-19 pandemic.

The following is a second set of COVID-19-related bills passed by the Legislature and signed into law by the governor.

P.L. 2020, c.19 **(S-2338/A-3918)**

This new law clarifies filing and payment deadlines for Corporate Business Tax (CBT) and Gross Income Tax (GIT) taxpayers, modifies duration of State Fiscal Years 2020 and 2021, and requires certain updates and presentation for State Fiscal Years 2020 and 2021.

This law alters the duration of State Fiscal Year 2020 to conclude on September 30, 2020 and sets October 1, 2020 as the start of State Fiscal Year 2021. The law also requires that any additional spending required to support the operations of the State from July 1, 2020 through September 30, 2020 be made through the enactment of a general law that amends or provides for a supplemental appropriation to that annual appropriations act.

Due to this change, the Legislature will need to pass, and the Governor will need to sign, a supplemental appropriations bill before the end of July, in order for municipalities to receive their August 1 Energy Tax/CMPTRA property tax relief payments.

The new law requires the State Treasurer to prepare a report on the financial condition of the State budget for State Fiscal Years 2020 and 2021, which must be submitted to the Legislature by May 22, 2020 and prominently displayed on the Office of Management and Budget's website.

The State Treasurer's report is to include:

1. An update on State revenue collections through the first nine months of State Fiscal Year 2020 and a revised forecast of revenue projections for the remainder of the current fiscal year
2. A detailed plan of spending from State, federal, and all other governmental funds for the continuation of essential governmental operations during the remainder of State Fiscal Year 2020
3. An assessment of current economic conditions and the potential impact of the economy on the proposed budget for State Fiscal Year 2021.

The Governor is required to present the revised budget message by August 25, 2020.

It also postpones the filing dates for the gross income tax or the corporation business tax, from April 15, to July 15, 2020. Taxpayers will not be subject to penalties or interest if the taxpayer files a return, report, or makes a payment by the end of the extension.

P.L. 2020, c.25 **(A-3901 (1R)/S-2334)**

Allows the Director of the Division of Consumer Affairs in the Department of Law and Public Safety, with the approval of the Attorney General, to reactivate a license, registration or certification, normally granted by Consumer Affairs, on an expedited basis during the current state of emergency. Consumer Affairs regulates temporary health care agencies, nursing registries and home health care agencies, among others.

New Jersey's Board of Medical Examiners, within the Division of Consumer Affairs, licenses and certifies physicians, and certain other health care professionals. The reactivation

authorized by this new law would be provided on an expedited basis to any individual who held a corresponding license, certificate of registration or certification, in good standing at the time that the individual retired from active practice or was placed on inactive status, within the last three years, or such other timeframe as the Director may specify.

The law also waives compliance by any individual granted a license, certificate of registration, or certification pursuant to this section with liability insurance required by statute or regulation, for acts or omissions undertaken in the course of providing health care services in support of the State's response to the declared emergency.

 **P.L. 2020,
c.26**
(A-3903 (1R))

This new law would, for the duration of the current public health emergency, permit a notary public to perform notarial acts using communication technology for a remotely located individual.

In addition to being performed by notaries public, notarial acts using communication technology for a remotely located individual could be performed by an officer authorized to take oaths, and affirmations under N.J.S.A. 41:2-1 or to take acknowledgements under N.J.S.A. 46:14-6.1. This would not apply to: records governed by the "Uniform Commercial Code;" or a statute, regulation, or other rule of law governing adoption, divorce or other matters of family law.

The officers authorized to take oaths, affirmations and affidavits under N.J.S.A. 41:2-1 include mayors or aldermen of cities, towns or boroughs or commissioners of commission-governed municipalities; municipal clerks; municipal court judges; clerks of all courts; and various State and county level officials.



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Session Highlights:

Tuesday, November 19

DLGS Updates • Storm water Utilities • Perceptions of Public Employees • Staying Green: Recycling Outlook

Wednesday, November 20

Citizen Engagement • Cannabis • New Jersey Labor Outlook • Elected Officials Primer: Ethics, OPMA, & OPRA • The ABCs of Alcoholic Beverage Control • Elected Officials Primers: Budget & Procurement • The State of the NJDEP • Opioids Coordinated Response • How Close Are You to Being Falsely Prosecuted? A Cautionary Tale

Thursday, November 21

Interest Arbitration • Public Private Partnerships • Police Community Relations • Labor and Personnel Law Update • OPMA/OPRA & Administration of Public Meetings • Using Innovation to Revive Abandoned Buildings

For a complete list of sessions
please visit the Local Government
Leadership website at www.njlm.org/lglp

Legislative Update

The officers authorized to take acknowledgements under N.J.S.A. 46:14-6.1 are: attorneys-at-law; notaries public; county clerks and deputy county clerks; registers of deeds and mortgages and deputy registers; and others.



Provides certain civil and criminal immunities to health care professionals and facilities, when dealing with COVID-19 cases, during the current State of Public Health Emergency. The immunity applies to doctors, nurses, EMTs, mobile intensive care technicians, radiologic technologists, and other

health care professionals regulated pursuant to Title 45.

The new law also permits the Commissioner of Health to issue provisional certifications to any EMTs whose certifications have expired, upon approval of an application requesting such. Similarly, the Commissioner could: issue provisional certifications to any paramedic whose certification has expired in the last five years; temporarily reactivate certifications for paramedics whose certification is currently inactive, upon application; and grant temporary reciprocity for paramedics certified in another state or the District of Columbia.

The provisions of this law dealing with civil and criminal immunity are retroactive to March 9, 2020, with the remainder of the law becoming effective April 14, 2020.



Under the “Millville Dallas Airmotive Plant Job Loss Notification Act” employers issuing mass layoffs would be required under certain circumstances to provide severance pay for laid off workers. This new law changes the definition of “mass layoffs” under the Act to exclude those mass layoffs resulting from the COVID-19 pandemic.

Any employer that issues mass layoffs due to the coronavirus pandemic is not required to provide severance pay to those employees. This law was signed on April 14, 2020 and is retroactive to March 9, 2020.

Washington: HEROES Act

The Chairs of 12 key committees in the House of Representatives, including New Jersey Congressman Frank Pallone, introduced the ‘Health and Economic Recovery Omnibus Emergency Solutions Act’ or ‘The HEROES Act’ (H.R. 6800). The legislation would create a \$375 billion ‘Coronavirus Local Fiscal Relief Fund.’ Two-thirds of the funding would be appropriated within 30 days of the bill’s enactment. The final third would need to be delivered during the Federal government’s next Fiscal Year, between April 15 and May 3, 2021.

Thirty-five percent (35%) of the funding, or \$56.25 billion, would be allocated to Community Development Block Grant (CDBG) entitlement communities while 50% percent, or \$187.5 billion, would be distributed through the States to non-entitlement counties. And the remaining 15% or \$56.25 billion would be distributed, through the States, to all non-entitlement municipalities. States would be required to redistribute funding to all entities, within 30 days of receiving those communities’ guaranteed allotments from the U.S. Treasury.

The funds allocated for entitlement communities would be distributed, based on CDBG formulas. The distribution of funds for non-entitlement municipalities and counties would be based on population.

According to the bill, municipalities and counties could use Local Relief Funding ‘... to respond to, mitigate, cover costs or replace foregone revenues not projected on January 1, 2020,

stemming from the public health emergency, or its negative economic impact ...’

If enacted into law, as currently drafted, we estimate the New Jersey non-entitlement municipalities would, in the aggregate, garner a bit more than \$1 billion, in 2020, and about \$500 million in 2021.

The Tax Foundation—an independent national research organization—estimates that, over two years, New Jersey municipalities and counties could receive about \$8.6 billion, if the bill is enacted, as is.

Other provisions in the bill include a two-year suspension of the income tax deduction cap on amounts paid for State and Local Taxes, the SALT Cap.

We have been advocating for direct and flexible federal aid to all New Jersey municipalities, since the first CARES Act was being debated. The citizens of small towns matter just as much as the citizens of big counties. Municipal employees contribute at least as much to society as private sector workers.

We often hear that the response to the current crisis is to be federally supported, State managed, and locally executed. We desperately need that federal support. We desperately need it now.

On May 15, the U.S. House of Representatives passed H.R. 6800—the HEROES Act. Though declared ‘dead on arrival’ in the Senate by Majority Leader Mitch McConnell, this action should serve as a basis for further negotiations toward a bipartisan consensus on the next COVID response action in Washington.



**P.L. 2020,
c.20**
(S-2342/A-3915)

Permits nonprofit corporations to allow members to participate in meetings by means of remote communication, and permits nonprofit corporations to hold meetings in part or solely by means of remote communication during state of emergency.

This new law took effect on April 14, 2020.



**P.L. 2020,
c.21**
(S-2349/A-3922)

Moves the date for the 2020 primary election from June 2 to July 7. Any other election scheduled through July 6, 2020 must be rescheduled to be held on July 7, 2020. This change of date does not affect the statutory deadlines for the nomination of candidates, filing of petitions, acceptance of nominations, certification of nominations, and any other deadline that occurred before April 11, 2020.

All other statutory deadlines, including the party affiliation deadline, will be calculated using the July 7, 2020 primary election date. The deadline to file a petition as an independent candidate for the general election is 4:00 p.m. on July 7, 2020.

This new law, which took effect on April 14, 2020, is only for the 2020 primary election.



**P.L. 2020,
c.27**
(A-3904/S-2327)

This new law permits a school district, renaissance school project, charter school, county vocational school district, or county special services school district to meet the 180-day requirement in a year

with an excessive number of unexpected school closures due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, through the use of virtual or remote instruction. The school would have to be closed for more than three consecutive days.

The Commissioner of Education must allow the district to apply one or more days when virtual or remote instruction was provided to the students towards the 180-day requirement. The Commissioner must establish criteria and districts must submit a proposed program, with board of education approval, within 30 days of April 14, 2020. This proposal must be submitted annually.

One day of virtual or remote learning will equal one full day of school attendance. Any program implemented

for the general education of students must provide the same educational opportunities to students with disabilities. Special education and related services, including speech language services, counseling services, physical therapy, occupational therapy, and behavioral services, may be delivered to students with disabilities through the use of electronic communication or a virtual or online platform and as required by the student's Individualized Education Program (IEP), to the greatest extent practicable.

The new law also outlines when the virtual or remote instruction can be implemented, guidance on the use of virtual or remote instruction, and the rights of public school employees.

This new law, which took effect on April 14, 2020, gives the State Board of Education rule making authority. 🦋

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Watch and Learn

Suffragette (2015) directed by Sarah Gavron and starring Carey Mulligan, Anne-Marie Duff, Helena Bonham Carter, and Meryl Streep, this film examines the English portion of the effort.

Mary Poppins (1964) On a lighter note, a more family friendly look at suffrage in Britain is Mary Poppins. The 1964 film stars Julie Andrews, but Glynis Johns' Mrs. Banks is a sash-wearing supporter of women's rights.

Iron Jawed Angels (2004) This television movie directed by Katja von Garnier and starring Hilary Swank, Margo Martindale, Anjelica Huston, and Frances O'Connor looks at the activists in America who risked their lives to ensure the passage of suffrage. The film puts the spotlight on New Jersey's own Alice Paul along with Lucy Burns.

Not For Ourselves Alone: The Story of Elizabeth Cady Stanton & Susan B. Anthony (2004). This documentary by Ken Burns covers the work and friendship of two of the leading lights in the American women's suffrage movement, Stanton and Anthony.

The two-part series ranges from the women's



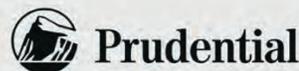
younger days through 1868 when the National Woman Suffrage Association was launched. Part 2 follows their story through the passage of the 19th amendment.

The Divine Order (2017) For a different look at the topic, The Divine Order, directed by Petra Volpe and starring Marie Leuenberger is a 2017 film from Switzerland that explores that nation's women's suffrage movement. While it took N.J. women well over 100 years to regain their right to vote in 1917, the women of Switzerland were without the right to vote until 1971! ♡

While some of the celebration of women's suffrage has been curtailed by the coronavirus, there are still opportunities to observe women's heroic efforts to gain the right to vote. The following is a rundown of a few of the film offerings on the subject.



The New Jersey State League of Municipalities would like to thank its supporters, who value their partnership with the 565 municipalities of New Jersey. For information about the League's sponsorship program, please contact Michael J. Darcy, CAE, at 609-695-3481, Ext. 116, or mdarcy@njlm.org.



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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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