

December 2020

## **Safely Serving**

Long Branch keeps community strong through the pandemic

**2020 Executive Director's Report**

**New NJLM Officers & Executive Board Members**

**Focus:**



**Healthy Towns**

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Photos can be submitted to [aspiezio@njlm.org](mailto:aspiezio@njlm.org), or mailed on CD or flash drive to 222 West State Street, Trenton, NJ 08608.

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## New Jersey Municipalities Magazine

Volume 97 | Issue 10

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# nj



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## Into 2021: Hope for a Healthy Year to Come

There are many facets to what it means to be a healthy town, and we are all aware of that fact more than ever as we pass the one-year anniversary of COVID. As the months of shutdowns and caution have worn on through the waves, we mark the toll taken on people, businesses, and local governments.

As we move into 2021, how we continue our response to the physical, mental, and financial demands of the pandemic will be critical for the health of communities for years to come. A series of stories in this issue show how some towns are adapting to COVID. Like in Long Branch (see page 28), where the whole town came together to protect those in need. Helping senior citizens, the unemployed, and those struggling with addiction has been the focus of several campaigns in the seaside city.

Continuing programs digitally, outdoors, and even on the phone for vulnerable and isolated seniors without digital access has been important, noted newly elected NJLM Executive Board Member, Mayor John Pallone of Long Branch. “We knew how much these programs and events mean to our senior population. We knew we needed to do something special for them,” Mayor Pallone said.

But a healthy town is more than entertainment. It’s also ensuring that residents can live and thrive safely, whether through

an innovative composting program in Middletown (page 36) or a safely ventilated public recreation center in Woodbridge (page 40). This pandemic has pushed towns to be more creative with less, to provide security on the financial and environmental fronts.

With the election behind us, we must now concentrate on healing and rebuilding our communities while also responding to the ongoing challenges of the pandemic.

Congratulations to all local leaders who have been reelected and elected to local offices in all cities, towns, townships, boroughs, and villages, all around our Garden State. We look forward to helping you to improve the lives of all New Jersey residents.

As the year ends, we salute those who are stepping out of their government roles and thank you for your community service. Government officials are the silent heroes of the Garden State and we appreciate all you do. And we look forward to working with elected and appointed government officials to accomplish some of the most meaningful work you will ever do.

It’s always good to make a New Year’s Resolution, and this year it may be that we have some bigger wishes than usual. Our wish for you and your community is for a 2021 that is healthy on every level. 🇺🇸

*Michael Cerra*

“As the year ends, we salute those who are stepping out of their government roles and thank you for your community service.”

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# Helping NJ Seniors through Turbulent Times

## What Municipalities can do

MELISSA CHALKER, *Executive Director,*  
*NJ Foundation for Aging*



**T**he COVID-19 pandemic has tested our ability to survive and thrive on multiple levels: throughout our nation, around our state, and within our municipalities. Public safety practices, healthcare disparities, transportation troubles, food insecurities, and the future of local businesses have all been impacted by this insidious virus. Our elected and government officials have had to model resiliency, thinking on their feet in response to ever-shifting virus protocols and their impact on the communities they serve.

From the moment that the coronavirus infiltrated our nation and our news media, one population in particular received negative attention: older adults. We repeatedly heard references that the virus “only impacts old people” or “only the elderly die from COVID-19.” Sadly, these remarks reinforce ageism that runs rampant in our society, branding the older generation as disposable entities. Also, sadly, over time, the virus has had an impact on individuals of all ages.

But for now, we must focus on the immediate crisis at hand: helping seniors age well amidst a “new” normal.

As news of the pandemic and its toll spread throughout our state, our vulnerable seniors—particularly those with underlying conditions who were told to stay home and avoid contact with others—wondered how they would get food, medications, and other supplies. Food pantries and other programs saw a tremendous jump in calls from seniors who didn’t want to, or

couldn't, go out to the stores to purchase needed food. Many seniors had never reached out for help before.

When New Jersey first enacted the "stay at home" order back in March, aging service providers were faced with what could have been a life-or-death question: "How do we get services to our seniors?"

Senior centers and nutrition sites were required to shutter their doors, and providers scrambled to find ways to ensure older adults who relied on those programs for meals, still ate every day.

### Stepping Up to the "Plate"

Using creative problem solving, forging partnerships, and calling upon volunteers for help, an army of municipal, county, and regional-based service providers jumped into action and helped seniors receive nutritious meals while maintaining safe social distancing.

- The Piscataway Township Office on

Aging provided Meals on Wheels service to older adults who had previously been enjoying onsite meals at the center.

- Age Friendly Ridgewood shifted to providing frozen meals to seniors in need.

### We must focus on the immediate crisis at hand: helping seniors age well amidst a "new" normal.

- The South Plainfield Senior Center noted that in the beginning, it was difficult for seniors to get such staples as toilet paper, laundry detergent, milk, eggs, and bread. The center had a surplus of supplies, which they shared,

and a partnership with the local Shop Rite enabled them to provide additional supplies. Additionally, they're also providing "drive-by" meals where, for example, seniors drove through an Italian theme-decorated area for meatball sandwiches to-go, and in July it was a cook-out theme. In a time when everyone was feeling low, doing something fun and interesting not only provided a meal but also a smile.

- SOMA Two Towns for All Ages (South Orange/Maplewood) did bulk food shopping for low-income seniors in independent living. Plus, they arranged to purchase fresh produce from a restaurant supplier who was seeking business when all the restaurants closed, helping both seniors in need and supporting a local business.
- To address food insecurity in their town, Lifelong Montclair partnered with a local soup kitchen to distribute

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bags of groceries and prepared foods to older residents. Financial need is not a requirement to participate. The local Kiwanis chapter has been coordinating drivers to distribute the food, and local businesses and organizations have donated their time and resources.

### Staying in Touch

Providers also were also extremely concerned about seniors suffering the ill effects of social isolation. Programs such as telephone reassurance calls and well checks were revitalized in such areas as Piscataway and South Plainfield. Towns and organizations throughout the state searched for volunteers who could make phone calls and have friendly chats to check in with older adults.

Active senior centers that traditionally offer a variety of in-person classes and activities were also worried about their older adults who would be stuck at home for an extended period. Alternate methods of delivering programs came to mind.

- Many kept in touch with their seniors via weekly email blasts filled with helpful resources, and daily Facebook posts.
- The Piscataway Senior Center is fortunate to have a relationship with their municipal TV station, which assisted them in filming exercise and dance classes—even a video on how to make a mask—for seniors to watch at home. They also filmed a greeting from the Senior Center staff to let participants know they were missed.
- The Township of Livingston offered 14 online fitness classes via Zoom, which also enabled seniors and even young adults to see and chat with their friends before and after class. They even created theme weeks and had participants dress for the occasions. Livingston also started offering free online guided meditation classes to the entire community.
- SOMA also provided content to seniors via Zoom, such as music and

## In Your Town



Here are some ways that municipalities can further support their seniors and those who serve them:

- Include older adults in community activities and encourage their active participation in town meetings.
- Adopt age-friendly or livability initiatives to meet the needs of older residents. Lifelong Montclair is one example. AARP and WHO websites provide more information about these movements.
- Advocate for additional state and federal funding for senior services.
- Create an opportunity for older adults to share their views on community-wide issues.
- Sponsor multigenerational programs.

fitness classes, and reports having a had higher turnout for online fitness than they did in person!

- Lifelong Montclair converted the Montclair Institute for Lifelong Learning classes to Zoom for the semester. The institute's classes range from tai chi and chair yoga to philosophy and Zen art. The Montclair Public Library hosted virtual drop-in sessions to help students become familiar with and set up Zoom. They've also been helping staff with technical assistance.
- Ridgewood Public Library, though closed, helped to meet the needs of residents by offering numerous online services and access to librarians, including sessions on how to use Zoom.
- South Plainfield, in keeping with their "drive-by" theme, offered a weekly book and puzzle mobile and distributed more than 650 masks as well.

### Here and There

With local buses and senior bus service suspended, some towns recognized the need to address transportation issues for their older residents.

- SOMA turned to GoGo Grandparent, an online concierge service that helps older adults book ride sharing services.
- For residents who relied heavily on the senior bus service, the Village of Ridgewood financed the services of a local business that provided transportation and would shop and deliver groceries.
- Others continued providing transportation for shopping and medical visits, with drivers wearing masks and disinfecting vehicles after each trip.

These are just a small fraction of the behind-the-scenes stories of unsung heroes who morphed into essential workers to care for the needs of our

seniors. Local officials should take pride in their communities' response. 🇯🇵

Licensed Social Worker Melissa Chalker is chair of the Aging Specialty Practice Committee for the National Association of Social Workers (NASW). She joined the nonprofit New Jersey Foundation for Aging (NJFA) in 2008 and was appointed Executive Director in 2018. She's also the host of Aging Insights, an award-winning monthly half-hour TV program promoting dialogue on critical issues for seniors, which can be seen on more than 70 public access stations as well as <http://njfoundationforaging.org/aging-insights>.

### Reference Links:

Here are links for AARP and WHO which are referenced in the text:

<https://livabilityindex.aarp.org>

[www.who.int/ageing/projects/age-friendly-cities-communities/en](http://www.who.int/ageing/projects/age-friendly-cities-communities/en)

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## League Mourns Passage of NJLM Executive Board Member Mayor Dunleavy



It is with great sadness that we report the passing of Mayor Jonathan Dunleavy of Bloomingdale. A member of the League Executive Board since 2011, he was posthumously inducted into the Mayors Hall of Fame at the 105th League Conference.

Dunleavy worked tirelessly to improve Bloomingdale. He loved a challenge and saw opportunities where others

saw roadblocks. He was key in getting funding from FEMA to rebuild the town's Sloan Park; he received grants to install the walking path at the Walter T. Bergen School, make

improvements to Delazier Field, and pave town roads. He also beautified the town, having flowers placed in front of municipal buildings and on the light posts.

In 2011, Dunleavy became Bloomingdale's mayor, after having served as a councilman, ROSE Fund Chairman, Recreation President, Bloomingdale Youth Organization President, Certified Rutgers SAFETY Course Clinician, and Cub Scout leader.

Residents were his priority and he made himself available to them, answering tough questions in council meetings and around the town. But Dunleavy always made time for his family. He and his wife, Janet, celebrated their 30th wedding anniversary in November and they were always proud of their children, Katie, Ryan, Emily, and Sean. He was also close with his three brothers and their families and spent Thanksgiving with them cooking and handing out meals at a soup kitchen.

He will be missed. 🇯🇵

## Farewell Fete for Moran



The League celebrated Senior Legislative Analyst Jon Moran's retirement in modern style with a Zoom meeting. He was presented gifts by NJLM Executive Director Mike Cerra and was celebrated by the entire League Staff.

Moran's two children, NJLM Then-President Jim Perry, retired Executive Director Michael J. Darcy, and retired Legislative Analyst Helen Yodell also joined in to wish him well. Moran's last day at the League was November 25. 🇯🇵

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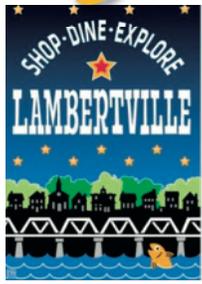
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# Garden Statements

## Lambertville's Bright Idea

The Delaware River Towns Chamber of Commerce & Visitors Bureau and the City of Lambertville are working together to help make Lambertville Businesses a welcoming and safe destination for visitors and residents alike, especially during the pandemic. They have undertaken some initiatives, including a banner on bridge street and street flags featuring the work of Scott MacNeil, a local artist.

They are also seeking donations to make the town look bright and cheerful for the upcoming Holiday Season with the Help Us Make Our Small City Shine GoFundMe effort. They are working to raise \$7,500 to decorate the city year-round in addition to creating tourism videos that spotlight local businesses and points of interest.

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## Woodbridge Hosts Rutgers Rain Garden



Rutgers and Woodbridge Township Green Team celebrated the groundbreaking of the 8th rain garden in Woodbridge in October. This planting marks Rutgers' milestone 50th rain garden planted in the Central Jersey Area.

An "All-American City" through the National Civic League, Woodbridge has been recognized for its environmental policies and programs—including its Greenable Woodbridge initiatives, and was the first-ever recipient and multi-year winner of the Sustainable Jersey Silver-Level Certification.

A rain garden is a landscaped, shallow depression that is designed to intercept, treat, and infiltrate stormwater at the source before it becomes runoff. The plants used in the rain garden are native to the region and help retain pollutants that could otherwise harm nearby waterways.

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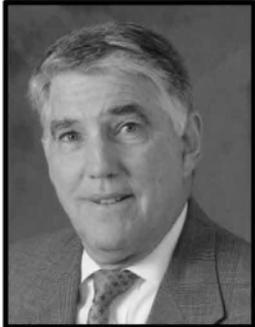
## Westfield Marks 300<sup>th</sup> Year



The year-long commemoration of the 300<sup>th</sup> year of Westfield's settlement included events to explore history and preserve today's news for future generations. In a nod to the diverse history of the town, the African American History Subcommittee of Westfield 300 created a self-guided tour describing some of the contributions and struggles of the African American people in Westfield.

Also part of the Westfield 300 initiative, a time capsule was buried in historic Triangle Park on October 18, 2020. Intended to be opened in 2120, the capsule contains a variety of items both specific to Westfield and more widely commonplace in 2020. A tree was also planted as a legacy gift to the Town, which is funded by a grant from the Westfield Rotary Club and facilitated by the Westfield Tree Preservation Commission.

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## Responding to the Challenges of COVID-19

TOM KEAN, *District 21, Senate Republican Leader*

The emergence of COVID-19 in New Jersey and the State's response to prevent its spread have led to unprecedented challenges for our municipalities and communities. Regardless of whether you agree with the Governor's decision to shut down much of the Garden State's economy in March by executive order, it's hard to dispute the massive societal impacts of his action.

Families have lost jobs and income, employers have struggled with the uncertainty of operating restrictions, and governments at all levels—including our towns—have incurred substantial new costs as their own regular revenue streams were disrupted.

The impact of lockdown orders on workers in the state has been nothing less than staggering. Since March, an astounding 1.4 million New Jerseyans—more than a quarter of our workforce—have filed for unemployment benefits. Families that lost income due to job loss or furloughs were then challenged with navigating a broken State unemployment system that couldn't keep up. Even today, some of our friends, family members, and neighbors who filed claims at the outset of the crisis still have not received the benefits they are owed. That's inexcusable.

While several hundred thousand jobs have been recovered as our economy slowly reopens, most impacted workers have yet to be rehired. Much of the lingering impact on employment is the result of the massive uncertainty associated with the opaque process utilized by Governor Murphy to determine how or when different industries could reopen.

While the Governor has repeated his mantra that "data determines dates" when it comes to re-openings, he has never tied his decisions to lift the restrictions put in place by his executive orders to specific benchmarks or public health metrics that have been communicated to the public.

Other states, including New York, have created public dashboards that list clear benchmarks and current metrics by region, giving business owners a sense of the trends and the ability to plan effectively for the arrival of the different reopening stages.

In New Jersey, however, the decision to reopen various workplaces and industries has been based on little more than the Governor's gut feeling, which is completely arbitrary and unpredictable. That's the harsh and expensive lesson that restaurant owners learned in late June when the Governor

suddenly backtracked on his decision to allow limited indoor dining to resume on July 2.

Without clear guidance or a "crisp answer" from the administration about when they could go back to work, many small business owners spent down their savings to try to pay their bills and support their employees for as long as they could. Sadly, as a result of the arbitrary nature of the Governor's decision making, many of the restaurants and small shops that line our Main Streets and downtowns have been forced to make the tough decision to close permanently.

**We must continue to urge the Governor and his administration to put those funds to work as intended and to be transparent about how the money is being used.**

For many New Jerseyans, that means temporary job losses have become permanent. For towns, it means boarded up shops, greater demand for social services from residents, more instances of landlord/tenant disputes, and perhaps lost tax payments and lower ratables.

New Jersey received nearly \$5 billion of federal CARES Act relief funding that was meant to help local governments, non-profits, and employers to prevent these harmful impacts from happening and to respond effectively when they do. Months after that aid was received, however, much of it still has not been spent. We must continue to urge the Governor and his administration to put those funds to work as intended and to be transparent about how the money is being used.

Finally, we must acknowledge that many of the ongoing financial challenges associated with this crisis—for families, businesses, and governments alike—could be lessened by the Governor with the stroke of his pen.

By lifting the unnecessarily burdensome restrictions of his executive orders that remain in place, he could provide the opportunity for New Jerseyans and our communities to recover and prevent additional losses. That would be the smart and fair thing to do. 🍷

*The views expressed and the data presented by contributors are theirs and are not necessarily shared by the League.*

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## Responsible Borrowing Can Help Municipalities Emerge Resilient from COVID-19

DANIEL R. BENSON, *Assemblyman, District 14, NJ General Assembly*

Just like many families in the communities they serve, local governing bodies are operating on a fixed budget that has grown increasingly tighter in the event of an emergency. There has been no greater public health and economic emergency in recent history than the COVID-19 pandemic.

Every resident, business, school district, and municipality in New Jersey has felt the enormous weight of the impact of COVID-19. Local governments are facing substantial revenue shortfalls at a time when emergency expenses are piling up. Adjusting to our “new normal” will require municipalities to adopt a level of flexibility and resiliency not seen since the Great Depression.

**For local governments facing budgetary challenges in the wake of COVID-19, borrowing may be a necessary option to support services essential to combatting the pandemic, including helping first responders and ensuring public safety.**

Municipalities searching for ways to dig themselves out from the unprecedented fiscal hole created by the pandemic quickly found their options were limited under Local Budget Law. Until recently, municipalities could borrow funds to make

“special emergency appropriations” under certain circumstances, but it did not cover COVID-19 pandemic-related deficits or expenses.

This changed under a new law (formerly bill A-3971) that I was proud to sponsor alongside Assembly Speaker Craig Coughlin and Assemblyman Wayne DeAngelo. The law expanded the authority of local governments to borrow for special emergency appropriations for the immediate preparation, response, recovery, and restoration of public services during the COVID-19 public health emergency. Special emergency appropriations could also be authorized to address operating deficits caused by the pandemic.

No one serving in government wakes up wanting to borrow funds to combat financial losses. The Legislature recently made the difficult but necessary decision to borrow \$4.5 billion in the Fiscal Year 2021 State Budget so that we could preserve a variety of programs that are critical to the residents of New Jersey. For local governments facing budgetary challenges in the wake of COVID-19, borrowing may be a necessary option to support services essential to combatting the pandemic, including helping first responders and ensuring public safety. The costs of these services may rise as New Jersey continues to grapple with this public health crisis, and local governments must be equipped to fund critical response efforts.

Expanded borrowing capabilities will also allow municipalities to prevent local budgets from being balanced solely by further burdening New Jersey taxpayers with increased taxes at the local level. At a time when many families are struggling, we must do all we can to ease tax burdens and make our State more affordable.

I believe responsible borrowing at the local level will ensure our economic position is strengthened through our recovery from the COVID-19 pandemic and beyond. We must utilize all options on the table to secure a brighter fiscal future for all New Jerseyans. This new law gives local governments one of the necessary tools they need to accomplish this goal. 



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## Helping Small Businesses Recover from the Pandemic

GARY SCHAER, *Assemblyman, District 36, NJ General Assembly*

Among the many challenges faced by all levels of government, municipalities in particular are confronting significant decreases in revenue as they craft annual budgets to meet the unpredictable needs of the coming year. Mayors and Councils are looking into the future without the guarantee of stable revenue. The same principles that have guided us through this public health crisis must continue to shape our ongoing economic policies. Instituting forward thinking community health measures, without equally decisive financial programs would be an incomplete plan for the people of New Jersey. As the next steps of our long-awaited re-opening process are realized, we must look to the sector of our economy that has suffered the greatest yet remains most essential to our local recovery efforts: small businesses.

Small businesses are the backbone of our economy; without robust policies to make this sector whole again, many of these businesses may disappear. Before this pandemic began, small businesses employed nearly half of New Jersey's workforce and created two-thirds of our State's new jobs. These businesses may be considered "small," but they have an outsized impact on our municipalities. The revenue generated by our small businesses helps to fund critical public services like schools, police departments, fire departments, and infrastructure building and maintenance.

Recognizing these realities, I have proposed two legislative initiatives designed to strengthen our small businesses and municipalities. First, A-4634, would provide a Corporate Business Tax credit to businesses in New Jersey that partner with New Jersey-based small businesses. The severe economic impact of COVID-19 has caused New Jersey's GDP to shrink by 5.5% in the first quarter of 2020, and 31.4% nationally in the second quarter. Without continued direct government intervention and support, many of New Jersey's 861,000 small businesses will cease operations, endangering thousands of jobs. Our State currently has 444,600 fewer jobs than it did just last year; innovative and immediate economic stimuli are essential to stabilize our economy. A-4634 will incentivize large corporations to do business in our state, while creating many new opportunities for our small businesses. Any short-term

lost corporate tax revenue will return to our State and municipalities through revenue generated by expanded and accelerated economic activity in our small business community.

The second piece of legislation, A-4330, would create an investment program through the New Jersey Economic Development Authority, allowing the State to make equity investments in struggling New Jersey-based businesses. This legislation was modelled from the existing CoVest program in the EDA. CoVest was created in 2013 to help fund technology and life sciences businesses in New Jersey, making available between \$100,000 and \$250,000 per company. CoVest provides \$1 in State funding for every \$2 received from private institutions. To date, the program has invested \$551 million in New Jersey-based companies. Our proposal would expand on CoVest by creating a program that incorporates any New Jersey-based business that, but for a recession, would have remained financially stable. The bill would only be applicable in times of a major economic emergency. It would require a 1:1 match of private funding, with the Authority's total investment being capped at \$1 million per business. The bill also caps the total equity the Authority may take in a given business at 25%, with a holding period not to exceed 10 years beyond the end of the economic emergency. Lastly, the bill would empower the EDA to make determinations as to which businesses would, at the end of the economic emergency and with additional funding, return to a level of financial viability that would allow the Authority to exit its equity position without incurring losses. This unique approach will provide businesses with the needed cash for operating expenses while providing enough safeguards to ensure the State is not overexposed.

Through the adoption of both bills, we will bring increased economic stability to our residents, while further stimulating our local economies and generating revenue for struggling municipalities. These visible, ubiquitous effects will come at no cost to the taxpayers, with no burden on already struggling municipalities.

As New Jersey struggles with the ongoing budgetary impact that affects both municipalities and States, these proposals, in addition to other initiatives, can help to provide the necessary relief that our businesses and communities sorely need. Our state will continue to be a model for this nation, proving that fiscal responsibility and compassion are not mutually exclusive but inextricably intertwined. Good and sound economic policy that recognizes our nation's historic core values is fundamental to our success. 



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# Partnering with Communities

## Keeping children and families safe, healthy, and connected during COVID-19

CHRISTINE NORBUT BEYER, *Director, NJ Department of Children and Families*

**A**t the New Jersey Department of Children and Families, we have a vision for New Jersey—that all residents, children, youth, and families can and should be safe, healthy, and connected.

But with the onset of the COVID-19 public health emergency, our Department's vision is being tested like no other time in our State's history.

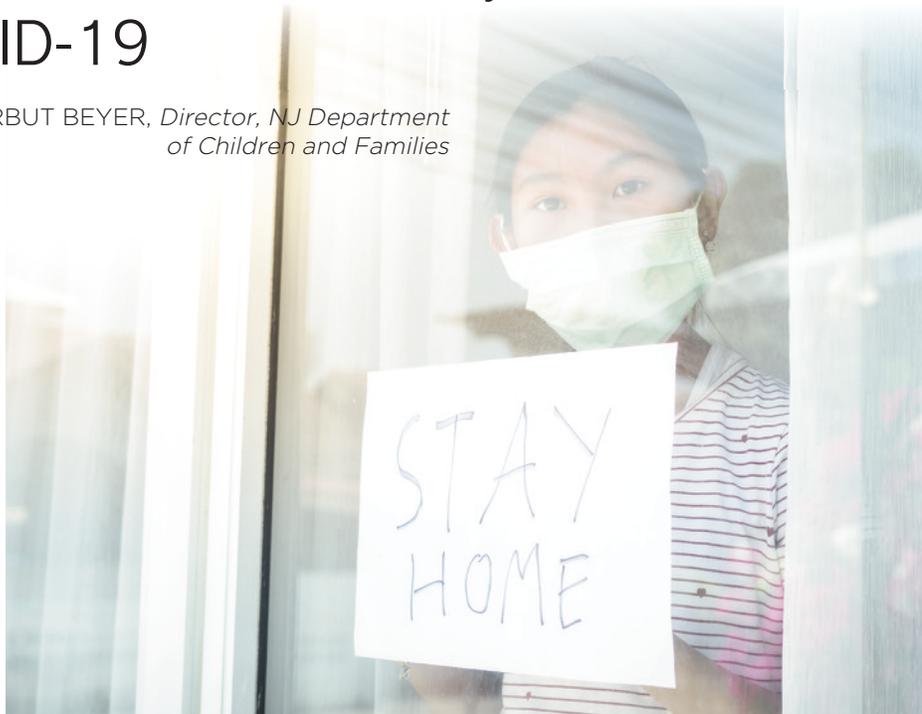
### Cut off from support

Families that may have been struggling before the onset of the pandemic in New Jersey are being pushed to the breaking point as they negotiate job and wage losses, health care concerns, a lack of social and recreational outlets, a lack of adequate and affordable child care, remote learning, and so much more.

Working parents are struggling to find balance between professional and family responsibilities, with many children throughout the state engaged in full-time or at least partial remote learning. Childcare providers are operating at reduced capacity to ensure compliance with CDC safety guidelines, but with fewer childcare spots available finding that balance becomes an even harder proposition.

We know that when families are faced with increased stress, anxiety and social isolation, the family system can become destabilized and incidents of child abuse and neglect are more likely to occur or become more frequent.

At a time when we believed we would see more calls to the state's child abuse hotline, just the opposite occurred. In March, reports to the child abuse and neglect hotline were 27% less than they were the same time last year. By April, that figure had fallen to 60% less than the previous year. We quickly concluded that because children and families were cut off from their natural support systems (teachers, coaches, primary health care physicians), possible incidents of abuse and neglect were left unseen and unreported.



And in addition to the pandemic, we're seeing the fight for racial justice play out in our streets, as protestors demand, that all Americans receive equitable treatment in the eyes of the law.

All of these stressors, working in concert, challenge a family's ability to remain a cohesive, loving, and supportive unit. With so much of every day spent in crisis mode, it can be difficult to preserve family connections and provide children with the love, compassion, and support they need to thrive. With parents facing their own daily stress, worry, and anxiety, an environment may develop in which children are not provided with the emotional safety, physical health, and connectedness to their communities that they need and deserve.

### Nurturing resilience

At DCF, we understand that the most effective intervention to prevent child maltreatment is to nurture the family's natural resiliency and connectedness, to ensure that they are supported and empowered. We want to help families prevent a crisis, rather than intervene after an incident has already occurred.

Now, more than ever, it's important to nurture strong families to combat the stress brought on by the pandemic and other problems facing the Garden State.

New Jersey already has a robust network of prevention programming that's available to all families—not just those families with involvement in our Division of Child Protection and Permanency. In fact, most of our work is in the community, with 98% of families being served intact, through local contracted agencies and organizations. We have a statewide network of Family Success Centers that focus on reinforcing parental resilience and developing protective factors for the family. We offer home visiting—a proactive intervention that connects with new parents to ensure that the parents and their children are supported with access to health care, education, and training beginning at birth.

New Jersey's Children's System of Care provides for mental health and behavioral health services for children, as well as services for children living and thriving with intellectual and developmental disabilities and children and youth fighting to overcome addiction

and substance use disorder. Through a single phone number, 877-652-7624, families can get triaged into the appropriate services for their children. Using that same phone number, families can gain 24/7 access to mobile crisis response to help children and youth who are experiencing emotional or behavioral crises. Someone will respond to the family's home to help stabilize the child and support the family.

DCF oversees Family Support Organizations in each county that are family-run organizations to provide direct family-to-family peer support, education, and advocacy.

All of these services and more are available to families when a need arises and without ever having to place a phone call to our Child Abuse Hotline. However, they're only effective if families know they are available. We hope that you'll help us in connecting families to these vital services.

To better meet families' needs, we're

building bridges between our prevention-based programming and our partners throughout the State—those who are traditionally engaged in the work of child welfare as well as those with an interest in the health and wellbeing of children and families—to create a 21st century model that puts families at the center of all that we do.

Families need and deserve our support and collaboration, now more than any other time in our State's nearly 250 years of existence. I look forward to partnering with you to ensure that we come through the COVID-19 crisis a fairer, stronger New Jersey—one in which every resident can become and remain safe, healthy, and connected. 

Christine Norbut Beyer, MSW, is the Commissioner for the New Jersey Department of Children and Families and has served in that role since 2018. She has devoted her professional life to protecting children, strengthening families, and supporting communities in New Jersey and throughout the country.

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# Long Hill Township's Sewer Sale

Expanding a partnership and providing certainty in uncertain times

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



**N**ew Jersey American Water's recent purchase of Long Hill Township's wastewater assets provides two valuable lessons heading into 2021: how utilities and municipalities can strengthen and expand existing relationships and how to provide health safety and financial certainty during these uncertain times.

Long Hill's wastewater treatment plant has been in urgent need of upgrades and capacity expansion. According to local officials, during heavy rains the township's wastewater treatment plant sometimes discharged partially treated effluent into the Passaic River. While the plant was designed to treat roughly one million gallons per day, it could receive as much as three to four million gallons per day after a storm. A 2017 study from an independent engineering firm found the township needed to spend \$27 million over the next 20 years to upgrade the system.

As Long Hill's water utility company for over 110 years, New Jersey American Water officially took ownership of the Township's wastewater system in October 2020 after voters approved a referendum for the sale of the system by a 2 to 1 margin.

## System improvements

As part of the acquisition agreement, more than \$13 million will be invested in critical sewer system improvements in the next five years. Current sewer rates will be frozen for residents for two years and increases will be capped at an agreed upon level for the three years after that. These improvements include pump station upgrades, sewer main lining and replacements to reduce the infiltration of stormwater, and treatment plant upgrades to reduce and ultimately eliminate the release of partially treated wastewater during heavy rain events. Additionally, sewer and water pipeline replacements will be coordinated with the Township's road paving schedule

to minimize disruption. Five full-time employees will also be hired to operate the sewer system.

In addition, the proceeds of the sale will eliminate township debt and free up over \$1 million in Long Hill's annual budget. For residents, it means regular investment in their wastewater system, high-quality service and support, a commitment to help customers in need pay their wastewater bill, and other benefits that help our customers get through this pandemic without having to worry about their water and wastewater.

We believe the expansion of our existing relationship with Long Hill, along with the ability to provide financial security, is an example to be duplicated across the state. It goes without saying that as COVID-19 continues to shape our daily lives and present us with new challenges, we each have a responsibility to help each other in whatever ways we can.

### COVID-19 and communities

Aside from the effect that COVID-19 has had on individuals, the communities that serve them have also been greatly impacted. Across New Jersey, we've seen towns struggle with thinly stretched municipal budgets, having to make hard choices that impact their residents. Layoffs, slashed services, and budget reallocation are just some of the many harsh realities that towns have been forced to reckon with, and the impacts on their communities have been keenly felt.

We know how much money and resources need to be invested in our water and wastewater systems to continue to provide safe, reliable services. And more importantly, we know that funding for the maintenance and upkeep of water utility infrastructure should never be in jeopardy because of a town's financial strain, especially during these trying times.

This partnership with Long Hill serves as an example for municipalities across New Jersey as they tackle difficult questions about financial constraints, budget cuts and the potential scaling back of infrastructure resources during the age of COVID. The expanded partnership will help the Township of

Long Hill during this critical time by freeing up funding and resources that can be used for other services to benefit residents.

Just as customers shouldn't be worrying about their water and wastewater utilities during this time, neither should towns. The ability to save money while investing

in critical infrastructure is important now more than ever. This partnership in Long Hill proves that we can indeed do both. 

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

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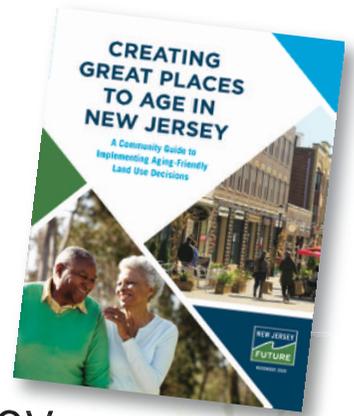


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# Age-Friendly Municipalities

Creating great places to age in New Jersey



PETER KASABACH, *Executive Director, New Jersey Future*



**A**merica is growing older. Every day for the rest of the decade, 8,000 members of the Baby Boom generation will turn 65.

We know a great deal today about the correlation between where people live and how they age. We know that seniors are at risk of social isolation and that social isolation presents serious threats to mental and physical health. And we know that seniors face limited access to vital community resources in isolation. COVID-19 has only exacerbated these risks for New Jersey's aging residents. We need to take steps now so that communities are prepared to deal with conditions, such as disease outbreaks or natural disasters, that compromise public health or safety. This includes making New Jersey's communities healthier and safer for aging adults. But how?

## **The built environment**

To start, we can take a closer look at the built environment of our communities. Land use is a critical factor in a town's livability for people of all ages, but especially for older residents. Communities offering affordable and diverse housing options, downtown walkability and other forms of access to daily tasks for those who don't drive, physical and social activities, safe streets, and amenities like parks, are places where older residents can thrive. However, many communities in New Jersey, which has the 11th largest number of residents aged 60 and older, fail to offer these attributes.

Many people want to stay in their communities as they get older. Our communities contain our friends, doctors, places of worship, gyms, familiar restaurants and shops. Some aging residents would like to continue living in the homes they've known for many years. Others want to move, but still stay in the town they love. Some want to downsize from a larger single-family home to a smaller house, townhouse, or apartment closer to the destinations

**The advantages of aging-friendly communities extend beyond the health benefits for older residents.**

they need to reach. This is especially true as mobility declines with age and many people eventually reduce their driving or stop driving altogether, making walkability to destinations critically important.

**Municipal scores**

New Jersey Future has scored every municipality on three criteria that serve as a general indicator of how well a town is positioned to meet the changing needs of its aging residents—whether it



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

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

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



# Senior Dollars

has a recognizable downtown or Main Street with a variety of establishments, how many typical destinations there are per square mile, and how connected the street network is—making it easier to reach destinations without driving. Unfortunately, nearly 300,000 New Jersey residents aged 55 and older live in areas that scored low on these aging-friendliness indicators. And the number of people who are expected to grow older in these car-dependent communities is projected to rise.

Additionally, a large proportion of New Jersey's older residents are housing cost-burdened, which means they are paying more than 30% of their income for their housing. Retirement income tends to be lower than employment income while housing costs generally stay the same or increase. The types of homes many older people want—townhouses or apartments within walking distance of daily tasks—are in low supply and high demand, which makes them too expensive for many.

As Americans live longer, they also work, pay taxes, and support local businesses longer.

The AARP's Longevity Economy outlook found that in 2018, the 50-plus age demographic contributed **\$645 billion in state and local taxes**, a sum expected to increase four times by 2050. In terms of direct spending, 56 cents of every dollar spent in 2018 was attributable to this age group, and is expected to increase to 61 cents by 2050.

Additionally, the 50-plus age group is expected to be an important driver of job sustainability through 2050.

In 2018, this age group supported **88.6 million U.S. jobs through jobs they hold or create**. This number is projected to grow to **102.8 million jobs by 2050**.



### Improving communities

How can New Jersey's car-dependent communities become more aging-friendly? Through support from the Henry and Marilyn Taub Foundation and the Community Foundation of South Jersey's Aging Innovation Fund, New Jersey Future has been helping towns proactively improve their built environments to accommodate the needs of an aging population.

This work includes providing information about aging-friendly features and

the real social and economic benefits they offer, an overview of the demographics of a town's older residents, and an aging-friendly land use assessment followed by assistance with local planning based on the results.

As part of the assessment process, New Jersey Future analyzes a town's downtown center, housing options, access to transportation, and supply of public spaces and amenities and then provides recommendations for each in an aging-friendly land-use assessment report.

The advantages of aging-friendly communities extend beyond the health benefits for older residents. There are substantial economic benefits to municipalities whose residents are able to comfortably age-in-community.

The towns New Jersey Future has been working with are well on their way to becoming better places to age and live in general, as we have learned that aging-friendly towns are more livable, equitable, and inclusive towns for people of all ages. To help your community get started, Download New Jersey Futures' Creating Great Places to Age in New Jersey: A Community Guide to Implementing Aging-Friendly Land Use Decisions from <https://tinyurl.com/yyrdjxyr>. This guide provides towns with a step-by-step process to make it easier to design for the needs of older residents. We hope you'll take a look and join us in our work to create great places to age across New Jersey and stronger, healthier, more equitable communities for everyone. 🇯🇵

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# Reaching our Senior Population

Long Branch connects from a social distance

LYNDSAY DEANGELIS, *Assistant to the Business Administrator/HR Manager, Long Branch*



**W**ith over 800 members, the Long Branch Senior Center offers a little bit of something for everyone. Luncheons, bingo, exercise classes, and ceramics are just some of the treasured programs many look forward to eagerly each week. For some, the location serves as a familiar space to enjoy a cup of coffee and catch up with old and new friends.

On March 16, our world as we knew it changed. With all government buildings closing and programs and events being cancelled, it was inevitable that the Long Branch Senior Center would be closed next. “But only for two weeks” was the buzz. Yes, just a short quarantine, and we will see our senior residents again. At least we thought...

Fast forward to April, and the realization that this quarantine was our new normal...at least for now. With no end in sight, and no answer to give the senior center members, the brainstorming started.

## **New outreach**

A new way to reach our senior population was needed. With some seniors completely isolated and alone, it was very

important that they not be forgotten. The weekly phone calls and check-ins began. Yes, for all 800 members.

All senior center employees took part in phone calls, rotating through conversations and dialing each member each week.

The needs of this population varied during this time.

Access to internet and computers also became an obstacle. With only about one in every four members having internet access at home AND the comfort to use it, instances of seeing the members virtually became few and far between.

But the hope did not end. We found other ways to meet the needs of members. Whether it was dropping off a favorite novel to their doorstep for them to read or dropping off food for those that could not make it out to just staying on the

## Put the Focus on Your Community!

Our thanks to Long Branch for their response to our request for articles. Would you like to put the spotlight on your municipality?

We ask that you send over three articles from different departments in your town.

If you have any questions, please reach out to Managing Editor Amy Spiezio at [aspiezio@njlm.org](mailto:aspiezio@njlm.org).

phone a bit longer for the member that missed the socialization the Senior Center brought.

We all missed that socialization.

### Summer fun

Fast forward to summer and the first Long Branch Senior Center luncheon was being planned! But this event looked a lot different than other events.

Our Mayor, John Pallone, asked that all hands be on deck to make sure this event was as safe as possible, asking for the help of the Health Department and Office of Emergency Management. "We knew how much these programs and events mean to our senior population. We knew we needed to do something special for them," Mayor Pallone said.

The "Grab and Go" luncheon entailed balloons, music, and friendly faces for the members to use as they drove up to the center to grab their meal. The goal was to create a happy, welcoming, environment, where seniors could safely stay in their cars, but also be able to see some faces they have not seen in months.

And overall, the event was a huge success! Members called the next day, asking when the next event would be.

Although it was not in the social setting they were accustomed to, members greatly appreciated the creativity and planning that went into bringing members back to the center.

### Moving Forward

That was just the first idea of many new, creative, fun, and safe programs to come. By helping more seniors gain access through a computer, it is our goal to offer more virtual programming, and with the cool weather in the Fall, more outside events will also be considered. Playing bingo outside? Drive in movie/concert in the parking lot? We are just getting started. We pride ourselves in reinventing ourselves and adjusting to this new normal.

Noted Senior Center Director, Pat Scinto-Krosnicki, "We will focus on bringing our Seniors together to grow, learn, and live life to the fullest, all the while knowing that we can keep hoping, planning and believing that we will be together as soon as we safely can!"

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# Long Branch Public Library

## Expanding Back to Work to assist municipal offices and small businesses with pandemic recovery efforts

TONYA A. GARCIA, *MLS, Director, Long Branch Free Library*



Public libraries are located in almost every New Jersey municipality, standing as one of the most trusted and democratic institutions in our country. As change agents, community anchors, and recovery experts, we are here to assist municipalities in a multitude of ways (many of which are not widely publicized). As recovery experts, municipal offices can turn to their local library for support. This is never more apparent than after significant challenges such as natural disasters, recessions, and health emergencies.

The Long Branch Free Public Library is a nationally recognized library doing just that. Before the Great Recession was even identified as such, the library started launching services to help communities get back to work including the creation of the Technology and Career Center, unemployment application assistance, a 24/7 virtual career center, and the internationally recognized Fresh Start Reentry Initiative (now a statewide program). After Superstorm Sandy, the library opened by generator to assist with FEMA applications, provide charging stations, and ensure our public received trusted reliable information. As recovery experts, immediately after the pandemic caused the almost complete shutdown of businesses and nonprofits, the Long Branch Public Library started to focus on assisting the City of Long Branch with helping businesses stay afloat.

### Meeting today's challenges

On May 1, Long Branch Free Public Library launched "Back to Business." Back to Business is a service to strengthen, expand, and inspire small businesses and startups. It offers a comprehensive set of training, tools, and resources to gain access to or learn about emerging technologies, assist with the creation or expansion of an online presence, obtain information about intellectual property, and sustain or start up an enterprise.

Businesses receive help via phone, email, or video chat including one-on-one tutoring sessions by experienced library professionals and career coaches. Business owners can learn the basics of virtual meeting programs, social media platforms, content creation, marketing, outreach, and more. Business resources include access to free notaries, assistance with designing business cards and business plans, employment services, and marketing and branding tips.

Free access to business databases provides demographic information, market and patent research, industry sector profiles and company information and financials with data for over 14 million U.S. businesses and 220 million U.S. residents. Other databases include free access to a small business reference center that offers exclusive full text for many top consumer small business reference books, as well as tools to address many small business topics. It includes business videos, a help and advice section, and details on how to create business plans as well as learning language software, standardized testing apps, a business travel guide to study customs, cultures and travel requirements of individual countries, and much more. Most databases are provided by the New Jersey State Library to public libraries at no cost.

### Successful partnerships

Long Branch Public Library is especially proud of the relationship fostered with the City of Long Branch and other departments and organizations in town. The library reached out to the City of Long Branch, Greater Long Branch Chamber of Commerce, and the Office of Community and Economic Development who immediately agreed to partner by providing marketing and publicity, as well as assisting with the small business loan process. Soon after, the program attracted the attention of the county SCORE group and the new, national non-profit, Main Street Relief (MSR). Like SCORE, MSR offers volunteer mentors/guides in specific fields who are available to assist business owners to get better equipped to run their businesses in the current climate.

It's an honor to partner with the City of Long Branch Community and Economic Development and the Greater

## In Your Town:

Libraries have long since served as vital recovery experts and they are here once again, located in almost every municipality to assist. Please reach out to your local library to see what resources and services they may have to assist your municipality with the current COVID-19 challenges and more.

Long Branch Chamber of Commerce on this endeavor. From recessions to superstorms, libraries have and will be instrumental to the recovery process. After challenges and crises, community members turn to libraries is respected and trusted organizations.

Because library staff interact with much of our community regularly, we're very good at triaging community needs

and working to address them. The Long Branch Free Public Library and partners recognize the importance of small businesses and startups to the city which keeps our economy moving, creates jobs, sparks innovation and provides opportunities for many people, including women and minorities. A challenge such as this pandemic demands strategic, innovative thinking on the local level and Back to Business creates a cost-effective network of resources that directly work to strengthen our local economy.

### Back to Business program

Back to Business is an expansion of the Back to Work services created by the library after the Great Recession in 2007. Back to Work services include the creation of a Technology and Career Center, job search development, and our nationally recognized Fresh Start Reentry Program designed by Garcia in 2009. We recently partnered with the NJ State Parole Board and the Monmouth County Reentry

Task Force to expand this service at the library. Realizing it was bigger than just Long Branch, we invited the New Jersey State Library (NJSL) to the table.

The NJSL adopted the Fresh Start Reentry Program and, through a successful IMLS National Leadership Grant, our reentry services are provided statewide. The State Library will use the grant funding, in partnership with the New Jersey State Parole Board, and the New Jersey Department of Labor & Workforce Development to provide public libraries with a model to build their capacity to serve returning citizens.

This model centers the libraries as a linchpin that will connect returning citizens with the variety of available services in their communities and at the libraries.

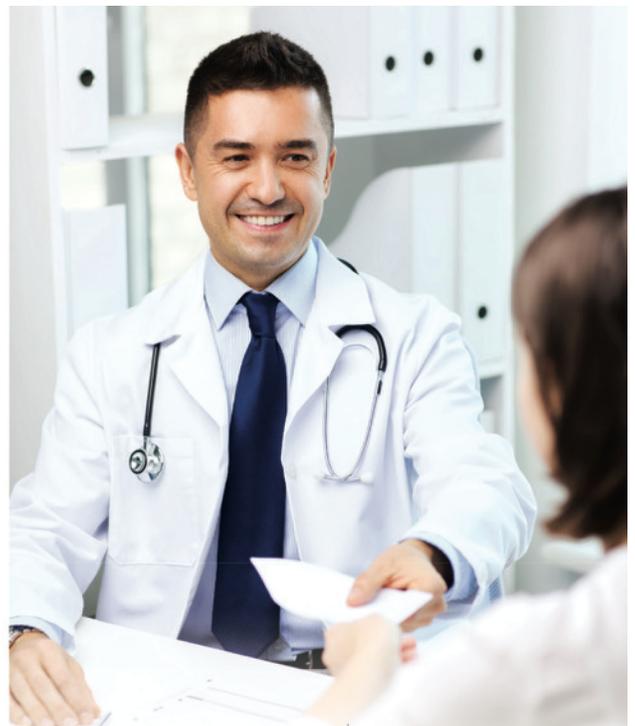
@ To learn more about the program please contact the Long Branch Free Public Library by phone at 732-222-3900, ext. 2240, email [tgarcia.lbpl@gmail.com](mailto:tgarcia.lbpl@gmail.com), or visit, [www.LongBranchLib.org](http://www.LongBranchLib.org).

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# Community Recovery Effort

Long Branch H.E.A.R.S. those struggling with addiction

DR. ANITA VOOGT, Council Member, Long Branch; Associate Vice President for Strategic Partnerships, Brookdale Community College

While on the campaign trail, as a City Council candidate with then Mayoral candidate John Pallone, we heard an impassioned plea for assistance from Long Branch resident Patricia (Petie) Tucker whose son has been battling addiction for years. She beseeched the administration to act, which is exactly what we did.

Once in office, Mayor Pallone commissioned a task force aptly named Long Branch H.E.A.R.S., an acronym for Health, Education, Addiction, and Recovery Support. “The gravity of the opioid epidemic in Long Branch is critical for us to ensure a citywide network of services from prevention through recovery to connect people with the services they need,” said Pallone. Now in existence for two years and drafting its strategic plan for continued growth, there are lessons we have learned that may assist others addressing this important issue.

H.E.A.R.S. works to:

- Increase awareness of the substance use crisis in the city of Long Branch, ranked the 4th highest in drug abuse issues in Monmouth County.
- Advocate for funding and resources to establish Long Branch as a preventative stigma-free and recovery-healthy community.
- Provide “Boots on the Ground” directly support substance-users with the services they need.

**OVERDOSE AWARENESS DAY**  
*Virtual Ribbons*

Continuing the spirit of last year, this year, due to COVID-19, Long Branch H.E.A.R.S. will be hosting our annual Overdose Awareness Day virtually on August 31st at Slocum Park. You can tune in on Facebook Live @ 12:00 pm.

If you stop by, face masks and social distancing are required.

**Special Guests**  
Congressman Frank Pallone  
Senator Vin Gopal  
Assemblyman Eric Houghtaling  
Freeholder Deputy Director Susan Kiley  
Mayor John Pallone  
Brookdale Community College President Dr. David Stout

**Emcee**  
Councilwoman Dr. Anita Voogt

**Proclamation Reading**  
Retired West Long Branch Chief of Police Larry Mihlon

**Moment of Silence & Prayer**  
Rev. Caroline Bennett

**Personal Testimony**  
Erica Pomphrey

**Virtual Ribbons Premiere**  
Long Branch H.E.A.R.S. Co-founder Susan Marco

Special thanks to the Prevention Coalition of Monmouth County!  
**[HTTPS://FACEBOOK.COM/LBHEARS](https://facebook.com/lbhears)**

The Long Branch H.E.A.R.S. 2020 Virtual Overdose Awareness Day Promotion.

## Leadership, partnerships, and loving perseverance

The H.E.A.R.S. Steering Committee is guided by volunteers, the local medical community, service providers and practitioners, the Long Branch Police Department, and individuals in recovery. Co-Chaired by Susan Marco of Family Addiction Network and myself, every member makes a unique contribution whether from personal experience, expertise, advocacy, and administrative skills.

Leadership from our elected officials and the League of Municipalities, whose Immediate-Past President James Perry ensured the opioid epidemic was a priority for his administration is essential. Support from Congressman Frank Pallone and District 11’s Senator Vin Gopal and Assembly members Eric Houghtaling and Joanne Downey is also critical. Deputy Director Freeholder Susan Kiley provides help through active involvement as Board Liaison to the Monmouth County Human Services Department.



The Long Branch H.E.A.R.S. Steering Committee with the City of Long Branch Mayor John Pallone and Freeholder Director Freeholder Director Thomas A. Arnone.

As expressed by Assemblyman Houghtaling, “I know firsthand that substance abuse is something that many

people struggle with, even if they have families that care for them. H.E.A.R.S works to understand the complexity of

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Freeholder Deputy Director Susan M. Kiley signing the “Stop the Stigma” proclamation.

the issues and uses trained individuals to get people the help they need, when and where they need it.”

Partnerships are the bond of H.E.A.R.S. fostering collaboration with other organizations on common goals and resources. H.E.A.R.S. partners with the RWJBH Institute for Prevention and Recovery (IFPR) that sponsors “Communities that Care,” a program that addresses early signs of addiction in youth. H.E.A.R.S. also partners with the Long Branch School of Social Justice students who filmed the H.E.A.R.S. YouTube programs alongside Brookdale Community College students who are members of the Phi Theta Kappa International Honor Society. Phi Theta Kappa members participated in H.E.A.R.S. planning sessions and received the Distinguished “Honors in Action” Award from the Middle States Commission on Higher Education for their opioid Awareness Project.

The H.E.A.R.S YouTube program spotlights people in recovery and most recently featured a heartwarming video tribute for Overdose Awareness Day. The H.E.A.R.S YouTube lecture series

captured in its grip. That is the most important message to those struggling to recover. Mihlon became involved in addiction awareness after his son’s near fatal overdose in 2013.

**“Loving Perseverance”...is the commitment to understanding this relentless disease, and to never stop loving and never give up on those captured in its grip.**

promotes awareness and education to demystify the disease and is also sponsored by the Long Branch School of Social Justice, Brookdale Community College and RWJBH.

H.E.A.R.S. member Larry Mihlon, retired West Long Branch Police Chief, coined the term “Loving Perseverance” which is the commitment to understanding this relentless disease, and to never stop loving and never give up on those

### Progress underway

With two years of monthly meetings and countless hours of service, H.E.A.R.S. can report significant progress. The H.E.A.R.S. Kick Off event in 2018 featured the Mayor, Council, and over 100 attendees who signed the city’s “Stop the Stigma” proclamation. The H.E.A.R.S. Community Breakfasts, part of the “Never Give Up” project, meet quarterly to foster connections between

## Lessons Learned

H.E.A.R.S. started with one individual’s impassioned call to action and one administration courageous enough to act. Fighting this epidemic requires leadership at every level among our elected officials, partnerships, and community. It requires ongoing advocacy for legislation, funding, and resources, but most importantly, it requires the community to “Never Give Up.”

H.E.A.R.S. is accountable to its mission to serve those in need and to take action. In the words of famed anthropologist, Margaret Mead, “Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it’s the only thing that ever has.”

service providers and the community. Even with the current COVID restrictions, our recent virtual keynote “Addiction as a Disease” drew a large audience.

Our “Boots on the Ground” initiative is now a partnership with the RWJBH IFPR Mobile Recovery Unit funded by the Monmouth County Division of Behavioral Health. This unique program puts recovery coaches directly on the streets to meet people where they are so they can be connected with services.

As Recovery Specialist Joan Sciorta, who is in long-term recovery herself, knows: “The magic formula is one peer helping another, opening their heart to hear the good news that recovery is possible. There’s nothing like hearing ‘me too’ when you are suffering. Wherever I was on my journey, the right person showed up right on time to guide me. Now I’m a Recovery Specialist committed to helping others on their journey to recovery.”

After meeting with the program staff, Dr. David Stout, President of Brookdale Community College knew immediately “This is the real deal!” and signed the College on as a partner. The program also provides training for police departments, works with the schools on early intervention, and meets with legal representatives about alternatives to incarceration. By bringing the whole community together to collaborate on finding solutions, more opportunities are being created to save lives.

Addiction affects all of us—directly or indirectly—and non-stop advocacy is essential. Senator Gopal observed, “The work of H.E.A.R.S. greatly impacts our community by helping those struggling to build back better with the support they need to move forward. To further help as a community, we must work together to push for legislation that not only speaks on prevention, but also provides treatment.”

Our advocacy efforts led to support from the Monmouth Family Health Center for creation of our website as well as hiring the Lauren McCaskill Consulting Group to lead our community

outreach efforts. Other community members stepped up such as the Long Branch Rotary and First Investors Bank who help fund the H.E.A.R.S. Help Bag Project which provides toiletries, snacks and clothing for people in need. Brookdale Community College was also inspired to explore ways to assist in establishing a local Recovery Center.

Dr. Anita Voogt serves on the Long Branch City Council and is AVP for Strategic Partnerships at Brookdale Community College

@ For more information and a complete list of H.E.A.R.S. Steering Committee members, contact [info@longbranchhears.com](mailto:info@longbranchhears.com) or visit [www.LongBranchHEARS.com](http://www.LongBranchHEARS.com).

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# Middletown Fertilizer Pilot Program

New program sets example for state by transforming compost use

TARA BERSON, *Public Information Officer, Middletown Township*



Mayor Tony Perry filmed a PSA at Middletown's composting site to inform residents about the free leaf compost being offered at the Middletown Recycling Center.

**T**his summer, Middletown announced a groundbreaking partnership with High Time Farm in Somerset County to conduct testing on the compost the Township creates through its leaf collection as a viable organic soil amendment. This is the first pilot program of its kind in New Jersey and the results could be an important step towards moving away from chemical fertilizers to grow plants.

This year-long pilot program is another step towards Middletown's ongoing commitment to find ways to increase sustainability in an economical way. "Last year, Middletown was the first municipality in the state to invest in a Styrofoam Recycling Machine, and we look to build upon our environmental successes with this program," said Middletown Mayor Tony Perry.

The results of this study will help the Township determine how residents' leaves can be transformed into a regenerative soil amendment for our land across town for both residential and municipal use. "This will enable us to potentially eliminate the use of chemical fertilizers while also being more cost-effective," explained Mayor Perry.

## Getting started

The partnership began when the NJ Composting Council (NJCC) introduced Middletown Sustainability Manager Amy

Sarrinikolaou to a fellow member, Stacy Vogel of Homestead Slow Food in Pottersville to discuss using the Township's compost on her crops as rehabilitation soil.

After initial quality testing, Vogel and Township officials were able to work out the parameters and goals of the program. Middletown provided approximately 800 cubic yards of compost towards Vogel's pilot program. In return Vogel, supported by the NJCC, will provide the advanced testing results, drone footage, and documentation throughout the trial. The goal of the testing is to demonstrate the viability of organic, all-natural compost as a replacement for synthetic fertilizer when growing crops.

The project will run through August 2021. There will be several testing sites on the farm as well as a control group to determine how the crops using compost as a soil amendment perform in comparison to those that do not. There will also be soil testing throughout the process to determine how the

# Why Composting?

Composting has been shown to have myriad benefits from soil porosity, nutrient uptake, pathogen destruction, and disease suppression for crops.

“If the testing concludes as expected, and our compost does in fact improve soil quality as well as crop quality, it will have tremendous implications for the agriculture of New Jersey and beyond,” said Middletown’s Sustainability Manager Amy Sarrinikolaou. “Rather than thinking of our leaves as waste, it can be repurposed to improve the growth rate and quality of crops, flower gardens and yards as well as eliminate the need for chemical fertilizers which are currently being used to provide the soil with nutrients.”

compost application improves the overall quality of the soil.

## Compost for residential and commercial use

This August, Middletown also started offering free screened compost to residents so they can use it as a natural way to repair and enhance their yards. “The compost is screened at our composting site and stocked at our Recycling Center,” explained Mayor Perry. “It has proven to be extremely popular with our residents since they don’t have to purchase

dirt or chemical fertilizers, all while keeping Middletown green.”

Due to its high quality, the Township now has a modest revenue stream from selling its leaf compost. Since the implementation of the program, Middletown has generated more than \$10,000 selling finished leaf compost to professional landscaping companies. “We anticipate the final test results from our partnership with High Time Farm will further solidify the quality of the leaf compost through scientific evidence and make

the end result even more enticing to landscapers,” said Mayor Perry.

## Cost-savings of utilizing compost

Middletown is projecting to save money as residents begin to compost their own leaves, since there will be fewer leaves to pick up at the curb. “Composting will be encouraged over the next year through promotional and educational efforts through the Department of Public Works and the Public Information Office,” said Mayor Perry. To help facilitate at-home composting, the Township recently partnered with Monmouth County to begin selling Earth Machine Backyard Compost Bins for \$35 at the Township’s Recycling Center.

The Township has also been able to utilize the compost at its own facilities and parks, which is an additional cost savings. 🇯🇵

@ Visit [www.middletownnj.org](http://www.middletownnj.org) for updates.

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# Mobile Apps

## Keeping downtowns open and communities connected

VICKY WINKLER, SR. *Producer, MyDowntown Mobile*

Having a sense of place and community is more important now than ever. But the pandemic has increased our digital footprint with online shopping, at-home deliveries and curbside pick-up—not to mention streaming services, social media, and more. The Google’s and Amazon’s of the internet do not know or respect communities’ borders. These platforms provide information based on criteria and paid search that only they control.

So how can municipalities help people avoid online isolation, keep safe, and stay informed—all while embracing a sense of community? One solution is by using a dedicated community app.

### Supporting Local Small Business

According to the Pew Research Center, in 2019, 81% of the US population owned a smartphone. By using online devices, people are reaching outside regional boundaries for things they once bought locally. In response, municipalities and BIDs need to make it as easy as possible for residents to find local products, services, events, and information safely to support local business.

Residents and visitors need a dedicated app that can act like a town’s digital “town green.” By making it easy to find local products and information, municipalities can maintain a sense of community, belonging, and connectedness, while simultaneously supporting local commerce, especially during COVID-19, when family and businesses are remote or even locked down.

### Digital placemaking for unified communications

For years, towns have used websites and social media to communicate, but residents are on their own in terms of keeping track of all these resources. However, some towns have discovered that having a mobile town app can do just that—become a unified, digital place, where businesses,



schools, the library, and all of the town’s resources are at their residents’ fingertips.

Lavon Phillips, Communications Director, Glassboro noted that “using the app can tie everything together.” Phillips built Glassboro’s customized branded app with MyDowntown Mobile. According to Phillips, a curated local app presents the most important information to the community, and he said, it has “no bias. You’re not being sold anything.”

Sites like Google and Yelp use complicated algorithms and weighted systems to push out the little guys, the locals or the new businesses—they “make you find what they want you to find,” said Phillips.

Having a mobile app can enable towns and BIDs to give their communities the local content they are looking for. Towns can present the information their residents want: the businesses;

## By the Numbers

### Building a Mobile App

There is more than one way to get your app developed. An app builder platform be fully custom, semi-custom, or fully templated, with varied costs and creation times.

#### For general budgeting purposes:

##### A semi-custom, branded, template app will cost about:

- \$6,000-\$12,000 to build
- \$5,000-\$10,000 per year to maintain, depending on your maintenance plan.

##### A fully custom app will cost about:

- \$30,000 to \$60,000 range for development
- \$1,000-\$2,000 in monthly maintenance.

their Facebook pages and Instagram accounts; hyper-local news sources; and a well-rounded, accurate view of their community. Phillips said that for Glassboro, “the app was a natural extension” of their existing marketing efforts and has become a valuable asset for the community.

### The digital expression

Your mobile presence should be treated like you treat your town center—it represents who you are as a community and culture, so visitors and residents can identify with it. As the digital version of your town center, its persona needs to be reflected in your mobile communications.

But a digital downtown does not need to replicate your municipal website. Some key elements you want to share can be included, “the app information is clean, quick, and fun. We do not want to bog it down with traffic reports or too much municipal information.”

This approach can be likened to your downtown visitors who come to enjoy a town’s businesses and lifestyle amenities rather than take care of business at town hall.

### Good content equals good results

“Build it and they will come” does not typically work here. Once you create your own app, its content should be

updated regularly and be integral to your marketing communications plan. For example, your business directory should be updated with COVID-19 business operations, and local shops should promote app-exclusive deals through social media and carefully timed push notifications.

In addition, pulling the best, hyper local news resources into the app will keep your community informed. Using push notifications, residents can receive important updates like the latest school procedures and online learning tools. Virtual and in-person socially distanced events also can be promoted. Store hours, shop-in or dine-in procedures and/or contactless pick-up or delivery options can be communicated as well. Your app becomes the go-to for fun, lifestyle, and critical information for your residents.

COVID-19 has presented us all with new and unexpected challenges, but downtowns are resilient and adaptable. With the right plan and partners at your side, your town can rise to the challenge. How are you currently meeting the needs of your residents and businesses, and is it working? A mobile app could be the next indispensable tool in your belt. 📱

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# Air Purification in Woodbridge

Safe options for indoor fitness facilities

VITO CIMILLUCA, *Business Administrator, Woodbridge Township;*  
ROBERT R. KEADY, JR., *PE, CME, Senior VP and Municipal Practice Leader,* and  
M. ELAINE DASTI, *PE, Group Manager, T&M Associates*

**T**he COVID-19 pandemic continues to inject disarray and uncertainty into our routines—but it is clear that residents are eager to safely resume normal activities and recreation.

This is especially true at indoor fitness facilities, which have been the slowest to reopen due to the inherent challenges around social distancing, sanitization of high-contact surfaces, and the indoor movement of microscopic droplets. But throughout the state, municipalities and private owners are working hard to tackle these challenges head-on.

Here in Woodbridge, the township partnered with the engineers at T&M Associates to implement our in-progress rehabilitation of The Club at Woodbridge Sports and Fitness Center. This multimillion-dollar project will result in a beautiful facility with world-class amenities. It will also, through enhanced air filtration and the installation of bipolar-ionization technology, ensure that the indoor air quality meets the safest possible standards to mitigate potential virus transmission.

## Possible secret weapon

Described by Business Insider as a possible “secret weapon” against COVID-19, bipolar ionization works by adding positive and negative oxygen ions to an air handling system. Negative, or charged, oxygen ions attract unwanted particles, including dust, mold, exhaled droplets, and microbes. Facilities in the process of upgrading their HVAC systems to include bipolar ionization include the stadium used by the National Football League’s Denver Broncos. In addition to the ionization technology, The Club at Woodbridge’s new air-handling units will be equipped with Minimum Efficiently Report Value (MERV) 13 filters, in accordance with CDC standards as well as recommendations put forth by the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

Woodbridge has already renovated the indoor multi-sport

field, daycare center, administrative offices, and locker rooms at The Club. We are now in the process of constructing a 4,000 square-foot addition and 26,000 square-foot renovation to accommodate a full-size ice hockey rink, restrooms, locker rooms, bleachers, and a concession stand as well as various facilities for coaches, officials, and equipment storage.

**“The installation of enhanced air filtration and bipolar ionization technology at The Club at Woodbridge is just one of many steps we are taking to safeguard the health and safety of our township residents, employees, and visitors. We are all in this together.”**

—Mayor John E. McCormac, Woodbridge Township

We expect the new ice rink to be ready for the September 2021 season. Central to the design of the facility will be our bipolar ionization-enhanced air purification system to help keep players, officials, and spectators safe. Although we are all moving forward in the hopes of the introduction of an effective vaccine, the Township of Woodbridge is leaving nothing to chance, and taking proactive steps to protect the public health. 🇺🇸

Vito Cimilluca serves as Business Administrator for Woodbridge Township in Middlesex County. Robert R. Keady, Jr., PE, CME, Senior VP and Municipal Practice Leader, and M. Elaine Dasti, PE, Group Manager, are with are with T&M Associates, headquartered in Middletown.

# League Officers for 2020-2021 Elected

On Friday, November 20, 2020, New Jersey’s mayors elected its new slate of officers and executive board members at the League’s Annual Business Meeting at the Virtual Conference. These public servants will help represent the interests and needs of New Jersey’s local elected officials from the state’s 565 municipal governments to county, state, and federal governments.

Nominating Committee Chair Colleen Mahr, Mayor of Fanwood and NJLM Immediate Past President, presented its nominations for the offices of President, 1st, 2nd, and 3rd Vice President and 21 positions on the Executive Board, thereby fulfilling its Constitutional responsibility.

The board must include members from municipalities located in each of New Jersey’s 21 counties. Another consideration is that, because of the diversity of population, growth patterns, and other general factors, the nominating committee must ensure the essential balance of municipalities—urban, suburban, and rural.

Another topic in the development of the recommendations list is balance—even though the League is non-partisan in nature—the committee strives to ensure the maintenance of a balance between the major political parties represented on the Executive Board.

Finally, the nominations factor in whether an individual in consideration for nomination has demonstrated an interest in League affairs through active participation on League committees by support of the League policies and programs.

Taking all of those matters into their determination, the committee presented their selections and the following officers and Executive Board members were elected for service in 2020-2021. 🇺🇸

## 2020-2021 LEAGUE OFFICERS AND EXECUTIVE BOARD

**JANICE KOVACH**, President;  
Mayor, Clinton Town

**WILLIAM J. CHEGWIDDEN**, 1st Vice President;  
Mayor, Wharton

**RAYMOND S. HECK**, 2nd Vice President,  
Mayor, Millstone Borough

**WILLIAM PIKOLYCKY**, 3rd Vice President,  
Mayor, Woodbine

### EXECUTIVE BOARD

**Ras Baraka** Mayor, Newark

**Tom Bianco** Mayor, Clayton

**Gayle Brill Mittler** Mayor, Highland Park

**William Curtis** Mayor, Bay Head

**Sean Elwell** Mayor, Elsinboro Township

**Anthony Fanucci** Mayor, Vineland

**Steven Fulop** Mayor, Jersey City

**John C. Glidden, Jr.** Mayor, Closter

**Jeffery Martin** Mayor, Hamilton (Mercer)

**John Pallone** Mayor, Long Branch

**Gary Passanante** Mayor, Somerdale

**James J. Perry, Sr.** Committeeman, Hardwick;  
NJLM Immediate Past President

**Guy Piserchia** Deputy Mayor, Long Hill

**Christine Quinn** Deputy Mayor, Sparta

**Marty Small, Sr.** Mayor, Atlantic City

**Sara Todisco** Mayor, Garwood

**Paul H. Tomasko** Mayor, Alpine

**Janet W. Tucci** Mayor, West Long Branch

**Michael Venezia** Mayor, Bloomfield

**Craig Wilkie** Mayor, Florence

# Clinton Town Mayor Janice Kovach Elected League President



**O**n Friday, November 20, 2020, Mayor Janice Kovach was elected to serve as the new President of the New Jersey State League of Municipalities. Mayor Kovach, who previously served as the League's 1st Vice President, was elected during the Annual Business Meeting at the League's Virtual Conference this year.

Mayor Kovach has served as Mayor of Clinton Town since 2012. Prior to joining state government, she was a Councilwoman in the Town of Clinton, serving as the Planning Board Liaison, Chair of the COAH committee, and the Historic Preservation Commission. She resigned her Town Council seat when she assumed the Director's job of the New Jersey Division on Women, serving from August 2006 until September 2010. As the former Director, Mayor Kovach was a member of the Domestic Violence Fatality and Near Fatality Review Board; Gender Parity Council and the NJ Commission on Women Veterans; Governor's Advisory Council Against Sexual Assault; Governor's Advisory Council on Domestic Violence; and New Jersey Commission on the Status of Women.

As a resident of Clinton, Mayor Kovach served as a Trustee of the Red Mill Museum Village and President and Trustee of the CPS Partners in Education Foundation, Inc. In October 2004, she was appointed to the Highlands Water Protection and Planning Council and served until May 2010. She is a Leadership NJ Fellow-class of 2009. She was appointed to the Hunterdon County Polytech School Board in March 2011 and served until October 2013. She has served as a member of the United Way Women's Leadership Council and as an executive board member and chair of the education and training committee of the NJ Women's Political Caucus.

Mayor Kovach is currently a Commissioner for the NJ Motion Picture and Television Commission, which provides production tools, financial incentives, and information about productions in the state of New Jersey.

In addition to her role as Mayor, she has taken the passion for her work at the Division and parlayed it into a non-government role, speaking at events about her personal experiences and the role that women can and should play in business, government, and politics. Kovach and her business partner established the River Town Film Festival in 2017. She has worked as a consultant for several companies. Previously she was a Director with Prudential, managing a 24/7 call center and a Marketing Project Management Group. She has also held management positions with Fleet and NatWest Banks.

Mayor Kovach has a Bachelor's degree in Business Administration from Thomas Edison State College. 



NJLM Virtual Conference 105<sup>th</sup> Annual  
November 16-20  
#njleague



New Jersey State League of Municipalities

# Annual Report



Michael F. Cerra,  
Executive Director,  
New Jersey State  
League of Municipalities

# 2020

Each year, this report looks at familiar challenges, but 2020 was nothing like a typical year. It gave us more opportunities than ever to work together toward a common goal of helping New Jersey's municipalities through one of the most challenging times in League history.

As each of our member municipalities struggled through moving safely to a virtual environment, we have advocated on their behalf in Trenton and Washington to secure much-needed fiscal security. We aren't through the woods yet, but our #MunisCount campaign in New Jersey and the National League of Cities' #CitiesCount campaign highlighted the needs of local governments.

As League President Jim Perry took office last November, he knew there were challenges before us. But none of us imagined that our biggest challenge would emerge from the COVID-19 public health crisis. Transitions in the Executive Director and Assistant Executive Director offices, as well as the addition of two new staff members and the retirement of a longtime asset to the Legislative team have taken place in the "new normal." We thank Michael J. Darcy, CAE, for his years of service and appreciate his work through a demanding changing of the guard.

This new decade has developed into an entirely new chapter in the story of the League of Municipalities. We've restructured our team to serve you better, creating new director positions

covering finance, the League Conference, and communications/marketing/technology. With this reorganization and utilizing our hundreds of years of combined local government experience, we look forward to continue building relationships with our members through good times and tough times alike.

Inside the League, every department has adapted to the unique demands of pandemic life. From turning on a dime to plan and carry out a successful virtual conference to securing special clearance to testify in front of committees at the state-house, we've started this new decade with many new ways of meeting our mission. We'll continue this support each day through our outreach tools including seminars, the website, our newsletters, and League magazine along with our legal and legislative efforts.

Moving into a new year, we all hope to leave behind the hardest parts of the pandemic—fiscal issues and high human impact being just two. But we also hope to grow from the seeds we've planted this year in terms of mutual support, technological advances, and the enduring spirit of community service that fortifies and sustains the League and its members.

**LEGAL**

**Municipal Administrator Removal Process Considerations**

**Q** Our municipal administrator has been with us for a little over four years and is beginning the second year of a three-year employment agreement. However, things have not been working out and we are looking to part ways. Is there anything we need to consider before moving on from our administrator, such as tenure rights? And, how does the employment agreement affect our ability to remove the administrator from the position?

**A** The municipal administrator position has not yet been set as a municipal clerk, tax collector, or chief financial officer would. Administrators are hired at will, meaning they can be removed from their position at any time. There are, however, certain conditions that must be met before proceeding with a municipal administrator with special conditions necessary for the immediate removal.

THE N.J.S.A. 10-118 requires a 121 vote of the governing body on a resolution covering the administrator. The resolution of removal becomes effective three months after its adoption. This effectively overrides the administrator with three months notice of termination and allows the administrator to remain in the position for that time.

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### Legal

The League has been busy advocating for municipalities in the courts this past year. Our legal department, led by Counsel William Kearns, Deputy Counsel Trishka Cecil Waterbury, and Associate General Counsel Frank Marshall, participated in various amicus interventions in 2020 before both the New Jersey Appellate Division and Supreme

Court. The legal matters at issue were diverse but most often these matters involved OPRA in some way or another.

The League participates in these cases because they have statewide impact and municipal interests are well served by our involvement.

In addition to our amicus work, the League’s legal department continues to act as a helpful resource to municipal attorneys. We act as a clearinghouse for ideas and practices and monitor and report on important court decisions at the state and federal level that impact our members. Attorneys must continually adapt to a changing legal landscape and our legal department is a strong resource to help them in this task.

Outside of the court context, our legal department continues to create useful resource material. This includes various publications offered by the League, contributing to the League magazine with articles on particular areas of interest, and writing blog posts to outline new laws and regulations.

In addition to this, the legal department maintains the League’s ordinance and resolution library. This library is a valuable tool for municipal attorneys, elected officials, and others as it allows users to see how other municipalities have solved problems helping them to better address their own.

The League’s legal department also works on legislative and regulatory advocacy—working closely with members of the League’s legislative staff to provide analysis on legislative affairs. The League’s Associate General Counsel frequently represents the League and municipal interests as a stakeholder on a variety of issues before the State’s regulatory bodies.

### Legislative

This year League President James J. Perry Sr., Committeeman, Hardwick, dealt with unprecedented challenges that demanded a shift in the way the League approaches legislative issues. His ongoing efforts took place remotely, but consistently and with success.

January and February were typical months at the State House. Then in March, like everything else in 2020, things changed. The Legislators’ focus swiftly changed to addressing issues related to and involving the pandemic. Meetings became virtual. Legislation moved quickly to react to the changing environment COVID created. The League’s Government Affairs team rapidly responded as well, rolling out information on the Town Crier Blog on Gov. Phil Murphy’s Executive Orders along with responses to Division of Local Government Services Notices explaining the shifts in budgeting and taxes for this complicated year.

Upon Mike Cerra’s promotion to NJLM Executive Director, Lori Buckelew was named the new Assistant Director and Director of Government Affairs. In November the League saluted stalwart Senior Analyst Jon Moran as he headed into retirement after 34 years of service to the Legislative Team. Before he left, he helped guide new Legislative Analysts Paul Penna and Andrew LaFevre, who join Associate Legal Counsel Frank Marshall, and Legislative Administrator Ciara Bradley.

The first League Legislative Committee meeting was in person, subsequently the committee meetings were conducted virtually to continue the communications between the Legislative Team and membership.

The League leadership and staff met as often as possible with the Administration, including daily and weekly COVID-related briefings. Their communications included in-person and distance meetings with the Governor, the Senate president, the Speaker of the General Assembly, and a number of cabinet officials.

The Assembly is still meeting virtually, The Senate is holding in-person hearings for which the League’s Legislative team registers to testify in advance. We are only allowed in the hearing room if testifying, but we have consistently followed proceedings digitally and actively followed up with legislators utilizing many means of communications. NJLM’s Legislative team focused on COVID and non-COVID issues of importance to local governments, serving as an active voice for local officials on topics including:



**COVID Borrowing Bill:** Explained by DLGS LFN 2020-24, Coronavirus Relief Bond Law allows municipalities and counties to issue special emergency appropriations for the loss of revenue and/or unanticipated expenses directly attributable to the COVID-19 pandemic. In addition to this, the law also permits the DLGS Director to issue guidance on the calculation of anticipated revenue for the 2021 budget year.

Recently the legislature has started considering non-COVID-related legislation.

Moving forward the League will continue to watch legislation important to local governments including:

**Hospital bill:** After making their way through committee, A-1135 and the Senate Committee Substitute for S-357 and S-624 have appeared on the voting session agendas. This legislation stems from a tax court decision which brought to light how the business model for modern hospitals does not comport with the original public policy reasons for exempting non-profit hospitals from property taxes. While the League is supportive of a legislative solution to the issue, we do not believe that these bills provide a proper solution. Progress still needs to be made to ensure appropriate legislation is adopted.

**Cannabis implementation:** We will continue to watch the developing legislation to ensure local governments have a voice and a tax benefit from the legalization of recreational marijuana for those over age 21.

Our Government Affairs staff is always eager to hear from you to better serve you and your municipality. Please contact them with your questions, comments, and ideas.



## Washington

Our nation is strongest when all levels of government work together to protect and advance the priorities of our communities and residents. Throughout the year, as in the past, League Staff Attorney Frank Marshall carefully monitors US Supreme Court cases on issues ranging from internet sales taxes to public employee agency shop requirements, as well as federal regulatory proposals.

These included FCC proposals that would supersede local broadband deployment authority and proposals to regulate the usage of personal drones which would eliminate or severely restrict state and local prerogatives.

In early February, President Perry and League staff members joined leaders and staff from more than 30 other state municipal leagues for a day of meetings on Capitol Hill in the offices of our respective U.S. Senators and Representatives. This event was organized by our federal partner, the National League of Cities (NLC), with a sharp focus on Infrastructure needs and Infrastructure funding, Clean Water State Revolving Fund reauthorization, and National Flood Insurance Program reauthorization.

And then, the world changed and a new priority appeared. But others still remained.

## Gateway Project

**Tunnel Replacement and Repair:** In early March, U.S. Department of Transportation (USDOT) Secretary Elaine Chao said that three hurdles remain to be cleared before a Gateway Tunnel start. A decision on the project's eligibility for Capital Investment Grant (CIG) funding will be the last of those. But USDOT will not consider funding before an Environmental Impact Statement (EIS) is released by the Federal Railroad Administration (FRA). The Secretary told the Senate Appropriations Committee that the project's Federal Transit Agency (FTA) rating will need to improve before that.

**Portal Bridge Replacement:** On this aspect of the project, at least, we have made progress. In May, the FRA awarded NJ Transit and Amtrak \$91.5 million for the project. And in June, the Federal Transit Administration qualified the project for an additional \$766.5 million. In addition, the State of New Jersey has committed to spend \$600 million for the local share, which will be funded through the Transportation Trust Fund. Then, in July, NJ Transit's Board of Directors approved a project development agreement with Amtrak, moving the Portal Bridge replacement project one step closer to a start. The project, which is expected to cost \$1.8 billion, is now scheduled to begin in 2021 either in the late Spring or early Summer.

Thanks go out to our Federal delegation, to Governor Murphy, and to all of you who continue to advocate for federal support for a project so crucial to our national economy.

## Infrastructure Investment Reauthorization

In June, New Jersey Congressman Frank Pallone and other members of the House leadership team introduced the Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act. Among other provisions, the bill would dedicate \$19 billion, over five years, in Local Aid.

And, it would enact reforms to enhance State-Local coordination in order to ‘improve the flow of funds’ to local units of all sizes. Also included in the proposal is \$250 million for complete streets. The total package would authorize \$1.5 trillion over five years—an average of \$300 billion a year, with some of the funding front-loaded in the Federal government’s upcoming (FY 2021) Fiscal Year. That would make available to states, municipalities, tribal governments, U.S. territories, and transit agencies \$83.1 billion in FY ’21 for COVID Response and Recovery. An additional \$22 billion would be made available, beginning on October 1, in capital support to compensate for lost revenues.

We appreciate the work done by Congressman Pallone, and by Senators Menendez and Booker on this priority. And we are grateful for the advocacy of President Perry, and of Past Presidents and Mayors Brian Wahler and Tim McDonough, on behalf of New Jersey municipalities.

### COVID Crisis Assistance

Congress passed the \$8.3 billion Coronavirus Preparedness and Response Supplemental Appropriation Act on March 5. It was signed into law the following day. That bill included no assistance for state or local governments.

On March 18, Congress passed the \$192 billion Families First Coronavirus Response Act. It was signed into law that night. That bill included no assistance for state or local governments.

On March 27, Congress passed the \$1.7 trillion Coronavirus Aid, Relief, and Economic Security Act (CARES). That Act included a \$150 billion Coronavirus Relief Fund, which provided some assistance to cover some COVID related costs for the 50 states, and to any local government with a population of at least 500,000. That limitation denied aid to all 565 New Jersey municipalities and to 12 of the State’s 21 counties.

On April 23, Congress passed the \$321 billion Payroll Protection Plan and Healthcare Enhancement Act. Up until the day it was passed, Congressional negotiators, and our federal partners at the National League of Cities (NLC), were working to include in that bill funding for small and mid-sized local governments, and additional, flexible funding for the States. But the final compromise included no assistance for state or local governments.

In early July, the Payroll Protection Plan was extended until August 8.

All of those bills addressed important priorities. But none of them prioritized the impact of the pandemic on municipalities. Throughout this crisis, New Jersey’s Congressional Delegation has played a leading role in ongoing efforts to send a lifeline to

New Jersey municipalities. All local governments urgently need direct federal funding to continue to fight COVID-19 and protect their residents.

In June, NLC hosted a ‘Protecting and Growing America’s Economic Recovery’ virtual Hill briefing, part of NLC’s ongoing ‘Cities Are Essential’ campaign, which looks to convince Congress that a swift and certain recovery will only be possible if all municipalities get the support they need from the Federal government. We want to thank Senator Bob Menendez for participating in the briefing, and for all he is doing to advance the SMART bill—a strong, bipartisan effort to advance state and local aid. We also want to thank NLC for inviting NJLM Executive Board Member and Somerdale Mayor Gary Passanante to ask Senator Menendez some of the questions that are on the minds of local officials all around New Jersey, and across the Nation.

The League, along with our national partners at the NLC, continues to push direct financial aid to local governments in the next legislative response to the economic impact of the Coronavirus.

### 2020 Census

Throughout the year, we have joined you in promoting citizen response during the 2020 Census. To be blunt about it, the U.S. Census is all about two things: Money and Power. Every one of your citizens who remains uncounted is a missed opportunity. And every missed opportunity is a bonus for those living elsewhere. The pandemic made this decade’s census more challenging than ever.

### Labor Relations



The League’s Labor Relations Advisory Service is conducted by the League’s Labor Relations Counsel, Joseph Hannon of the firm Genova Burns LLC.

Joseph Hannon is available to respond to a broad range of public employer labor and employment law questions as a telephone or email service of the League. Inquiries to the League Labor Advisory Service over the years have included

issues like the interest arbitration reforms and the 2% cap on awards under the 45-day “rocket docket,” impacts of sunseting Chapter 78, furloughs and temporary layoffs, health benefit and pension reforms, and perennial problems municipalities face in police and fire and civilian collective negotiations, Public Employment Relations Commission unfair practices and representation matters, Shared Service Issues, Civil Service issues, FMLA and NJFLA issues, FLSA and wage and hour issues, Americans with Disabilities Act issues, and Equal Employment Opportunity and New Jersey Law Against Discrimination issues.

As part of the Labor Relations Advisory Service, Genova Burns provides expert attorney presentations at several League seminars throughout the year and during the Annual Conference.

	Members	Non-Members	Quantity
2019 NEWLY ELECTED OFFICIALS' HANDBOOK - Primer for Local Elected Officials - Instructional materials for elected officials	\$10	\$10	
Americans with Disabilities Act (ADA)	\$10	\$10	
2018 Municipal Directory - Contains contact info including contact information for NJ's 567 municipalities. ** Print and PDF versions available in March	\$15	\$45	
New Jersey Municipalities Magazine - Annual Subscription (3 issues)	\$25	\$30	
No Worker Priority Collection - Resumes Request from Elected Officials	\$10	\$10	
Local Public Contracts Law Series 1 (2016)	\$60	\$100	
Local Public Contracts Law Series 2 - Primer on Competitive Contracting (2017)	\$60	\$100	
Open Public Meetings Act (OPMA) - Guide under the Right to Know Law	\$12	\$14	
Open Public Meetings Act (OPMA) - Guide to the Sunshine Law (2016)	\$10	\$10	
A History of Municipal Government - A historical story and new industry perspective	\$12	\$14	
Practice Act - No Disposal Charter Law	\$12	\$12	
NJ 3 Traditional Forms of Government - Towns, Villages, Boroughs and Cities	\$12	\$12	
Local Government Ethics Law (2016)	\$12	\$12	
Police & Fire Labor Code Service - Tracks trends in public and the contract enforcement	Full Service	Full Service	
Police Labor Code Service - ELECTRONIC	Print Only	Print Only	
Fire Labor Code Service - ELECTRONIC	Print Only	Print Only	
2019 Salary Survey - Salaries for selected municipal positions, elected officials and executive positions	\$40	\$100	
NJ PERMITS, POLICERS with NJLJF (2019) (one edition covering in 2020)	\$12	\$14	
LICENSED VOLUME 1 - Absence, Public, Security, Governance & Finance	\$40	\$40	
LICENSED VOLUME 2 - Asset Proc. and Public Safety Practices (2016)	\$40	\$40	
LICENSED VOLUME 3 - Drug & Civil Liability, Public, Labor, License Fees, Garage Sale, Fire Marshal and Auction Lic. Fees (2016)	\$40	\$40	
LIMITED TIME OFFER - License Volumes 1, 2 & 3 at a discounted price!	\$120	\$120	
LICENSED VOLUME 4 - Municipal Parking Fees & Lic. Fees (2016)	\$40	\$40	
License Summary for 2016	\$60	\$60	
Departmental Operations (D.O.) - Examines factors that contributed to Departmental	\$10	\$10	

## Bureau of Municipal Information

Every year there are municipal emergencies. But they are typically short-lived moments followed by focused recovery efforts. The ongoing demands for information and support in the face of the pandemic has proven decisively the ongoing value of services provided

by the Bureau of Municipal Information.

In 2020 the League continued to offer the online Ordinance and Shared Service Libraries, a valuable service providing a sampling of enacted ordinances and shared services agreements from across the state on over 70 topics. The libraries may be accessed on the League’s website and are searchable by keyword.

The Bureau features resource pages for over 20 topics on the League website, including a COVID-19 Resource page. Other pages include critical subject information such as legislation pertaining to hot topics and their history, as well as updates via the News Flashes and links to pertinent resources and recent news articles. The Finance Center, Social Media Resource Center, and Bureau Reference Desk are just a part of the collection of information on matters of importance to municipalities.

The League also offers a diverse listing of publications, most of which are digital and include valuable data in Microsoft Excel spreadsheets.

@ Visit the Bureau online at [www.njlm.org/bureau](http://www.njlm.org/bureau).



## New Jersey Municipalities Magazine

Meeting the needs of readers dealing with a “new normal,” *New Jersey Municipalities* added on to its longtime schedule of 9 issues per year published monthly October through June. In August, a special issue of the magazine with an in-depth focus on municipalities during

COVID-19 was sent to subscribers and posted at the NJLM website for free viewing. The first issue under new Editor-in-Chief Mike Cerra was a unique and effective spotlight on the special needs of communities during this crisis. Throughout the year, dealing with the demands created by COVID-19 will continue to be a focus of the magazine.

One of the many unfortunate results of the pandemic was a scaled down celebration of the ratification of the 19th Amendment, giving women the right to vote. Each month through the Summer issue, *NJ Municipalities* was proud to highlight the people and events marking this celebration. The March issue was purple for suffrage and the issue’s special section on the history of suffrage and the ongoing efforts for women in local, state, and federal government serve as an inspiration to us all. We appreciate the thoughtful pieces sent in by those who have and continue to advance the role of women in local government.

While interaction was severely limited, the second annual NJ Local Government Week was a success online and featured in the magazine. Special focus and cover placement in the April issue recognized this year’s Show Off Your City contest winner, Hope Township, as well as the dozens and dozens of towns earning honorable mention. For 2021, we hope to create a time capsule, preserving the moments that have made this pandemic period so extraordinary.

Monthly issues distributed from October through June continue to educate and inform more than 6,300 readers and an estimated 19,000 pass-along readership as a platform and information resource.

The magazine is...

- Fueled by insightful editorial and advertising contributions from League members from all regions of New Jersey and their operational partners, as well as state commissioners and other experts.

- Delivering a wide range of stories to managers and policy-makers including special focus sections on topics ranging from water infrastructure to tourism.
- Designed for easy navigation and visual interest.
- Environmentally and socially responsible in its operations, printing on industry-leading, environmentally responsible papers that use 10% post-consumer waste and FSC chain of custody certification.
- Created with print and digital readers in mind, with a growing publication archive in an electronic format based on the League's website.

@As always, we welcome your calls, ideas, and articles for our premier publication. Contact the magazine's Managing Editor Amy Spiezio at 609-695-3481, Ext. 123, or NJM@njlm.org to contribute an article or to learn more. [www.njlm.org/magazine](http://www.njlm.org/magazine)

### Training and In-Service Programs

# NJLM Events

The League works cohesively with numerous accreditation bodies representing 20 government licenses.

2020 brought challenges in the seminar world with the rise of COVID-19, but NJLM continued to successfully present programs that broaden, deepen, and increase knowledge and skills of municipal personnel in various professions while collaborating with our Affiliate Groups. The One Day Mini Conference was transitioned to three-day online conference with 12 different educational sessions offered and many of our traditional in person events were also transitioned to online webinars that our members could still attend and earn credit in the midst of a pandemic.

Approved continuing education programs serve as a cost-effective way for municipal professionals to maintain their respective state licenses. The League works cohesively with numerous accreditation bodies representing 20 government licenses, including Continuing Legal Education for New Jersey and Pennsylvania Attorneys, Municipal Licensees, Tax Assessors, Recycling Coordinators, Planning and Zoning Board Secretaries, Zoning Officials, Land Use Administrators, and Professional Engineers and Land Surveyors.

In addition to the Annual Conference, the League offered about 20 professional development seminars and webinars, educating more than 2,000 attendees in 2019/2020.

Highlights included:

- Orientation for Newly Elected, Reelected, and Experienced Official

- Budgeting for the Elected Official: Everything you Need to Know to Create, Balance, and Approve Your Municipalities' Budget
- Preventing Sexual Harassment in Your Workplace
- The Online Mini Conference
- Personnel Issues During COVID-19
- Prepping For Labor Negotiations: Who Needs to be Involved, What's Negotiable, and the Expected Costs
- The Kaleidoscope of Ethics Webinar

@For more information on the League's upcoming seminars and webinars, visit [www.njlm.org/Seminars](http://www.njlm.org/Seminars) or contact Danielle Holland-Htut, Continuing Education/Special Programs Manager at 609-695-3481, Ext. 118, or [dholland@njlm.org](mailto:dholland@njlm.org).

### Annual Conference



Moving into the 2020s required a double dose of Conference planning. In the pre-pandemic days last winter, plans were moving full-steam ahead for a 105th Annual League Conference in Atlantic City. Taking the safety of our members, vendors, and other attendees as our highest concern, the decision was made to reposition this year's event as a virtual conference.

Setting to work to recreate 100 years of in-person events with a five-day digital meeting required vast amounts of planning and endless cooperation on the part of speakers, moderators, League staff—particularly Taran Samhammer, Kristin Lawrence, and Danielle Holland-Htutt—and vendors.

The event committed to continuing the legacy of stellar education, networking, and exhibitor experiences, providing the raw information that municipal leaders take back to find the way forward for their communities. It also ensured that licensed municipal professionals would be able to keep their certifications up to date—one less worry in a worrisome time. In the end, the Virtual Conference drew more than 4,000 attendees and nearly 150 exhibitors for a celebration of innovative ideas and solutions to our State’s challenges.

The NJLM Annual Conference remains the largest municipal conference in the country and a critical mainstay in the portfolio of services provided by the League.

Even with the digital platform’s yearlong access, pre-registration for the event remained just \$55, the most affordable way for municipal officials to gain new solutions to both the perennial issues and evolving challenges. It is also the most cost effective way for licensed and certified professionals to receive continuing education credits vital to maintaining their licensure. Some of the features of this year’s conference were:

- 75 League educational sessions from NJLM and its Affiliate organizations and 12 Exhibitor Learning sessions produced by vendors.
- Sessions that highlighted creativity in municipal thinking.
- Primers for newly elected governing body members.
- Sessions focused on ethics training, personnel, and leadership.
- Sessions that explored municipalities’ use of new technology.
- Information on economic development, planning, management, and initiatives coming from State government.
- Coffee Chats with State leadership.
- A keynote address by Governor Phil Murphy.
- Ongoing access to sessions and Exhibitor booths through November 2021.

The conference is also a chance to award special recognition to local officials’ dedication to public service and the work of their colleagues in municipal government across the state.

We hope to return to Atlantic City and the invigorating environment of an in-person event, but this year has helped us learn more about what our delegates and exhibitors want. We are proud to have delivered just that.

## NJLM Education Foundation (NJLMEF)



*Promoting Innovation in Municipal Government*

The Foundation continues to publish a series of white papers on a wide range of issues that impact New Jersey local government.

These papers offer a deeper understanding of the specific issues explored. All Foundation publications are available for free download at the foundation website.

To capitalize on years of experience piloting the youth and family literacy Mayors Book Club program, the Foundation continues to offer the manual, “Planning and Participating in a Mayors Book Club” and distributed it to mayors at the Annual Conference. The manual was written by Dr. Vicki Cohen, Fairleigh Dickenson University, and edited by Foundation President Timothy McDonough, Mayor, Hope. The manual is also available for free download from the Foundation’s webpage [www.njlmef.org](http://www.njlmef.org)

In 2020 the Foundation continued the administration of the Michael A. Pane Memorial Fund. The Fund awards an honorarium to a local government professional (attorney, engineer, or planner) who personifies outstanding ability, integrity, and ethics in his or her dealings with local governments.

## NJLM Education Foundation Board

**Timothy C. McDonough**, President; Mayor, Hope Township; Past President, NJLM

**Paul Anzano**, Vice President; Mayor, Hopewell Borough

**Michael F. Cerra**, Treasurer; Executive Director, NJLM

**Lori Buckelew**, Secretary; Assistant Executive Director, NJLM

**John J. Anderson**, Trustee; Vice President, External Affairs, Jersey Central Power & Light Company

**Robert L. Bowser**, Trustee; Former Mayor, East Orange; Past President, NJLM

**Danielle Capozzoli**, Trustee; Corporate Attorney, United Water

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## Membership and Finance

The League is completing its 105th year of service to the municipalities of New Jersey. Our membership currently includes 564 municipalities in the State of New Jersey. The League's fiscal year runs from July 1 to June 30. The budget under which the League currently operates is set forth on this page. 

## 2020/2021 Adopted Budget

### INCOME

Appropriation of Prior Cash Balance . . . . .	\$776,021
Membership Dues . . . . .	\$676,242
Magazine . . . . .	\$313,757
Annual Conference . . . . .	\$1,268,833
Interest . . . . .	\$57,060
Publications . . . . .	\$44,800
Seminars . . . . .	\$115,117
Miscellaneous Receipts . . . . .	\$4,500
Internet Advertising . . . . .	\$180,000
Sub-Leases Base Rent . . . . .	\$143,637
Sub-Leases Expense Rent . . . . .	\$104,362
Sub-Leases Parking Space Rental . . . . .	\$34,766
Corporate Supporters . . . . .	\$66,000
Grant Station Subscription . . . . .	\$400
Employee Medical Contributions . . . . .	\$80,000
<b>Total . . . . .</b>	<b>\$3,865,495</b>

### EXPENSE

Salaries . . . . .	\$1,339,044
Social Security & Medicare . . . . .	\$102,437
Pension Employer Portion . . . . .	\$180,000
Disability Insurance . . . . .	\$1,500
Medical Benefits . . . . .	\$422,000
Workers Compensation Ins. . . . .	\$4,500
Unemployment Compensation Insurance . . . . .	\$0
Automobile . . . . .	\$11,548
Magazine . . . . .	\$179,546
Office Expense . . . . .	\$27,000
Legislative . . . . .	\$44,500
Conference . . . . .	\$574,000
Meetings/Training . . . . .	\$39,000
Postage . . . . .	\$34,000
Equipment Payments . . . . .	\$17,000
Maintenance on Equip. . . . .	\$4,000
Printing . . . . .	\$13,500
Books, Subscriptions . . . . .	\$3,500
Grant Station Subscription Expense . . . . .	\$235
Seminars . . . . .	\$62,485
Telephone . . . . .	\$13,000
Audit . . . . .	\$8,600
Legal] . . . . .	\$99,100
Insurance & Bond Premium . . . . .	\$37,000
National League of Cities . . . . .	\$36,000
Temporary Help . . . . .	\$5,800
Technology . . . . .	\$43,000
Internet Web Maintenance . . . . .	\$10,000
Photocopying . . . . .	\$5,000
Scholarships . . . . .	\$3,000
222 Base Rent . . . . .	\$373,733
222 Expense Rent . . . . .	\$160,400
Commission Leasing . . . . .	\$4,533
Online Ordinance Shared Services . . . . .	\$2,100
Tuition Reimbursement . . . . .	\$4,434
<b>Total . . . . .</b>	<b>\$3,865,495</b>

# NJLM Publications

## Resources for You and Your Professional Staff

### **2020-21 Newly Elected Officials**

**Handbook:** Primer for Local Elected officials—Instructional materials for elected officials.

Member \$20 • Non-Member \$30

**2020 Municipal Directory:** Desktop reference guide containing contact information for NJ's 565 municipalities. Print and PDF versions available

Printed Copy: Member \$35 • Non-Member \$45  
Electronic PDF: Member \$49 • Non-Member \$59

### **New Jersey Municipalities Magazine:**

Monthly magazine and the official publication of NJLM. Serves as a forum for the exchange of ideas and information on municipal affairs for public officials. Combined print and digital subscription.

Nine-month subscription: Member \$25 • Non-Member \$30  
(Single copies also available)

**A History of Municipal Government in New Jersey:** New Jersey's municipal story with new statutory provisions enacted.

Member \$12 • Non-Member \$14

### **Brownfield Properties 2<sup>nd</sup> Edition:**

Examines the factors that have contributed to the "Brownfield Phenomena" with federal and state legislation.

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### **Building Economic Development at the Local Level Primer 8th Edition:**

Municipalities can sustain and build their own economic base as they contemplate a formal economic development plan.

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### **Guide to Unfunded Mandates (1st. Ed.) (2012)**

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### **Legislative Bulletin (yearly subscription):**

Bills signed into law affecting municipalities.

Member \$7 • Non-Member \$12

### **Local Public Contracts Law Series 1 (2014)**

Member \$60 • Non-Member \$120

### **Local Public Contracts Law Series 2**

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### **Local Government Ethics Law (2014)**

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**License Volume 1:** Mercantile, Peddler, Solicitor, Canvasser & Itinerant Vendor Fee; Vending Machine/Taxi and Limousine Fees.

Member \$50 • Non-Member \$65

**License Volume 2:** Alarm Fees, Penalties/Landlord Registration.

Member \$30 • Non-Member \$39

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**Police/Fire Data Service:** Annual Subscription. Tracks trends in police and fire contract settlements and arbitration.

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Member \$13 • Non-Member \$15

**Salary Survey:** Salary information for 40 municipal positions. Updated bi-annually (2019).

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# LABOR RELATIONS



## Police Discipline Record Release: Upheld but Temporarily Stayed

ERIC D. ENGELMAN, *Esq.* and JENNIFER ROSELLE, *Esq.*, *Genova Burns*

The Superior Court of New Jersey, Appellate Division recently issued a unanimous decision upholding Directive 2020-5 and Directive 2020-6 amending the New Jersey Attorney General’s Internal Affairs Policy & Procedures (IAPP), which governs police internal affairs investigations in New Jersey.

The Attorney General issued both Directives in June 2020 in response to the national demands for law enforcement accountability and reform following the death of George Floyd. The Appellate Division’s decision consolidated five appeals brought by New Jersey law enforcement officer unions and interest groups challenging the validity of the Directives.

### Facts

Directive 2020-5 requires all New Jersey law enforcement agencies to publish records of law enforcement officers receiving disciplinary penalties of termination, demotion, or a suspension of more than five days. The information must be published at least annually, include the officer’s name, a summary of the misconduct, and the penalty imposed. The Directive requires publication of final discipline issued during the 2020 calendar year by December 31, 2020. Directive 2020-5 also permits county and municipal law enforcement agencies to publish similar information regarding earlier incidents that resulted in major discipline.

Directive 2020-6 expands the publication requirements for law enforcement agencies within the New Jersey Department of Law and Public Safety, the Division of State Police, the Division of Criminal Justice, and the Juvenile Justice Commission. Those law enforcement agencies are also required to publish certain disciplinary information that occurred within the past 20 years. Directive 2020-6 required 7 days’ notice to the officers prior to publication by July 15, 2020.

### The Appellate Division’s ruling

**Open Public Record Act Analysis** The Court rejected Petitioners’ arguments that the Open Public Records Act (OPRA) prohibited release of the discipline records under the Directives because this was not an OPRA case. The case was not about denial of access to governmental records to a third

party, but an effort to “block the Attorney General’s efforts to make more transparent the secluded internal affairs process” in law enforcement. While recognizing this was not an OPRA case, the Court noted that in general, OPRA excepts personnel records from the definition of governmental record.

The Appellate Division nonetheless upheld the release of the information under the Directives. The Court reasoned that OPRA and related Executive Orders permit the disclosure of personnel records when required by “another law.”

**...This reflected a fundamental difference between law enforcement officers and other public employees; law enforcement officers are held to a higher standard of conduct.**

Looking at the statutory construct, the Court noted that the Legislature empowered the Attorney General to impose rules and regulations for the conduct of the Department of Law and Public Safety. Those rules have the force of law. Accordingly, the Court concluded these Directives were “another law” which permitted release of the information under both OPRA and the Executive Orders.

The Court further rejected the Petitioners’ argument that the Directives violated confidentiality expectations under OPRA and the Executive Orders. Every version of the IAPP required some disclosure of personnel information that would ordinarily be barred by OPRA or Executive Order. In part, this reflected a fundamental difference between law enforcement officers and other public employees; law enforcement officers are held to a higher standard of conduct.

Given the level of power afforded to police officers, they are subject to more scrutiny and have a lower expectation of privacy, including with their own disciplinary records. This long-standing recognition, the need for public confidence in its officers, and the long-reserved discretion afforded to the Attorney General did not support a claim the Directives violated officers’ privacy expectations.

**Retroactivity** The Appellate Division further rejected claims that the Directive’s retroactive application constitute prohibited ex post facto rules. First, ex post facto prohibitions apply to criminal laws. Second, this claim only attaches when a law changes. Here, the Attorney General exercised discretion he was afforded under longstanding statutes. Coupled with the recognition that police officers are held to higher standards of conduct with lower expectations of privacy, the Court did not find any constitutionally vested right upon with the Directives infringed.

**Due Process and Equal Protection**

The Court similarly did not find substantive and procedural due process violations as claimed by Petitioners. First, the Court rejected contentions that the officers’ substantive due process rights were violated given the compelling public interest to release records, officers’ reduced expectations of privacy, and every version of the IAPP issued since

2000 stating the Attorney General could order release of the disciplinary records.

Likewise, the Court found the officers were not deprived equal protection under the law; the distinction between police officers and public employees was not impermissibly arbitrary nor the distinction between officers in the Department of Law and Public Safety and local law enforcement agencies. Also, any procedural due process entitlements were afforded to the officers by virtue of being able to participate in the disciplinary hearing process.

**Notice Requirements** Although the Court did not address arguments for individual claims based on the record before it, the Court also ordered an expansion of the notice provisions pursuant to Directive 2020-6. The Court believed Directive 2020-6’s seven-day notice requirement was too short for a police officer to act on the notice. Accordingly, the Court expanded the notice requirement to 14 days under

Directive 2020-6 and strongly urged the Attorney General to issue similar requirements for local governments seeking to disclose historical information.

**Bottom line**

The Appellate Division upheld the Directives but created a limited stay of its decision’s effect to allow Petitioners time to appeal. Since that time, the Attorney General notified the Supreme Court of New Jersey that while it considers whether to grant certification to hear an appeal, the State will not publish any reports under the Directives.

The State represented there would be no release of records at least until November 30, 2020. At press time, if the Supreme Court had not made a decision on whether to hear the appeal by November 30, the State would hold the records until a decision is made. In the event the Supreme Court grants certification, the Attorney General agreed that the State will not publish any reports until the Supreme Court resolves the case on its merits.

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# LEGISLATIVE UPDATE

LORI BUCKELEW, NJLM Assistant Executive Director and Director of Government Affairs;  
JON R. MORAN, NJLM Senior Legislative Analyst; FRANK MARSHALL, NJLM Associate General Counsel;  
ANDREW LAFEVRE & PAUL A. PENNA, Legislative Analysts



## A-139/S-1416

### Permits the Governing Body in a Smaller Municipality to Serve as the Local Board of Health

**Status:** Assembly State and Local Government Committee and Senate Community and Urban Affairs Committee, respectively

The League of Municipalities supports A-139/S-1416, which would permit the governing body of a municipality with a population of 30,000 or less to serve as the local board of health.

We commend the sponsors for this effort to increase the options available to so many municipalities finding it difficult to fill vital volunteer posts with qualified and willing citizens. Under current law, every municipality is required to have a board of health. Currently, the governing bodies only of townships are permitted to serve as the local board of health, and, even then, the option is limited to townships of not more than 20,000 residents. This option should be available to all municipalities, regardless of their form of government. Likewise, the increased population limit reflects conditions today, which have changed considerably in the past 20 years.

Now more than ever, we urge you to support this legislation that will give smaller municipalities the flexibility they need to meet the important statutory requirement that all municipalities have a board of health to protect the health, safety, and welfare of municipal residents.—JM



## A-1173

### Establishes a Citizens' Special Needs Registry

**Status:** Assembly Homeland Security and State Preparedness Committee

The League of Municipalities supports A-1173, which establishes a central registry of residents with special needs for use during emergencies. This bill requires the Office of

Emergency Telecommunications Services in the Office of Information Technology to establish a central registry of residents with special needs, who would require additional assistance during an emergency. The bill enables residents to voluntarily register individuals with special needs with the office, providing the registrant's address, telephone number, and particular condition or assistance needs.

The bill would provide local emergency response agencies with access to the registry, in order to attain a list of residents with special needs that have registered with the central registry and who reside in the agency's jurisdiction. Those agencies could, then, use the information collected for the central registry to assist residents with special needs when responding to 9-1-1 calls and other emergencies.

We commend the sponsors of A-1173 for advancing legislation to assist in planning for and meeting needs for special needs residents, while providing appropriate privacy protections. We urge the Legislature to support this bill.—JM



## A-850/S-2864

### Creates a 'Community Broadband Study Commission'

**Status:** Passed Assembly, Senate Economic Growth Committee

The League of Municipalities supports A-850/S-2864, which would establish a "Community Broadband Study Commission."

Prosperity, which is one half of New Jersey's motto, depends on the availability of dependable, low cost broadband. In order to prepare for the future, students need dependable, low cost broadband today. In order to remain competitive, businesses—large and small—need dependable, low cost broadband. Local leaders working with their neighbors and community partners can be builders of the broadband bridges that we need to connect Garden State citizens to the future.

We commend the sponsors for recognizing those facts and for advancing this legislation. We hope to see a local leader appointed to serve on the Commission. And we hope to be able to help the Commissioners meet their mandates.—JM



## Determining Authority to Create Municipal Public Advocate Position

FRANK MARSHALL, Esq., NJLM Associate General Counsel



**Our municipality is experiencing a surge in development and with this comes increased applications to the planning and zoning boards. Many members of the public feel that they are not adequately represented during the application process and hearings of these boards. We have heard of other municipalities creating the role of a public advocate to represent the interests of the public at large before these boards. Is this permissible and if so how should we go about creating this position?**



Although there is no explicit statutory authority for the creation of the role of “public advocate,” many municipalities have created such a position, with the goal of providing an advocate to represent the interests of the public at large in land use matters. The authority of municipalities to create the position has been consistently upheld by the courts.

The leading case on municipal authority to create the public advocate office is *Twp. of Berkley Heights v. The Board of Adjustment of the Twp. of Berkley Heights*, 144 N.J. Super. 291. In this case the court squarely addresses the issue and finds there to be nothing within the Municipal Land Use Law (MLUL), or any other law for that matter, which prohibits or preempts a municipality from creating the office of municipal public advocate.

In fact, the court in the *Berkley Heights* decision offers the notion that the creation of a public advocate actually advances the legislative purpose of the MLUL. Noting that public hearings and an opportunity for cross-examination as one of the key purposes of the MLUL, therefore use of a public advocate is in furtherance of that legislative policy.

The advocate gives some focus to citizens’ complaints and opinions through a more sophisticated and knowledgeable avenue, which might not otherwise be possible if done through individual public objects.

The position of public advocate should be created through ordinance and funded through the annual budget. The biggest question your municipality must answer is, “what kind of issues should the public advocate get involved with?” The answer to this question will vary based on your municipality’s goals.

Most municipalities tend to limit what the public advocate gets involved with to some of the more major land use applications, such as requests for use variances, major subdivisions, density variances, and where three or more variances are sought.

In some municipalities the public advocate will also participate in any matter where a majority of the zoning or planning board so requests.

This is a significant policy question that should be thoroughly discussed, based not only on your municipality’s goals but also your budget. The expense for employing a public advocate and any expenses related to the public advocates work, including the hiring of professionals, must come from the municipality and cannot be passed along through application costs.

The issue of costs for the public advocate is examined in *Cerebral Palsy Center, Bergen County, Inc. v. Mayor and Council of Borough of Fair Lawn*, 374 N.J. Super. 437. In this case the court examined whether or not the municipal practice of having a land use applicant shoulder the costs of the public advocate and the experts the advocate retains was permissible or not under provisions of the MLUL.

The court in this case found that the MLUL did not provide authority and actually prevents a municipality from seeking to recoup the costs of a public advocate and any of the advocate’s retained experts. Fair Lawn’s ordinance allowed for the costs of the advocate and the advocate’s experts to be withheld and paid for through the land use applicant’s escrow account.

The court found that provisions of the MLUL dealing squarely with professional fees does not authorize the use of escrow funds to cover the costs of the public advocate, only the costs of professional fees “rendered to the municipality or an approving authority.” Thus putting the entire cost of the public advocate and any expert fees to be picked up by the municipality. 🇯🇵

# GOLD DOME

## Tomorrow's Budget Trouble Is Brewing Right Now in New Jersey



In September, Governor Phil Murphy signed a \$32.7 billion budget covering the nine months between October 1 and June 30 of next year. This was a follow-up to a \$7.7 billion state budget covering the previous three months.

And thus, one of the most bizarre budget processes that anyone can remember came to a close.

That the coronavirus pandemic has upended all parts of New Jersey life is clear. But its effect on the budget, which is constitutionally required to be balanced, has been particularly dramatic.

Back in February 2020, before anyone considered a shutdown or knew what a “positivity rate” was, Murphy proposed his initial \$40.85 billion budget.

But once Trenton recognized how serious COVID-19 really was going to be, legislative leaders quickly agreed to the three month stop-gap extension of the current budget, from July 1 through September 30. No other state in the country chose this route. The primary benefit was to allow the state to see how extensive the pandemic would be and, even more significantly, allow income tax payments due in April to be put off until August. As the bulk of the state’s income tax revenue comes in from those payments, the budget needed to also be extended so that state officials knew where things stood.

When it became clearer that additional aid to state and local governments from Washington would not be forthcoming, New Jersey was forced to make other decisions on priorities and potential painful cuts for the nine-month budget beginning October 1.

Murphy decided to move forward with a multi-billion-dollar bonding plan. Such borrowing requires voter approval, although the state constitution allows for exceptions during a time of war and major emergencies. Because the administration was seeking legislative consent, and not that of the people, Trenton Republicans promptly challenged its constitutionality before the state Supreme Court.

In short order, a unanimous decision was handed down that declared that the pandemic indeed met the standard as a qualifying emergency, and therefore the state could proceed with its plan to borrow upwards of \$9.9 billion. In the end, Murphy used only \$4.5 billion of that borrowing capacity for the nine-month budget.

The new budget also extended the state’s highest tax rate to those making at least \$1 million annually. Those earning above \$2.5 million were already in this top tax bracket. Passage of “the millionaires’ tax” was the fulfillment of a long-sought policy goal held by Murphy and his progressive allies. It remains very popular with the general public.

In exchange, the Democratic legislative leadership—which had been blocking the tax at this level since fellow Democrat Murphy arrived in Trenton—demanded and won a middle-class tax rebate program that will kick in next summer. Estimates are that new tax will generate \$400 million in new revenue while the tax cut will take away a little bit less from state coffers.

Further, the governor was able to achieve several spending objectives, including making the full, scheduled pension payment, avoiding dramatic school aid cuts, and improving the state’s surplus.

Thus, for Murphy, it was a largely successful navigation of a difficult period.

### Questions for tomorrow

Yet answering the challenges of today still leaves serious questions for tomorrow. The FY2022 budget is already beset with multiple challenges. For example:

**1.** The status of the pandemic will be critical to any future budgeting. If America sees a widely available and effective vaccine by the spring of 2021, it will have huge effects on the wide-scale reopening of New Jersey’s economy. Significantly, a vaccine will almost surely result in a surging stock market, which typically leads to an increase in New Jersey tax collections as well, due to the large number of state residents who work on Wall Street.

**2.** One should not forget that 2021 is an election year for the governor and the entire legislature. As always, there will be significant political pressure to fund a variety of constituent-pleasing projects and avoid any broad-based tax increases.

The possible redrawing of new legislative district lines—depending on when the U.S. Census is completed—will further incentivize legislators to be generous as they campaign in new communities.

**3.** There will also be several new obligations for New Jersey in the next budget. To begin, there is the \$400-\$500 million annual payment to pay back the emergency borrowing

In addition, the pension obligation, which was a hefty \$4.9 billion in the current budget, is scheduled to increase by \$800

million next year. Murphy has made it a top priority to make the full, scheduled pension payment every year. There seems no reason to doubt his resolve.

Further, the new middle-class rebates that kick in next summer will create a \$350-\$400 million hole to fill.

4. Lastly, in the face of the fiscal crisis, Murphy chose to disregard his previous commitments to avoid an overreliance on one-shot revenues. The current budget includes about \$5 billion in these non-recurring revenues, starting with the \$4.5 billion in emergency borrowing that will disappear in the next fiscal year.

“One-shots,” as they are known in Trenton parlance, balance the state’s ledger for one year, but also leave a structural deficit that has to be dealt with for the next. Credit rating agencies and Wall Street analysts will typically downgrade a state for relying on these revenues too extensively, thereby forcing the state to incur even higher costs to manage its finances.

### Federal expectations

Regardless of who wins the presidential election, there will be renewed demand to provide some kind of major stimulus bill from Washington while the country waits for a vaccine. With the election past us, there is hope for a bi-partisan push to “do something” as all states continue to suffer the economic fallout resulting from the ongoing pandemic.

Several billion dollars in federal aid would certainly make things much easier on the New Jersey’s budgeting process, but the appeals of multiple state governments have not yet carried the day in Washington.

Without new federal aid and no desire in Trenton to raise taxes in an election year, the state has to rely on a massive and immediate economic turnaround to balance its budget, a development that, as of this writing, doesn’t seem likely.

The Murphy administration is already working on its next budget proposal and the governor is scheduled to deliver his plan in February 2021. The decisions that he and the legislature make thereafter will have significant effects on both the upcoming elections—and for years to come. 



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## Feeling the Strain: NLC Examines Fiscal Conditions

*This is an excerpt from the National League of Cities' (NLC) Annual City Fiscal Conditions survey. The City Fiscal Conditions survey of city finance officers is in its 35th year and is a trusted barometer of the financial well-being of cities, towns, and villages across the U.S.*

This year marked a new turning point in the fiscal history of cities, with the onset of the coronavirus pandemic and ensuing recession. March 2020, as the coronavirus pandemic took hold, the U.S. economy went into free fall. Retail sales plummeted, unemployment skyrocketed, businesses shuttered, uncertainty abounded. The fiscal impact of these swift economic changes were felt immediately in cities across the country.

Sales and income tax revenues were the first to be hit. Even property tax revenues, which typically take longer to respond to economic changes, started showing signs of weakening as economic hardship dampened real estate demand and the ability of many to afford their mortgage.

Given that most cities' FY 2020 budget captures only a couple of months of the pandemic recession, FY 2020 more closely represents a pre-recession baseline of city fiscal conditions for most cities. FY 2021 budgets (which start for many cities in July 2020) begin to more fully capture the fiscal impacts felt

by cities across the country. As the virus persists, the toll on finances is set to be more severe than that experienced during the Great Recession.

Nearly 90% of cities will be less able in FY 2021 than in FY 2020 to meet the fiscal needs of their communities. This widespread sentiment about lack of fiscal capacity has not been reported since the low point of the Great Recession:

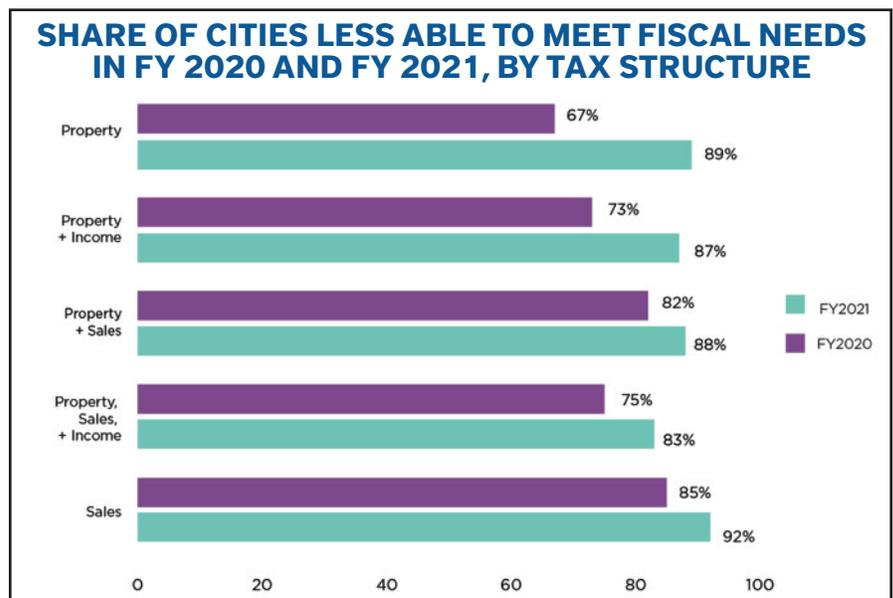
- Current estimates for FY 2020 put year-over-year general fund revenue growth at near zero.
- All major local tax revenue sources slowed in FY 2020, with severe year-over-year declines in sales (-11%) and income tax (-3.4%) receipts.
- On average, cities anticipate a 13% decline in FY 2021 general fund revenues over FY 2020.

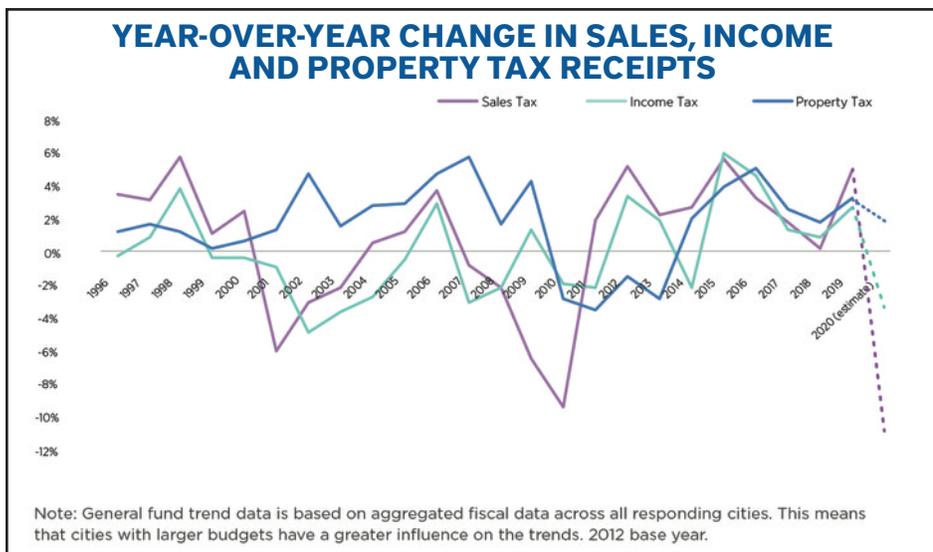
Looking beyond 2020, cities continue to face economic and fiscal uncertainty while trying to keep their communities safe from the public health crisis. As states face their own fiscal challenges and the federal government provides only minimal fiscal relief to cities, cities are once again in a position to largely go it alone. In this environment, cities' balanced-budget requirements and revenue-raising restrictions have translated to severe service cuts, extensive layoffs, furloughs and hiring freezes, and rollbacks in capital projects.

Nearly eight in 10 finance officers indicate that their cities are less able to meet the fiscal needs of their communities in FY 2020 than they were in FY 2019 (see table below). This trend jumps to about nine in 10 cities reporting "less able" when asked to anticipate their fiscal capacity for FY 2021. By comparison, in 2019, only 24% of finance officers reported that their city was less able to meet fiscal needs. This sudden reversal of fiscal fortunes is unprecedented, while the breadth of restricted fiscal capacity is on par with what cities reported during the depths of the Great Recession.

### Tax revenues

When examining fiscal capacity by tax structure, the immediate and longer-term impacts of COVID-19 on city economies and finances become evident. Cities more reliant on sales tax revenues are most likely to experience fiscal challenges both this





year and next (see chart above). Those more reliant on property tax revenues are less likely to experience limited fiscal capacity this year. However, this share jumps to almost nine in 10 in FY 2021 when property tax collections are anticipated to catch up with economic realities.

Cities estimate FY 2020 sales tax receipts to register negative year-over-

year growth of 11%, with income tax receipts expected to decline 3.4% over 2019 levels.

It is expected that both sales tax and income tax receipts would decline during a recession, since both are tied to employment and the general state of the economy. What is noteworthy, however, is the immediacy of the decline, which damaged

cities' receipts in a devastating fashion. Compared to the Great Recession, during which cities experienced year-over-year declines in sales tax receipts for four years, the suddenness of the FY 2020 decline in sales tax receipts stands out.

Also noteworthy is that the property tax, which lags the changes to the underlying economy due to assessment practices, will slow its rate of growth in FY 2020 to just 1.9% over its FY 2019 levels.

The growth rate will likely slow further, and experience decline, in FY 2021 and FY 2022 if the economy continues to operate at recessionary levels. For example, Clifton, NJ, which relies exclusively on property tax revenue, has not adjusted estimates downward for FY 2020, but anticipates significant revenue decreases in FY 2021.

Cities are facing an unknown fiscal future, as their revenues continue to be damaged by the coronavirus public health crisis. 🇺🇸

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# Around the State

## Don't Lose That Link

**T**hanksgiving is the rearview mirror and we're all looking forward to closing the books on 2020, but there's one thing you should keep from this year: the login for the 105th Annual League Conference- Presented Virtually.

Until November 2021 you'll be able to visit the site and catch up on anything you might have missed at the Virtual Conference. While you can't earn CEU credits for the on-demand courses, they are good viewing and provide a wealth of knowledge to carry you through the year. Myriad highlights from the event include:

- Keynote address from Gov. Phil Murphy.
- COVID-19 recovery sessions for municipal workers on topics from finance to recreation.
- Coffee Chats with Senate President Sweeney and NJDEP Commissioner McCabe.
- Affiliate Sessions including those from Assessors, NJILGA, NJPO, Recreation, and Registrars.

- Joint Sessions from the League and Affiliates on Property Tax, Recent OPRA Decisions, and What's new with the FCC, among others
  - Information-packed Exhibitor Learning Sessions from vendors.
  - NJLM Elected Officials and Mayors Hall of Fame 2020 Honoree slideshow
- And so much more.

This year's Conference was extraordinary in many ways, but especially in the quality of the information presented to help local government officials make it through the pandemic and into a happy, healthy 2021! 🇯🇵



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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 F. Cerra at 609-695-3481, Ext. 120, or mcerra@njlm.org.



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*MEL Safety Director*

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