



# municipalities

Official Publication of the New Jersey State League of Municipalities

March 2021

## *Moving Through*

Lessons and learning after a pandemic year



COVID-19 Anniversary

Political Courage

Autonomous Vehicles

# NJ LOCAL APRIL 18-24 GOVERNMENT 2021 WEEK

#njlocalgovt

## Celebrate Local Government!

This year, the New Jersey State League of Municipalities invites you to celebrate **NJ Local Government Week**.

We invite you to join in with municipalities across the Garden State **April 18-24, 2021**, to engage citizens while celebrating the work of local government.

**NJ Local Government Week** is a time for municipalities to encourage civic education, community collaboration, volunteerism, and local pride. Municipalities throughout the Garden State are encouraged to participate, and the NJ State League of Municipalities (NJLM) suggests you get the celebration started with the following:

**Showcase.** Highlight the programs and services you offer, showcasing the hard work of local government and the value residents receive on a daily basis.

**Coordinate.** Tap into local resources such as community service and volunteering events in partnership with local organizations to cross-promote NJ Local Government Week.

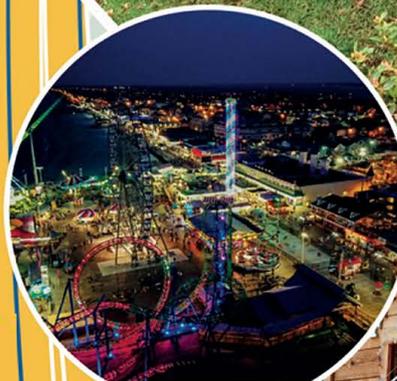
**Exhibit.** Encourage citizens to share their civic pride with an essay, photography, or design showcase/contest. Why not make it a feeder program for your entry for the League's Show Off Your Municipality photo contest?

### Wondering Where to Begin?

The website includes ideas and materials for celebrating **NJ Local Government Week**, publicity tips and strategies, and links to a sample press release and resolution. Information and resources, as well as a downloadable NJ Local Government Week logo, are available at [www.njlm.org/njlocalgovt](http://www.njlm.org/njlocalgovt).



BLOOMFIELD CELEBRATES LOCAL GOVERNMENT WEEK



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## New Jersey Municipalities Magazine

Volume 98 | Issue 3

EDITOR  
**Michael F. Cerra**

MANAGING EDITOR  
**Amy Spiezio** [aspiezio@njlm.org](mailto:aspiezio@njlm.org)

DIRECTOR, COMMUNICATIONS, MARKETING, AND TECHNOLOGY  
**Taran B. Samhammer** [tsamhammer@njlm.org](mailto:tsamhammer@njlm.org)

CONTRIBUTING EDITORS  
**Lori Buckelew**  
**Benjamin Dworkin, Ph.D.**  
**Andrew LaFevre**  
**Frank Marshall, Esq.**  
**Paul A. Penna**

CREATIVE DIRECTOR  
**Dawn Becan, White Eagle Printing Company**

SUBSCRIPTION MANAGER  
**Thomas Fratticcioli** [tfratticcioli@njlm.org](mailto:tfratticcioli@njlm.org)

### Have an idea, project or opinion to share?

*NJ Municipalities* welcomes member articles, information, and op-eds. Contact Managing Editor Amy Spiezio or go to [www.njlm.org/magazine](http://www.njlm.org/magazine).

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## It Ain't Over Til It's Over

**Y**ogi Berra understood that there are winning seasons and losing seasons, but most of all he understood how to make the best of any season. Yogi became the icon he is today by mastering the clutch hit; he was consistently able to hit even the worst of pitches.

Local governments all over New Jersey have that same scrappy spirit, turning pandemic woes into community strength. As Westfield Mayor Shelley Brindle notes in her 2021 reorganization speech, “Many experts believe that COVID accelerated innovation in a number of areas by 10 years, which we have all personally experienced in some way. We now have the opportunity to harness this collective spirit...” (see page 14)

In Paterson, they marked the loss of each resident taken by COVID-19 in the Silk City with a white bow at city hall. But they also have fought valiantly to curtail the pandemic's worst effects through strong testing, tracking, and vaccination efforts. In addition, Mayor Sayegh and all Paterson officials and residents have worked together as a community bringing food to their seniors and those at risk. Social and government networks have been tested

and continue to be tested.

As James Hughes and high fellow authors from Rutgers University note in their economic report excerpted on page 28, “The COVID-driven shocks of 2020 will reverberate for many years, driving further change as information technology advances and organizational and business restructurings reshape the economy.”

This month we mark an anniversary few of us could have foreseen. A year has passed since Gov. Murphy's signing of Executive Order 103 declaring a State of Emergency and a Public Health Emergency and Executive Order 107 directing all residents to stay at home until further notice. The loss of life, damage to our economy, and change in the way we live deserves to be noted and recorded.

And while we reflect on the losses, we also plan for the future. The new normal we are living may never circle back to that of the past. So at the League we will continue to help you through every inning. Whether you're on your home field or in Trenton, we know that the work of local government ain't ever over. We're looking forward to a better spring and summer beyond. 📌

*Michael Cerra*

**This month we mark an anniversary few of us could have foreseen. A year has passed since Gov. Murphy's signing of Executive Order 103 declaring a State of Emergency and a Public Health Emergency and Executive Order 107 directing all residents to stay at home until further notice. The loss of life, damage to our economy, and change in the way we live deserves to be noted and recorded.**

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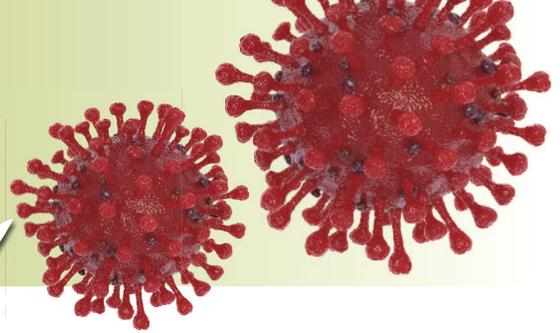
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# COVID Recovery



## Encouraging Vaccinations in Livingston

SHAWN KLEIN, Mayor, Livingston

**A**s a physician-mayor in Livingston during this pandemic I have had two different, but overlapping, perspectives on COVID and the role of municipal government. It has been necessary to take care of my constituents as well as my patients.

There are too many vaccine skeptics out there and I say this to them: you are going to get either the virus or the vaccine. Which has worse side effects? The vaccine will make your arm sore and maybe make you feel fluish for a day. The virus could kill you and even if it doesn't there's a 10% chance you could become a long hauler with chronic cardiac, pulmonary, or even psychiatric problems related to brain inflammation. And if you get the virus, you could pass it on to loved ones and they could get hurt or killed as well. It's a no-brainer. Lastly, we need herd immunity so our economy can finally open--and we certainly all want that

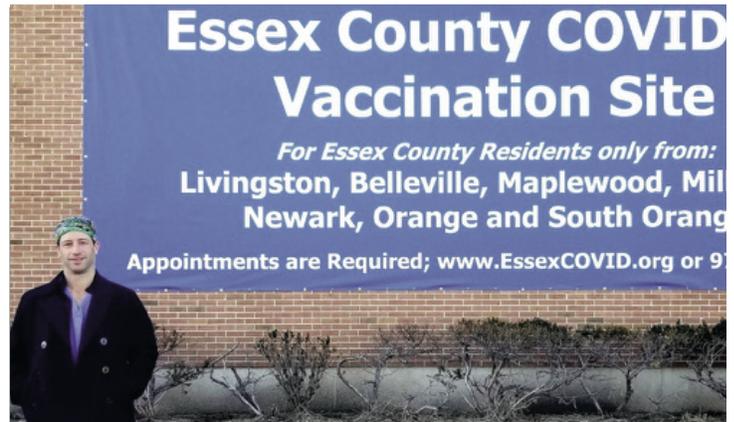
Our entire Town Council has worked hard to get the message out for our residents. It is crucial to educate and update our residents on transmission prevention, treatments, and vaccination. Livingston has used both traditional and social media in that endeavor.

We need to set the example. When I received my vaccine, as many other have, I posted about it on social media. Additionally, I recently volunteered, spending the day giving vaccines to eligible residents at the now defunct Sears at Livingston Mall, which Essex County has turned into one of its five large vaccination sites for its residents. I applaud Essex County Executive Joseph N. DiVincenzo Jr. and his team who, along with RJW-Barnabas, has led the state in setting up needed infrastructure.

The sites are extremely efficient and well-run, and I hear over and over how impressed people are with the effort. It was personally very rewarding to give the vaccines and help protect our community. John Elliot from CBS News New York featured our efforts on a morning segment, which we also put out on our social media.

In Essex, shots have been given out as fast as we can get them and the no-show rate for those signing up is close to zero. We are limited not by medical staff or volunteers or space but only by the doses we receive from the federal government. That bottleneck puts us in a tough position as providers for our communities. I am sure that all who are serving as elected officials get unending phone calls and emails from those who have questions about vaccines or are seeking shots either for themselves or loved ones.

In an effort, to address many common questions, the Livingston Town Council recently hosted a well-received COVID and vaccine livestream on Zoom and Facebook. The panel featured government Health Dept officials from the municipality and



the county as well infectious disease experts and hospital administration. Viewers were encouraged to email their questions and comments to us and we answered as many as we could. To date, the livestream has had close to 4,000 views.

We are doing all we can. We have used our robocall system to alert residents about changes in eligibility for vaccines so that new groups of residents can now sign-up. The Township is also working on setting up transportation options for residents who do not have car access as well as a program to vaccinate those who are homebound.

Lastly, we have just created a Physician Advisory Board made up of highly regarded physicians from our community to serve as a resource to our municipal health officer. As we open up, our health officer will be able to lean into their expertise to make choices on opening up the township as well as the difficult task of increasing in-person participation at our schools.

COVID will continue to be a challenge in the coming months, but in municipal government there is much we can do. And if we all do our part this year should be a straight upward trajectory. Wouldn't it be wonderful if the Spring Fever we get in May is from the warm weather instead of the virus? 🇺🇸

### Share Your Pandemic Strategy Story

Through the duration of the pandemic and its recovery *NJ Municipalities* will highlight success stories of local governments in the face of staggering difficulties. Your efforts can help your peers in local government while giving kudos to the tireless efforts of your teams. Send your story to [aspiezio@njlm.org](mailto:aspiezio@njlm.org).



AMY SPIEZIO,  
Managing Editor



# It's important to stay informed on what is happening in municipal government...

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*Edina Brown,  
Councilwoman, Old Bridge*

*I find NJ Municipalities to be a reliable source for local officials, and it has a great reputation among my colleagues. I read every issue and will continue to be a loyal subscriber for many years to come."*

*Jerell Blakeley,  
Councilman, Trenton*

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Images of Mayor James R. Spagno and members of the community throughout story by Ryan Schwertfeger, Public Information Specialist, Borough of Roseland

# Roseland Relief Fund

Selling borough logo masks helps buttress local relief efforts

JAMES R. SPANGO, Mayor, Borough of Roseland

Just like so many other municipalities across the state, Roseland was thrust into the COVID-19 pandemic with a sense of shock, surprise, and sense that this would only last a short while and then all would return to normal. As we all realized together, it was going to take more than a few weeks to return to our pre-COVID lives. And so, in the middle of a worldwide pandemic, the saying that necessity is the mother of invention certainly became the theme for Roseland and so many local governments across the state.

One of the first actions that Roseland took was to set up what they called the Roseland Relief Fund.

At the beginning of the pandemic it was clear that COVID-19 would financially impact citizens. No matter what someone's financial situation was before the pandemic, they may be faced with the grim truth that they possibly could be furloughed—or worst case—laid off.

## Roseland Relief Fund

In an effort to be proactive and ensure that their residents can provide for their families throughout the pandemic, Borough Council President Eileen Fishman and I had the idea to create the Roseland Relief Fund. Soon, donations started coming in from residents, businesses, and industry alike as the community rallied around their fellow Roseland residents to come to the



**UpFront:**  
**Roseland Relief Fund**



Roseland Mayor James Spagno.

with this effort, donating boxes and bags full of food, and even gift cards to grocery stores and health and beauty establishments so local families can pick up specific food and medical items that they need.

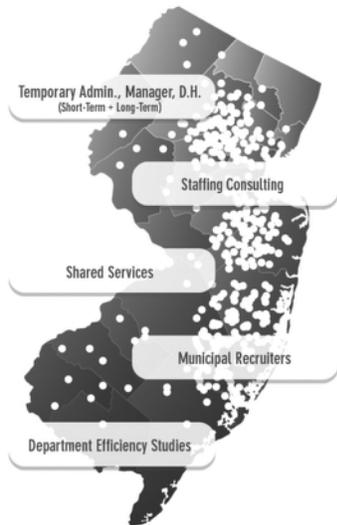
**Our mask says, “strength through community” and it has never been so evident than through this pandemic.**

Roseland’s Municipal Youth Guidance Committee comprised of Roseland teenagers, along with Councilwoman Michele Tolli, donated bags of food and a local Boy Scout troop donated 500 pounds of food as well. The Relief Fund also ensured some Roseland

aid of those who needed help the most. So far, approximately \$5,000 has been raised through the Borough’s efforts.

A majority of the funds raised went to starting up and now maintaining a

Borough-run food pantry, to support seniors worried about going out to the store, and for families who lost their jobs amidst the pandemic. Many residents and local organizations also pitched in



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

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## UpFront: Roseland Relief Fund

families who were financially hit hard due the pandemic had as close to a normal Christmas as possible.

items could continue being purchased and distributed to those in need. Roseland was, if not the first, one of

also decided to create branded face masks with the Borough receiving the proceeds of the sales.

Roseland decided to use the idea of a branded mask sale to fully pay it forward and have all the funds raised go right back to helping in-need residents who were hurting the most during the pandemic.

**We have all made it thus far with prayer, teamwork, persistence, generosity, perseverance and most importantly with a great sense of community.**

### All for one, one for all

In my New Years' letter to residents, I noted "2020 gave the word 'we' an entirely new meaning and perspective as everyone found themselves in the same boat, battling the similar circumstances, and realizing that every single person and every family in the Borough could make an impact for the better or worse."

The Borough has made a positive impact on the governmental level thanks to committed Borough employees, but the

### Branded face masks

It became clear by the fall that a second wave was on the way and all of us in the governing body wanted to ensure that residents were not only ready, but that the Relief Fund would be able to continue to operate smoothly to ensure food pantry

the first municipalities to begin offering official Borough masks to be purchased for the benefit of the community. Some locales, like Jersey City, created their own branded face masks and sent them to all city residents. Other smaller municipalities, like Oakland Borough,



# Mask Efforts

The Borough of Roseland is selling official Roseland masks to the general public that can be used during this COVID-19 pandemic.

Masks are black, embroidered with the Borough seal and the phrase "Strength Through Community" underneath. It comes with one inner mask liner for additional protection.

Masks are being sold for \$8 each and residents can pay for a mask by mailing a check to the Borough (140 Eagle Rock Avenue) made out to Borough of Roseland Relief Fund with Mask Sale on the memo line or by making an online payment through the Borough website ([www.shorturl.at/inKUZ](http://www.shorturl.at/inKUZ)) to the Roseland Relief Fund for \$8.

Orders will be mailed through the post office so home addresses will be required in order to mail your mask.

"I've been responsible for getting the word out about this initiative and also have assembled the mask orders received and mailed them out as soon as possible," explained Roseland's Public Information Specialist Ryan Schwertfeger.

"Since we officially launched our mask sale in the Autumn 2020, as of mid-January 2021, over 140 masks have been mailed out. Most of the masks were mailed to local residents, but we even had a former resident who moved to Pennsylvania also decide to purchase a few to support our efforts. I've been extremely impressed with the interest from the community and most people aren't buying just one mask to show support—they are purchasing several of them for their entire family."

"Roseland's strength is its strong sense of community and it is evident with the mask initiative. Our residents rallying to help those in need is truly inspiring in such a horrible time."

success of these efforts is due greatly in part because of the show of community support and donations supporting their friends and neighbors.

We have all made it thus far with prayer, teamwork, persistence, generosity, perseverance and most importantly with a great sense of community. I know we will all keep doing these things to get

through this pandemic. I genuinely hope that in 2021 these same positive attributes that we exuded during the pandemic will continue because it truly has shown the best of Roseland and what our community is all about. Our mask says, "strength through community" and it has never been so evident than through this pandemic. 🇯🇵

## The Town Crier Legislative Backgrounder



### Recent Topics on the Blog:

- *Biden Announces New COVID-19 Vaccination Plan*
- *League Urges Legislature to Act in Response to Federal Court Decision*
- *NJ Economic Recovery Act of 2020: New Jersey Innovation Evergreen Act*
- *Brownfields Redevelopment Incentive Program*
- *NJ Economic Recovery Act of 2020: Historic Property Reinvestment Act*

## Stay up-to-date on legislation effecting your municipality

The League's Legislative Blog provides detailed information on bills and in-depth bill histories.



## Mayor Baraka Voted President of New Jersey Urban Mayors Association



The New Jersey Urban Mayors Association (NJUMA) announced today that Mayor Baraka has been installed as President and Chair of the Association.

The City of Newark's 40th Chief Executive and NJLM Executive Board Member, Mayor Baraka is a Newark native with a progressive approach to governing and a forward-thinking agenda that has

reduced crime to its lowest levels in five decades, addressed affordability while maintaining steady growth, lowered unemployment, and returned local control of schools after more than two decades. Currently in his second term, Mayor Baraka is working to continue the city's progress, while leading the community through the fight against COVID-19 and keeping the residents first.

"We must ensure that our collective transition from COVID-19 leads to a positive transformation that is laser-focused on unraveling systemic injustice for the residents of our urban centers. I am truly honored to work with my colleagues across the State to advance our cities in such a time as this," said Mayor Baraka, the fifth mayor to serve as president of the NJUMA since its inception. "The New Jersey Urban Mayors Association is developing a solid plan and strong agenda that includes addressing key issues that will move our cities forward. We look forward to working closely with Governor Murphy and his administration in achieving our collective critical goals and creating a more equitable, prosperous, and empowered state for all."

Mayor Albert Kelly of Bridgeton, former NJUMA president and chair and NJLM Past President, said he is confident in Mayor Baraka's leadership as new president of NJUMA and looks forward to working closely with him to advance the

needs of urban communities. "As President Emeritus of the NJUMA, I am excited to continue to work with our urban mayors to address issues facing our municipalities. It has been a pleasure to pass the leadership reigns to Mayor Baraka as the new president of the NJUMA and I'm sure his leadership, along with the entire executive team, will continue the legacy of the New Jersey Urban Mayors Association making lasting impacts for the betterment of the State of New Jersey," he said.

In addition to Mayor Baraka, new officers include:

- **Vice President** Plainfield Mayor Adrian O. Mapp
- **Northern NJ Vice-President** Orange Township Mayor Dwayne D. Warren
- **Central NJ Vice-President** Trenton Mayor W. Reed Gusciora
- **Southern NJ Vice-President** Camden Mayor Francisco "Frank" Moran
- **President Emeritus** Bridgeton Mayor Albert B. Kelly

The John S. Watson Institute for Public Policy of Thomas Edison State University, which has been providing policy analysis and applied research for urban municipalities and NJUMA since 1991, will work with Mayor Baraka to continue its work to chart new paths for New Jersey's urban communities.

The New Jersey Urban Mayors Association is dedicated to working with state and federal lawmakers and officials to develop appropriate and effective public policy measures that benefit the state's urban centers and to help lawmakers understand how public policy affects New Jersey's cities and municipalities. 

@ For more information about the New Jersey Urban Mayors Association, please visit:

[www.tesu.edu/watson/institute/urban-mayors-association](http://www.tesu.edu/watson/institute/urban-mayors-association)

## MARCH

### March 6

**Budgeting for Elected Officials**

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### March 9

**Cannabis in the Workplace**

Webinar—Your Computer

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## League Plans for In-Person Conference

Planning for the 106th Annual New Jersey State League of Municipal Conference has started. This year, the League is preparing for an in-person event in Atlantic City November 16 through 18.

The theme for this year is Creating Your Legacy. As municipalities throughout the country have adapted to the extraordinary circumstances of the pandemic, elected and appointed officials have been faced with tough decisions and unique opportunities to create programs that best meet the needs of residents. The actions adopted in trying times have changed the way local government works and will leave an impact on operations for years to come. From distance work and health department strain to philanthropic efforts and emotional support for those struggling, the new normal of local government will be discussed in sessions and with vendors on the exhibit floor.

This year's event will be different from events in the past, complying with new safety requirements developed by the CDC, the State, and the Atlantic City Conference Center to ensure a comfortable conference for all. As information becomes available, we will share it with attendees, vendors, and other participants.

NJLM Executive Director Michael Cerra notes, "We have been committed throughout the pandemic to meet the needs of local government officials. With the 106th League Conference, we will continue a long tradition within the safest and most effective parameters. We look forward to seeing you all again, safely, in November."

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

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# Looking Forward with Hope

Mayors' Addresses  
from Around  
the Garden State



**A**s New Jersey's municipalities reach the one-year mark since the first statewide shutdown in response to the COVID-19 pandemic, mayors from around the state started the new year with reflections and outlooks on its impacts. Gaining strength through experience and hope for the future, these leaders addressed their constituents during reorganization addresses. The following are samples from mayor's speeches made throughout New Jersey to usher in 2021.



## **Mayor John Albanese, Readington**

I have been asked if I have a specific agenda for 2021 a few times. My agenda is to work with [municipal government, emergency services, and volunteers] to make decisions in the best interests of our residents and businesses, to work to solve old problems and to start work on new ones as they arise. And, of course, we will find our way back to the normal

life that we all enjoyed prior to COVID.

Hopefully, before the end of the year, our country and our Township are in a position to allow for us to return to the Municipal Building for in-person public meetings. **But, for now, we will need to continue in a safety-first manner until guidance from doctors, scientists and other experts tell us otherwise.**

Many of our businesses that rely on public congregation such as restaurants, retail, and entertainment venues have been severely impacted by COVID and the restrictions that have been required to reduce the spread and protect the public. Our schools are not able to conduct in-person learning in the normal manner. Many have lost loved ones, have known someone who has contracted the virus or have contracted it themselves. We have all felt the impacts. I urge everyone to continue to

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## Looking Forward with Hope

follow the defined safety guidelines and protocols until further treatments and guidance are available for everyone.

The dawn of a New Year, the changing of the calendar, is thought of as a fresh start with new beginnings. That has

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never rung truer to me, and I'm sure, for most of you, than this year. My hope is that our residents and businesses and life in general for all Americans can return to normal this year. Until that time, Readington Township will continue to assist, guide and be nimble enough to help everyone get through this difficult time to the best of our collective abilities. Better days are ahead, and I look forward to sharing them with all of you.

### Mayor Shelley Brindle, Westfield



In my State of the Town address last year, I talked about change, and what that means for us as a community. I mentioned that change is both hard and inevitable, but it's how we decide to address it that will define us.

Who could have guessed how prescient those comments would prove to be, and the magnitude of the change that would be thrust upon us just a few months later? Remote work, remote school, Zoom meetings, social distancing, masking up, business shutdowns, stay at home orders, curbside pickup, online ordering, online everything.

I believe wholeheartedly that how we responded to these sudden changes absolutely defined our community. If we weren't sure who we were then, we certainly are now. Resilient. Compassionate. Innovative. Resourceful. Adaptive. Selfless.

Many experts believe that COVID accelerated innovation in a number of areas by 10 years, which we have all personally experienced in some way. We now have the opportunity to harness this collective spirit of innovation to work towards reimagining a new future for our downtown.

### Mayor Tara Clark, Hazlet



The Township Committee took considerable measures in 2020 to protect our first responders. We acquired portable decontamination systems to sanitize our ambulances and

police cars between calls. To protect our citizens during first aid emergencies we now have an oxygen plant that can refill over a hundred medical grade oxygen bottles daily in a crisis. We equipped our first responders with two advanced CPR compression systems to assist during cardiac emergencies. There are plans to supplement our first responders with an additional two CPR pumps in the coming year.

I am happy to tell you that as a result of having these devices, our first responders saved the lives of more than 30 individuals in their moment of crisis.

What lies ahead? In 2021 we will welcome several new businesses. Thanks to our construction department for handling all these new applications.

Our Township Committee will continue to focus on fiscal responsibility. We will address budgetary challenges to maximize our economic recovery as we look to a post-COVID world. We will continue to implement cost savings measures through technological improvements and operational efficiencies.

### Mayor Anthony Fanucci, Vineland



**(NJLM Executive Board Member)**

It has been challenging, but so far manageable, mainly because of the smart choices we made over the past

four years in putting our fiscal house in order. While we did see a decrease in revenue during 2020 from areas like court fees, user fees, and permits, property tax revenue to date has remained fairly stable.

To offset expenses directly related to managing the pandemic, we applied for and recently received approximately \$1.5 million in additional emergency funding available to Vineland from the 2020 cares package. Further, as we contemplate the 2021 budget, we will do so in a fiscally responsible manner that minimizes tax revenue increases while maintaining current city services and adequate reserve funding.

Moving forward, our 2021 agenda provides support for our residents and business community, and outlines specific projects and initiatives to continue making progress despite the ongoing challenges the pandemic presents.

Together, we will continue to meet these once-in-a-generation challenges. Together, we will prioritize, we will adapt, we will innovate, and we will succeed.

## Mayor Mark Freda, Princeton



Welcome everyone joining us over Zoom for a very unusual reorganization and swearing in meeting. Not being able to see you all here in the same room, to shake your

hands and talk to you face to face is a disappointment and a little unsatisfying. But, on the other hand, it is truly satisfying to be given the privilege to serve as your mayor for the next four years.

Where do we go from here? What is next? There are many issues for us ahead including COVID and all of its impacts on our community. These impacts will most likely persist for years. During those years, new challenges and new issues will arise; and they will require

resilience, agility and effort from all of us to address them.

My thoughts on our future. We will build on the lessons learned this past year: The need to communicate often and in clear detail; the need to share information at the elected official level, at the town staff level and, of course, with all our residents. We will look to improve our speed and efficiency in digesting information and getting to the point of making decisions as quickly as we reasonably can. This past year has amplified the need for a consistent and ongoing effort to support everyone in our community to the best of our abilities, to create partnerships and to question the way things are done as we look to improve services and how they are delivered.

While mentioning what can be

accomplished in this community, let's look back at 2020 for a minute. Think about all the individuals, the nonprofits, the town staff, elected officials, the university, our public school system, businesses and first responders that came together to address challenges in our community. Working together to help provide food, rental assistance, holidays gifts for residents in need. Working together to find ways to support local businesses.

Though we will continue, as long as needed, to socially distance, we must also continue to work together—in whatever form that takes. We have so many resources in this town. We have so many opportunities in this town. We have the ability to move forward on so many fronts. I am eager to work with all of you to move forward together.



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## Mayor Frank McGehee, Maplewood



One year ago today, I communicated that **our Board of Health promotes wellness in our community and is an advocate for mental, social, and physical health** and we

look forward to the leadership of Candice Davenport, our new Health Officer. Today, I want to say thank you to Health Officer Candice Davenport and Health Nurse Anna Markarova on behalf of our township for your leadership, guidance, and collaboration on keeping our community informed, safe, and helping over 744 Maplewood residents fight their battle with the COVID-19 virus.

While the unprecedented challenges that we face are not over by a long shot, Maplewood is well positioned for a strong 2021 and beyond. It is a safe community to live, work, play and grow. We are a community that is thriving.

## Mayor Tracy Ness, Chatham Township



We all had to pivot suddenly last March and I would like to thank our Senior Center and the Library of the Chathams—who quickly

moved to help those in need, reaching out, delivering groceries and even making masks. And residents who pitched in making masks, donating PPE and cleaning supplies, and organizing to help others.

**And out of the pandemic came Tri-Town Cares, a joint effort with Madison and Chatham Borough to help with mental health resources, food insecurity.** Also

Keep Chatham Thriving with volunteers that helped to promote local businesses and offered their tech skills to get shops online. Chatham Community Food Distribution and a pantry continues to provide much needed help.

And the many people involved with the FLAG group providing meals to health care workers and working with local restaurants is a win-win. These examples of community compassion, empathy, resourcefulness and kindness are a silver lining in a crisis and I know this spirit will continue to carry us through this year as well.

On the municipal front, some good things happened. Between grants and a careful review and renegotiating contracts from insurance and electricity to phone services and copiers, the Township was able to improve the services we receive and reduce our costs by almost \$900,000 over the next two years.

As we start out 2021, we have experienced the tremendous benefit of working together, kindness, compassion and finding new ways of getting things done. Let's not lose this as we face the challenges and opportunities that the year will bring. My New Year's wish for our community is to keep that spirit alive and well as we keep Chatham Township moving forward.

## Mayor Michael Putrino, New Milford



Our goal is to safely bring New Milford back to as close to pre-pandemic conditions as soon as possible and return daily life in our community back to "normal."

The first identified case of the virus in New Milford was on March 15, 2020. Fourty-four weeks later, we still need to be cautious and vigilant. I know this journey has been long, I know it has been tiring,

and I know how frustrating and hard it has been. But I am once again asking for your help to continue working together and being responsible by wearing a mask, practicing good hand and respiratory hygiene, social distancing (at least six feet apart), avoiding large gatherings, properly quarantining, and staying home when you feel sick.

**We do not always have the ability to choose the situations we find ourselves in, but we can always choose how we respond to those situations. It is our response to unprecedented situations that matters.**

## Mayor André Sayegh, Paterson



We have been hit hard by this coronavirus, but yet Paterson perseveres through the pandemic.

For those seniors who were reluctant to go shopping, leave their homes, we

initiated a program, volunteer based, called Neighbor Express. We have volunteers who will cooperate with senior citizens. For example, a senior will call a supermarket for his or her groceries. That volunteer will go to that supermarket and pick up those groceries, deliver them to those senior citizens.

**We became nationally recognized for being a leader in contact tracing. In fact, in that *New York Times* article, the headline states that other municipalities around the country can learn something from this city.**

We are determined to defeat this virus. We don't want to put any more white bows [in memory of COVID-19 victims] up here at city hall. That's why we continue to persevere through the pandemic, proud of the action that we took early on.

In spite of it all, Paterson has persevered through the pandemic. 🇺🇸



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3. Click **MSI Now** on the bottom right.
4. Click the **course**: 2020-2021 Elected Officials Risk Management Seminar: Employment Practices Liability.
5. Click **Enroll**.
6. Click **My Training tab** on the top blue tool bar.
7. Click the **Program Name** to launch the course.
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# NJ Department of Children and Families

A year of adapting, evolving, and learning in response to the pandemic

CHRISTINE NORBUT BEYER, MSW, *Commissioner, NJ Department of Children and Families*



**T**he COVID-19 pandemic changed so many aspects of our daily lives, and nearly every facet of the work that the New Jersey Department of Children and Families does to support children and families in New Jersey. While the way we do our work has had to evolve, the why remains the same.

These last several months have certainly shown us that equity among races is a goal not yet realized. The pandemic has disproportionately impacted individuals and families of color, particularly Black and brown people, as a result of discrimination, bias, and prejudice in healthcare, employment, education, and housing. In addition, incidents of social injustice, during which people of color are targeted by some in law enforcement or bigoted citizens because of the color of their skin, have deepened the division and mistrust in our communities.

We have learned that child maltreatment, domestic violence, and child abuse are an increasing risk for families under stress. During the pandemic, children and youth at risk of abuse and neglect, as well as victims of domestic violence, found themselves behind closed doors, in unsafe situations alone with their abusers, with little or no access to supports, family, or professionals that could provide assistance or report on their behalf.

We have learned that reduced access to children and families by school professionals, law enforcement, families, friends, and

neighbors impacted the reporting levels to the state’s child abuse hotline, further validating the important role we all play in reporting child abuse and neglect or identifying families in need.

**Adapting and evolving**

We have learned that families that were struggling before the pandemic are now just barely hanging on, having to choose between paying the rent or buying food due to loss of employment and economic hardship. And many other families sought social service support for the first time ever.

We have learned that social isolation impacts the well-being of children and youth. School closings, cancellation of youth sports and other activities, separation from peers, family, and other social supports has greatly affected youth. There has been increasing levels of depression, anxiety, and isolation, placing them at risk for despair and suicide.

While no state agency had a blueprint to help navigate this past year’s challenges and increased needs of residents, we have adapted and evolved our practices to support children, youth, and families in ways that work through these unprecedented times

**• REMOTE WORK** At the onset of the public health emergency, in order to comply with the Governor’s stay-at-home orders and to preserve the health of our staff and the families and children we serve, we shifted almost all of our workforce to remote work. We moved quickly and decisively so staff could work from home, supported by the equipment and online applications needed to continue the work of the Department.

**• RESPONSE TEAMS** We created and equipped regional COVID-19 response teams to continue in-person investigations for the highest priority cases of suspected child abuse and neglect. While the majority of our workforce shifted to remote work, our DCP&P caseworkers have since returned to the field, armed with the Personal Protective Equipment they need to do the job safely. These regional response teams maintained the vital in-person investigative work of the Department even as State

government and many of our economic sectors engaged in social distancing.

**• GUIDELINES & REGULATIONS**

We developed guidelines and regulations to support telehealth and telemedicine, thanks to our regulatory and licensing team and the Children’s System of Care administrators, and in partnership with Governor Murphy and his staff.

**Amplified outreach efforts**

In support of victims of domestic violence, our Department’s Division on Women and numerous state and local partners, along with local and county domestic violence agencies, amplified outreach efforts to ensure that survivors are supported, even during these uncertain times. Through social and traditional

**Guiding Governments and Businesses through the Economic Recovery Act of 2020**

On January 7, 2020, the Governor signed into law the New Jersey Economic Recovery Act of 2020. The Recovery Act establishes or expands programs designed to promote jobs, property development, community partnerships, small businesses, renewable energy and film production. MS&B stands ready to help your business or local government explore these new resources:

- Main Street Recovery Finance Program
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- New Jersey Ignite Program
- New Jersey Community-Anchored Development Act
- New Jersey Innovation Evergreen Act
- Grow NJ
- Economic Redevelopment and Growth (ERGG) Program
- New Jersey Aspire Program Act
- Historic Property Reinvestment Act
- Brownfields Redevelopment Incentive Program Act

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## Children & Families

media, DCF has promoted a campaign that social distancing should not mean social isolation ([www.nj.gov/dcf/news/publications/Hotlines-COVID.pdf](http://www.nj.gov/dcf/news/publications/Hotlines-COVID.pdf)).

### Pivoting to success

Our network of Family Success Centers, 57 community-based locations, proactively continued to serve families. Pivoting to an online/virtual format and organizing efforts to address the material needs of our families, they are addressing food insecurity by partnering with local food banks to distribute groceries. These programs continue their vital work today.

## We have learned that child maltreatment, domestic violence, and child abuse are an increasing risk for families under stress.

Through our internal Research, Evaluation, and Reporting staff, we used data to understand what was happening with the virus, as well as monitor important data points pertaining to our services to children and families and their safety during the pandemic.

Our Communications unit developed social media messaging to speak to families' and youth's stressors. Hotlines and helplines were promoted to legislators, staff, providers, in-community partners, and families. A robust array of resources is located on the COVID-19 area of the Department's website ([www.nj.gov/dcf/coronavirus.html](http://www.nj.gov/dcf/coronavirus.html)).

We increased the transparency and the frequency by which we were communicating with the service provider network. We held weekly conference calls, Zoom conferences and Teams calls, in order to understand both provider and client needs.

Our Office of Licensing worked collaboratively with the Division of Family Development in the Department

of Human Services to shut down childcare statewide in March. We stood up emergency childcare centers for essential employees on April 1, and then re-opened childcare safely to the general public in mid-June with the guidance, standards, and necessary supports. In the late summer and early fall, this same staff established in-community General Accommodation Program (GAP) Childcare Centers to provide safe spaces for working parents in need of childcare for children who would ordinarily be in school.

We provided state dollars to congregate care programs for increased costs associated with COVID and released federal Coronavirus Relief Funding to provider agencies for this same purpose

along with direct payments to young adults, age 18 to 23, in independent living, transitional living programs, and ones aging out of the system.

We partnered and adapted our work in ways that we would have never imagined and gained a greater understanding of the impact that the COVID-19 pandemic has had on children and families.

We are beginning to see a light at the end of the tunnel with vaccinations underway, and a renewed sense of hope and resilience. The children and families of NJ are counting on us to keep pushing forward. Many things are now forever changed as a result of COVID. We can either despair over that fact or we can lean into it. At DCF we're choosing to lean in. 🇯🇵

## Who We Are

**The New Jersey Department of Children and Families** is the state's Cabinet-level agency devoted exclusively to serving and supporting at-risk children and families. We are focused on and committed to assisting and empowering residents to be safe, healthy and connected.

DCF is charged with protecting at-risk children and youth from abuse and neglect, supporting victims of domestic violence and sexual assault, providing supports to families with youth with behavioral health, addiction and intellectual and developmental disabilities.



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# The New Normal

From Robbinsville's early masking efforts, to a year of community relief

ROBBINSVILLE TOWNSHIP OFFICE OF ADMINISTRATION

It was early March, 2020 when Robbinsville Township Mayor Dave Fried called a meeting of Township officials. The first COVID-19 case was just diagnosed in New York City and it was only a matter of time before the virus traveled across the border to NJ.

"This is going to be bad," the concerned four-term mayor said. "Let's make a plan."

Within 30 minutes, the Robbinsville Emergency Management Team were gathered for what would be the last time in-person for the unforeseeable future. "I called the meeting to prepare our staff to face this pandemic as best we could," Mayor Fried said. "I wanted to secure PPE (personal protective equipment) and to try to outline what would become our a "new normal."

Almost immediately, the now all-too-common buzzwords such as "pandemic," "quarantine," and "social distancing" were making their way into town.

## Operation Mask Up

The instructions from the top were quite simple: Get ahead of the demand by purchasing masks and hand sanitizer to protect staff and residents.

Because Robbinsville took immediate action, it was able to locate and purchase large quantities of surgical masks after the n95 and kn95 versions were long gone. The mayor's initial

intention was to supply masks to our first responders and senior citizen population.

"Operation Mask Up" quickly expanded to offering the face coverings to any resident who needed them. For close to two months each Tuesday & Thursday, rain or shine, Mayor Fried, Councilman Vince Calcagno and Administration stood



Township Administrator Joy Tozzi, left, accepts care packages for distribution to our elder community from BAPS Charities.

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## The New Normal

outside the Senior Center with protective gear handing face coverings in packs of four to each car during the no-contact, drive-up distribution.

From April 13 to May 28, Robbinsville handed out over 20,000 masks. When a Congresswoman's office, a local Shop-Rite, two neighboring municipalities, and the Mercer County Prosecutor's Office needed help acquiring more masks, the mayor shared the supply.

"That's what we do in Robbinsville. We help each other," he said. "The only way we can possibly get through this is together. The virus is making the rules and the best we can do is counter-punch as best we can."

### Tense times

Like every small town and big city in the state, local businesses struggled mightily and a frightened public was unsure what the future held. The first

positive cases of COVID-19 had emerged in Robbinsville—a cardiovascular doctor who made his living in town but lived elsewhere, and a 21-year-old resident who had been traveling abroad.

**From April 13 to  
May 28, Robbinsville  
handed out over  
20,000 masks.**

### Community support

In an effort to lift spirits and support decimated local restaurants forced to close their doors to indoor dining,

Mayor Fried, the administration, and members of the Robbinsville Police and Fire Departments delivered over 300 pizzas to local families who registered through a Recreation Department portal designed for summer campers. When David Bradley Chocolatier, one of our nationally recognized businesses, prepared 2,000 pieces of chocolate for Easter and Passover prior to the shut-down, they were concerned about selling them in a pandemic.

Mayor Fried purchased all 2,000 pieces and, with the help of staff, delivered each and every piece to our young residents over Easter weekend. On Mother's Day, each of our seniors, health care workers, and long-term care workers received flowers.

When the Robbinsville High Senior Class of 2020 was deprived of prom, activities, athletics and a typical

## Helping Hands

### Other COVID-19-related Township initiatives included:

- Allowing residents to use the Wi-Fi at the firehouse when internet use spiked due to remote learning and parents working from home.
- Care packages to families in need and Meals on Wheels clients
- Partnering with Central Jersey Urgent Care to set up a testing site in the Municipal Building parking lot, as well as at the Robbinsville Fieldhouse.
- Requested donations of virus-killing cleaning products from residents
- Distributed elder care packages assembled by and received from BAPS Charities, which never fails to step up for the community during a crisis.
- With Council and Administration support, the Economic Development Advisory Committee (EDAC) established the "Robbinsville is Open for Business" and "Operation Holiday Cheer" incentive programs utilizing gift cards. Five qualifying residents received \$500 Grand Prizes as part of "Open for Business" and the Robbinsville Food Pantry was the beneficiary of \$3,750 via "Operation Holiday Cheer."



Mayor Dave Fried handing out masks.

graduation, the Township collaborated with other local organizations to hand-deliver custom made congratulatory lawn signs for each graduating senior. Purchased locally, of course.

Looking to lift some of the gloom, Mayor Fried, members of Township Council, Administration, and staff recorded a lip sync video to the Capital Cities hit, "Safe and Sound." The laugh-out-loud clip debuted on May 5, 2020 and has been viewed over 21,500 times.

Each day since the opening salvo of COVID-19 in March has presented a challenge, but under the progressive leadership of Mayor Fried, Business Administrator Joy Tozzi and the Township Council, Robbinsville is proud to have set a high bar of offering moral, emotional and economic support to constituents, the business community and its employees. 



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# The New Normal

## The year of contraction (2020) yields to the year of rebound (2021)

JAMES W. HUGHES, *John J. Heldrich Center for Workforce Development, Rutgers University;*  
CONNIE O. HUGHES; JOSEPH J. SENECA

*This seventh issue of Rutgers Regional Report's Fast Track Research Notes series is dedicated to Dr. Joseph J. Seneca, who passed away on November 27, 2020.*

*Fast Track Research Notes Issue Number 7 is the latest of a series of reports on the changing pandemic-driven economic conditions impacting New Jersey and the nation. It provides a year-end summary and assessment of 2020's unprecedented economic journey and an outlook and set of expectations for 2021. We proudly include Dr. Seneca as a co-author since it includes many of the concepts and analyses that were derived from our collaborative efforts on Issues 1 through 6.*

**Note:** The full report can be found at the NJLM Educational Foundation white papers, [www.njlmef.org](http://www.njlmef.org) or at Rutgers's library at [tinyurl.com/ogfcvfft](http://tinyurl.com/ogfcvfft)

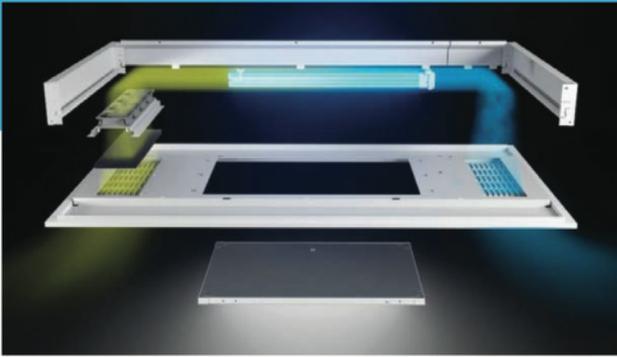


**T**he maelstrom of 2020 forever changed the economy, transforming all industries, but to widely varying extents. For some sectors in 2021, it will be an extinction event; for others, it will be a time of rebooting. Will restaurants and experiential activities ever bounce back to what they were before the pandemic? Perhaps. Will business travel and related hospitality industries fully return to past glories? Less likely. Will bricks-and-mortar retail fully resuscitate? Almost certainly not.

The year 2021 will shed light on some of these types of questions and many others. The COVID-driven shocks of 2020 will reverberate for many years, driving further change as information technology advances and organizational and business restructurings reshape the economy. They may also lead to an extensive repositioning of historical real estate assets and newly minted real estate liabilities, visibly transforming the built economic environment.

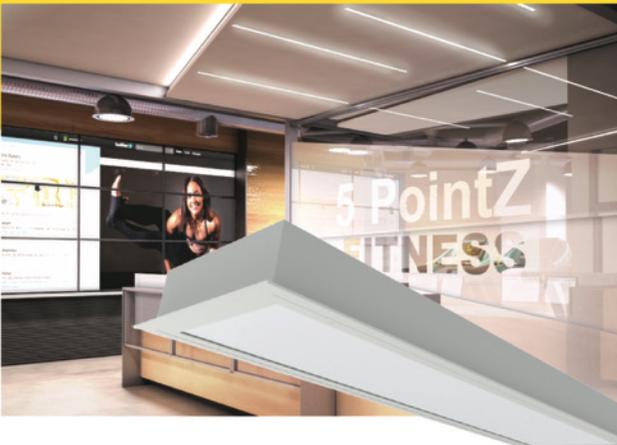
What initially started as short-term interruptions progressed into more persistent and substantial disruptions by the end of 2020, which may increasingly foster long-lasting restructurings in 2021. One thing is certain: Whatever the pace and magnitude of 2021's recovery, by the beginning of 2022 the basic economic structure of the United States and New Jersey may be quite different from pre-coronavirus 2020. Whatever the "new normal" will be, it will begin to be realized before 2021 is finally finished.

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### **“Over the Rainbow” Fantasy 1**

The positive two-month start to the decade of the 2020s spawned an “over-the rainbow” fantasy that the “Roaring Twenties” were again at hand: That is, the famed early 20th century era known as the “Roaring Twenties” would soon be replicated by the 21st century’s “Roaring 2020s.” The rationale for this fantasy was predicated on the expected continuation and sustainability through the coming decade of the record-long expansion that propelled the economy into 2020.

However, the fantasy was sidelined by the near-death economic experience of March and April 2020.

### **“Over the Rainbow” Fantasy 2**

But optimists could not be constrained. The “twenties analogy” eventually resurfaced—the exuberance of the 1920s would be duplicated in the post-pandemic 2020s. This time the rationale was drawn from the fact that the original “Roaring Twenties” had emerged out of the severe set of negative circumstances that preceded it—the horrors of World War I and the 1918 Spanish flu, and the deep recession that started in the first month (January 1920) of the decade and lasted eighteen months (until July 1921).

At that point, the United States entered a decade of unprecedented growth and prosperity. In a striking parallel, one

## The Work From Home Shift

The world of work experienced a watershed moment in 2020. The coronavirus shock challenged long-standing organizational mindsets, exposing outmoded concepts. “Work” increasingly became recognized as more of an activity than simply a place—what people do rather than a place where people go. This was particularly the case for a knowledge-based economy that was largely conducted in offices. How organizations fully adapt to this new reality will define 2021.

**Office Ecosystem Challenges** Long-standing private and public office ecosystem protocols were also being challenged and reexamined, such as the necessity for bringing all workers together every day to one central location. Simple inertia had allowed office ecosystems to escape serious functional change despite sustained innovations in 21st century information technology. But the pandemic was the great disrupter, revealing that many office networks in 2020 were still being run as relics of the twentieth century. Updating these “relics” will begin in earnest in 2021.

### **White-Collar Workspace Revolution The Genie is Out of the Bottle**

The catalyst for the 2020 workplace and office pivot was the “Spring of Economic Confinement,” which spawned remote, out-of-the-office, work-from-home (WFH) practices that were quickly embraced by many organizations while just tolerated by others. Even companies and organizations that are heavily dependent on face-to-face collaboration in the traditional office milieu probably acknowledge that remote work is, in many instances, feasible.

By necessity, digital tools were swiftly and effectively adopted on vastly accelerated timelines. A quantum leap in digital adoption occurred in a matter of weeks. Apps such as Zoom, Webex, and GoToMeeting bridged geographically distant work environments, enabling effective on-demand visual and audio interconnections. This remote digital genie cannot be put back in the bottle in 2021—there may be no going back.

Many parts of the white-collar economy successfully navigated the pandemic in 2020 and adapted to the new remote-dominated environment. Moreover, the coronavirus work-from-home necessity was (and still is) encumbered by face-to-face school closings and remote learning. This created a complex and less-than-ideal home work environment.

In a post-pandemic world, with schools reopened, remote working may take place in a much different and less distracting home setting. Such “rewiring” of the white-collar economy will continue in 2021—any lingering organizational resistance to the potential of the all-digital, work-from-anywhere revolution is likely to prove futile. While the work-from-home option for many occupations appears to have staying power, the “take-up” rate will probably decline in 2021 from its 2020 heights, as return-to-the-office movements gain some traction.

month into the decade of the 2020s (February 2020), the United States entered the pandemic-spawned recession. Thus, the wafer-thin silver lining drawn from the 2020 pandemic is that its deep

**Whatever the “new normal” will be, it will begin to be realized before 2021 is finally finished.**

traumas could ultimately lead to a positive outcome, starting in 2021—namely, that the coronavirus-inspired engines of disruption would be transformed into engines of innovation as the decade of the 2020s advanced, accelerating the pace and scale of creative economic and technological progress. However, as noted earlier in this report, many past optimistic assessments of the future were quickly challenged by reality.

**The Great Comeback of 2021?**

Whether the optimists are right—that the full decade of the 2020s will surmount the deep turbulence of the year 2020 and define a period of transformative cutting-edge advances—or not, the economies of the United States and New Jersey will likely experience a vaccine-boosted 2021 comeback with

the emergence from a dark winter. But will the engines of innovation fully kick in during the year’s second half, or must the “great comeback” await until 2022?

**Trend Acceleration and Structural Change**

By the end of 2020, the following observation had become conventional wisdom: The pandemic served to vastly increase the pace of structural economic changes already under way, as the coronavirus served as a “gasoline-on-the-fire” accelerant.

Variations of the verbiage “because of the crisis, advances that previously would have occurred in a matter of years took place in a matter of months” proliferated. Concurrently, fundamentally new disruptive structural shifts had emerged that had few or limited antecedents. These will continue to reverberate throughout 2021. 

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# Connections

## Exercising Political Courage

Observations from a Remote Discussion at the NJ League of Municipalities Conference with Lieutenant Governor Sheila Oliver, Rutgers University President Jonathan Holloway, and Eagleton Institute of Politics Director John Farmer Jr.

JOHN WEINGART, *Associate Director, Eagleton Institute of Politics, Director, Center on the American Governor*



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Clockwise from top: Eagleton Institute's John Farmer and John Weingart with Lt. Gov. Sheila Oliver and Rutgers University President Jonathan Holloway

*The text that follows was edited for space, but an expanded version can be found at [www.njlm.org/magazine](http://www.njlm.org/magazine).*

At each year's annual conference, the League in collaboration with the Eagleton Institute of Politics at Rutgers University includes a Holland Session on Ethics in Government. The program is named for Art Holland, a Rutgers alum who was elected Mayor of Trenton in 1959 and served for all but four of the next 30 years. Mayor Holland became well known for his openness to the public and for the ethical standards of his administration.



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## Political Courage

This year's topic, Exercising Political Courage, was discussed by three distinguished leaders: Lieutenant Governor Sheila Y. Oliver, Rutgers University President Jonathan Holloway and Eagleton Institute of Politics Director John J. Farmer Jr.

**Q** **John J. Farmer Jr.:** *What we're here to talk about today is exactly what does the idea of political courage mean for our time. How do you make the hard calls? What's the thinking process that's involved? Lieutenant Governor Oliver, would you go first?*

**Sheila Oliver:** Thank you. You know, I'm a Baby Boomer and I grew up in a kinder and gentler time. Early in my life, maybe because I was an avid reader and I went to Sunday school, I think I developed this keen sense of what's right and what's wrong and for speaking up when you know something is wrong.

Now that I have become Lieutenant Governor and the Commissioner of the Department of Community Affairs, I have an even keener sense of the necessity of operating with the highest ethical standards. I think political courage rises when you are asked to go with the flow and you know as an ethical public servant, you must speak up. I think that if you exert that type of leadership, you earn a great deal of respect from the people who you are working with and I believe that your various constituencies have that much more respect for you.

**Q** **John J. Farmer Jr.:** *Thank you. President Holloway, you're an eminent historian as well as President of Rutgers, so could you give us some reflections on political courage from an historical perspective as well as your own personal story?*

**Jonathan Holloway:** Thank you. I want to start with a story that comes from 2015 or 2016. I was working as Dean of Yale College and was in charge of all aspects of the undergraduate experience. We were having quite a year, with lots of controversies on campus. During

the spring there was a controversy over the naming of buildings on campus and when the names were announced for two new residential colleges, students were furious with the decision.

Now, my boss was the president of this private university. I served at his pleasure in an environment that was very hierarchical and appropriately so. We were both in a large chapel on the campus, with about 1,200 students filling the place in an electrified moment. Students expressed their anger and at the end of this very difficult hour, as about a dozen students were gathered around the president and asking him polite but really pointed questions.

I was standing off to the side when a student with whom I had a very strong relationship came up to me. We'll call this student Jeff. He said he was taking a class on principled leadership from Stanley McChrystal, the retired general, and that General McChrystal had been talking about the need for people to speak up when they feel something wrong has happened. Jeff said, "You're a campus leader, what do you think of that idea?"

I said that I understood but the first thing to know is that my job as dean is to support the president. The only opinion that matters right now should be the president's but, I said, let's presume that I felt very differently than the president did on this decision. And he said, "Yes, what would you do? A principled leader has to stand up and make a statement."

I said, "Well, let's presume I disagreed with the president so strongly that I felt the need to take that stand. Then my last sentence from a principled position would have to be, 'I have to resign the deanship. And I want to tell you, Jeff, I'm not ready to resign the deanship over this issue. I don't think this issue is big enough because there are so many other things that need to be done.'"

As he seemed to be mulling it over, I added, "Think about the things that you care about where you know I share some of your views. If I'm no longer there, who else in the administration is going to fight for you?"

I tell this story because I wanted to add a nuance to the ways in which one can

be a principled leader. You need to figure out if the stakes are high enough.

Sometimes I feel that being that principled leader is to figure out, "Ok, how do I navigate this moment so I can continue to fight from a position of power or influence when I think we have a real crisis coming down the line?" And that's a judgment call, it's very difficult.

That was not a pleasant process to navigate. No matter what you decide, you've wronged somebody, and you have to navigate how you move forward in an ethical sense, in a principled sense, so you can keep doing your job.

Now, you asked earlier about people I admire and the list is either way too long or way too short. One could admire political leaders or activist leaders and such, but I actually admire the people whose names we don't know—the people who, for instance, saw Martin Luther King when he came into town and then were still there after Reverend King had moved on. They were in a much more dangerous moment and yet they still kept up that political movement. Those people are completely astonishing to me, and I know that I would not be where I am had it not been for so many other people who were working hard to imagine a day when Rutgers might be ready to have the first Black president in its history.

**Sheila Oliver:** The individual who had the most profound influence on me was Shirley Chisholm. Here's this woman born in the Caribbean, and her parents come to the United States during a period when women weren't expected to go to college. She goes and graduates with a business degree and ends up working in education, but begins to go to community meetings where she, too, begins to speak for people who can't speak for themselves. She runs for local elected office and then ends up being the first Black woman in Congress.

**Q** **John J. Farmer Jr.:** *President Holloway, you mentioned the incident at Yale and I'm wondering, how much of our history—and particularly with respect to political courage—should be reconsidered in light of our current state of thinking.*

*The example that comes to mind for me comes from revisiting “Profiles in Courage” by John Kennedy. One of the people future President Kennedy celebrated was a former high-ranking Confederate Officer and future U.S. Senator, Lucius Lamar, who had actually drafted the ordinance of secession for Mississippi. Kennedy celebrated Senator Lamar’s role in ending what he referred to as the “carpetbag republican rule” in Mississippi. That’s the perspective from 1950s America. But now that reversal is considered really the beginnings of Jim Crow and the Black codes that were passed. And so how should we think of such historical figures in light of our current situation?*

**Jonathan Holloway:** You know when we eventually got around to having a blue ribbon commission to address naming practices at Yale, one of the first things the chair of that commission said was that we need to bring humility to our understanding of the past. It is easy

for all of us in our present day to say, “Well I would have never done X, Y, or Z at a particular moment in time.”

And, you know, maybe you wouldn’t have 50 years earlier, but we need to confront questions like that. I think the history of this country is even more exceptional when we think about those unsightly parts of our history because there’s still something that we’re aiming towards, that we’re believing, and that we want to see realized.

So, I think that we don’t need more mythology, we need tough, fair histories that challenge us because in that challenging, we are a better people.

**Q** **John J. Farmer Jr.:** *Lieutenant Governor Oliver, you made some news over the summer by responding to the Defund the Police Movement by rejecting out of hand the idea of completely defunding the police. What went into that decision by you to come out publically on that subject?*

**Sheila Oliver:** Well, as we watched what was erupting all over the country with many saying that police organizations were at the very depth of the status of people of color in this country, I rejected that. We know that public safety and law enforcement agencies serve a purpose.

Now is there police brutality? Yes, there is. Has the power and authority of law enforcement been used for an illicit purpose through our history? Yes, it has. But we cannot define all police officers and police organizations and paint them with a brush saying that we need to just abolish them.

One of the things I think that we’re up against in this country is that yes we do love our exceptionalism, but we should not love our American exceptionalism to the extent that we do not learn and develop perspectives from other types of societies and cultures around the world.

We did not see political courage during the discussions about defunding the police.



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## Political Courage

Unfortunately, we saw elected officials and other leaders across the country fold in to supporting that concept because they felt it was politically expedient. Candidates and other community leaders felt that they had to stand with the people who stood for defunding the police.

**Q** **John J. Farmer Jr.:** *The issue of defunding the police is an aspect of a larger problem I guess, which is that the country is polarized to the point where it feels to me as if it takes courage to even say something at a family gathering when you know that certain people don't hold your opinions.*

*I'm wondering, does daily life now require political courage just to have conversations with folks and what do you think is the long-term solution to that polarization?*

**Jonathan Holloway:** I'll jump in with my modest thoughts first. These devices, these smartphones, have radicalized politics, and I mean that in good and bad ways. We see all the ways that they've brought people together to change the country or to change societies in ways that are deeply needed. But my goodness, they also have weaponized how we speak to one another.

What I would love to find is a way to tap into the organizing abilities of social media and then to find a way to embrace decency again. Now when I say embrace decency, I'm not saying look the other way because complaining is indecent, but the notion of barriers and limits having been blown apart by hashtag politics, social media politics so we now don't have the space to speak in error. We don't have the space to say, "That's really not what I meant to say, I'm sort of thinking on the fly here." And that's a real detriment.

I think we often forget at the end of the day that our public figures are all human beings and therefore are deeply

### About the Speakers



**Lieutenant Governor Sheila Oliver** is a self-described "Jersey Girl," born and raised in Newark.

Lieutenant Governor Oliver has advocated for social justice, women's equality, and education, ultimately becoming the first woman of color to serve in a statewide elected office in New Jersey history. She also serves as Commissioner of the Department of Community Affairs, where she has led efforts to strengthen and expand

initiatives for fair and affordable housing, community revitalization, homelessness prevention, and local government services that support New Jersey's 565 municipalities.

Lieutenant Governor Oliver has worked in the public, non-profit, and private sectors, and has taught numerous college courses. She has served as a member of both the East Orange Board of Education and the Essex County Board of Chosen Freeholders.

In 2003, she was elected to serve the 34th Legislative District in the New Jersey General Assembly and became the first African-American woman in state history to serve as Assembly Speaker, and just the second in the nation's history to lead a state legislative house.

Lieutenant Governor Oliver graduated cum laude from Lincoln University, and received her MS in Community Organization, Planning, and Administration from Columbia University. She has received honorary doctorates from the New Jersey Institute of Technology, Lincoln University, Montclair University, and Berkeley and Essex County Colleges. She is a 40-plus-year resident of East Orange.



**Dr. Jonathan Holloway** is the president of Rutgers, The State University of New Jersey and serves as a University Professor and Distinguished Professor.

Previously, Dr. Holloway was provost of Northwestern University from 2017 to 2020 and a member of the faculty of Yale University from 1999 to 2017. He served as Dean of Yale College and the Edmund S. Morgan Professor of African American

Studies, History, and American Studies.

President Holloway's scholarly work specializes in post-emancipation U.S. history with a focus on social and intellectual history. He is the author of *The Cause of Freedom: A Concise History of African Americans, Confronting the Veil: Abram Harris Jr., E. Franklin Frazier, and Ralph Bunche, 1919-1941*, and *Jim Crow Wisdom: Memory and Identity in Black America Since 1940*. He is working on a new book, *A History of Absence: Race and the Making of the Modern World*.

Dr. Holloway, who began his academic career at the University of California, San Diego, received a bachelor's degree Stanford University and a Ph.D. in history from Yale University.

He serves on boards of the Smithsonian's National Museum of African American History and Culture, Andrew W. Mellon Foundation, and the Academic Leadership Institute.

In April 2020, Governor Phil Murphy appointed him to the Governor's Restart and Recovery Commission, and in May 2020, NJ Assembly Speaker Craig Coughlin appointed him to his Economic Advisory Council.



**John J. Farmer Jr.** is the former attorney general for New Jersey, senior counsel for the 9/11 Commission, was an assistant U.S. Attorney, and worked at Riker, Danzig, Scherer, Hyland & Perretti LLP. He is the former law school dean, is currently special counsel to the President of Rutgers and on the faculty at the Eagleton Institute of Politics.

Professor Farmer received his J.D. from Georgetown University Law Center and received his B.A. from Georgetown

University. He began his career as a law clerk to Associate Justice Alan B. Handler of the New Jersey Supreme Court.

Professor Farmer served as senior counsel and team leader for the National Commission on Terrorist Attacks Upon the United States (commonly known as the 9/11 Commission).

He has been a frequent contributor to the *Star-Ledger* and the *New York Times* and has had articles published in the *Rutgers Law Review*, *Seton Hall Law Review*, and other journals. Farmer has also lectured extensively on post 9/11 safety and security issues.

Professor Farmer is president of the board of trustees of the New Jersey Institute for Social Justice and a former member of the New Jersey Governor's Ethics Advisory Board.

fallible and far from perfect. I use the word ‘grace’ a lot. And I think that we need to find a way to have that word, these kind of old fashioned [words], be put back into our common language because we are attacking ourselves at this point and I think democracy is suffering.

**Sheila Oliver:** I think Jonathan is absolutely right. In terms of being able to raise very sensitive issues amongst people with divergent views, I think that has to be done with the ability to think from the other person’s perspective and to engage in these kinds of conversations without being combative, confrontational. Everyone can walk away having learned something about that issue on the other side. And that is what we have to get back to in this country, that’s what we have to get back to in New Jersey.

**Q** John J. Farmer Jr.: *I want to turn to the unique challenges that are posed by the current experience we’re having with COVID-19. I remember distinctly at the end of June when the*

*presidents of other Big Ten universities were announcing that they were going to be fully open and on President Holloway’s literally first day on the job he had to make the decision for Rutgers. I’m wondering what went into that decision. You had to know that at the time parents were going to be unhappy and alums were going to be unhappy and students were going to be unhappy. So why didn’t you go with the flow and say, “We’re going to try to be open,” and sort of hedge it that way as opposed to just making the decision that you made?*

**Jonathan Holloway:** Yes, a fun way to start, my very first press conference was sharing that news. It was actually an easy–uncomfortable but easy–decision, though in difficult circumstances. We did not have the confidence that we could provide or guarantee the health and safety of the students, the faculty, and the staff and all three components are critical.

**Q** John J. Farmer Jr.: *Jonathan, you have the last word.*

**Jonathan Holloway:** I just want to emphasize what the Lieutenant Governor said. I would like to get to a point where we wake up in the morning as Americans, not as a democrat, as a republican or as a socialist or a progressive, whatever.

I’m not criticizing any particular party, we need a healthy robust range of parties, but I want us to wake up and recognize that we share more in common than we don’t. If you start the day with that orientation, you come out in a different place, the nature of your disagreements are different.

We should have disagreements, that’s healthy, that’s what a democracy is all about, that’s how you find out what the best ideas are, but if you start from the place of sharing as common sensibility, it changes the nature of the disagreement. That’s where we need to get to. 

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# Jersey City Safety

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Even in the midst of the pandemic, we're remaining vigilant to ensure all public health issues get the attention they deserve. Fatal crashes are not just a transportation issue, they are, like the pandemic, a critical public health problem that we all must work on together. That's why in 2018, I signed the Executive Order to establish Jersey City as the first municipality in the state to adopt Vision Zero, setting a goal of reaching zero traffic fatalities and severe injuries on our roadways by 2026.

The numbers are shocking. In 2018, 563 people were killed in crashes throughout New Jersey, including 166 pedestrians and 16 cyclists. In Jersey City, we average nine pedestrian and cyclist deaths a year and 20 serious injuries on city, county, and state roadways, with an average of three fatalities and 13 severe injuries on city-only roadways. These numbers are unacceptable and each of these deaths and serious injuries is avoidable. That's why we took the step towards Vision Zero.

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Vision Zero is a powerful, data-driven approach to ensuring no more lives are senselessly lost on our roads. We created a Vision Zero Task Force and released an Action Plan in 2019. This plan is our blueprint for making streets safer for all travel modes. In recent years, we've also implemented a citywide Bicycle Master Plan and a Pedestrian Enhancement Plan, advancing our city's Complete Streets policy and evaluating opportunities to improve safety along major corridors.



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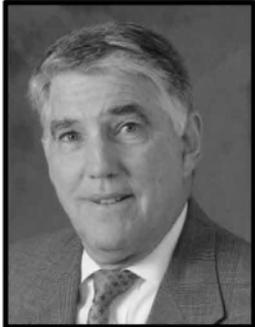
## Jersey City Safety

While COVID-19 has put a strain on municipal, county and state budgets, it has also given us an opportunity to reimagine the way we use our streets. Jersey City has always had a lot of pedestrians and cyclists, but with fewer cars on the road we saw even more people using these active modes of transportation to get around or simply get outside to enjoy the fresh air. You can follow our low-cost model to try these methods out in your communities too.

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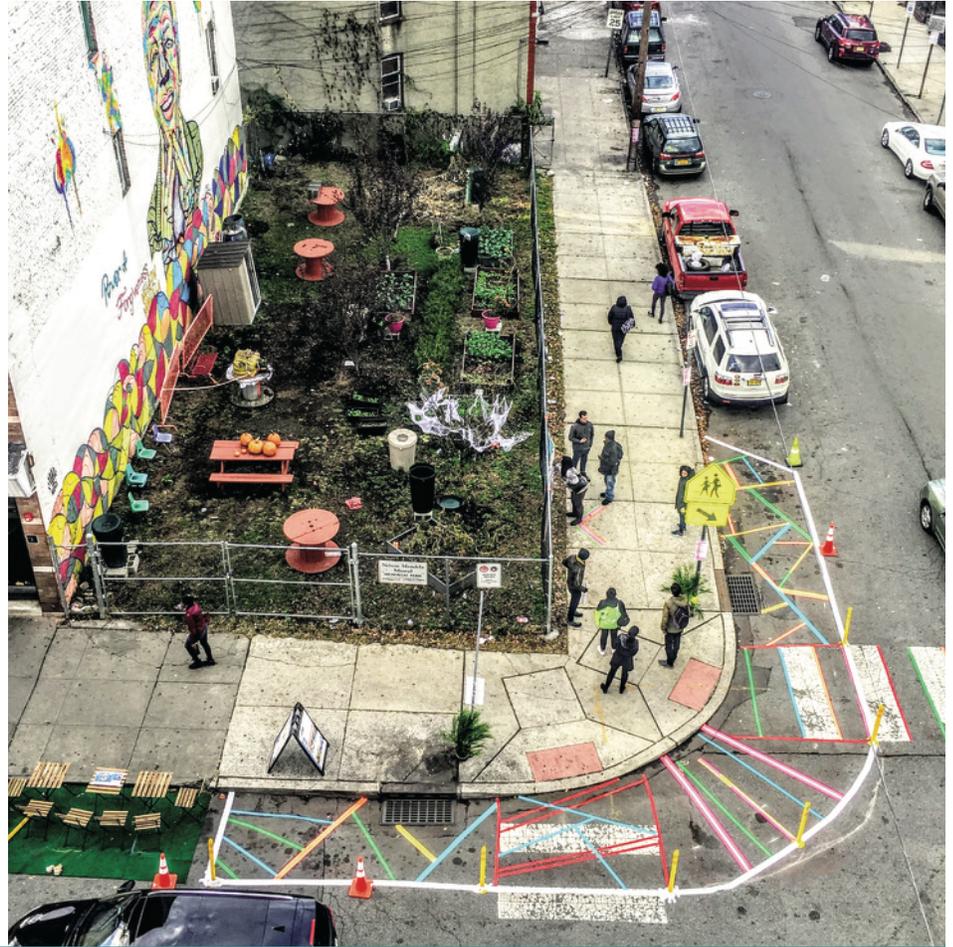
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Physical transportation infrastructure improvements can be “a big lift” in scope and cost. They can take years to move from concept to construction. But there is an easier and more affordable way to make faster incremental changes that can have a big impact. When we were developing our JC Walks Pedestrian Enhancement Plan in 2017, through a study funded by the North Jersey Transportation Planning Authority (NJTPA), we conducted a series of walkability workshops in each of the city’s six wards. Community members were invited to participate in walking audits and public meetings to identify impediments to safe walking and opportunities for improvement. The goal was to create comfortable, safe and beautiful streets that were accessible for all users.

As part of the walking audits, we implemented temporary changes at six intersections. This included using colorful paint and tape to temporarily extend curbs to shorten crossing distances for pedestrians and convert parking spaces into mini parks. Some locations included wayfinding signage to direct people to



## Be Heard: NJTPA Plan Survey

I wanted to also let you know about an opportunity for you to help shape the future of transportation in our region. I sit on the NJTPA’s Board of Trustees. We’re in the process of updating the agency’s long-range transportation plan, which makes policy recommendations, envisions new programs and details transportation investments for 13 northern and central New Jersey counties over the next 30 years.

The new plan’s theme is transportation, people, and opportunity. The plan will address things like supporting active transportation, while also considering technological advancements and changes to the way we travel.

But as with Jersey City’s demonstration projects, we need public input. We need to hear how we can make things better. So, I’m asking you to take our brief survey and share it with members of your community so that we can create a transportation system that meets the needs of everyone. I also invite you to attend one of our virtual public meetings.

To learn more visit <http://njtpa.org/Plan2050>.



transit or parks. These demonstration projects were used to gather public feedback, which was incorporated into our plan. Allowing people to see these changes before you make them permanent can help garner support and generate ideas to make the improvements even better.

We also used a demonstration project to create a pop-up protected bike lane over a three-day holiday weekend in 2019 during the development of our Bicycle Master Plan. All we needed to accomplish this was paint and some traffic cones. The temporary bike lane was so well received that we have since made it semi-permanent with the use of bollards. Bike lanes can be easily added to wide streets by implementing road diets, which is a proven safety measure recommended by the Federal Highway Administration. Narrowing vehicle travel lanes is also an inexpensive way to combat speeding. 🇯🇵



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# Autonomous Vehicles

State and Municipal Governments Need  
to Stay in the Same Lane

AVI KELIN, Esq., Genova Burns

**W**hile hopes remain that New Jerseyans can responsibly enjoy the Shore in 2021, we all know what the average summer means in New Jersey. Highway traffic, especially on Friday and Sunday evenings, is as synonymous with summer in the Garden State as garden-ripe tomatoes.

Consider this: In recent years, as many as 900,000 residents used their cars on Memorial Day weekend. New Jersey's highways may be jammed with broken heroes in song, but, on a warm weather weekend, many of our State's highways are filled with, well, other cars, and lots of them. Most of us have felt the frustration of being stuck in traffic, and it's enough to make many of us wish for the day when cars will drive themselves.

The arrival of self-driving cars can bring relief to traffic-weary drivers, but there is important work to finish before we get to that point.

## Town and state alignment

I served on the New Jersey Advanced Autonomous Vehicle Task Force to study autonomous vehicles in New Jersey and make recommendations to the Governor and Legislature regarding the safe operation and regulation of this technology. To make the state ready for self-driving cars, we need the valuable input from the state's Department of Transportation, Motor Vehicle Commission, Department of Banking and Insurance, Division of Highway Traffic Safety, and so many other state departments and agencies.

However, in a densely populated state like New Jersey—21

counties and 565 municipalities crammed into a 9,000-square-mile area—municipal and state governments must be on the same page when it comes to permitting autonomous vehicles on our state's roads.

While this seems like common sense, other parts of the country have seen individual municipalities move faster than the state government when it comes to creating laws for testing autonomous vehicles. Were that to happen here, it would be problematic.

**Currently, the law in New Jersey still requires a human operator for vehicles, and there is no current framework for the licensing and testing of autonomous vehicles.**

In Arizona, for instance, four cities—Tempe, Mesa, Gilbert, and Chandler—got ahead of other cities in their state when it came to testing autonomous vehicles. The nature of this technology means that autonomous vehicles can and will travel from place to place. New Jersey having a patchwork of local ordinances would mean that a car could end up being legal to operate in one county or municipality, but not in the neighboring locality. An autonomous vehicle that can't travel from Jersey City to Hoboken defeats the purpose of a transportation device.

The better approach would be for the state to consider and enact laws governing the testing and operation of autonomous vehicles on all of New Jersey's roads, instead of allowing for the potential confusion that may result from inconsistent local ordinances.

### **Our first road test is still far away**

The legal testing and operation of autonomous vehicles in New Jersey is not on the immediate horizon. The delay stems not from the readiness of the technology (Waymo reported that its driverless test vehicles recorded 1.4 million miles in California in 2019),

but from the lack of a legal and regulatory framework for the safe testing and operation of autonomous vehicles in our state.

We are just starting to build a coalition of experts, advisors, and professionals who want to create autonomous-vehicle regulations that are both smart and safe. Currently, the law in New Jersey still

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## Autonomous Vehicles

requires a human operator for vehicles, and there is no current framework for the licensing and testing of autonomous vehicles. There are a few pieces of legislation that have been considered that would change these facts, but nothing has passed.

### Preparing transportation infrastructure

The single-most important thing that New Jersey municipalities and local government entities can do to prepare for autonomous vehicles is consider the infrastructure needs of the future.

Cars that can drive themselves will require consideration of specialized infrastructure. For example, one study of 41 major cities found that an average of 31% of urban space in downtown areas is devoted to parking. If my car is able to drop me off at a meeting in downtown Newark, and then drive itself to find a parking spot in a less dense area (before coming to pick me up again when the meeting is over) the space currently devoted to parking can be put to different uses. Instead of dedicated parking structures for office workers and retail locations, more relevant may be curb-side loading and unloading zones where passengers can easily hail robo-taxis or be dropped off by their own autonomous vehicles.

But municipalities now need to consider that the driving infrastructure needed for safe autonomous vehicles is no less crucial for human drivers. Clear lane painting, exit markings, and smooth road surfaces can make a difference right now for the safe operation of vehicles, but will also be needed for the cameras and radars of the future autonomous fleets to accurately assess and navigate real-world environments.

### Other issues

Beyond infrastructure, autonomous vehicles will mean big changes in all aspects of transportation. This includes insurance and liability questions; labor and employment considerations for the millions of truck, taxi, and other drivers across the United States; and questions for how public transportation can benefit from and integrate these new technologies.

Municipalities may also want to consider now the potential effects of autonomous vehicles on law enforcement. If, in the words of one famous phrase in the self-driving community, autonomous vehicles “drive like your grandma” by driving cautiously and at

slow speeds, this has the potential to free up law-enforcement resources for other important areas of public safety. Similarly, the potential for a decline in traffic-ticket revenue should be considered.

In addition, if cars become mobile offices or entertainment centers, will people place less value on living in close proximity to the office when previously “wasted” commuting time transforms into productive hours? Alternatively, if the cost of hailing an autonomous taxi makes forgoing car ownership more efficient, will people prefer to live in walkable cities? These changes in commuting patterns will have important implications for residential real estate and should be taken into account by municipalities.

### Looking forward

When we finally enact autonomous-vehicle laws in New Jersey, we have to make sure we have thought through these and

other variables and ensure that our municipalities, counties, and statewide governments are all in alignment for a common set of the rules of the road. After all, we want to avoid the potential of bumpy roads ahead. 

Avi D. Kelin, Esq. is an attorney with the firm of Genova Burns LLC in Newark, New Jersey. He is the Chair of the Firm’s Autonomous Vehicles Law Practice and recently served on New Jersey’s Advanced Autonomous Vehicle Task Force.

# Safety Through Self-Driving Cars

**Why does this matter so much?** Because self-driving cars can do more than offer convenience. Safety is a major consideration. While self-driving cars will not single-handedly eliminate accidents, removing human drivers from behind the steering wheel could go a long way toward making things safer. Computers do not get intoxicated, tired or distracted.

**Nearly 37,000 Americans die in car accidents** each year, and an additional **2.2 million people are injured**. The nation's **10 million annual accidents** come at a collective **cost of \$230 billion**.

Safety improvements make it crucial that consumers adopt self-driving cars as soon as the technology is ready, but other questions need to be addressed, as well.

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# GOLD DOME



## When Good Policy Makes For Good Politics

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

**T**he tragic killing of George Floyd last May, along with several other high-profile deaths of Black citizens by police, has turbo-charged criminal justice efforts that were already underway for several years in New Jersey. Collectively, these reforms are upending the state's law enforcement system more than at any time in a generation.

One of the first high-profile changes came in 2014, when Governor Chris Christie signed legislation eliminating cash bail. The law went into effect in 2017. The following year, Governor Phil Murphy was inaugurated and he and Attorney General Gurbir Grewal have spearheaded a number of additional reforms.

Many criminal justice advocates argue that the arrest and incarceration disparities by race are stark, and cry out for change. In New Jersey, the rate of incarceration for Blacks is 12.2 times that of whites, the highest rate in the nation. This number is even more striking given that Blacks make up only 15% of the state's population while whites make up 71%.

In an effort to address this inequity, a push to eliminate mandatory sentences for non-violent crimes has gained some steam in the state legislature, but hasn't yet made it to Murphy's desk. Some smaller sentencing measures were recently enacted, including an expansion of parole opportunities for inmates who have terminal medical conditions or permanent physical incapacity, and allowing courts to consider a defendant's age as a mitigating factor in sentencing.

Perhaps most significantly for municipal leaders, the Murphy administration, led by Grewal, has been out front nationally in policing reform.

The efforts to drive change fall into three categories:

- Training and licensure.
- Requiring and funding of body cameras.
- And overhauling the rules for use of force.

As the primary employers of law enforcement in the state, municipalities stand to benefit from the new requirements and standards. Not only are these changes widely expected to

protect citizens from inappropriate police behavior and police from inaccurate accusations by members of the public, but they should reduce the amount of costly litigation faced by localities related to charges of use of excessive force. A drop in these cases should also lower the insurance burden that each community needs to carry under the current rules.

### Training

Grewal is pushing for revamping the program in the state's 15 police academies. In June 2020, the New Jersey Police Training Commission (PTC), which oversees these training standards, unanimously approved this goal.

According to PTC Administrator John Cunningham, the new standards will require the teaching of nationwide best practices in de-escalation techniques; Crisis Intervention Team (CIT) training, where non-police resources are brought in to handle individuals with mental health issues; cultural diversity; and interpersonal communication skills, among other areas.

Grewal is also calling for the establishment of statewide police licensure. All law enforcement officers will have to meet and maintain certain uniform standards to work in New Jersey. Failure to do so can lead to suspension or even revocation of one's license.

Grewal and the PTC very clearly believe that the licensing requirement will make it much harder for officers with extensive disciplinary problems to move from police department to police department without being accountable for their actions.

### Body Cameras

Over the last decade, studies on the use of body cameras have shown significant benefits. One experiment in Rialto, CA, (pop. 100,000) found that use-of-force incidents dropped in half and citizen complaints against police officers were reduced by 90%. A 2018 study in Las Vegas showed the number of complaints fell by 14%. In both cases, the reductions meant that municipalities were able to spend less time and money on investigations and legal bills.

In New Jersey, state Senator Shirley Turner has advocated for a statewide requirement for police to use body cameras since 2014. Indeed, today, about 45% of law enforcement agencies in New Jersey already do.

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

At the end of 2020, a new law, with a \$58 million appropriation, was passed requiring that all police departments purchase and use body cameras.

Beginning in 2022, municipalities that had purchased their equipment prior to the new law will be able to file for reimbursement.

New Jersey will be the sixth state in the nation to require the use of police body cameras.

### Use-of-Force Standards

Grewal's statutory authority over every law enforcement department in New Jersey is stronger than most any peer in any other state. So, when he announced in December that he was imposing new use-of-force standards for the 38,000-plus officers across 500 state, county, and local departments, it was national news.

Officers will be required to use the least amount of force necessary, and only as a last resort. Deadly force now

includes sitting or kneeling on someone's body or striking them in the head or neck. Grewal banned police from firing on vehicles in most circumstances and placed new limits on when officers can pursue a suspect by car. He also required officers to intervene when another officer is using excessive force.

In an effort to enforce these new rules, New Jersey is setting up a first-in-the-nation database that will document all uses of force by police officers. Each department will be required to submit its data to the state. Many advocates, on all sides of criminal justice debates, are eager to see the information that comes in, hoping that actual numbers will be able to further drive state policy.

Aside from the cost savings for municipalities, there are clear political implications here as well. New Jersey's attorney general is one of only seven in the United States who isn't elected by the people. Further, the state constitution

makes it almost impossible for the attorney general to be fired. (Only New Jersey's secretary of state shares this protection among the governor's cabinet.)

Free from electoral politics, Grewal can lead as he sees fit. His growing prominence in criminal justice reform, in litigating against the Trump administration, and his personal story—a Sikh-American, he had dreams of being a novelist before 9/11 drove him towards the legal profession—all make him a very intriguing potential future candidate for office.

In addition, having New Jersey at the forefront of the criminal justice reform movement bodes well for Murphy's 2021 re-election efforts in this very Democratic state and, potentially, for a national run sometime in the future.

For the governor and the attorney general, and for municipal officials looking to reduce costs, good criminal justice reform policy makes for good politics. 

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## Pension Best Practices Amid the Pandemic

JOSHUA PINE, *Specialist*, ROSE KIM, *Research Specialist*, and ANITA YADAVALLI, *Program Director, City Fiscal Policy, Center for City Solutions, National League of Cities*

*The following is an excerpt from the National League of Cities' recent report, What COVID-19 Means for the Future of Public Pensions. For more information, please visit [www.nlc.org](http://www.nlc.org).*

As cities grapple with weakening public pension systems as a result of the COVID-19 pandemic-induced recession, local elected leaders have the opportunity to identify, influence, and implement the following pension plan management changes, which state and local governments are using to mitigate financial losses from the economic downturn and provide cushion for the future.

### Implement mandatory stress testing as required by new actuarial standards

Mandated according to Actuarial Standard of Practice No. 51, stress testing is an effective risk management tool involving assessment of the vulnerability and sustainability of the current pension plan and evaluating the impact of potential pension reforms.

Eleven states have adopted legislation or enacted statutes that require stress testing for public pension systems. And for the remaining states that do not use stress testing, localities within those states have, in order to identify risks.

### Fund at sufficient contribution levels to reduce unfunded pension obligations

Some communities are funding pension plans at sufficient contribution levels to reduce unfunded pension liabilities. This is an effective yet simple way to determine the effectiveness of different funding policies—such as contributions that are fixed based on a percentage of workforce payroll vs. contributions that adjust regularly based on experience—to improve funding levels and increase resiliency, especially during an economic recession. Maintaining underfunded pension plans and failing to reduce pension debt can result in higher employer contributions, affecting core government services and capital investments. As a result of the Great Recession, most cities recorded declines in their funded ratios from 2009-2015 and were unable to fully recover before the current recession. However, well-funded cities recovered quickly because of their ability to make required contributions consistently even before the Great Recession.

### Develop robust cost-sharing mechanisms and benefit design features

A few governments are also developing robust cost-sharing

mechanisms and benefit design features. This can address market uncertainties, ensure high levels of cost predictability, and help maintain long-term fiscal health. These measures distribute costs and share risks among employers, employees and retirees by “automatically adjusting benefit levels and contribution rates based on actual investment performance or demographic changes.” Cost-sharing mechanisms include cost-of-living adjustments that “vary from a plan’s funded level, contribution rates that split costs between employers and employees, or alternative plan designs that reduce risk exposure for government employers.”

State and local governments are still feeling the negative fiscal impact of the Great Recession on their pension systems today, with many continuing to face lower funded ratios and the need to increase employer contributions because long-term investment returns have not matched expectations. The recent market downturn resulting from the COVID-19 pandemic has further exacerbated these trends, and local governments are struggling to both make pension contributions and continue to provide essential services to their residents. Strains on local government finances could make it harder for some cities, towns and villages to pay their required pension contributions in 2021 and beyond.

Now is the time for those communities to be asking the right questions of their human resources and finance staff: If pension funding has declined in your city, why? How have potential changes to actuarial assumptions impacted the funding in your city? What is your city’s long-term plan to bring its pension funding into alignment with its promises to workers? What can be done to keep your city’s pension finances on course during the COVID-19 crisis in state and local finance? Even for the most resilient cities, the pandemic has caused substantial harm that can be repaired only with federal relief. The fiscal challenge of COVID-19-related expenses and revenue shortfalls has deepened since March 2020 in cities across the country, and they need additional aid. Cities need fiscal support to combat the pandemic, provide relief to residents, and keep our communities thriving. Without substantial aid to local governments, municipalities may radically reduce services or even declare bankruptcy or default on their financial obligations. 🇺🇸

Joshua Pine is specialist, Rose Kim is research specialist, and Anita Yadavalli is program director of City Fiscal Policy in NLC’s Center for City Solutions. The authors are grateful for the guidance and review from ICMA-RC.



## Touching on Controversial Issues in Municipal Newsletters

FRANK MARSHALL, Esq., NJLM Associate General Counsel



**Our municipality has always sent out a monthly newsletter from the mayor, providing our residents with a summary of things going on in town. In this month's newsletter, the mayor wants to include a section urging residents to vote to approve a tax levy cap referendum. This is a controversial subject amongst the council and with the public. Is there anything that would prohibit the mayor from including this in the municipal newsletter?**



It is well established that public funds and facilities may not be used to promote or advocate an affirmative vote on a public referendum. So, assuming the municipal newsletter is printed and the postage paid for using municipal resources, then your mayor would be prohibited from including anything in the newsletter advocating for the approval of the tax levy cap referendum.

In fact, it may even be a violation of the Local Government Ethics Law to advocate as such in the newsletter. It would, however, be permissible to include purely factual information about the referendum in a municipally funded newsletter without taking an advocacy position.

There is a vast amount of legal authority, decisions and guidance examining this issue. It was first meaningfully addressed in *Citizens to Protect Public Funds v. Board of Education, et al*, a 1953 NJ Supreme Court decision. This decision is then examined as the foundation and we see its application in various writings and administrative decisions including most notably *Formal Opinion 21*, issued August 27, 1975 by Acting Attorney General Robert J. Del Tufo, Local Finance Board Opinion 11-146 (2011); and LFN 2011-9, CY 2011 Municipal Levy Cap Referendum Procedures issued February 25, 2011.

The *Citizens to Protect Public Funds* decision examined a school board's efforts using operating expenses to advocate for

the passage of a bonding referendum. Those efforts included the publishing of 18-page booklet that listed the facts as well as prominently displayed graphics urging residents to vote yes on the referendum, and over-dramatized the dire consequences if the measure was voted down.

In finding this use of public funds incompatible with the law, Justice Brennan on behalf of the Court wrote, "The public funds entrusted to the board belong equally to the proponents and opponents of the proposition, and the use of the funds to finance not the presentation of facts merely but also arguments to persuade the voters that only one side has merit, give the dissenters just cause for complaint."

NJ Attorney General Formal Opinion 21 from 1975 examined the Supreme Court's decisions, using it as the central reasoning for a response to a question posed regarding the use of the resource of the Division of Women or the use of the Division's resources by a private group to sponsor the passage of a public referendum.

Relying on the Supreme Court's decision the Attorney general expounded on the edict that, without specific authority, a public body may not use public funds to actively sponsor the passage of a public referendum. The Attorney General's opinion also reiterated the Court's finding that while an affirmative position could not be taken, it was well within the authority of a public body to disseminate information which will enable the public to make an informed choice on the issue at the polls.

Both Local Finance Board Opinion 11-146 (2011) and LFN 2011-9, offer a more contemporary explanation of the limits imposed by the 1953 NJ Supreme Court decision and the 1975 Formal Opinion from the Attorney General. In fact, Local Finance Board Opinion 11-146 provides an almost identical pattern of facts to the question posed.

Knowing all of this, you must be mindful of what is included in the newsletter. To reiterate, relaying factual information about a referendum is permissible and is in fact good practice. However, you must be mindful that this information does not cross the line into advocacy.

You should review this information and these resources with your mayor and your own municipal attorney in order to best determine what information to include in your newsletter. 🇺🇸

# LEGISLATIVE UPDATE

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



## A-4196

### Extending Stormwater Timeline

**Status:** Introduced and referred to Assembly Environment and Solid Waste Committee

The League supports A-4196, which would extend the timeframe municipalities are allotted to prepare and adopt a municipal stormwater management plan and ordinance.

Under current law, municipalities are required to adopt a stormwater plan within a year of certain events. Then, within a year of the plan's adoption, the corresponding ordinances must also be adopted. A-4196 would suspend the calculation of both one-year timeframes as of March 9, 2020, and resume the calculation on the 120th day after the expiration of the public health emergency.

The public health emergency created a tremendous disruption in the operations of municipal government. Since the issuance of the public health emergency, municipal resources and focus have been dedicated to responding to COVID-19. The extension of the timeframe to adopt stormwater plans and ordinances allows municipal officials the opportunity to focus the appropriate resources necessary to address this critical issue of stormwater management.

The League strongly supports the passage of this legislation. –FM



## A-4881

### Land Use Decision Appeals

**Status:** Reported favorably out of Assembly State and Local Government Committee, second reading in Assembly

The League strongly supports A-4881, which would prohibit appeal of land use decisions related to holding meetings electronically.

The response to COVID-19 has put municipal land use boards in a unique situation. When in-person meetings were cancelled or postponed, land use boards remained subject to the strict timeframes for review of applications, as laid out in the Municipal Land Use Law. Failure to review applications or provide hearings would result in unwanted consequences, including the deemed approval of applications. To thwart this result land use boards became early adopters of remote and electronic meetings, and were some of the first governmental entities to take this approach.

Despite the best efforts of the land use boards to ensure procedural and substantive due process rights were preserved, some may see this as an opportunity to falsely challenge the

actions of the board. These challenges could lead to costly and mostly frivolous litigation. This bill would eliminate many of the possible claims that could be brought based on frivolous assertions, while maintaining a legitimate objector's rights to challenge the actions of a land use board.

The League strongly supports the quick passage of this legislation and would like to thank Assemblyman Greenwald as the sponsor of this bill for his leadership on this important issue. –FM



## S-3160/A-4969

### Establishes COVID-19 Local Food Pantry Assistance Grant

**Status:** Introduced to Assembly Human Services Committee

This legislation creates a Local Food Pantry Assistance Grant Program that awards grants of no more than \$40,000 to local food pantries, food banks, soup kitchens, and other nonprofit organizations that distribute food to individuals in need of assistance. The bill appropriates \$4 million from the Federal Coronavirus Relief Fund.

The League supports this legislation. It is a great step in the right direction on the road to recovery from the pandemic. We look forward to seeing this expand to the municipal level. –AL



## A-4297/S-2631

### Remote Bingo and Raffles

**Status:** Passed the Senate in August, 2020 and referred to the Assembly Tourism, Gaming and Arts Committee

A-4297/S-2631 permits remote bingos and remote raffles. Current eligible organizations include veterans' organizations or associations, churches or religious congregations and organizations, charitable, educational and fraternal organizations, civic and service clubs, senior citizen associations and clubs, volunteer fire companies, first aid, and rescue squads.

The legislation directs the Legalized Games of Chance Control Commission to adopt regulations permitting the conduct of raffles using technology, to the extent it is not inconsistent with the NJ Constitution. The Commission must approve the technology prior to use by the organization. A licensee conducting the raffle remotely is required to verify that the physical location of each participant is within a municipality that has authorized the conduct of bingos and raffles.

The League supports this legislation as a common-sense measure to permit organizations to host bingos and raffles remotely and allow residents to participate during this extraordinarily challenging time. –PAP 🇯🇵

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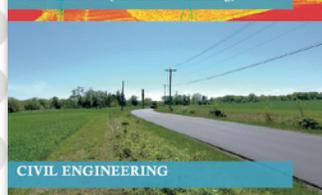
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# Local Governing



**C**elebrating Local Government Week this year takes on a new importance when so many communities' government centers are closed to the public. Join municipalities across the Garden State April 18-24 to engage citizens while celebrating the work of local government. There are many opportunities to engage residents, highlight your town's beauty, and show the dedicated work of your municipal staff.

Here are some ideas to inspire your creative processes, we are excited to see what you come up with.

# Keeping In Touch: Virtual NJ Local Government Week

## Highlight Your Municipal Officials

- Share photos of municipal employees, showcase city equipment, highlight the beauty of parks and recreational areas
- Highlight the beauty of your municipality in a video
- Give a video tour of your municipal building
- Host a podcast highlighting the ongoing efforts of your health department
- Highlight how your municipality is modifying some operations to ensure that they are continued during the pandemic; such as remote meetings, use of drop boxes for paperwork, video conferencing, etc.
- Share photos of your Police Officers and some brief introductions about who they are. Let residents get to know your staff!

## Social Media Specifics

- Host a Coffee with the Mayor or give residents an update on what is happening in your municipality over Facebook/ Twitter live
- Highlight your health department during the pandemic; share their efforts and let them answer questions via Facebook/ Twitter live.

- Engage residents by asking them to share their photos with you from around your municipality, and share them on social media
- Host a guest speaker via Facebook/ Twitter live or on your YouTube channel

## Socially Distant Opportunities

- Host an online trivia contest or scavenger hunt (that they can do in their own backyards or while maintaining social distancing) for kids, parents are eagerly looking for ways to keep kids engaged while they are home from school!
- Remind residents that while they are telecommuting or staying home, they may see municipal workers they normally do not see. DPW trucks and workers might be a new sight. Inspectors, police, and first responders are all still at work. Residents may see maintenance occurring at parks that they normally don't see when using the park on the weekends

Use the NJ Local Government Week hashtag, #NJLocalGovt, when promoting your activities on social media. This year's customizable event logo can be downloaded from [www.njlm.org/njlocalgovt](http://www.njlm.org/njlocalgovt).

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