

PROCLAMATION OF LOCAL STATE OF EMERGENCY

TO ALL CITIZENS AND PERSONS WITHIN THE BOROUGH OF LITTLE SILVER,
NEW JERSEY, AND TO ALL GOVERNMENT DEPARTMENTS, DIVISIONS AND
BUREAUS OF THE BOROUGH OF LITTLE SILVER, NEW JERSEY:

WHEREAS, Coronavirus disease 2019 (“COVID-19”) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

WHEREAS, COVID-19 is responsible for the 2019 novel coronavirus outbreak, which was first identified in Wuhan, the People’s Republic of China in December 2019 and quickly spread to the Hubei Province and multiple other countries; and

WHEREAS, symptoms of the COVID-19 illness include fever, cough, and shortness of breath, which may appear in as few as two or as long as 14 days after exposure, and can spread from person to person via respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a “public health emergency of international concern,” which means “an extraordinary event which is determined to constitute a public health risk to other States through the international spread of disease and to potentially require a coordinated international response,” and thereafter raised its global risk assessment of COVID-19 from “high” to “very high”; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and

WHEREAS, on March 9, 2020, the Governor of the State of New Jersey declared a State of Emergency for the entire State of New Jersey; and

WHEREAS, on March 13, 2020, the President of the United States, by the authority of sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 et seq.) and consistent with section 1135 of the Social Security Act (SSA), as amended (42 U.S.C. 1320b-5), declared and proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, as of March 16, 2020, according to the Centers for Disease Control and Prevention (“CDC”), there were more than 130,000 confirmed cases of COVID-19 worldwide, with over 6,500 of those cases having resulted in death; and

WHEREAS, as of March 16, 2020, there were more than 4,900 confirmed cases of COVID-19 in the United States, with 67 of those cases having resulted in death; and

WHEREAS, social mitigation strategies for combatting COVID-19 requires every effort to reduce the rate of community spread of the disease; and

WHEREAS, pursuant to the powers vested by Chapter 251 of the Laws of 1942 as amended and supplemented, N.J.S.A App. A: 9 30 et seq., the Borough of Little Silver (the “Borough”) Emergency Management Coordinator is responsible for the development, coordination, and activation of mutual aid emergency management plans and for the activation of such emergency management facilities and services as are available from the resources of the township government in the event of emergencies; and

WHEREAS, whenever, in the opinion of the emergency management coordinator, a disaster has occurred or is imminent in any municipality, the municipal emergency management coordinator of that municipality shall proclaim a state of local disaster emergency within the municipality; and

WHEREAS, the municipal emergency management coordinator, in accordance with regulations promulgated by the State Director of Emergency Management, shall be empowered to issue and enforce such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety, and resources of the residents of the municipality; and

WHEREAS, the municipal emergency management coordinator has determined that the spread of COVID-19 within the Borough constitutes an imminent public health hazard that threatens and presently endangers the health, safety, and welfare of the residents the Borough; and

WHEREAS, the aforesaid laws authorize the promulgation of such orders, rules and regulations as are necessary to meet the various threats caused by the Coronavirus-19 Pandemic; and,

WHEREAS, pursuant to the powers established in Chapter 251 of the Laws of 1942, as amended and supplemented, and codified at N.J.S.A. App. A: 9-30 et seq., I proclaim, that the entirety of the Borough of Little Silver should and is hereby declared to be in a state of emergency and as such I order that certain measures must be taken in order to maintain the orderly conduct of the Borough, and to protect persons and property.

NOW, THEREFORE BE IT RESOLVED, effective immediately, and until further notice, I do hereby promulgate and declare a State of Emergency within the Borough of Little Silver, County of Monmouth, and State of New Jersey, in order to protect the health, safety, and welfare of the people of the Borough and in conjunction with Governor Murphy’s Executive Order 104 do hereby order and direct that:

1. All gatherings of persons in the State of New Jersey shall be limited to 10 persons or fewer, excluding normal operations at airports, bus and train stations, medical facilities, office environments, factories, assemblages for the purpose of industrial or

manufacturing work, construction sites, mass transit, or the purchase of groceries or consumer goods.

2. All public, private, and parochial preschool program premises, and elementary and secondary schools, including charter and renaissance schools, within the Borough of Little Silver shall remain closed as long the State of Emergency within Little Silver remains in effect.

3. The Little Silver Board of Education, shall be authorized to open on a limited basis for the provision of food or other essential, non-educational services, or for educational or child care services if needed in emergency situations after consultation with the Commissioner of DOH.

4. The Little Silver Board of Education shall continue as appropriate, to ensure that students are able to continue their educations during this time period through appropriate home instruction.

5. As directed in Governor Murphy's Executive Order 104 dated March 16, 2020 the following facilities are ordered closed to members of the public, effective 8:00 p.m. on Monday, March 16, 2020. These facilities are to remain closed to the public for as long as the State of Emergency within Little Silver remains in effect. The Borough shall have the discretion to make additions, amendments, clarifications, exceptions, and exclusions to this list:

- a. Casino gaming floors, including retail sports wagering lounges, and casino concert and entertainment venues. Online and mobile sports and casino gaming services may continue to be offered notwithstanding the closure of the physical facility.
- b. Racetracks, including stabling facilities and retail sports wagering lounges. Mobile sports wagering services may continue to be offered notwithstanding the closure of the physical facility.
- c. Gyms and fitness centers and classes.
- d. Entertainment centers, including but not limited to, movie theaters, performing arts centers, other concert venues, and nightclubs.

6. As directed in Governor Murphy's Executive Order 104 dated March 16, 2020 other non-essential retail, recreational, and entertainment businesses must cease daily operations from 8:00 p.m. until 5:00 a.m. From 5:00 a.m. until 8:00 p.m., these businesses may remain open if they limit their occupancy to no more than 50 persons and adhere to social distancing guidelines. Examples of essential businesses excluded from this directive include: grocery/food stores, pharmacies, medical supply stores, gas stations, healthcare facilities and ancillary stores within healthcare facilities. The Borough shall have the discretion to make additions, amendments, clarifications,

exceptions, and exclusions to the list of essential businesses and to the timelines applicable to operating hours.

7. As directed in Governor Murphy’s Executive Order 104 dated March 16, 2020, all restaurants, dining establishments, and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, are permitted to operate their normal business hours, but are limited to offering only food delivery and/or take-out services. If alcoholic beverages are to be sold from a restaurant, dining establishment or bar with a liquor license, such sales shall be limited to original containers sold from the principal public barroom. All retail sales of alcoholic beverages by limited brewery licensees, restricted brewery licensees, plenary and farm winery licensees (and associated salesrooms), craft distillery licensees and cidery and meadery licensees must be in original containers and must be delivered by licensed entities and/or by customer pick up.

8. In accordance with N.J.S.A. App. A:9-33, et seq., as supplemented and amended, The Little Silver Police Department shall determine and control the direction of the flow of vehicular traffic on any municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic and to prevent ingress or egress from any area that, in the Little Silver Police Department discretion, is deemed necessary for the protection of the health, safety, and welfare of the public, and to remove parked or abandoned vehicles from such roadways as conditions warrant.

9. The Little Silver Police Department shall control the direction of the flow of vehicular traffic on any municipal or county road, and any access road, including the right to detour, reroute, or divert any or all traffic, to prevent ingress or egress, and to determine the type of vehicle or vehicles to be operated on such roadways.

Frank Salerno,
Emergency Management Coordinator
Borough of Little Silver

Date

Robert C. Neff, Jr.
Mayor

Date