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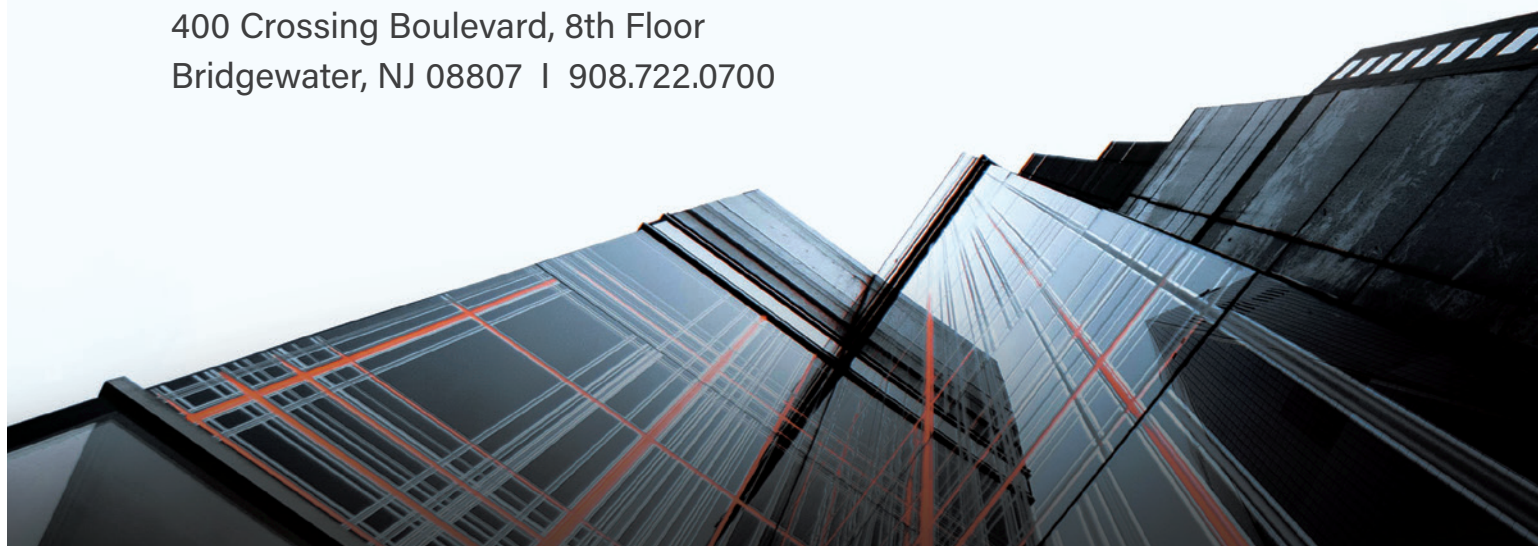


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CIANJ Celebrates 95 Years Elects New Board Members

By Anthony Russo
President, CIANJ

The Commerce and Industry Association of New Jersey is celebrating its 95th anniversary as an advocate for the business community. It was founded in 1927 by a group of Bergen County business leaders dedicated to free enter-

prise and improving the business climate. They campaigned for construction of the George Washington Bridge, which opened in 1931. The bridge was hailed for not only providing a gateway to New York, but enhancing the transportation network and helping businesses throughout the region flourish.

Over the years the organization grew to a statewide association whose members represent every industry sector. Our diversity is our strength and its backbone is our board of directors. This month we are welcoming four new members to our board: Agnes Antonian of Connell Foley; Jacqueline Espinoza of Jersey Central Power & Light (JCP&L); Gianfranco Pietrafesa of Archer Law; and Guillermo de Veyga of William Paterson University.

Agnes Antonian is chair of Connell Foley's environmental law practice group. She is replacing Michael McBride, another partner at the firm, who is stepping off the board. Before entering the legal profession, Antonian earned a chemical engineering degree from Notre Dame

and worked for Keyspan Energy Group. She draws upon her engineering background to address a broad range of complex environmental litigation and land use matters. Her environmental litigation experience spans the full spectrum of federal and state environmental law, including Superfund, the Resource Conservation and Recovery Act (RCRA), the Clean Water Act (CWA) and the New Jersey Spill Act.

Antonian is an honors graduate of Seton Hall University Law School. She also clerked for U.S. District Court Judge Katharine S. Hayden before joining Connell Foley. From 2011 to 2015 she also served on the Supreme Court of New Jersey District Ethics Committee for Essex County.

Jacqueline Espinoza, a vice president at JCP&L, will replace John Anderson, who has represented the utility on the CIANJ board for the past several years. Espinoza has been a member of the senior management team at JCP&L for nearly a decade.

For many years Espinoza was part of the firm's External Affairs team, working to enhance communications with state, county and municipal officials. She was responsible for Sussex County and worked at the Newton office. Espinoza graduated from the College of St. Elizabeth with a degree in business administration in 1993. JCP&L serves 1.1 million customers in central and northern New Jersey.

Gianfranco (Franco) Pietrafesa, a partner at Archer in Hackensack, is succeeding Thomas Herten, an executive vice president and director at the law firm, who is leaving the CIANJ board. Pietrafesa advises clients on corporate, business, contract, real estate and employment matters. He represents a wide range of clients, from start-ups

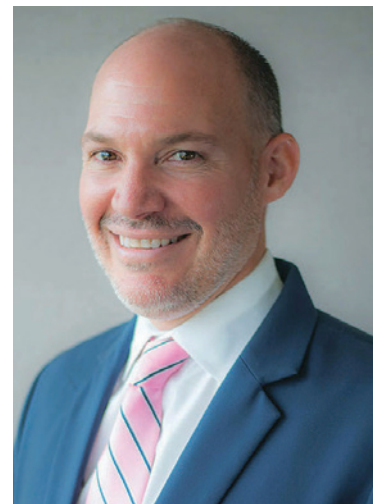
to established companies, and focuses on entrepreneurs and small to middle market companies that are closely-held or family-owned.

A graduate of Seton Hall University School of Law, Pietrafesa is a frequent speaker for professional, business, industry and trade organizations on topics such as mergers and acquisitions, buy-sell agreements, choice of entity, LLCs, contract drafting, litigation and legal ethics. A prolific writer, he has written book chapters and numerous articles on business law, litigation, and legal ethics topics that have appeared in such periodicals as the *New Jersey Law Journal*, *New Jersey Lawyer Magazine*, *ABA's Trial Practice Journal* and *DRI's Trials and Tribulations*.

Guillermo de Veyga, vice president of strategic initiatives and university relations at William Paterson University, is filling the board seat being vacated by Richard Helldobler, the president of the university.

De Veyga joined William Paterson in 2021. He is responsible for all university strategic plans, institutional data, university budgets and government relations. The mission of his office is to plan, develop, implement and help facilitate progress on key strategic initiatives and campus-wide projects that advance the school's role in New Jersey as a comprehensive state university that provides an outstanding and affordable public higher education.

De Veyga has a doctorate in philosophy from Seton Hall University. The higher education executive also earned an MBA at New Jersey City University. He worked at New Jersey City University for 12 years, attaining the position of chief of staff, before joining WPU. William Paterson has approximately 10,000 students and is located on a 370-acre wooded campus in suburban Wayne. 📍



CIANJ welcomes new board members (L-R) Agnes Antonian, Jacqueline Espinoza, Gianfranco (Franco) Pietrafesa, and Guillermo de Veyga,

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CIANJ Luncheon Keynote Speaker NBC News Anchor Jen Maxwell

Jen Maxfield, an Emmy award-winning reporter and anchor who started at NBC New York in 2013, shared her experiences with CIANJ during the business group's annual luncheon at the Hilton Meadowlands Hotel in East Rutherford.

CIANJ President Anthony Russo invited Maxfield to be the keynote speaker at the 95th Annual Luncheon attended by more than 400 business leaders.

During her career Maxfield also worked for Eyewitness News in New York as a reporter and a substitute anchor for 10 years. She launched her journalism career with WIVT-TV in Binghamton, N.Y., and WIX-TV in Syracuse, N.Y.

Maxfield's first book, *More After the Break: A Reporter Returns to Ten Unforgettable News Stories* was published by Greenleaf Book Group in July. It was an instant Amazon bestseller and Publisher's Weekly called it "impossible to put down." In *More After the Break*, Maxfield revisits the most memorable stories she covered during her two-decade career, describing in heart-pounding detail how the events unfolded through the eyewitness perspectives and her own.

The focus of some of the stories in her book include: Paul Esposito, a 24-year-old waiter who lost both legs and nearly lost his life in the horrific 2003 Staten Island ferry crash; Tamika Tompkins, a young mother who was stabbed 27 times by her abusive ex-boyfriend and ultimately was saved by her toddler daughter, who lay on top of her to stop the bleeding; and Zaina,

a high-achieving fifth grader who survived every parent's nightmare when her school bus crashed during a field trip and who is now starting high school.

Throughout her 22-year career in television news, Maxfield has reported live from news events in New York City and beyond. She was on the ground during Hurricane Sandy in New Jersey and reported live from Florida after Hurricane Francis and Mississippi after Hurricane Katrina.

She was at the State Capitol in Trenton when Gov. Jim McGreevey resigned and covered the 2004 Republican convention in New York City. She interviewed survivors following the "Miracle on the Hudson" plane landing and was part of NBC NY's coverage of the 2016 and 2017 New York City/New Jersey terror attacks.

Maxfield won a local new Emmy in 2018 and her anchoring and reporting were part of NBC-NY's Covid-19 coverage that was awarded the Alfred I. DuPont-Columbia University Award in 2021, the broadcast equivalent of the Pulitzer Prize. Maxfield has had the opportunity to meet tens of thousands of people covering news events over a wide range of topics, including politics, criminal justice, health, business, weather, and human-interest stories.

An adjunct professor of broadcast journalism at the Columbia Graduate School of Journalism, Maxfield was a summa cum laude graduate of Columbia College. She earned her bachelor's degree in political science in 1999. She went on to receive a master's degree a year later.



Jennifer Maxfield, author and journalist

While an undergraduate, she wrote for the Columbia Daily Spectator. She started an internship at CNN at the United Nations her junior year and promptly changed her career goal from sports medicine physician to journalist.

Maxfield and her husband, Scott Ostfeld, live in New Jersey with their three children and their dog, Rocket. She serves on the Board of Visitors at Columbia College and the Board of Trustees at the Elisabeth Morrow School. 📖



Jennifer Maxfield is celebrated by colleagues at the launch of her first book "More After The Break".



Connell Foley LLP proudly congratulates

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on her appointment to the

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Murphy Set as New CIANJ Chair; Diversity Tops Her List of Goals

Business Group Makes History

By Diane C. Walsh
Editor

When Audrey Murphy became the second woman to chair the 95-year-old Commerce and Industry Association of New Jersey (CIANJ) last month, she shared her vision for the business group and promised to make diversity the hallmark of her tenure.

Murphy is an executive vice president and co-chief legal officer as well as chief officer, team member health and safety for Hackensack Meridian *Health* and she plans to tap the giant health system's experience and know-how with diversity, inclusion and equity to enhance the business advocacy organization.

She has already discussed her goals with CIANJ President Anthony Russo, who welcomed her at the organization's annual meeting and luncheon. The new chair has been a CIANJ board member for more than 20 years and served on the executive committee before succeeding Bill Hanson, president of NAI James E Hanson, a full-service commercial real estate firm based in Bergen County.

"She's a dynamic individual and she'll do a fabulous job," Hanson said as he endorsed Murphy's agenda. It's smart to set practical goals because the two-year term is "going to go quickly," he added.

Murphy has always been impressed by CIANJ's support and advocacy for every business sector. She wants to take advantage of digital technology to raise CIANJ's profile. "It's a great organization and I think we have to get the word out better about how important it is for the business community in New Jersey," she said.

CIANJ represents more than 900 businesses across the state. One of its largest and most active membership groups is the Environmental Business Council. It's comprised of engineers, scientists, consultants, contractors, site remediation professionals and others often working to resolve contamination issues left by New Jersey's industrial past. Murphy applauded their efforts and hopes to see the EBC take the lead on sustainability questions and efforts to expand renewable energy.

"We need to be pushing that narrative," the new chair said.

Robert Garrett, CEO of Hackensack Meridian, is confident Murphy will excel in her new role. "Audrey Murphy is an invaluable leader and trusted advisor who has contributed so much to healthcare in New Jersey and beyond.



Audrey Murphy plans to prioritize diversity, inclusion and equity as new chair of CIANJ.

Starting as a nurse and then becoming a lawyer, her experience and wisdom continue to shape the network's strategies and support our mission to transform healthcare and to be the leader of positive change. I value her counsel and friendship," Garrett said.

Garrett has been Murphy's boss during most of her legal career. Back in 1992 she was hired by then-Hackensack University Medical Center as an associate counsel and director of risk management. She was fresh out of Pace University Law School but her resume showed she had the kind of experience a hospital prized.

Healthcare was her first love. An undeniable overachiever, Murphy earned her registered nursing degree, also from Pace, by age 20. Nursing was a natural career choice given her background. She was raised in a large family with six siblings.

"My mother would take me to see the various relatives and if they were sick, I would help her change dressings. ... I was always sort of a caregiver," Murphy recalled.

Throughout her career she specialized in critical care. Working in the surgical and cardiac intensive care units gave her great satisfaction. Quickly she was promoted to charge nurse responsible for her unit on the night shift. Then she became assistant manager and completed

a master's degree. Murphy believed she would ultimately pursue a PhD and strive to become a professor or dean of a nursing school. Then fate intervened.

In the late 80s she was assigned to an AIDS unit while working as a clinical specialist at Mount Sinai Hospital in Manhattan. "They were such poor souls. Not only were they sick, they were getting evicted, losing their jobs, so many terrible things were happening to them. They were being discriminated against," Murphy said. While the hospital was trying to provide social services, Murphy said: "I thought I needed to do more for them."

At the same time, two of Murphy's sisters, who were CPAs, decided to go to law school. Murphy became convinced that a law degree would make her a better advocate for AIDS patients and others.

She worked as a nursing supervisor at two different hospitals to pay for her studies. Often, her duties involved risk management work and reviewing incident reports. Murphy's responsibilities included meeting with officials from the state Department of Health and overseeing quality improvement actions.

The experience made her an excellent candidate for the risk management position at

Continued On Page 12

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Hackensack University Medical Center when she graduated law school. Initially, Murphy and her husband, William Johnson, who she met in law school, commuted from White Plains. But they soon rented an apartment in Hackensack, so close to the hospital Murphy could walk there, and affording Johnson an easier drive to the law firm where he worked in Roseland.

They later moved to Washington Township in Bergen County, where they raised their children. They had twins, Marilyn and Harrison, and then 15 months later, another daughter, Kelly. The demands of a young family and a high-profile job were tough, Murphy concedes. But with her fierce work ethic and determination she succeeded. (Incidentally, both daughters followed their parents into the law and nursing and their son is in finance.)

Several years after joining Hackensack, Murphy was named acting general counsel after her boss retired. She eventually got the job and directed the law department as the medical center expanded. The growth culminated with a merger in 2016 which created the Hackensack Meridian Health system, comprised of 17 hospitals from Bergen to Ocean counties.

When Murphy thinks back over her 30-year career at Hackensack she takes pride in the role she had in establishing the Don Imus-WFAN Pediatrics Center for Tomorrows Children, which the radio personality wanted to build to treat young cancer patients. Murphy also worked with Imus' wife to create the Deidre Imus Environmental Health Center, which offers education on the potential health threats of carcinogens and other environmental factors that can impact health.



Photo: Anthony Ruggiero

Audrey Murphy was deeply involved in creating the John Theurer Cancer Center.

Murphy was also deeply involved in creating John Theurer Cancer Center which established Hackensack as a major research center. The center is now ranked as the best cancer center in New Jersey by U.S. News & World Report. Additionally, the network created the Hackensack Meridian Health Center for Discovery and Innovation on the Nutley campus, where the new medical school was constructed. The center developed major breakthroughs during the COVID pandemic including creating the first commercial test and test to detect variants, information that was shared with state health officials and provided more personalized patient treatment. It

recently secured a \$108 million NIH grant, the largest in the network's history.

The role Murphy had in the medical school is very special to her.

"We talked about a medical school for the longest time. It was huge when we were finally able to do it," she said. It opened in 2018 as the first private medical school in New Jersey in decades. It could be boon for the state by providing a pipeline of physicians.

Murphy explained that studies show if students have a positive clinical experience, they are likely to stay with the network. More than half of the students who graduated in June are serving residencies in Hackensack Meridian hospitals. She believes the new school and its affiliation

with the Hackensack Meridian network will offer that excellent experience and New Jersey will feel the benefits of more primary care physicians.

She sees the "medical home" as the future of healthcare and believes primary care physicians will be integral as patients have their needs met in their homes. She is enthusiastic for the challenges ahead, especially as the Covid-19 pandemic subsides and the newly developed vaccines and therapeutics eliminate the virus' immediate threat.

Murphy also realizes the pandemic's impact on the business community -- whether it's labor shortages, supply chain issues or hybrid work environments -- will be a priority during her term as CIANJ chair. She participated in a series of "re-imagining" committee meetings at Hackensack Meridian that explores the same subjects and will bring what she learned to CIANJ.

That experience will be invaluable for CIANJ, said Tracy Straka, the first female CIANJ chair, who is an executive vice president at Creamer Environmental Inc. "I'm very excited to have her on board," Straka said. 📌



Photo: Anthony Ruggiero

The pandemic's impact on the business community -- labor shortages, supply chain issues, or hybrid work arrangements -- will be a focus of Audrey Murphy's tenure.

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Family businesses hailed by FDU Rothman Institute

Companies born by determination

AVentnor City web design company was honored as the “Outstanding New Family Business” of the year at the 30th Annual Family Business Awards, presented by the Rothman Institute of Innovation and Entrepreneurship at Fairleigh Dickinson University.

Francisco Vizcaino-Marmol, the founder of F&S Digital, accepted the award at the annual luncheon last month. The institute also honored Eastern Janitorial of Parsippany as the best family business in the over \$10 million in revenue category and Roman Jewelers of Bridgewater as the best in the under \$10 million category. The winners were selected from a field of 11 finalists.

Dale Caldwell, executive director of the Rothman Institute, shared each company’s details at the awards celebration. He explained Vizcaino-Marmol had a successful software company in the Dominican Republic but was forced to abandon it when he moved his family to the United States because of the turmoil in his homeland.

When his eldest son, Francisco, earned a degree in computer science the family decided to pursue their entrepreneurial dream of starting a new business. Caldwell said F&S centers around creating and support custom-built websites, web apps, and mobile apps for companies of all sizes. The core service ensures that no organization/

entrepreneur is ever limited by their technical knowledge, or their team’s bandwidth to adopt cutting-edge technology.

Eastern Janitorial is a second-generation family business, started by Ron Rafanello, the father of the current president and CEO, Nick Rafanello. Ron originally worked as a physical education teacher for a parochial school. He enjoyed the job, but found it did not pay well. Soon the needs of his growing family demanded he supplement his income. When he accepted a part-time job as a night janitor, the door to a new career opened. He realized it could be lucrative work and in 1977 he decided to start his own business.

After Nick Rafanello graduated from college he joined the family business, as he always hoped. Under his direction, it expanded into other facility services, including a flooring division and a handyman service.

Eastern Janitorial also collaborates with the Rutgers University SCALE Program and provides jobs for adults with autism, offering them an opportunity for an excellent career.

Roman Jewelers was established by Sophie and Roman Shor, who had emigrated from Belarus in 1980 with a dream of continuing their family’s passion for jewelry. Four generations of Roman’s family were in the jewelry business. In 1989 they opened their own small store with a \$100,000 loan and an “amazing gift” from a stranger they met

at the annual New York jewelry show who entrusted them with several fine pieces to start their inventory.

Caldwell said the stranger’s generosity “instilled in them the value of paying it forward.” He also said Sophie and Roman “believe that purchasing jewelry is an experience and a cause for a celebration.”

The Rothman Institute has honored outstanding family businesses at the NJ Family Business of the Year Awards since 1992. This year’s award program will be held during Family Business Week on Wednesday, Oct. 19 at the Upper Montclair Country Club.

This program recognizes the significant contributions to the economy and community made by extraordinary family businesses. This year, more than ever, their innovative strategies, personal achievements and business practices are vital for not only the NJ economy but for the survival of the legacy they have built. The institute believes the award program will highlight the struggles and successes these businesses have experienced and elevate their profile in the business community.

The other finalists included: Alfred Sanzari Enterprises of Hackensack, AWT Environmental Inc. of Sayreville, Equillem of East Brunswick, Shovlin Mattress Factory of Fanwood, Traphagen CPAs and Wealth Advisors of Oradell, Walter Group of Barnegat, and York Building Services of Moonachie. 📌



Photo: Getty Images/Stockphoto/Ironosov



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Family Businesses in Web Design, Janitorial Services and Fine Jewelry are among the winners of the 30th Annual Family Business Awards.

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Seward Johnson Sculptures Turn

By Diane C. Walsh
Editor

Public art has been known to raise eyebrows. But in Spring Lake it's getting stares, double-takes, and even calls to the police station.

Sixteen life-sized bronze sculptures done by the late Seward Johnson were installed in the downtown and at the train station in this picturesque Jersey Shore community. Each sculpture depicts a moment in everyday life in amazing detail.

There's a young woman in "Summer Thinking" sprawled on the lawn writing in her notebook outside the library with her shoes off. Her sweater is so vivid, the weave of the fabric is visible. In "Holier Than Thou" a nattily-dressed gentleman is making sure some odious garbage is disposed of properly. The wire-frame litter basket looks like it could be on any street corner. And in "Relish, Too?" the street vendor will have your mouth watering for a hot dog.

"Seward delighted in creating a sense of wonder and discovery in happenstance," said Lynn DeClemente Losavio, program officer at the Seward Johnson Atelier, which is the exclusive owner of the copyright of Johnson's works and is committed to educating the public about his artistic legacy.

Seward Johnson was the grandson of Robert Wood Johnson, the co-founder of Johnson & Johnson, the giant healthcare company headquartered in New Brunswick. Seward Johnson, who died in at the age of 89 in 2020, founded the Grounds for Sculpture, a 42-acre sculpture park and museum in Hamilton. He was acclaimed for his trompe l'oeil painted bronze statues.

The Spring Lake exhibit resulted from a collaboration between the Atelier and the Spring Lake Business Improvement District (BID). Residents and visitors to the borough's downtown can enjoy the sculptures through January.

Councilwoman Syd Whalley, a co-curator of the exhibit, "fell in love" the sculptures during a visit to the Grounds for Sculpture. When she saw some of them on display in Toms River, she was committed to bringing the statues to her hometown. The councilwoman said they are perfect for a small four-block downtown and a great boost for the business community because of the foot-traffic they promote.

This is the third time the sculptures have been installed. With the exceptions of two statues, each time a different group has been on display. Dawn McDonough, executive director of the Spring Lake BID and co-curator of the exhibit, said the whole borough is excited to have the collection again.



"I'm personally looking forward to the fun we'll have with Johnson's sculpture, Embracing Peace, in the center of town. Many people know this sculpture from "The Kiss,"

also known as "V-J Day in Times Square," Alfred Eisentaedt's iconic photograph of the World War II sailor kissing a nurse," McDonough said.

Heads in Downtown Spring Lake



It costs more than \$40,000 to bring the collection to the borough, Whalley said, explaining the most expensive part was hauling it on an 18-wheeler. The funds were raised through corporate sponsors and private donations, at no cost to the borough.

Seward Johnson visited Spring Lake in 2016 during the first display. He was unable to participate in the 2019 exhibit, however. After his death in 2020 the borough wrote to the Johnson family about Seward's impact on the community.

At the sculptures' unveiling this fall, Whalley recalled Seward Johnson's visit. He and his wife stayed at the Breakers on Ocean Avenue and toured the 100-year-old community house where the borough's 360-seat theater and library are located.

"They commented that in all their travels, they had never seen a building that housed the spoken word and the written word under one roof. We could not have been more proud," Whalley said.

During that first exhibit Seward Johnson also gave a speech at the community house. "The audience could have listened his to stories and philosophy for hours," Whalley said.

"The town of Spring Lake will always be grateful to Seward Johnson for reminding us of the simple beauty in everyday life," the councilwoman said.

Losavio lead a tour of the sculptures on the day they were formally unveiled. She encouraged everyone to "take a moment to look at every detail." Each piece has a disk on it, stating the year it was made. The Atelier maintains the sculptures and will continue to make and sell them with all proceeds devoted to sustaining its exhibits and educational programs. The facility also provides training for artists and skilled crafts persons in modeling, enlarging, casting, fabrication, paint and patina.

Whalley said when the sculptures arrived, they were startling, so much so that the police even got calls about a man sleeping on the park bench. Spring Lake is organizing several events to coincide with the public art display and celebrate it.

Communications High School in nearby Wall Township is encouraging its photography students to capture the display in their work. An exhibit of the students' work will be shown at the community house.

Thunder Road Board, located in Spring Lake's downtown, is also sponsoring an essay contest in conjunction with the exhibit. Writers are encouraged to pick a sculpture and draft a story about it.

For more information about the exhibit go to visitspringlake.com.



She carefully positioned each piece and had touches added especially for Spring Lake. For instance, Monet, which depicts an artist working at his easel, was customized to have him

painting a landscape of the lake. McDonough had it set on the exact spot where the artist sees the scene. Visitors marvel when they realize Monet's work is a perfectly cast scene of the lake.

Hackensack River Receives Superfund Designation: Now What?

The Hunt For Responsible Parties to Fund Cleanup Begins

By Larry Feld
Contributing Editor

It should be no surprise to anyone that the lower portion of the Hackensack River is polluted. The waterway has endured nearly two centuries of industrial chemical spillage from manufacturing processes — including contaminants like mercury, arsenic, chromium, lead, polychlorinated biphenyls (PCBs), among other toxins—which were stored, leached, drained or dumped onto its banks. While hundreds of properties along the river have contributed to poisoning the river, many owners may not be aware of their potential responsibility for the Hackensack's eventual cleanup. To complicate the matter, much of this pollution occurred decades ago, prior to laws restricting such practices.

In 2015, Hackensack Riverkeeper, Inc., a non-profit advocate for the waterway, petitioned the Environmental Protection Agency (EPA) requesting a Superfund designation be established to help organize and fund the cleanup of the river.

After many years of discussion, testing, and information-gathering, a formal request was made in 2021 from the State of New Jersey to the EPA asking that the Hackensack River be formally added as a Superfund site. The EPA, using a complex algorithm of data they call the Hazard Ranking System, determined that this lower portion of the river should indeed be placed onto the National Priorities List (NPL).



Daniel T. McKillop, Esq. of Scarinci Hollenbeck

On September 7, 2022, the federal government determined that approximately 23 miles of the southern-most part of the Hackensack River — essentially from the Oradell Dam down to where the river meets the Newark Bay — are now added to the EPA's NPL.

Why put the Hackensack River on the Superfund list?

“By putting the lower Hackensack River on the national priorities list, it will unlock a series of federal tools and resources necessary to accomplish a task as big as this to recover this natural resource for the communities around it,” notes Walter E. Mugdan, the EPA Regional Administrator.

Mugdan credits Captain Bill Sheehan, executive director of the Hackensack Riverkeeper, for convincing the federal government to add the Hackensack River to the national priorities list.

“It’s not just sites along the river,” ... It is far more complex. The EPA’s map includes sites within the entire watershed.”

“Without his (Sheehan’s) tireless efforts we probably would not have been able to make this announcement,” Walter admits.

Speaking at a recent event produced by CIANJ, Mugdan, who is New Jersey’s point person at the EPA regarding Superfund issues and who currently oversees Superfund activities for the EPA in our region, provided a basic primer on the Superfund clean-up law and how businesses owners may be called upon to participate in the restoration of this waterway.

What we refer to as the Superfund law is actually CERCLA, the Comprehensive Environment Response Compensation and Liability Act. Enacted in 1980, the nickname Superfund was earned early on because the law initially established a large pool of federal funds to help clean up designated sites. The law has two fundamental objectives: To clean up sites with hazardous substances, and to have “potentially responsible parties” pay the cost and/or do the work of cleanup.



Walter E. Mugdan, EPA Regional Administrator.

Potential Responsible Parties

If the term “potential responsible parties” raised an eyebrow and your business is either on or near the river, take note. A PRP can be the current owner and operator of the facility from which a release or threat of hazardous substance is identified; or it may be a prior owner/operator at the time of the hazardous release. Or, it may be a transporter who selected the disposal site. It may also be an arranger (also called a generator), someone who arranged for the disposal.

The EPA’s Mugdan notes that the law regarding liability has been honed by years of case law findings, resulting in an expansive standard of liability. “In broad terms, Mugdan notes, “A company or individual’s responsibility may be classified under the following areas: joint, several, strict, retroactive and perpetual liability,” he said. For property owners past and present in the lower Hackensack, they may be notified as a potential PRP if the property is identified for:

- Contamination caused by actions taken in recent or distant past and/or
- Contamination caused by somebody else’s actions (including predecessors and sometimes other third parties).

In addition, Mugdan warned that a company may be liable even if the contamination action was completely legal at the time it happened. “In

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fact,” Walter adds, “A company could be holding the legal liability of a predecessor and may be held responsible for contamination done 150 years ago.” Potential responsible parties might include a company that sold their property or their business 20 or more years ago.

Responsible parties will have plenty of company.

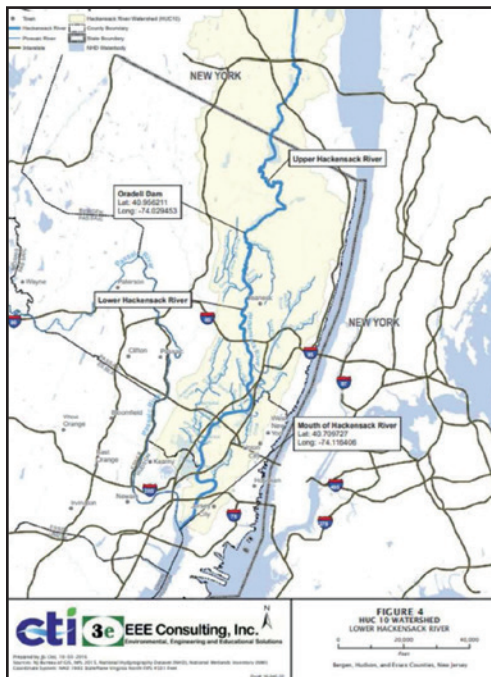
“It is a big site,” added Daniel T. McKillop, Esq. of the law firm Scarinci Hollenbeck, also speaking at the CIANJ event. “This is going to be the most complex and expensive Superfund exercise in America,” Daniel predicts.

“It’s not just sites along the river,” cautioned McKillop, “It is far more complex. The EPA’s map includes sites within the entire watershed.” As a result, according to McKillop, potential PRPs include 653 properties that were identified in the 2015 map when the EPA investigated the Hackensack watershed area. And more could be added.

It may take years to identify responsible parties and to come to an agreement over the financial responsibility each PRP may be assessed, and often there is litigation involving various PRPs who may argue why or if they should be excluded from financial obligation. Companies may also be asked by the EPA to perform clean-up actions on their property to bring it into compliance.

While this PRP identification process continues, many of these steps in the EPA’s plan will occur in tandem over time. While being added to the National Priorities List is important, it is, in fact, the fourth in a 13-step process. However, the public will soon learn more facts as to what the EPA’s response action will be for the river.

The EPA is currently in the search process for responsible parties. Notices will be going out



Environmental Map of the Hackensack River

in the near future (about a year) in the form of either general notice letters or special notice letters, which will notify the owner that they may be a responsible party and outlining what they might need to do next.

Next Steps

For companies concerned about their potential liability, attorney McKillop explained that there are a number of defenses and exemptions that owners may have available to them, depending upon their individual situation.

“With a short amount of time before letters are issued, if you think your site may be

Superfund Sites

Year Established: 1980
Proper Name for Superfund Law: CERCLA, or Comprehensive Environment Response Compensation and Liability Act

Number of Sites currently on the EPA’s National Priorities List:
1,329 (As of August, 2022)

Sites in New Jersey on the EPA’s National Priorities List:
115

Sites cleaned and removed from the NPL since Superfund enacted:
35

Number of federal and non-federal Superfund sites that have new and ongoing uses (as of year end 2021)
1,000

included, it is important to get organized and understand your past and present actions in terms of hazardous materials and how they were disposed. Investigate your corporate history, your waste disposal partners, and the language in your contracts as well as your insurance policies to understand if coverage included hazardous remediation.” McKillop suggests.

If you suspect you will be part of the PRP group, it may be time to garner professional assistance in order to minimize your exposure to what promises to be an expensive remediation endeavor. 📌



The many industrial sites along the shore are apparent in this overview of a section of the Hackensack River.

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Industrial Property Values Skyrocketing in New Jersey

Warehouses booming

By Diane C. Walsh
Editor

Industrial property continues to be the hottest asset in New Jersey, as developers reshape brownfields and convert old factories into today's sought-after warehouses and distribution centers.

The story is told by tracking the values. Ten years ago, industrial buildings were worth \$60-a-square foot. Today, as e-commerce grows and the need for warehouse space and logistics intensifies, the price is \$300 to \$600-a-buildable foot.

"They're worth more than all but a dozen office buildings in the state," said Clark Machemer, senior managing director of the Northeast Region for Crow Holdings.

Crow Holdings is now completing a three-building, 1.2 million-square-foot logistic parks in Carteret, just east of the NJ Turnpike. The buildings will feature 40-foot ceilings with a combined 140 trailer parking spots, 174 dock doors and six drive-in ramps.

The Carteret complex comes on the heels of another high-profile development of 925,000-square-feet of logistics property in Franklin Township. Crow leased it to LG Electronics USA before selling it for \$164 million. One of the Dallas-based company's latest projects is the ionic Marcal Paper factory off Route 80 in Elmwood Park that was devastated by a fire three years ago.

Within the next few months Machemer said passers-by will see new life breathed into the landmark site. There are plans for a 206,000-square-foot industrial building on the property, he said.

The Crow executive and Matt Schlindwein, managing partner of Greek Development, another major player in the industrial market, were invited to speak before the Commerce and Industry

"In essence, New Jersey is a built-out state. You can't find the next farm field. That's why land is appreciating so much and there's been such an increase in land value."

Association of New Jersey recently. A leading land use attorney, Lisa A. John-Basta, a member of CSG Law, also joined the panel. Todd Hay, a member of the CIANJ board and a regional vice president at Pennoni Associates, moderated the discussion as the audience was updated on major projects and the challenges developers face in completing them.

"In essence, New Jersey is a built-out state. You can't find the next farm field. That's why land is appreciating so much and there's been such an increase in land value," Machemer said.

Developers have to be creative here, he said, noting one of his latest deals requires bringing in fill to create 90 acres. The knowledge base and experience available from the state's engineers, developers, architects and land use attorneys enables New Jersey to tackle difficult sites, Machemer said. "In other markets the know-how is not there," he said, noting Dallas was abuzz over a recent development on an old landfill. "We're building in landfills on a daily basis."

For an example of the complexities of New Jersey projects, John-Basta said her firm was involved in the redevelopment of an old Army base at the Military Ocean Terminal in Bayonne, commonly known as MOTBY. The deal included lands swaps with the Port Authority of New York and New Jersey, riparian lands, construction of a private roadway, and creation a 17-foot berm to block noise, to new a few components.

Greek Development's 4.1 million-square-foot project near Tremley Point in Linden was rife with geo-technical challenges, Schlindwein said. It is the largest industrial development in the Port of New York and New Jersey, minutes from the New Jersey Turnpike and Newark Liberty International Airport. Completion demanded

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Lisa A. John-Basta, CSG Law



Clark Machemer, senior managing director of the Northeast Region for Crow Holdings



Matt Schlindwein, managing partner of Greek Development

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Continued From Page 22

ground improvements, importing in fill, resolving issues with pilings, easements and pipelines.

Three years ago, construction began and today 75 percent of the Linden Logistics Center is complete and three of the eight buildings are fully leased. The tenants include Peloton and World Diffusion Services.

Schlindwein's firm also recently completed more than 2 million-square-foot of warehouse development at the Logan North Industrial Park in Logan. It is a 415-acre park and three-quarters of it has been finished and fully leased. The firm reported that Phase 3 construction will be completed next year, adding 749,200 square feet to the project. The current tenants include: Target, SEKO Logistics, Lineage Logistics and Lasership.

As developers continue to acquire land and increase their pipeline of business, however, there are indications the state is eyeing regulations that could tap the brakes on the run-away market. Attorney John-Basta said the state recently issued guidelines urging municipalities to examine their land use ordinances and zoning laws to make certain they are updated, especially concerning their definition of warehouses. Traditionally, a warehouse was a building that held goods for an extended period. The definition has expanded, however, to include fulfillment centers and last-mile distribution facilities which have different impacts on a community.

Machemer said it would benefit towns to have comprehensive zoning plans. For instance, he pointed to Cranbury as an example of a town which had a very thoughtful approach. The turnpike divides the town and in its master plan Cranbury carefully delineated its industrial zone on one side and preserved the quaint downtown with its residential neighborhoods on the other.

Towns should be forward-thinking. "It's incumbent on them to recognize what's being planned and get ahead of it," the Crow executive said.



488 Trailer Lots in the Linden Logistics Center

Municipalities depend on ratables for their tax dollars. In Machemer's estimation "towns are in the real estate business" and should be maximizing the revenues or tax dollars from development. Developments also create jobs in the construction phase and permanent positions when the spaces are leased, he emphasized.

It's often the developer that must educate town on the benefits of an industrial complex or distribution center because many officials have never even been inside a warehouse, he said. A savvy development firm appreciates the needs to school a town on projects' benefits and opportunities. When multi-family residential construction was booming, many towns believed "kids was a four-letter word," Machemer said. Developers were pressed to show that multi-family complexes would not flood the community with children and strain the school systems.

The proliferation of warehouse development is requiring the same sort of community outreach to quell residents' concerns. In some areas, Machemer said, its neighboring towns that have the harshest criticism. If neighbors can impact a town's decision "it's going to get ugly," he said.

State regulations can be another hurdle for developers. Schlindwein is concerned about the new changes in storm water regulations that "blind-sighted" developers. He said the changes are implemented as "emergency" provisions without the usual process and public comment. During the height of the pandemic, he said there was emergency rule making to protect the public's health and safety. He does not understand why the traditional process is being circumvented now.

Despite challenges that can be imposed by state regulations, John-Basta noted a state incentive program is responsible for development of a film studio in Newark's South Ward. Her firm is working on converting the old abandoned Seth Boyden housing complex into the Lionsgate Film Studios.

The 11-acre tract was the first federally-subsidized housing project in Newark. It dates back more than 80 years and provided 530 apartments spread over 12 buildings. The complex is owned by the Newark Housing Authority but it has been abandoned since 2015. The proposal calls for building six film studios on the site which would create 300 jobs. 📍



Linden Logistics Center during construction



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North Jersey Infusion Center Created by Hospital Partnership

St. Joseph's Health allies with Hackensack Meridian *Health*

By Diane C. Walsh
Editor

The opening of a new infusion center in Wayne marked the first step in an oncology partnership between St. Joseph's Health and Hackensack Meridian *Health* to better serve residents of Northern New Jersey.

Officials celebrating the opening said the clinical affiliation brings the expertise of Hackensack Meridian *Health*'s John Theurer Cancer Center to the new infusion center located on St. Joseph's Wayne Medical Center in Wayne.

John Theurer Cancer Center is part of the Georgetown Lombardi Comprehensive Cancer Center, an NCI-designated comprehensive cancer center. It has been recognized by *US News & World Report* as one of the state's premier cancer centers in New Jersey. The partnership means better access to clinical trials and highly subspecialized medical expertise for residents in the Wayne area.

"The opening of this new infusion center is the first step of the oncology partnership between our two health networks," said Kevin J. Slavin, President and CEO of St. Joseph's Health. "As our partnership continues to evolve, that means

the best cancer care is more accessible for residents in the surrounding communities."

Two years ago, St. Joseph's Health and Hackensack Meridian *Health* announced a clinical and strategic partnership that deepens both organizations' commitment to expanding access to care and delivering the highest quality throughout the region. Expanding oncology services is one such example of how the partnership is bringing additional expertise to the community.

"We are pleased to expand our nationally-recognized team from Hackensack University Medical Center's John Theurer Cancer Center to more communities in New Jersey," said Robert



St. Joseph's Health and Hackensack Meridian Health celebrated the opening of a new Infusion Center on the campus of St. Joseph's Wayne Medical Center. (L-R) Mark Sparta, FACHE, President and Chief Hospital Executive, Northern Region, Hackensack Meridian *Health*; Adnan Danish, MD, Chief, Division of Radiation Oncology, St. Joseph's Health; Joseph Duffy, MD, Chief Medical Officer, St. Joseph's Health; Stephan Dorkhom, DO, Chief, Department of Medicine, St. Joseph's Health; Andre Goy, MD, M.S., Chair and Director of Hackensack Meridian John Theurer Cancer Center; Robert C. Garrett, CEO of Hackensack Meridian Health; Kevin Slavin, President and CEO of St. Joseph's Health; Christopher P. Vergano, Mayor of Wayne; Jane White, Vice President, Oncology, St. Joseph's Health; Sabin Motwani, MD, Medical Director, Radiation Oncology, St. Joseph's Health; and Mark Stauder, President, Hospitals and Health Services Divisions and Chief Operating Officer, Hackensack Meridian *Health*.



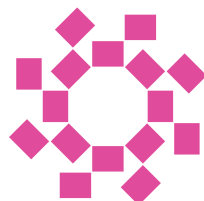
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If you are a woman age 40 or older, don't wait — talk to your doctor about scheduling your mammogram at Hackensack Meridian Health today. To learn more call 844-HMH-WELL.

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C. Garrett, CEO of Hackensack Meridian *Health*. “This affiliation brings an exceptional lineup of oncologists and highly specialized care. It’s been a goal of ours to make sure that every New Jersey resident has access to high-quality compassionate care that’s accessible and convenient.”

Patient navigators will be key in this partnership, working with patients every step of the way to help guide them regarding screenings, treatments and clinical trials when relevant. The partnership will also bring a better quality of care to underserved populations.

The partnership has plans to extend into St. Joseph’s Paterson campus and a new location in Totowa. The Totowa location, at 225 Minnisink Road, will open later this year.

“We are thrilled to open our new infusion center, which provides our patients treatment not only for cancer, but also a wide variety of other conditions that require infusion therapy or injections,” said Jane White, Vice President of Oncology at St. Joseph’s Health. “Our infusion nurses, who are certified in oncology nursing and chemotherapy administration, work collaboratively with physicians to ensure patients receive high quality, safe care. Through our partnership with Hackensack Meridian *Health*, we will continue exploring additional ways to enhance our Oncology Services.”

White said the center is located in newly dedicated space within the medical pavilion on the Wayne campus. It was totally refurbished

to accommodate the new operation. St. Joseph had a previous infusion center which served about 200 patients a month. White said many more patients will be served at the center as the practice grows.

The facility will provide not only chemotherapies for cancer patients but also treatments for anemia, arthritis and other conditions where an infusion therapy or intravenous antibiotic treatment is prescribed.

White said “we hope it becomes an infusion center of choice for local patients.” She said the Wayne campus will also focus on women’s cancer treatment by offering on site a breast surgeon, a radiation oncology unit and a surgeon who specializes in gynecological oncology.

She said the medical community understands the stress borne by cancer patients and hopes to ease it by having the convenience of “care under one roof.”



Infusion Centers are designed to maximize patient comfort, convenience, and compassionate care.

Photo: Getty Images/Stockphoto/McKillop, Daniel T. Sarrin, Hollenbeck, 2211

LESSONS IN LEADERSHIP

Self Confidence Builds Leadership

By Steve Adubato, PhD
Freelance Contributor



According to successful entrepreneur Francisco Dao; “Self-confidence is the fundamental basis from which leadership grows. Trying to teach leadership without first building confidence is like building a house on a foundation of sand. It may have a nice coat of paint, but it is ultimately shaky at best.” When it comes to leadership, confidence can be fleeting. With that in mind, consider some keys to confident leadership:

Be humble and self-aware.

A leader who communicates with arrogance and believes he is always right is not a

confident leader. Instead, a confident leader is self-aware and not afraid to admit when he makes a mistake.

Be agile.

Confidence comes with ebbs and flows. There are degrees of confidence in certain situations that is based largely on how a leader chooses to see himself in a particular situation.

Confidence is a mindset.

As leaders we need to put ourselves in a more confident frame of mind, even without the benefit of recent success. We need to train our mind to view any situation as an opportunity to confidently deal with it and be at our best.

It takes a village.

Confident leaders surround themselves with a confidence support system of colleagues, friends, family, or other mentors. Even those who see themselves as confident sometimes need to have their confidence bolstered by others they trust.

Accept that “loss” is unavoidable.

We all want to “win,” whether that means landing that dream job or securing a big client. However, as leaders, we must accept that “loss” is inevitable. What matters is that we don’t let the situation define us or our effort.

Bottom line?

Confident leaders consistently strive to be the best they can be, knowing that perfection doesn’t exist, but progress and growth is the ultimate goal.

Steve Adubato, PhD, is the author of five books, with his newest, “Lessons in Leadership 2.0: The Tough Stuff”, to be published later this year. He is an Emmy® Award-winning anchor with programs airing on Thirteen/WNET (PBS) and NJ PBS who has appeared on CNN, Today Show and NPR. Steve Adubato’s “Lessons in Leadership” video podcast with co-host Mary Gamba airs Sundays at 10 a.m. on News 12+. For more information visit www.Stand-Deliver.com

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Young Couple Tells of Ordeal Fleeing Their War-Torn Home

Reliving nine frantic days

By Diane C. Walsh
Editor

Elmar Aleskerova was assembling a crib for the baby he and his wife Jeannie were soon expecting, when Russian forces bombed Kharkov—shattering their world.

That fateful morning Feb. 24 when the young couple looked out their window, they saw the yard was full of smoke. Friends told them the war had begun and they should head for Western Ukraine. “We tried not to panic, but our hands were shaking and our brains refused to work. I kept thinking about the fact that we had an empty gas tank,” Elmar recalled.

Jeannie, who was eight months pregnant at the time, tried to pack for them. “I just didn’t understand what to put in,” she said recalling the fear and anxiety of not knowing where they were going, how long they would be or if they would ever be back.

It took them nine days before they finally crossed the border into Poland. Every minute of those days is seared in their minds. “Shots were

fired at us,” Elmar said. “I was sure we weren’t going to make it out alive. I don’t know how, by some miracle, we made it.”

From Poland, they made it to Latvia, where their son, Adam was born. Then in September they flew to the United States and were reunited with Jeannie’s sister, Marina Rogova, and her parents. Marina, a clinical director of a medical program in Manhattan, emigrated years ago. She brought her parents over in 2021. When the war broke out, she was desperate to bring her sister, Elmar and their newborn to safety.

Through her work, Marina knew William Dalton, a former mayor of Interlaken and a retired vice president at the International Flavors and Fragrances Inc. Dalton told *COMMERCE* Magazine about the young couple’s plight.

Elmar, who is a 2D animator, hopes to find work quickly. His dream was always to come to the United States. “It’s a country of possibilities and it’s safer than Ukraine and far from Russia,” he said. His wife knows their future is here. Still, Jeannie is worried about her relatives. “Every day there’s bad news from Ukraine. ... I’m afraid for them. It’s difficult for everyone.”

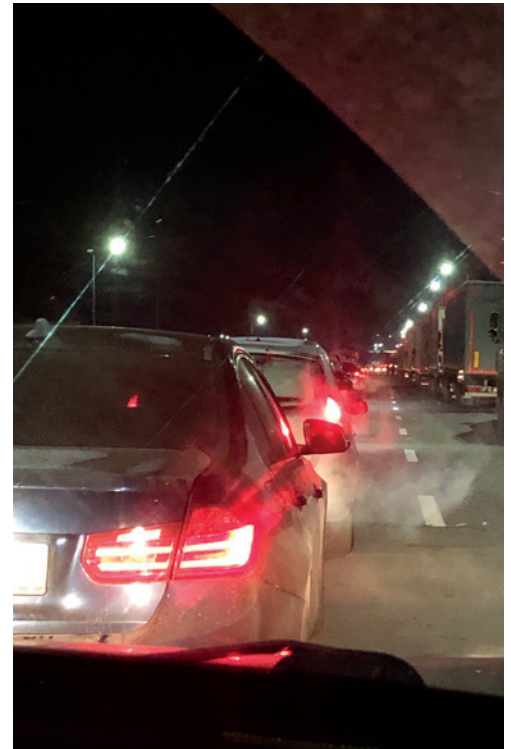
Jeannie’s aunt and uncle, Sveta and Vitaly, help them get out of Kharkov the day the bombing began. Vitaly worked in Kharkov and offered to pay for their gas because the young couple only had their rent money in dollars and could not find anywhere to exchange it for local currency. The trio piled into Elmar’s car with the couple’s Staffordshire Terrier, Patrick, for the trek to Okhtyrka, where Sveta was waiting.

As they drove, they heard a deafening sound and the car was rocked. An apartment building shielded them from a rocket but a nearby house was destroyed. Elmar and his friends then used their cell phone to create a chat room to share information on safe roads and places to buy gasoline as they all tried to reach Western Ukraine.

When they arrived in Okhtyrka, Sveta led them to the basement in a friend’s house and fed them but the young couple did not stay long, deciding to press on, despite their relatives’ protests.

Elmar said they were lucky to leave when they did because the town was soon under attack. He said they will always be grateful to Jeannie’s family for giving them money to survive. Elmar’s company, Panic, wired his pay into their account but they had trouble accessing it.

At the first military checkpoint on the journey Elmar said he saw a “sympathetic look” on the soldier face when he saw the crib in their trunk. “They returned my documents and wished us a



Lines of vehicles attempting to evacuate Ukraine as war begins.



The Aleskerova family share their supplies with their Staffordshire Terrier, Patrick during their harrowing escape.

safe road. We no longer feared the military, we treated them with great respect for everything they did.”

Elmar said “we drove around towns that were under enemy fire as instructed by our friends online. “But everything changed very quickly, a road that had just been safe would become dangerous in another moment.”

When they reached Lviv, they met friends. But they were already exhausted and feeling sick. Jeannie feared for her unborn child, until she finally felt it moving in her womb.

Their reunion with friends was short-lived, however, because they wanted to get to the border. But their trip was laden with anxiety. They feared they would be separated because men were not allowed to cross. Elmar suffered from stomach ulcers and had a doctor’s note, yet its effectiveness was unknown.

Lines to the border were incredibly long. Sometimes their dog would be howling, Elmar said. “We drove very slowly, at times we just stood still for hours,” he said. Along the roadside volunteers gave their food and drinks. “We

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THINK TANK WITH STEVE ADUBATO

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Continued From Page 28

were incredibly grateful to these kind people,” he said.

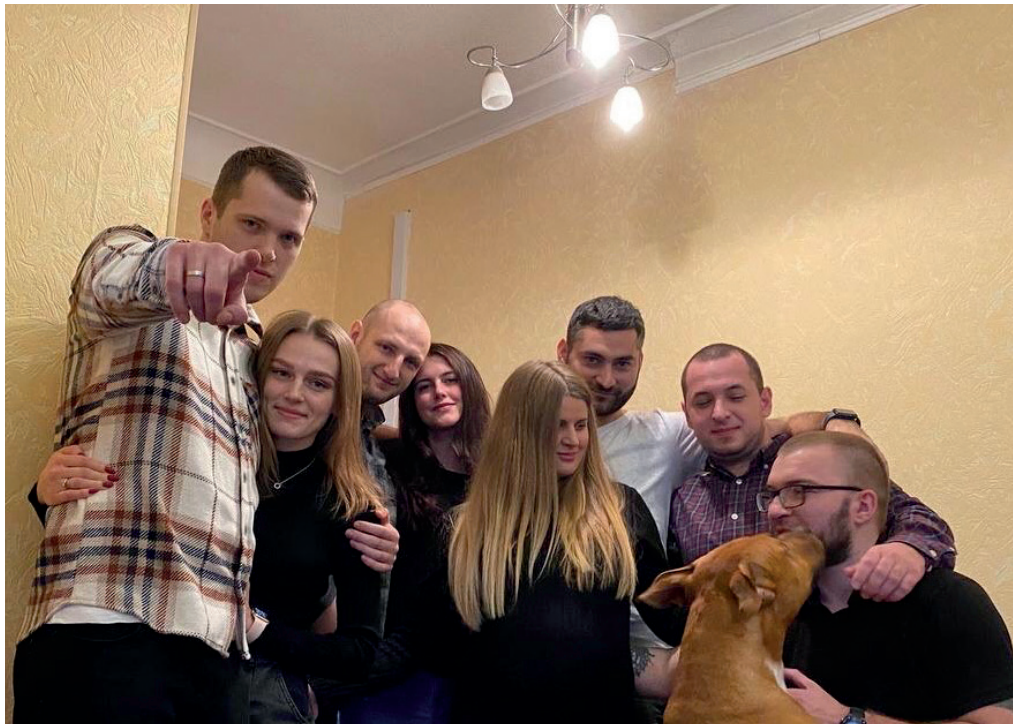
As evening approached on Feb. 27, their car stalled when the battery wore down. They lost their place in the line but the people behind them promised to let them back in once the car was fixed. It took three hours to find jumper cables and get the car recharged. They rejoined the line and finally in the early hours of March 1 they approached the border.

“The border guard didn’t even listen to us. Just denied entry. He told us to leave, but we had no idea where to go,” Elmar said.

Frantic, they tried to find some accommodations where they could rest and regroup. Elmar was sick and feverish and Jeannie’s legs were swollen. They even reached out to Jeannie’s sister Marina in America to help find lodging. She booked them a room on the internet but it turned out to be a scam. It was difficult to find shelter because they were traveling with a dog too. Finally, they found a hotel. It was comfortable but they were overwrought.

“Elmar told me that if it was not possible for everyone to leave together, I would go along with the dog,” Jeannie said. “I got hysterical. I didn’t want to listen to him. I was totally against it. Elmar also began to cry. It was the first time I saw him cry. Worst night of my life.”

Elmar was so sick they did not try crossing the border again until March 3. The line was



Elmar and Jeannie Aleskerova draw on the support of family and friends.

shorter this time but the outcome the same. But there was hope because the guard recommended that they take Elmar’s doctor’s certificate to the military registration and

enlistment office. Meanwhile, they had to find somewhere to stay. Jeannie found a house online in a village, a 90-minute drive away. They rented it for the night. They remember having borscht and buckwheat porridge with meatball that night.

At the office, two of the three doctors on the medical board refuted Elmar’s doctor’s conclusion but one doctor was willing to have him evaluated, at least. “He kept looking at my wife’s stomach. I think he just felt sorry for us,” Elmar said.

The evaluation found Elmar suffered from ulcers and he was given a temporary reprieve from military service. Armed with the document, they headed to the border. Jeannie said three guards waved them through, but the last one wanted to confer with others. She said they took their documents and separated her from Elmar. “It’s like the worst tense moment in the movie.

“It seemed to me that Elmar would never return. I saw him coming back. I wanted to run toward him. I could hardly contain myself,” she said.

They quickly got into the car and drove away. When they realized they were finally in Poland “we laughed and cried with happiness. We are saved and we are together.”

Elmar and Jeannie are incredibly thankful to everyone who helped them. They hope all the kindness that was shown to them will continue for their family and friends who are struggling to stay safe in the Ukraine. They encourage Americans to voice their support on social media networks and continue their generosity in donations to charitable organizations working in the Ukraine. Anyone wishing to reach Elmar and Jeannie can leave a message with CIANJ at 201-368-2100.



Elmar and Jeannie Aleskerova look forward to a new life with their new baby.



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CONGRATULATIONS

Hackensack Meridian Health would like to congratulate
Audrey Murphy, Esq., MSN, RN, Co-Chief Legal Officer and
Chief Officer Team Member Health and Safety,
on being named chair of **CIANJ**.



We wish her continued success in this role!