

Governor Phil Murphy

TRANSCRIPT: August 31st, 2020 Coronavirus Briefing Media

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Holding a COVID-19 briefing. WATCH:



Governor Phil Murphy: ... I am also joined by the Director of the Office of Homeland Security and Preparedness Jared Maples and Deputy Chief Counsel Parimal Garg, among others.

So we've got a fairly significant announcement to start the week off, so let's get right to it. Today I am signing an Executive Order and Judy will issue an Executive Directive later today, I believe, that will allow indoor dining to resume at 6:00 a.m. this upcoming Friday, September 4. I'm proud that our restaurants will be able to return to some level of indoor service for the Labor Day weekend. And by the way, I looked ahead for the weather and it looks pretty good, so knock on wood it will stay that way.

Of course, this resumption of indoor dining will come with strong limits on capacities as well as other requirements which will be strictly enforced. As we all know this pandemic isn't over yet and our goal is to ensure this step is done properly to prevent the kind of spikes we saw in other states that allowed their restaurants to reopen too fully and too quickly; steps which required us to hit the pause button on our earlier plan to allow indoor dining to resume.

As with the reopening of gyms, there's a long list of required steps, as well as additional recommendations being made and I know Judy will speak more to these in a few moments. But allow me, if I can, to run through some of the top lines. To begin with, the capacities inside any restaurant will be capped at 25%. Additionally, groups will also be capped at eight individuals excepting for immediate families. All groups of diners will be required to be kept at a minimum of six feet apart. All staff will be required to wear masks at all times. All

diners will also be required to wear masks at all times when they're not in their seats. Any customer who either does not wear, or refuses to wear, face masks absent a legitimate medical reason cannot be seated indoors.

Additionally, we are asking that diners keep their masks on while waiting for their food and once they're finished eating or drinking, and food and beverages can only be consumed while seated. Walking around with a drink indoors will not be tolerated. If you're dining at a restaurant that provides table service, you'll only be able to order your food while seated at your table, and the staff are the only ones who can bring you your food or beverage. In other words, if you're seated at a table, you can't go to the bar to get another drink or place an order for another dish; you must allow your server to place and deliver those orders for you. That's not terribly unusual, but we just want to make sure everyone understands that.

Restaurants that provide food service at their bars may allow patrons to dine at the bar, provided that all diners are kept at proper social distances. A couple seated at the bar, for example, may sit together but can't have anyone else on either side of them for at least six feet. For any group seated together at the bar, that's capped at four individuals.

As we have mentioned many times before, one of the major trouble spots for us to take this step was ensuring proper ventilation. And as with gyms, we're mandating strict ventilation requirements. First, windows must be open to ensure a proper flow of fresh air into the dining areas. Additionally, air conditioning units must be turned so that they are allowing for the maximum amount of outdoor air to be introduced to the dining room, and that the amount of air being recirculated is set to its lowest possible setting. As I noted, these are just the top-line requirements of what is an exhaustive list.

We have been working hard for several months now to get to this point, after the pullback from our initial early July target date, we committed that we would not put ourselves in a similar position again, and that we would not allow for indoor dining to resume until we had confidence that we would move forward. I am proud that we are doing this today so our restaurants can again welcome patrons to their dining rooms for the long holiday weekend.

And as I've said many times, this was simply a matter of when and never a matter of if, and I thank the many restaurant owners across the state who thought creatively to serve their diners in the meantime using outdoor seating, which by the way, will continue. And I also thank the many local officials who helped foster such creativity. There is no doubt that many restaurants will continue offering outdoor seating options, especially because many New Jerseyans will continue to feel more comfortable eating outside.

I know that it has been hard on many of you. The restaurant industry is not only a huge employer in our state, but New Jersey is home to many noted dining establishments that draw patrons from all over the country, never mind the state. My goal, and our goal, has always been to get to yes. But our job now is to ensure that this reopening only leads to future announcements expanding the indoor capacity limits and that we do not have to take a step backward. We will be watching very closely and we will not tolerate any owners or managers or diners, for that matter, who try to work around these rules. Everyone must pull together.

Now following on that, today I'm also signing an Executive Order that will allow for our movie theaters and other indoor performance venues to also reopen this coming Friday, September 4th. As with all other indoor spaces, theater and other performance venue capacities will be capped at the lesser of either 25% capacity or 150 moviegoers or patrons. I'm going to come back to that 150 in a second.

For this, each showing and each theater in a multiplex will be subject to these limits. So if you've got four screens, for instance, each screen will be held to the lesser of 25% capacity or 150 people. In theaters, groups that purchase tickets together may sit together, but all other moviegoers must remain at least six feet apart and masks are required to be worn at all times in the theater, unless you're pulling it down to put away a handful of popcorn.

And as we take these steps to open up indoor dining and movie theaters, we are also increasing, as I alluded to a second ago, the capacity limits for indoor gatherings that are religious services and celebrations -- weddings, funerals, memorial services, and political activities. These also will be capped at either the lesser of 25% of capacity or 150 individuals. That's an increase from the current limit which is 25% of capacity with a cap of 100, whichever is less.

So in the final analysis, we're able to take all these steps today because of the hard work that millions of you have done to help keep pushing down our positivity rate and our rate of transmission and all the other health metrics we follow to where we are comfortable and confident in taking these steps. Because we are doing so does not mean, by any stretch, that we can let up our vigilance even one bit. We know this is a virus of opportunity, so let's not give up any unforced opportunities. There is no room for error and no excuse for being a knucklehead. Let's enjoy eating indoors again or going to a movie or celebrating with our friends safely and responsibly.

With that, Judy, can we look at the overnight numbers?

So today we're reporting another 352 positive test results for a cumulative total since March 4th of 191,960. Just if you need evidence that we're still not out of the woods, over the past three days, we've reported a total of over 1,000 positive tests in our state. The daily positivity rate from tests, and these are taken from August 27th, was 1.41%. That's really good news. That puts us among the best in the nation and among other things, when you've got many hundreds of people testing positive, Judy, and a spot positivity rate that's that low, that tells you that we've got a lot of testing capacity and a lot of people are getting tested, and that's a good thing.

Transmission rate is still below one. It's up a little bit, though, over the past couple of days and we're watching that closely. 0.90. In our hospitals as of last night, there were 253 COVID-positive patients, 231 persons under investigation for a total of 484. That's also up a little bit. Of these, 103 were in intensive care, 36 ventilators in use.

Today, sadly, we are reporting the loss of another eight members of our blessed New Jersey family that have been confirmed to be from COVID-19 related complications. Of those eight, one is from August 26th and the remaining seven are between July 24th and August 15th. Our statewide cumulative confirmed total is now 14,165 and the number of probable deaths continues to be 1,780.

In our hospitals yesterday, there were 15 reported deaths. And again, this is apples and oranges. However, as we note every day, these are not yet lab confirmed and are not included in our numbers, but that's to give you a sense of the spot reality. As we do every day, let's take a couple of minutes and talk about three of the souls we have lost.

We'll begin this afternoon with Arriel Mascardo of Fairlawn. Arriel was just 57 years old. Is that a photo or what, man? He was born in the Philippines and came to the United States 35 years ago, finding work in the healthcare industry and becoming a successful x-ray technician. Arriel was a man of great faith, and he was also a man with an outsized personality – as if I had to tell you that with that photo – capable of putting a smile on any face with a joke or to give assistance to anyone who needed it.

Arriel leaves behind his wife Norma and their three children, his daughters Sherry and Norielle, and son Justin. I had the honor of speaking with Norma and Justin at the end of the week. And I must also note that his brother-in-law was Dr. Jesse Ferraris, who also was lost to COVID-19, and who we remembered only a week or so ago, which is extraordinary in the same family in such a short amount of time. May God bless Arriel and his family and watch over and keep him.

Next we remember Kevin Graiani of Pompton Plains in Morris County. Service was in Kevin's blood. Kevin's first career started with the New York Police Department, Pat, and he later became a police officer in Spring Valley, New York, just over our state line in Rockland County. But after retiring from the Spring Valley Force as a Sergeant in 2005, he went back to school and received his license to become a nurse practitioner, then kept learning and eventually earned a doctorate degree.

He was a movie buff who could quote any line, famous or not, and an amazing musician who could tune the band merely by listening. His family and friends recall that he was quite possibly the smartest man in whatever room he happened to be in, but would never try to prove it. His wife, Jennifer, who's there with him said, "Make sure that I said that he loved to cook, he loved boating, and he loved the New York Jets." Bless his heart.

Kevin leaves behind his wife Jennifer – and by the way, I had the great honor of speaking with Jennifer at the end of the week: he died on their first wedding anniversary. He also leaves behind his three sons, Dennis, Kevin Jr., and James. Kevin was only 56 years old. We thank him for a lifetime of serving others and may God

bless and watch over him.

And finally today, we Plainfield's Edgar Davalos. He was a native of Peru, who likes so many millions of others, came to the United States in search of better opportunities for himself and his family. His American dream was found in New Jersey, where he owned his own small business that allowed him to give his family that better life. Edgar leaves behind his sons Eric, with whom I had the great honor of speaking, and Edgar, and a group of family and friends who will fondly remember a man who was a great friend and was always there to help. May God bless and watch over you, Edgar.

Three more from among the 14,165 that this virus has now claimed. So as we prepare for this final week of summer and we get that great, once every I think six years because of leap year, we get Labor Day on its latest possible date this year. So we get that one last gasp of one more week of summer. And as we return, not just for one more week of summer but for the return of indoor dining and movie-going and for that last trip to the shore, let's not forget all that we've done to get through this summer, and let's not forget our need to keep up with the routines that are slowing this virus and saving lives.

Switching gears if I can, tomorrow is September 1st, which means we are entering the critical last month of counting for the 2020 census. And now, more than ever, it is essential that we ensure that everyone across our state is properly and accurately counted. Make sure to go to 2020census.gov if you have not done so yet. Right now we're on track to exceed our response rate from 2010 with 66.9% of New Jerseyans having already responded. In fact, nine counties have already beaten their 2010 benchmarks, so shoutouts to Bergen, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Somerset, Sussex and Warren. We're less than 1% away from exceeding our statewide response rate from 2010. That's the good news.

The bad news is we know we were undercounted in the year 2010 and that's hurt us. And because of it, we've lost out on literally billions of dollars of federal aid and assistance over the past decade; money for schools and public health, transportation and food security, and even COVID-19 relief. We are now in the final 30-day push to get everyone counted, so if you haven't done so yet, go get counted. Go to 2020census.gov right now. It's safe, it's easy, and it's incredibly important, and it's your civic responsibility. Please, everybody, get out there.

Now, let's highlight another of the small businesses that has partnered with the New Jersey Economic Development Authority to stay strong throughout this pandemic. Today it's a small business that we've been relying upon during this pandemic, Touchpoint Pediatrics in Chatham, and there you go, a shameless self-promotion with their website and their phone number, if that weren't enough. It's a primary care practice headed by that woman right there, Dr. Jennifer Shaw, that has been serving families in Morris County since 2002. COVID-19 has not slowed them down as they've continued to see patients.

To ensure the safety of the families they serve and their medical and support staff, Dr. Shaw and her team, which includes her husband Barry, and I had the great honor of speaking with both Jennifer and Barry, and Barry serves, by the way, as the practice's CFO, they've invested in technologies to allow them to sanitize their space with UVC light and to provide telemedicine appointments, as well as in the basics to provide a safe, drive-through flu shot clinic.

Much of that would not have been possible without the assistance of the EDA which came through with a critical small business loan. Jennifer made some compelling points to me that as a result of all this, they maintain full office hours, they were there for their patients, in particular at this moment when there's such a stress not just on physical health, Judy, but mental health, and that they view themselves as a different kind of front line. They were very proud of the fact, with the EDA's help, I might add, that they were able to be there for their patients in their hour of need.

So to Dr. Shaw and everyone at Touchpoint Pediatrics, thank you for your continued commitment to your patients and your community, and thank you for being right there on the frontlines with so many others. Stay safe and stay well.

Before I close, I'd like to acknowledge two passings from our New Jersey family that are unrelated to COVID-19. First, we send our deepest condolences to the Chief Justice of the New Jersey Supreme Court, Stuart Rabner, whose mom Stella, right there, bless her, passed away on Saturday at the age of 95.

Stella was born in Poland in 1925 and survived both the Holocaust and six years of forced labor in a Soviet slave labor camp in Siberia; experiences which cost her more than 40 members of her family, including her sister. She was eventually able to come to the United States, settling in Passaic. And there, she and her husband George – by the way, also a Holocaust survivor – raised their sons Stuart and Howard, but she never forgot all she went through and was a noted speaker on the Holocaust, ensuring that her eyewitness testimony would be heard forever and for always. Never, ever forget. May her memory be a blessing to Stuart and Howard and their families, and to us all.

And finally today, we mourn one of our American heroes, US Army Staff Sergeant Vincent Marketta, a native of Brick, New Jersey, who was killed Thursday during a training exercise in California. He had served in our army since his enlistment in 2011, and was a veteran of both the Afghan and Iraq theatres. Vincent was a decorated soldier, earning both the Distinguished Flying Cross and the Army Achievement Medal, and posthumously he will receive the Meritorious Service Medal. We thank Staff Sergeant Marketta for his service and for his years of representing not just the values of our nation, but the spirit of our great state. God bless him and watch over him and his family. Please keep them all in your prayers. In his honor and memory, I will sign an Executive Order directing our flags to fly at half-staff tomorrow in his memory. May God bless him and his family, especially at this time of great sorrow and need.

With that, please help me welcome the woman who needs no introduction, the Commissioner of the Department of Health, Judy Persichilli.

Commissioner of Health Judith Persichilli: Thank you, Governor and good afternoon. Well as the state moves to permit limited indoor dining with restrictions, it is essential that all of us take precautions so we do not see a rise in outbreaks like those that have occurred in other states. Restaurants must post signage at the entrance that states that no one with a fever or symptoms of COVID-19 should enter the establishment. They should provide physical guides such as tape on the floors and sidewalks, and signage on walls, to ensure that customers remain at least six feet apart in a line for the restroom or waiting to be seated.

Restaurants are encouraged to take reservations for greater control of traffic and volume. Customers should wait in their cars or away from the establishment while waiting for a table if an outdoor waiting area cannot accommodate social distancing. Buffets, salad bars and other self-service options are prohibited at this time.

Restaurant staff should disinfect all shared items such as chairs, condiments, menus and high-touch areas such as credit card machines, keypads and counters. They should also provide hand sanitizer stations for customers. Physical barriers should be installed at cash registers, host stands and other areas where maintaining physical distance of six feet is difficult. Employers must conduct daily health screenings of employees, and all employees are required to wear face coverings. Employers should provide training for their staff in handwashing, cleaning and disinfection, social distancing, use of face coverings and monitoring for signs and symptoms of COVID-19 in the workplace.

As the Governor stated, effective ventilation is important to indoor spaces. Establishments should inspect and evaluate the heating, ventilation and air conditioning units to ensure that the systems are operating effectively. Routine maintenance should be conducted on these systems. The HVAC unit should be run two hours before and two hours after the facility is occupied. Restaurants should consider installing portable air cleaners equipped with a high-efficiency particulate air filter, otherwise known as HEPA filters, to increase the amount of clean air within the facility.

Patrons should continue to practice social distancing, good hand hygiene, and please, do not go out to eat if you aren't feeling well. While the weather is still nice through September, I want to echo the Governor's comments that hopefully the many restaurants that have offered outdoor seating options will continue to do so.

Moving on to my daily report, as the Governor shared, our hospitals reported 484 hospitalizations with 103 individuals in critical care and 34% of those critical care patients are on ventilators. Fortunately, there are no new reports of multisystem inflammatory syndrome in children. There remains a total of 56 cases in our state. As reported previously, all of the children have either tested positive for active COVID-19 or had antibody tests that were positive. The ages range from 1 to 18, and none of the children are currently hospitalized.

Of the eight deaths we are reporting today, three occurred in July and the remainder occurred in August. At the state veterans homes, the numbers remain the same, as they do at our psychiatric hospitals. The percent positivity as of August 27th statewide is 1.41. The Northern part of the state reports 1.21, the Central part of the state 1.10, and the Southern part of the state 2.52.

That concludes my daily update. Stay safe and remember for each other, for us all, please take the call. Thank you.

Governor Phil Murphy: Judy, thank you. I'm looking, I don't have the entirety of our five-and-a-half month journey in front of me, but a spot positivity rate of 1.41 today I believe may be our lowest ever since we started. Is that so?

Commissioner of Health Judith Persichilli: Yeah, I think so.

Governor Phil Murphy: Please, God, it stays that way. Thank you for everything. Pat, good to have you. Anything? I think weather-wise we're a little bit quiet this week. I hope I won't live to regret saying that. How about compliance or other matters?

State Police Superintendent Col. Patrick Callahan: Thank you, Governor, good afternoon. On the compliance front, Lakeside Diner in Lacey Township was cited each of Friday, Saturday and Sunday for continuing to operate indoor dining. I know Rutgers, there was a large party that was broken up although no, from what I understand and what was reported to the ROIC, both the Rutgers Campus Police and New Brunswick Police upon arrival, that party dispersed relatively quickly and at this juncture, no Executive Order violations were issued.

On a somewhat different but perhaps related front, I just want to talk a minute about traffic. Just in State Police patrolled areas, in pursuits, we've seen a 50% increase and are probably on track to have the highest number of pursuits in our history of keeping records on that.

Also, with regards to accident crashes in our areas, they're up 34% and fatalities are up 10%. So, prior to coming here, I did speak with the Governor and with the DOT Commissioner Scaccetti and we will be changing those variable message signs that you've seen for quite some time now. We will still maintain the message with regard to 511 for those coming in from out of state if there's questions with regard to quarantining, but we're also going to work in some highway traffic safety messages starting this afternoon, keeping an eye on people's speeds, the amount of accidents, and the amount of fatalities.

And whether that's for lighter traffic, whether that's for people being stressed out, I'm not sure I have the answer for that, but our troopers are out there trying to make sure to keep those in our motoring public safe. So just keep an eye out for that, and certainly we ask you to please obey all the traffic laws throughout New Jersey. Thanks, Gov.

Governor Phil Murphy: Thank you, Pat. Pat, this is not just on the highways, right? This is all measure of roads, right?

State Police Superintendent Col. Patrick Callahan: That's correct. The stats that I have are State Police patrolled areas which is 89 municipalities, but we're obviously the primary law enforcement on all toll roads and interstate and state highways I think if we polled the locals as well that you'd see a similar reaction or similar stats with regard to pursuits, with regard to crashes, and certainly with regards to fatalities.

Governor Phil Murphy: I'll bet you it's not unique to our state either.

State Police Superintendent Col. Patrick Callahan: You're probably correct, Gov.

Governor Phil Murphy: That's a good word of the wise, so thank you for that. I think we'll start over here. If that's okay, we'll start up with Ashley. But before we do, I just want to quickly – Mahen, have I got this? We're on with the White House later today. Judy and Pat and I will be there with the team, and we'll report out anything that may come out of that. We'll be back, we'll be with you virtually tomorrow and we'll be with you live, unless you hear otherwise, at one o'clock on Wednesday. Correct? Okay, we've got a full house. If you could be economical with your questions, we will never forget that gesture. With that, Ashley, nice to see you.

Q&A Session

Ashley Balcerzak, The Record: Good afternoon. Does this order include breweries, wineries, distilleries, and will there be any specific guidelines for them? How will dine-in movie theaters work? Do they follow restaurant rules? Does this order include indoor wedding receptions, indoor catering halls and banquet halls? Will you ban indoor dining again if transmission rates get too high? Is there a specific number that you're looking at to judge if indoor dining has been successful?

Is there a possibility that liquor laws —

Governor Phil Murphy: You're not being terribly economical, Ashley. I just want you to know that.

Ashley Balcerzak, The Record: Can I get two more in?

Governor Phil Murphy: This is not the example that we need to set for the rest of your colleagues here.

Ashley Balcerzak, The Record: Let's just let me slide here then. Is there a possibility that liquor laws will be loosened even more to help restaurants get back on their feet, including granting liquor licenses to restaurants that currently can't serve alcohol?

And lastly, residents whose driver's licenses were set to expire by August 31 have received extensions to renew but since the backlog still exists and lines continue, are they going to provide extensions to people whose licenses are set to expire by September 30th or October 31st? Thank you.

Governor Phil Murphy: We knew there'd be a lot of questions today, so we not only have Deputy Chief Counsel Parimal Garg, we have the Chief Counsel Matt Platkin and it's, I believe, the first day that you've ever been here together guys, so good to have you. I think you're gonna end up answering most, if not all of these, but I think that the conceptual question, probably the most important, if I may say that, is would we consider reversing this if it looked like it was blowing in our face? Sadly, I have to say yes. I certainly hope not to, and it would be a sustained increase of the metrics that Judy and Tina and the rest of us follow. And so it wouldn't be one day or even a couple of days. I think we'd also, furthermore, try to have some qualitative sense around the data as to whether or not it was coming, in fact, from the indoor dining steps that we've taken, as opposed to an out-of-control party in somebody's basement. I wouldn't say that's a judgment call, but that's an extra layer that we would try to apply to this.

But gentlemen, so breweries, wineries, distilleries, dine-in, movies, indoor, weddings and any comments on the Motor Vehicles Commission? One other comment on Motor Vehicles. I think since they've reopened, they've processed 1 million different transactions, either online or in person, which is no mean feat.

Secondly, I know people are frustrated by the lines outside, that includes yours truly. Those are people who used to gather on top of each other, remember, inside at one of their locations. So inside I think they're doing a great job doing what we're doing here, you know, socially distancing, etc. But those lines outside continue to be frustrating and I don't blame folks for being frustrated about it, but I'll leave it to you guys to fill in the blanks at any of the above.

Chief Counsel Matt Platkin: Sure, and I'll let Parimal speak to the specifics of the order. Your question about liquor licenses, though, it's not something that we're considering now and I'm not sure, frankly, we have the legal authority to do it, even if we wanted to.

Deputy Chief Counsel Parimal Garg: With respect to breweries and distilleries, they will be covered by the indoor dining rules that will apply to any establishment that offers food or beverages for on-premises consumption. Movie theaters will be able to offer concessions or other food for consumption in movies, subject to the protocols that the Governor was talking about.

And with respect to wedding venues and banquet halls, they will also be allowed to offer consumption of food and beverages. They will be subject to the indoor gatherings limit as well as the indoor dining protocols that are put out.

Governor Phil Murphy: What about licenses that are expiring at Motor Vehicles beyond August 31st? Any comment there?

Chief Counsel Matt Platkin: No comment yet. I mean, we've been working with the Chief and we put out, a few months ago, a timeline for expirations which you noted and as soon as we have more detail on the deadlines that are coming up we'll put something else out.

Governor Phil Murphy: Thank you. Let's come down where -- Ashwin, how are you? Nice to see you. Matt, let's hit you up next, if that's okay? Good afternoon.

Matt Arco, Star-Ledger: Governor or the Commissioner, has the State submitted the information requested by the Department of Justice for its examination into the deaths at nursing homes?

And Governor, I'm curious if the state has officially applied for the \$300 expanded benefit yet?

Piggybacking off of MVC, any consideration if you're going to give extensions to maybe broaden the extensions to elderly people or people with preexisting conditions that could be put at greater risk?

And a couple from Dan Munoz. Do you support compensating restaurant owners for financial losses they suffered when preparing to open for indoor dining ahead of the July 4th weekend? And do you think businesses can stay afloat, much less make a profit, if they can only do 25% capacity, especially considering outdoor dining won't be feasible in the coming months?

Governor Phil Murphy: I'll let Matt or Parimal answer the Department of Justice question. Sorry, have we applied for the \$300, is that what you were asking? Have we applied for the \$300 -- your second question. We have applied, yes. I don't think we've heard back yet. Have we heard back, Matt?

Chief Counsel Matt Platkin: We've been going back and forth, just to ask for some clarifying questions, but nothing that will ultimately delay the distribution of benefits.

Governor Phil Murphy: Anything, now that you're on mic, anything on Department of Justice?

Chief Counsel Matt Platkin: No, no comment on the investigation. As the Governor said last week, we'll respond in due course through the appropriate channels.

Governor Phil Murphy: Can I convince you to give me an answer on extensions for Motor Vehicles for the elderly or those with comorbidities, now that you've got the mic?

Chief Counsel Matt Platkin: I don't have any information on that. We'll have to get --

Governor Phil Murphy: Listen, it's a reasonable question. I would like to come back. Mahen, you're with me on this, right? I want to come back to you on it.

I've got nothing that you could tell Daniel. I mean, I feel -- we feel awful about the decision we had to make leading into July 2nd, but we didn't make it without reason and it took us -- I did not think at the time it would take us -- it took us over two months, as it turns out, to get back to a position that we had hoped to be in on July 2nd but I've got nothing new other than we are doing everything we can to keep our restaurants -- or get them above the water, back on their feet, etc.

Listen, you've got 25% indoors, we'll see how that goes. You've still got outdoors with big capacity, assuming that the restaurants have that ability. I mentioned the creativity which has been extraordinary, both on behalf of the restaurants as well as local municipalities that have allowed them to do that. Let's hope the combination of, please, decent weather, at least some number more weeks that we're full bore, outside, now a step indoors. Let's see how that goes. And hopefully, over time, that combination gets us into a better place. This is an incredibly important industry to us in this state and we want it to be back on its feet, believe me. Thank you.

Alex, we'll go to you. We'll do Alex and then Catherine, how's that?

Alex Napoliello, NJ.com: All right, thank you, Governor. Just two questions. First, can you give your personal guarantee to restaurant owners that what happened in June won't happen again, and you won't reverse this indoor dining order at the last minute, leaving them hanging?

Secondly, I'd like to ask you specifically about the metrics you used to make this decision. You've said before that the Holy Trinity or Holy Grail, I forget your words, is rate of transmission, spot positivity and I believe new hospitalizations -- correct me if I'm wrong. What level did each of those three need to get to in order for you to

okay indoor dining? And which one was the last one to come online? Or do you just want restaurants open for Labor Day weekend?

Governor Phil Murphy: Yeah, I mean, I'm not going to -- a personal guarantee. I mean, I'm not God. I don't control the virus. We wouldn't be taking this step today if we did not have a supremely high degree of confidence that we'll be open for business on Friday. You may remember that we pulled back on the Monday before the Friday in late June. The fact that we're giving -- folks that wanted a longer runway, frankly we don't want to see the same movie twice as it were. The runway's a little bit shorter than normal for that very reason, that we want to make sure this is a go this time. So I'll be stunned, absolutely stunned if it does not happen.

I mean, it's the sustained -- Judy or Tina may want to weigh in here. It's the sustained, not just improvement, but sustained levels of numbers that we are very comfortable with. A week, I'm looking at my chart, a week-plus -- well more than a week-plus of rate of transmission under one, spot positivity which is among the lowest in the nation, new hospitalizations that have been in the 30s each day. Again, we're not out of the woods, as we noted. People have continued to sadly lose their lives over this, but it's the sustained level of the numbers we care most about. Would you add anything to that or are you good? Tina, you're good with that? Okay, thank you. Catherine, how are you?

Catherine Carrera, Newsday Media Group: Okay, hi Governor.

Governor Phil Murphy: Hey.

Catherine Carrera, Newsday Media Group: Is it on? Hi, Senate President Steve Sweeney has signed on to a bill that would impose a tax on high frequency trades. This would potentially generate a lot of money. Is this something you'd consider?

Immigrant groups have been lobbying for weekly payments for undocumented immigrants as they don't qualify for unemployment, and were critical of you for not including this in your budget. Is this something you're ruling out for this budget cycle?

And then finally, Democrats in two different op-eds in The Record and then also Tom Moran in the Star-Ledger wrote that they are throwing cold water on your baby bond proposal, saying this is something the state cannot afford right now. How do you plan on changing their minds?

And then also I was curious, did you consult with Senator Booker before introducing this idea? Thanks.

Governor Phil Murphy: Sorry. Before I answer, Catherine, your questions, our Labor Commissioner would like me to say something. Mahen, thanks to you. FEMA asked, this is back to the \$300 application, FEMA asked for some clarifying info for our application, which is why we're not approved yet. It won't affect timing of eventual payments or the amount that we receive. And I think Rob highlighted when he was here last week that given the timing, it's likely to come in a lump sum with a retroactive makeup.

We've made this I think clear publicly; I certainly have made clear with the Senate President and Speaker privately. We take this notion of taxing or some sort of toll on the high frequency trading very seriously. It's something we're looking at with a great deal of interest. Having said that, it is almost overwhelmingly certainly, I'll let the lawyers correct me if I'm wrong, subject to an immediate matter of litigation and challenge, we would guess. So while we like the idea, we can't score something like that in a budget. But again, we've said privately to the leaders and I'll say it publicly, the notion of it is something that we like a lot.

Listen, we've kept the legal services piece in place. We've kept a lot in place for our immigrant brothers and sisters. This is a tough budget. I don't know how else to say it. So this is about the school year, anyone who's expecting a normal school year has not been paying attention, and I'd say the same thing about the budget. Are we open to trying to find money for those very needed and reasonable demands? Absolutely. I just can't promise it.

Listen, I'll tell you, the answer is yes on baby bonds, did we consult and speak with Senator Booker and his team? The answer is yes, without question. I just have to say I found whatever was written to be really two-dimensional. Would I like to have more money in this? Yes, sign me up. Just incorporate my answer about the immigrant communities requests. Yes, absolutely. Would we like to see more money into the baby bonds piece? Absolutely, and I hope we can, at some point, either now or in the future. So there's no question about

that. But the two-dimensionality which I just found was very flat is, they haven't spoken to folks who would be impacted by this. Our Head of Policy, who was an extraordinary colleague, Dr. Zakiya Smith Ellis, made the point compellingly for me, and that is the psychological barrier to go from nothing – or even worse yet, thinking you're born behind the eight ball or in a hole. And to have something there on day one -- forget for a minute how much it is on day one. And again, I'm all in for that being bigger as opposed to smaller. But the psychological impact of having something in a community, in a family in a community of color has huge value.

I think that's where -- I didn't read the pieces, but from what I'm told, it's sort of, it was like a math exercise. This is way more than math. This is saying, you know what? It's not just the math, it's a symbol, "We're there for you. We're going to have your back. We're going to be on your side." Real quick. It has to be real quick.

Catherine Carrera, Newsday Media Group: Sorry. On that note, would you consider maybe lowering the threshold? I know you were looking at like \$131,000 for the income level. I mean --

Governor Phil Murphy: Yeah, so we're going to leave it where it is for now. But again, it's not just the math and it's not just the amount, it's the statement that that makes. Thank you. Sir, do you have any behind you? You good? Okay. Do you have something? You're good. My God. I'll never forget this moment. Elise? Nothing? Jesus. Mike, is that you? Do you have something?

Mike Catalini, Associated Press: Yeah, I've got a couple.

Governor Phil Murphy: You don't want to take on the heels of the prior two?

Mike Catalini, Associated Press: Thank you, Governor.

Governor Phil Murphy: I was trying. Thank you.

Mike Catalini, Associated Press: Thanks, Governor. Could you clarify, are we still in stage two or have we now moved to stage three with these recent reopenings? And in terms of the next percentage, if the numbers that you talked about -- the rate of transmission, positivity rate -- if they keep going in the right direction, would you go then from 25% to 50% capacity for indoor dining, for example?

And then finally on the election, I wonder if you could just weigh in on the uncertainty that's surrounding what could happen given the President's campaign's lawsuit, trying to enjoin the vote-by-mail election? What do you tell voters who are concerned about, you know, are they going to be voting in person? At the very least they'll be able to vote by mail, of course, because of the laws you signed on Friday, but what do you say about people who are just worried about their votes and whether they can vote in person, and the uncertainties surrounding the election? Thank you.

Governor Phil Murphy: Michael, we haven't had the chart up in a while. It's a good reminder that, Mahen, we probably should, so thank you for raising it. I believe this puts us into stage three, by memory. Is that right, Parimal, or not?

Deputy Chief Counsel Parimal Garg: So we've allowed a number of stage three activities. The only thing I would say is that there are certain guidance documents that change as we move from stage two to stage three, so when we make a formal declaration of stage three, that'll trigger some other consequences, which we haven't done yet.

Governor Phil Murphy: So watch that space and I appreciate you're raising it. Would we consider, if the metric stay with us, going to a larger capacity in indoor dining? Absolutely. That would be our hope, but we can't predict that. We have to see how this impacts all the stuff that we look at, but that's the hope, absolutely. You hope someday we're going to get back to normal, folks, and we will. I just can't tell you exactly when. Perhaps Judy can, but I cannot.

Listen, we feel very strongly about our position on the proposed hybrid model for elections this November. I won't comment on any legal matter or any suit, but voters should have supreme confidence that this is a model that will do everything that folks should want; to make sure their voice is heard, their vote is counted, regardless of which side it is on, and that they have complete certainty and confidence that both of those things will happen.

And again, I remind folks, everyone's going to get a ballot. You've got several choices at that point. Number one, you could fill it out and return it in the mail. We'll continue to work aggressively with the US Postal Service to make sure that that gets through the system and is safely in the hands of the folks who will count it. And we've extended, remember, both for the primary in July and again for November, we've extended the amount of days after the Election Day to seven days in order to get that ballot received and counted.

Option two, take the ballot, fill it out, find a secure dropbox somewhere in your county. We've committed, I think, to 285 of these at a minimum in the state and drop the ballot in there.

Option three, fill the ballot out, show up on Election Day. Again, we're asking each county to have at least 50% capacity, in each municipality, with at least one polling location. Show up on Election Day with your filled out ballot, hand it to a poll worker.

Option number four is don't do any of those first three. Show up at your polling place and vote on a paper ballot.

Those are four viable, completely safe options for folks to take. Notice I didn't take option five which is don't vote. That's unacceptable. Everything else is full bore and acceptable. Matt, do you want to add any of that?

Chief Counsel Matt Platkin: I echo everything the Governor said. Just one point I would add, the Legislature last week passed a bill and the Governor signed into law on Friday a law that codifies the Executive Order, laying out all the steps he did, so they're now actually state law. So with respect to our confidence in how the election will be handled, we fully expect it to be handled in the way that the Governor just described, which is now a matter of state law.

Governor Phil Murphy: Thank you, Mike. Let's hit Nikita and then Dave, you'll take us home. Thank you.

Nikita Biryukov, New Jersey Globe: Hi, Governor. So I wanted to ask about the gas tax. So first, when were you told that the State Treasurer would announced an increase to the gas tax? Were you aware of it when you delivered your budget address on Tuesday? If so, why did the administration wait until Friday to announce it? And if not, then why didn't you know?

Are there any other taxes, utility rates, tolls or transit fares that are also set to go up?

And then separately, has your administration provided any guidance to local government and nonprofit organizations on September 11th Remembrance Ceremonies? Do you recommend that they be canceled or held remotely at this point?

And for the Colonel, if large groups do assemble to mark the anniversary of 9/11, how will that be enforced from a compliance state of view?

Governor Phil Murphy: The gas tax is something that comes out of a formula established in 2016 under Governor Christie, and it's very explicit. It's the State Treasurer's responsibility to calculate that formula and by a certain date, put the answer out there. I have nothing to do with it. Frankly, the Treasurer just does the calculations and I believe we announced this on Friday and I knew it sometime maybe a day or two before, I can't actually recall. But it has nothing to do with the budget. It's not in my control. I have literally nothing to do with it.

Am I open-minded at some point down the road to reassessing how it's calculated? As long as we can keep the Transportation Trust Fund viable – and again, the prior administration had allowed it to virtually go bankrupt – the answer is I'm open to viable ways to keep that fully solvent, but also un-leaven the burden on our residents. I know of no – I'm not sitting on any tolls or taxes, to the best of my knowledge, that we've not addressed. And again, the gas tax is not us.

Pat, you should weigh in here. We would hope and expect that folks would, with responsibility, commemorate 9/11. I will, I'll be in New York City in the morning and I'm not sure what the rest of the day looks like, but without question that's something that we strongly support. We lost 704 residents of the state on that one day and we'll never forget that. This is the 19th anniversary and I would say absolutely commemorate it, but – and the big but is – do it responsibly and do it with the stuff that you've been hearing from us for five-and-a-

half months: social distancing, face coverings, adhering to whatever limits there are on gatherings, strong preference to do it outdoors, as is the case in New York City and as is the case in most municipalities around the state over the past 19 years. Pat, anything you want to add to that?

State Police Superintendent Col. Patrick Callahan: You hit all the points, Gov. Thank you.

Governor Phil Murphy: Thank you for asking that. Dave we'll go home with you.

Dave Schatz, New Brunswick Today: Hi, Governor. First question for you and for Colonel Pat Callahan on this crazy driving stuff with the uptick in pursuits. Do we have any hard numbers on the pursuits? Do we have any idea specifically, what's going on here? I mean, why are these pursuits increasing like this? And is there any plan? Can the State Police try to do anything to try to stop the spike in these pursuits, especially, much less all the crazy driving and accidents and so forth?

Governor, we got the gyms opening, I believe it's tomorrow, the indoor dining on Friday, schools are about to reopen – some of them, anyway. If there's a spike in two weeks with COVID-19, how are we going to know what the cause is? I know contact tracing is set up to try to handle this but we've got problems with this because, as we know, more than half the people being contacted won't even take the damn call.

And finally here, some school superintendents now say that the start of the school year being all virtual as an option has actually caused them more problems than before, especially now with teachers and school support staff checking out and not wanting to go in at all. Could you review for us, briefly, you know, your sense of this, your take on this? And do you think that giving schools the all-virtual option has perhaps backfired a bit? Thank you.

Governor Phil Murphy: Pat, you should comment on numbers. I think you said it. My guess is that if we looked at this nationally, we're not going to be an outlier on this. I think it's a combination of what you suggested earlier: lighter traffic, folks being pent up, human nature, stress, whatever it might be, that all sort of coming together in a cocktail, but any comments on causes as well as any numbers?

State Police Superintendent Col. Patrick Callahan: Just on year-to-date, David, 102 in 2019; YTD as of today 2020, 153. We're on track to have 260 pursuits. It was 160 back in 2006, so 100 more. And I think as we both discussed, I think all of those factors are just contributing to them. Getting out of a traffic summonses is no need to put everybody's life at risk, including the driver of the car, other motorists, and certainly the law enforcement. So it's just not a good idea, simply put.

Governor Phil Murphy: You know, we do everything we can to space these things out, and this is a little tighter than our normal set of steps that we've taken but the numbers merit it and we don't want to artificially – going to school is not optional. I'll come to that in a second. That's not a question of whether you go to school. You've got to go to school. The question is, how are you going to go to school? But we felt – and I don't want to speak for Judy and Tina and team – but they felt that both with gyms and indoor dining, we were at the point we could safely take these steps.

Your question is a good opportunity for us to remind folks to take the damn call if you get called by a contact tracer. And again, indoor, on top of each other, no face covering gatherings are off, whether you're in a home or wherever you may be. And that's the thing, above all else, we've got to avoid. We've got to avoid that.

And no, let's just repeat the way we've thought about the schools. Again, we came out with 105 pages of guidance in June and we promised we continue to listen and learn and if we learn more, we would clarify or add to that guidance. And so just to review, we were able to find the money to address the digital divide. I think Judy and Tina and colleagues concluded that it wasn't enough to recommend kids wear face coverings, they felt pretty strongly with the passage of time, particularly as our numbers started to get a little bit weak, that that should be mandated.

That first, we gave families the option to keep their child home and do a specific to their child virtual. But we also had enough evidence, you know, as of a few weeks ago, that there were legitimate reasons why certain districts couldn't be open for business next Tuesday, overwhelmingly safety related. And so allowing that option is something that we felt was the responsible, right thing to do and we continue to. But we are also equally committed and never have wavered off of this, to in-person instruction in some form, at some date

that you all think is a reasonable, acceptable date. And again, our principles are safety most importantly, high quality education, equity. Remember, not every family has the same shot. And then wrapped around that as flexibility.

We're almost there. I know there are still some districts where things are moving around. There's a lot of passion on all sides of this, which is completely understandable, and let's see how this opens up and how it goes. I'm looking forward, I hope, I was talking to the team earlier. I'm trying to arrange to visit a school or two myself, just to see what it's going to look like with my own eyes. I think, Judy, you were thinking of the same and that's something.

We're all, again, I'll leave you with this. Anybody who's expecting a normal school year is not paying attention. This is just going to be not normal and we all have to sort of accept that. And again, keep in mind safety, high quality education, equity, and then a dose of flexibility wrapped around all that.

So with that, quick swig, I'll mask up. Thank you all. Judy and Tina, thank you, as always. Pat, likewise. Matt, Parimal. We lost Jared. Mahen, thank you again. Tomorrow virtual, Wednesday 1:00 p.m. unless we hear otherwise.

A lot of very specific, tangible news today. I think you're going to post your guidance by the end of the day on indoor dining and movie theaters, and so look for that, and it's fairly dense so forgive us in advance for that. It's like the gyms, it's fairly dense, but this is something we really don't have any choice with.

Folks, just keep doing what you've been doing. Let's end the summer not only enjoying it, but responsibly, as you've done all summer long, and then let's get back to gyms tomorrow, some amount of indoor dining on Friday, back to school next week.

Again, none of that may be totally completely like it was in the old days normal, but those are big steps that we're going to take together. Let's do it responsibly, let's do it safely. And let's do it with some amount of joy. Thanks, everybody, God bless.

Governor Phil Murphy

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