



**From:** NJLM - Municipal Clerks [mailto:njlm-clerks@cityconnections.com]  
**Sent:** Tuesday, April 28, 2009 3:12 PM  
**To:** Lashway, Lisa  
**Subject:** From NJLM 2 more mayors letters

## LEAGUE ALERT

Municipal Clerk: Please forward to Mayor and Governing Body.

April 28, 2009-2

**Re: I** Census 2010 Dorms and Residence Halls

**Re: II** NJDEP Beach Access Regulations Will Not Become Law

Dear Mayor:

In the 2000 Census, approximately 2 million students were counted in dormitories and residence halls during Group Quarters Enumeration. The Census Bureau will again count students living in these facilities in the 2010 Census. College dormitories and residence halls are considered Group Quarters, and will be enumerated during Group Quarters Enumeration, between April 1- May 15, 2010.

These facilities, and other potential Group Quarters, are now being visited during Address Canvassing. During Address Canvassing the Census Bureau verifies the address, takes a GPS reading, and classifies the facilities as Other Living Quarters. All addresses classified as Other Living Quarters become the universe for the Group Quarters Validation operation.

During the fall of 2009, the Census Bureau will conduct the Group Quarters Validation operation where we will collect information about each Group Quarters (contact person, name of facility, maximum number of persons that stay or live at the Group Quarters, etc). Prior to Group Quarters Enumeration, Local Census Offices will conduct a Group Quarters Advance Visit at each dormitory and residence hall to make final arrangements for the enumeration operation. This includes collecting an ideal date and time for enumeration, setting an appointment date, and ensuring access to the facility.

Dormitories will be counted through the use of Individual Census Reports provided to students to fill out and return. Census takers coordinate with the Residential Assistants and Housing Staff to distribute and collect the Individual Census Reports.

The same procedures detailed above apply to fraternity and sorority houses.

The Census Bureau has the authority to request administrative record data from the school for those students who do not return their Individual Census Reports. If administrative record information is needed, the Census Bureau will provide information to the school/dorm contact on our authority to get

those data. Census enumeration procedures are in compliance with the Family Education Rights & Privacy Act (FERPA).

Students who live off-campus in regular housing, such as those who rent apartments or rooms in local residents' homes, will be counted through the regular housing unit operation.

Very truly yours,

William G. Dressel, Jr.  
Executive Director

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**Re: II NJDEP Beach Access Regulations Will Not Become Law**

Dear Mayor:

The New Jersey Supreme Court issued an order on Thursday, April 23rd, deciding not to consider an appeal filed by the New Jersey Department of Environmental Protection (NJDEP) regarding its policies on public access to beaches and bay fronts in the State. The ruling by the court means that the Borough of Avalon, under the leadership of Mayor Martin Pagliughi and the Borough Council, has successfully defeated the NJDEP on this issue, and the regulations that the Department tried to impose on coastal towns in New Jersey will not become law.

On November 19, 2008, the Appellate Division of the New Jersey Superior Court invalidated new public access rules that the NJDEP had adopted by regulation and included in a new version of the State Aid Agreement, which shore communities must sign in order to get beach replenishment funding. The regulations mandated 24 hour a day, seven day a week access to beaches, bay fronts, and marinas. The proposed regulations also mandated that shore communities provide parking spaces and public bathrooms near the beach but did not indicate how many parking spaces would be needed, nor did they provide any plan for local towns to accomplish these goals.

In the NJDEP's petition for certification to the New Jersey Supreme Court, it argued that "...The Appellate Division's decision improperly limits the department's ability to ensure meaningful public access for all publicly-funded shore protection projects, including reasonable provisions for amenities which are essential to providing such access".

Avalon argued that the public access issues were flawed because they would permit beach access even during coastal storms and other events that threaten public safety. Avalon, and other coastal communities, would have needed to secure permission from the NJDEP before they could legally close beaches during weekends and overnight hours when storm conditions or other hazards are present.

If you have any concerns or questions about this communication, please contact Deborah M. Kole, Staff Attorney, at the League, ex. 137, or at [dkole@njslom.com](mailto:dkole@njslom.com)

Very truly yours,

William G. Dressel, Jr.  
Executive Director

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