

Port Authority to look into takeover of Atlantic City airport, extending PATH service. Page 34

Unemployment rate climbs to 9.9% in August

Christie team trumpets separate survey showing 50,000 new jobs in past year

By Jarrett Renshaw
STATEHOUSE BUREAU

In a mixed bag of economic news that was challenged by the Christie administration, New Jersey's unemployment rate inched closer to 10 percent even as it added 5,300 jobs in August, according to figures released yesterday by the state Labor Department.

The unemployment rate rose to 9.9 percent last month, up slightly from 9.8 percent in July and nearly

two percentage points higher than the national average of 8.1 percent.

The state's unemployment rate has been climbing since January, when Gov. Chris Christie began boasting of a "Jersey comeback," and is at its highest level in three decades. Only California, Nevada and Rhode Island have rates above 10 percent.

But Charles Steindel, the chief economist for the Department of Treasury, questioned the new unemployment

figures and said they were at odds with signs of economic recovery seen across the state.

He said the household employment survey used by the federal Bureau of Labor Statistics to determine unemployment is less reliable than a payroll survey of employers, which showed a gain of 50,000 jobs in the past year, compared with a loss of 47,000 in the household survey.

"These are two totally divergent

figures, the latter of which simply does not match other metrics of growth in the state," Kevin Roberts, a spokesman for the governor, said in a news release.

Democrats quickly pounced on the new unemployment figures.

"Clearly, the numbers indicate that New Jersey's economy is headed in the wrong direction and that this administration's policies have failed," said state Sen. Paul Sarlo (D-Bergen), chairman of the Senate Budget Committee. Or as Senate President Stephen

Sweeney put it: "This feels like Groundhog Day. Every month we hear the same bad news, followed by the same inevitable spin."

Roberts said Sarlo and other critics were cherry-picking figures for political gain and ignoring the broader, encouraging trends.

He said the state has seen job growth in 10 of the past 12 months, adding 86,200 private-sector jobs since February 2010 and filling more than one in three jobs lost in private

SEE **JOBS**, PAGE 14

AN ATTEMPT TO CAN WORLDWIDE HUNGER



Kimberly Pierson, above, and Jeffrey Hassert, right, members of the "Canstruction Crew" from NK Architects in Morristown, put the finishing touches yesterday on the character Bill from "Schoolhouse Rock," their entry in the Canstruction competition at the Livingston Mall.

Submissions for this year's theme, "Back to School," are expected to be judged today. The charity Canstruction showcases the state's best and brightest designers in its effort to end hunger, with the idea that one can is a catalyst for change around the world.

Each month in New Jersey, more than 500,000 people access hunger-relief programs supported by the Community FoodBank of New Jersey.



PHOTOS BY TONY KURDZUK/THE STAR-LEDGER

Vaccine bill would make it tougher to opt out

Move aims to tighten religious exemptions

By Matt Friedman
STATEHOUSE BUREAU

With cases of whooping cough surging and a growing number of parents claiming a religious exemption from vaccinations for their children, a Senate panel yesterday approved a measure making the shots much harder to avoid.

"I think the religious exemption was being misused," state Sen. Loretta Weinberg (D-Bergen), a sponsor of the bill, said. "And we have statistics of a growing number of non-immunized children. We're starting to see some outbreaks like whooping cough."

Weinberg said, "People who have true religious beliefs should be protected, and others who are misusing it should not."

The Senate Health Committee voted 6-2 to send the bill (S1759) to the full Senate. The panel approved the same bill last year, but the full Senate never voted on it. A similar bill has been introduced in the Assembly, though it has not yet had a hearing.

The legislation would require parents to submit documentation to the school explaining how the vaccination would conflict with the "bona fide religious tenets or practices of the student" and include a signed and notarized letter explaining how the religious conviction would conflict with the vaccination.

In addition, the bill would state that the religious belief was held consistently, did not apply only to vaccinations and that the parent understood the risks of avoiding the shot.

Parents would also have to submit a signed statement from a doctor confirming the parents were counseled on the risks.

In the event of an emergency, the state health commissioner would be able to suspend the exemption.

"In reading the mandates, I could not help thinking it was like the inquisition. The parents must write a treatise on their beliefs. Then they must get it notarized," said Deborah Huber, legislative vice president for the National Organization for Women of New Jersey, which she said has taken a "vaccine choice" position similar to their pro-choice stance on abortion.

The number of parents claiming a religious exemption has increased sharply in recent years. In the 2005-06 school year, 0.3 percent of preschool through high school students claimed the religious exemption; last school year, 1.3 percent did.

"Unless there's been some radical increase in religious people in this state, there must be some other

SEE **VACCINES**, PAGE 14

Family: Slain woman was stalked at assisted-living center

Wrongful death suit against facility says fellow resident had history of assaults

By Ben Horowitz
STAR-LEDGER STAFF

In 2010, Alzheimer's patient Rita Ellinger was being stalked by a man with a history of violence who was a fellow resident at an assisted-living facility in Whippany, her niece said.

But when the 85-year-old Ellinger told staff members at Arden Courts about the problem, they "merely re-directed" her down a different part of the corridor to avoid the man, said

her niece, Luann Potere of Clifton.

The man wound up choking Ellinger and throwing her on the ground, Potere said, and she died of head injuries five days later.

Those allegations are at the heart of a lawsuit that Potere filed Wednesday in Superior Court in Camden against Arden Courts and its parent company, HCR ManorCare of Toledo, Ohio.

The civil suit accuses the defendants of causing Ellinger's wrongful

death and of numerous counts of negligence, including failing to provide a safe living environment, adequate medical care and protection from abuse.

"Ms. Potere and her entire family want to ensure that what happened to their aunt will not happen to others residing in assisted-living and long-term care facilities," said attorney Barry Sugarman.

According to the suit, the man had

assaulted at least two other Arden Courts residents before attacking Ellinger. He is not named as a defendant in the suit, and he does not currently face criminal charges.

Morris County Prosecutor Robert Bianchi yesterday said his office is investigating the death.

Responding to the lawsuit, HCR ManorCare issued a statement, referring to Ellinger as a man and saying, "Two years ago, an incident occurred between two residents at our Arden

SEE **LAWSUIT**, PAGE 14



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Lawsuit

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Courts center, a memory-care community. Our staff responded quickly to the incident and separated the residents. We learned that one of the residents passed away several days later. Our deepest sympathies go out to our resident and his family."

HCR also noted the lawsuit and patient confidentiality in declining "to comment specifically on their medical history."

Ellinger, who retired after working for nearly 30 years as a hostess at the Clinton Inn in Tenafly, lived in Little Ferry before moving to the nursing home in the Whippany section of Hanover, her family's attorneys said.

According to the lawsuit, Ellinger told staff at Arden Centers during the evening of Oct. 3, 2010, that she was being "stalked, followed, bothered and otherwise harassed" by the man.

But after she was told to walk down a different part of the corridor, the man "immediately continued" his stalking, the suit says.

The man caught Ellinger at the end of the hallway, blocked her from walking and then grabbed her around the neck, "choking and shaking her violently several times ... in plain sight" of staff, according to the suit.

He threw her to the ground and she hit her head on the floor, the suit says.

After finding the man standing over Ellinger, attempting to injure her further, the staff separated the two and took Ellinger back to her room, according to the lawsuit. The staff, the suit says, did not seek medical treatment for Ellinger right away.

At 3 a.m. the next day, Ellinger was seen in her room with "the left side of her face drooping and the left side of her body unresponsive," according to the suit. She told staffers that her head hurt and she was then taken to Morristown Medical Center.

Hospital staff determined Ellinger had a brain hemorrhage, and she died on Oct. 8, 2010, the suit says.

Ben Horowitz: (973) 539-7119 or bhorowitz@starledger.com

Rutgers board to vote on merger with UMDNJ

Final approval delayed so experts can study plan and analyze cost

By Kelly Heyboer
STAR-LEDGER STAFF

Rutgers University's two governing boards will vote in mid-November on whether to give their long-awaited final approval for the school's merger with the University of Medicine and Dentistry of New Jersey, school officials said yesterday.

Gov. Chris Christie signed the merger legislation, called the New Jersey Medical and Health Science Education Restructuring Act, last month. But it still needs the consent of the 11-member Rutgers Board of Governors and 59-member Rutgers Board of Trustees.

The restructuring gives Rutgers nearly all of UMDNJ, including two medical schools, a dental school, a nursing school and a school of public health.

Rowan University in Glassboro will take over UMDNJ's osteopathic medical school in Stratford. The changes are set

to take place July 1.

Rutgers will be giving its final approval until a team of consultants and campus officials pick apart the plan and analyze its cost.

"Nothing is a done deal until the board of governors and the board of trustees have actually approved it. It is our responsibility to get you all the information you need," Dudley Rivers, president of the Rutgers Board of Trustees, told trustees during a meeting in New Brunswick yesterday.

Several consulting firms and dozens of Rutgers and UMDNJ officials are working on the merger plan, which is scheduled to combine two of the state's most complex institutions with combined budgets of nearly \$3 billion.

During the frenzied negotiations earlier this year, the Rutgers trustees threatened to go to court to block the reorganization if they did not like terms

of the deal. Many trustees objected to an early version of the plan that would have given Rutgers-Camden to Rowan.

In the end, the plan to sever the Camden campus from the rest of Rutgers was dropped and university officials said they were mostly pleased with the final version of the legislation.

It remains unclear how much the Rutgers-UMDNJ merger will cost or exactly how it will be funded. It is also unclear how absorbing UMDNJ's debt will affect Rutgers' finances.

Rutgers' consultants are expected to present the university with a preliminary report on the financial impact of the merger next month, campus officials said. Early estimates said the initial costs could be \$40 million to \$50 million. But the long-term costs require more study.

Despite the unanswered

questions, Robert Barchi, Rutgers' new president, said he wants the university's governing boards to make a final decision by mid-November. The university needs to publicly commit to the restructuring plan soon so it can begin a national search to fill newly created positions in the legislation, including a new Rutgers chancellor to oversee the medical and health science schools.

"We can't have something that might happen," Barchi said. "They have to understand that this is the job, this is what we're going to do."

Rutgers officials said they also may go back to the state to ask for changes to the legislation or additional funding to cover the costs.

"We are going to identify these costs and have that discussion," said Bruce Fehn, Rutgers' senior vice president for finance and administration.

Kelly Heyboer: (973) 392-5929 or kheyboer@starledger.com

Vaccines

CONTINUED FROM PAGE 11

reason we're seeing this increase," said Drew Harris, a pediatrician who is chairman of the New Jersey Public Health Institute.

Harris said 17 states have laws similar to the one being proposed.

"Those states have significantly lower levels of religious and philosophical exemptions," he said. "In other words, more kids are vaccinated. I think that's a good thing."

Wayne Yankus, a pediatrician who is a medical adviser to the Ridgewood Board of Education, said skipping vaccines puts not only the one student at risk but can't get around them who can't get vaccines for medical reasons.

"A choice not to get a vaccine means that individual and those around him are more at risk for the diseases,"

Yankus said.

Noting the many international flights that arrive in New Jersey, Yankus said measles and other diseases virtually wiped out with vaccines here "are just a plane ride away."

Whooping cough, another disease that is easily preventable with a vaccination, is on the rise nationwide, with 514 confirmed cases so far this year as against 169 in 2010.

State Sen. Robert Singer (R-Ocean), one of two Republicans to vote against the measure, said although he supports vaccinations, the bill made it "too cumbersome" to claim a religious exemption.

"I am very concerned when we start to say 'prove religiously why you object to it,' religiously said. 'I will fight for the right for people to be able to say no.'"

Matt Friedman: (609) 989-0324 or mfriedman@starledger.com

Jobs

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industry in the recession.

Patrick O'Keefe, director of economic research at J.H. Cohn in Roseland, said although the state has added jobs, only about 400 more people are working now than a year ago. He said it was a sign many have stopped looking and are not accounted for in the unemployment rate.

"If those people were counted, the rate would be 10.3 percent," O'Keefe said.

In 2009, when then-Gov. Jon Corzine made a similar argument, Christie — the Republican gubernatorial candidate at the time — dismissed the Democrat's explanation.

"Look, unemployment is up again this month," Christie told The Star-Ledger at the time. "I don't know how when unemployment continues to go up that you can say that's a success. That shows the low standards the governor has set for economic success in the state."

In addition to the August figures, the Bureau of Labor

THE HITS KEEP COMING

Gov. Chris Christie has been hit with a series of bad reports about the economy and his state budget over the past two weeks. A rundown:

BAD FINISH TO THE LAST BUDGET: Revenues in the state budget year that ended in June were off by \$253 million, putting more pressure on the current fiscal plan, David Rosen, the Legislature's budget officer, said. Christie blasted Rosen, but his administration informed Wall Street in bond offerings that a shortfall could produce a "significant" reduction in the projected surplus.

WALL STREET WORRIES: There were worrisome news from Wall Street ratings houses, all citing New Jersey's slow economic recovery and lagging state budget revenue. Standard & Poor's gave the state a "negative" outlook, though stopped short of downgrading the state's credit rating. Moody's warned the state's recovery could lag the nation's. Fitch took issue with Christie's revenue predictions.

Administration officials stressed that none of the ratings agencies had downgraded the state.

BAD START TO THIS BUDGET: State tax collections for the first two months of the budget year are nearly 5 percent less than what Christie predicted, and are down 0.3 percent from what was taken in during July and August 2011. The administration points out that August revenue set a record and business taxes are up.

UNEMPLOYMENT UP: New Jersey's unemployment rate rose to a 9.9 percent, a 30-year high, in August, and nearly two points higher than the national rate. The state did add about 5,300 jobs, and administration officials stress job numbers have been up for 10 of the past 12 months.

Statistics revised its July job unemployment numbers, showing the state lost 40 percent fewer jobs than initially reported, though the 9.8 percent unemployment rate remained unchanged.

The federal government originally reported the state lost 12,000 jobs in July, revising that to 7,300.

"As was the case for March, the initial report of a very

marked drop in jobs in July proved to be overstated," Steindel said in a news release, "and after the one-month interruption, job growth in New Jersey in August returned to the steady positive pace of the last year."

The largest employment gains for August took place in professional and business services, which added 6,100 jobs. They were supplemented by

growth in trade, transportation and utilities, which added 2,900 positions.

Manufacturing jobs suffered the most in July, losing 2,700 jobs.

"Overall, New Jersey's job market turned in a sub-par month," O'Keefe said.

He said indicators showed a historically bad employment climate, with less than 60 percent of eligible residents with a job, the lowest rate since 1983.

The job figures came in the wake of other disappointing economic news for the administration. On Tuesday, Standard & Poor's, a major rating agency, lowered the state's credit outlook from stable to negative and warned of a further downgrade if Christie's revenue projections failed to materialize.

"Right now there are red flags and we need to be cautious," Joel Naroff, of Naroff Economic Advisors, said. "But it's still early in the fiscal year and there is plenty of time to make this up."

Jarrett Renshaw: (609) 989-0379 or jrenshaw@starledger.com

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