

NEW JERSEY ASSOCIATION OF COUNTIES
County Government with a Unified Voice

RICHARD D. GARDNER
NJAC President
Warren County Freeholder

JOHN G. DONNADIO
Executive Director

BOARD OF DIRECTORS MEETING MINUTES
Friday - March 16, 2012
State House Annex - Committee Room 4
Trenton, New Jersey 08608

The meeting was called to order by NJAC President and Warren County Freeholder Richard D. Gardner at 10:12 a.m.

After saluting the American flag, John G. Donnadio, NJAC Executive Director, called roll and a quorum was present.

Members in Attendance:

Richard Gardner, *Warren County Freeholder Deputy Director*
Jeffrey Dublin, *Hudson County Freeholder*
Angel Estrada, *Union County Freeholder*
John G. Donnadio, *NJAC Executive Director*
Ed Trawinski, *Bergen County Administrator*
Gerald M. Thornton, *Cape May County Freeholder Director*
M. Susan Sheppard, *Cape May County Freeholder*
Sam Fiocchi, Sr., *Cumberland County Freeholder*
Abe Antun, *Hudson County Administrator*
Blanquita Valenti, *Middlesex County Freeholder*
John Bonanni, *Morris County Administrator*
Anthony DeNova, *Passaic County Administrator*
Richard Zeoli, *Sussex County Freeholder Director*
John Eskilson, *Sussex County Administrator*
Frank Bruno, *Somerset County Surrogate*
John Armeno, *Executive Director of the NJ Sheriff's Association*
Elaine Flynn, *Middlesex County Clerk*
Joseph Hannon, Esq., *Associate of Genova, Burns & Giantomasi and NJAC Labor Counsel*
Michael O'Connell, Esq., *Associate of Pringle, Quinn & Anzano, PC and NJAC General Counsel*
Michael Barrett, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*
Loren Wizman, *NJAC Director of Business Development*
Kimberly Nolan, *NJAC Office Manager*

Absent:

Atlantic County
Burlington County
Camden County
Essex County
Gloucester County
Hunterdon County
Mercer County
Monmouth County
Ocean County
Salem County
County Executive

Also in attendance:

Marc Pfeiffer, *Deputy Director for the NJ Division of Local Gov't Affairs*
Colleen Burns, *Vice President of Premier Healthcare Resources*
Michael Fischette, *Corporate Principal of Concord Engineering*
Vicki Malloy-Schiavo, *VP of Energy Service of Concord Engineering*
Wendy Molner, *Director of Gov't Affairs of Concord Engineering*
Bill Silvain, *VP of Procurement Operations of Concord Engineering*
Mark Kataryniak, *Sr. VP of French & Parrello Associates, PA*
Mike Egenton, *SVP of Gov't Relations of NJ Chamber of Commerce*
Dan DiPaolo, *KS Engineers*
Mark Dougherty, *Business Development Manager of Energy Systems*

The minutes of the January 24, 2012 Board Meeting were approved on a Passaic/Middlesex County motion while Cumberland County abstained.

Official Reports:

1. **Secretary/Treasurer's Report** - NJAC Secretary-Treasurer and Union County Freeholder Angel Estrada asked John Donnadio, NJAC Executive Director, to present the financial reports of NJAC and NJAC Benefits to the board members. On a Passaic County motion, seconded by County Clerk, and carried by voice vote, the financial reports were unanimously approved.
2. **President's Report** - NJAC President Gardner and Mr. Donnadio asked Mr. Pfeiffer to approach the Executive Committee and thanked him for his 35 years of service and commitment to New Jersey and county government. Mr. Pfeiffer was presented with a plaque in recognition of his service, dedication and support.

NJAC President Gardner asked for motions on the following resolutions:

- a. Resolution - 2012 Standing Committees - On a Union County motion, seconded by Sussex County, and carried by voice vote, the 2012 Standing Committees Resolution was unanimously approved.
- b. Resolution - National County Government Month of April 2012 - On a Cape May County motion, seconded by Morris County, and carried by voice vote, the National County Government Month of April 2012 was unanimously approved.

The board members were asked to refer to the NJAC By-Laws and its amendments. The following amendments and motions were made:

- a. Page 8, Section 14. - *Quorum: Thirteen (13) Voting Board Members present in person shall constitute a quorum at all meetings of the Board of Directors.* On a Sussex County motion, seconded by Passaic County, carried by voice vote and then a roll call vote, the amendment was unanimously approved.
- b. Page 8, Section 15. - *Election of NACo 2nd Vice President: Unit Rule Provision. The President of NJAC, or other acting spokesperson as authorized in writing by the*

President, shall cast the total sum of New Jersey's eligible votes for the NACo 2nd President candidate who receives the support of a simple majority of the votes cast.... On a Middlesex County motion, seconded by Cape May County, carried by voice vote and then a roll call vote, the amendment was unanimously approved.

- c. Page 9, Section 1. – *Election and Vacancies: A county administrator or county manager serving as a Voting Board Member shall not be eligible to serve as an Officer of the Association. On a Passaic County motion, seconded by Sussex County, carried by voice vote and then a roll call vote, the aforementioned was deleted from the By-Laws and the amendment was unanimously approved.*
 - d. Page 9, Section 2., paragraph 2 – *President:The President, or Executive Director as authorized in writing by the Board of Directors, shall sign contracts and agreements wherein this Association is a party and perform all other duties usual and incident to this office. On a Middlesex County motion, seconded by County Surrogate, carried by voice vote and then a roll call vote, the amendment was unanimously approved.*
 - e. Page 10, Section 3. – *Vice Presidents:in the event of the absence of the President or of his or her disability, or refusal or failure to act, provided that the Vice President called to act notifies the Board of Directors in writing that the President is unavailable and that he or she is acting on the President's behalf. The Vice President shall perform such other duties as are properly assigned to them by the Board of Directors. On a Cape May County motion, seconded by Sussex County, carried by voice vote and then a roll call vote, the amendment was unanimously approved.*
 - f. Page 12, Section 2., paragraph 5 – *Standing Committees:Personnel – shall review and evaluate staff performance and shall deal with all personnel matters, including, but not limited to, staff salary determinations which shall be recommended by the Committee to the Board of Directors. The Board of Directors shall approve all personnel matters and actions. On a Cape May County motion, seconded by Hudson County, carried by voice vote and then a roll call vote, the amendment was unanimously approved.*
3. **Executive Director's Report** – NJAC Executive Director John G. Donnadio apprised board members on the 62nd Annual Conference. Associations of County Planners, Finance Officers, Adjusters, Administrators, and Purchasing Officials plan on holding their meetings at the NJAC Conference in Atlantic City June 5th-7th.

New events at this year's conference are County Vocational-Technical Schools Cook-Off Challenge and a County Executive Forum. There will also be a Legislative Forum, NJAC Board Meeting and the seminars promise to be informative and fun. CEU and CLE credits are being offered for some courses and approval is still pending.

The contract with Bally's of Atlantic City was negotiated resulting in a cost savings of approximately \$15,000. The room rates are discounted by 20% from previous years.

Rutgers University and NJAC have partnered together to offer 3 courses in the future. There will be a certificate program for administrators, one day program for new freeholders, and another for all county officials for which CEU's can be obtained.

Cape May County Freeholder Director Thornton stated the location would be a concern. Mr. Donnadio informed members that the partnership is still in the early stages and details such as location are still being fine tuned.

Interviews took place for the open position of the NJAC Legislative Director. A decision about the new hire will be made within the next week so that he/she can begin by the first or second week of April.

4. **Legislative Committee Report** – Hudson County Freeholder Jeffrey Dublin informed all Board members that a copy of the Legislative Update was enclosed in the provided packets and turned this portion of the meeting over to Mr. Donnadio.

The first legislation Mr. Donnadio discussed was S-1451, which pertains to revising the law concerning of public bodies to provide the public with greater access to meetings and to information about such meetings; and, **SENATE, NO. 1452** (*Weinberg D-37*) would make certain access changes to the Open Public Records Act. NJAC, the Constitutional Officers Association of New Jersey (COANJ), and the New Jersey State League of Municipalities (NJSLOM) formed a coalition to address our similar concerns with this package of bills. NJAC focused primarily on the legislation's fiscal impact over the day-to-day operations of county government.

Although NJAC certainly supports transparency and openness in local government, we're concerned with the fact that S-1451 does not contain an appropriation to address the costs associated with provided adequate notice and preparing accurate meeting minutes for subcommittee meetings, which the bill generally defines as any subordinate committee of a public body. As you know, freeholders typically serve on such subcommittees that meet on a regular and consistent basis throughout the course of the year, and of which may include committees for economic development, family services, public safety, etc.

Bergen County Administrator mentioned since the number of OPRA requests are excessive, Bergen County is considering hiring a part-time administrator in the court for a salary of \$35,000-\$40,000 to handle the OPRA requests.

Passaic County Administrator DeNova suggested a survey to be conducted comparing the number of requests from constituents to those from businesses.

Sussex County Freeholder Zeoli suggested NJAC having an OPRA Committee (Standing Committee), while Passaic County Administrator DeNova suggested NJAC having joint committees with the NJ State League of Municipalities.

NJAC's Legislative Affairs Committee recently reviewed **ASSEMBLY, NO. 2202** (*O'Donnell D-31/Cryan D-20*), which would permit the establishment of a county-wide

purchasing system by a county employing a qualified purchasing agent; and, would also require the participation by all school districts within the county.

Special thanks was given to Passaic County Administrator Anthony DeNova for taking the time out of his busy schedule to meet with Senator Kevin O'Toole on February 14th to discuss Medicaid reimbursement rates for county operated nursing homes. This meeting went very well; and, the Senator would like to continue discussions with NJAC following the Governor's budget address next week. Mr. DeNova also reached out to senators Paul Sarlo and Nellie Pou; and, NJAC plans to meet with them over the next several weeks to discuss this matter in more detail.

In addition to the possible solutions of a dedicated tax passed by voter referendum and legislation that would restore \$19.0 million in Medicaid funding for fiscal year 2012 for both publicly and privately owned nursing homes, Mr. DeNova suggested separating county operated nursing homes from the supplemental appropriation equation. As you know, county operated nursing homes serve a more vulnerable population than privately operated nursing ones; and, county governments face restrictive property tax cap levies that make owning a publicly operated nursing home more difficult than ever. With this in mind, NJAC supports this initiative as a form of property tax relief and as our strategy at this point is to advocate for any realistic solution that may help our counties continue providing a high standard of care to a vulnerable population. NJAC is also open to suggestions as time is of the essence and as more counties weigh selling their facilities in light of the devastating cuts.

Mr. Donnadio also mentioned S-1694, which would permit counties to share county tax administrators. NJAC requested the Senator to introduce the measure on our behalf as a means to eliminate an antiquated law that has become barrier to moving forward with a potential cost saving initiative.

NJAC has been advocating for legislation that would authorize local government employers to pay its employees by direct deposit at the governing body's discretion. County finance officers have been contacted for their input on whether each county would consider taking advantage of a new law that would allow the county to require its employees to receive pay by direct deposit; and if so, please estimate any potential cost savings. Current law N.J.S.A. 34:11-4.2 requires local government employers to pay its employees by check, while N.J.S.A. 34:11-4.2a authorizes public employees to consent to receiving wages through direct deposit. Assemblyman Ruben Ramos (*D-33*) is the sponsor of the bill in the General Assembly as **ASSEMBLY NO. 720** and is working with NJAC to have the Assembly State Government Committee consider that matter at one of its upcoming meetings following the budget break.

Other Business:

Middlesex County Clerk Elaine Flynn presented the board members with a resolution formed by the Constitutional Officers Association of New Jersey. This resolution urges the State of New Jersey to recognize the ongoing threat of The Mortgage Electronic Registration System, Inc. (MERS) to the integrity of the land recording system and undertake measures to reinstate procedures to insure an accountable process to protect land owners.

NJAC President Gardner suggested board members wear NJAC pins at the 62nd Annual Conference.

On a Bergen County motion, seconded by Middlesex County and carried by voice vote the meeting ended at 11:42a.m.

Respectfully submitted by:

A handwritten signature in black ink, appearing to read "Donnadio". The signature is written in a cursive style with a large, prominent initial letter.

John G. Donnadio
NJAC Executive Director