

**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 -September 28, 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 10:18a.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*  
M. Claire French, *Monmouth County Clerk*  
Angel G. 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*  
Samuel Fiocchi, *Cumberland County Freeholder*  
Carol Y. Clark, *Essex County Freeholder*  
Abe Antun, *Hudson County Administrator*  
Ann Cannon, *Mercer County Freeholder*  
Teri O'Connor, *Monmouth County Freeholder*  
John Bonanni, *Morris County Administrator*  
Anthony DeNova, *Passaic County Administrator*  
Peter S. Palmer, *Somerset County Freeholder Deputy Director*  
Richard Zeoli, *Sussex County Freeholder Director*  
John Eskilson, *Sussex County Administrator*  
Steve Marvin, *Warren County Administrator*  
Brian M. Hughes, *Mercer County Executive*  
Frank Bruno, *Somerset County Surrogate*  
Charles M. Miller, *Salem County Sheriff*  
John Armeno, *Executive Director of the NJ Sheriff's Association*  
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 F. Barrett, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*  
Richard E. Lane, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*  
Allen A. Weston, *NJAC Legislative Director*  
Loren Wizman, *NJAC Director of Business Development*  
Kimberly Nolan, *NJAC Office Manager*

**Absent:**

Atlantic County  
Burlington County  
Camden County  
Gloucester County  
Middlesex County  
Ocean County  
Salem County

**Also in attendance:**

Richard E. Constable III, *Commissioner of NJ Dept. Community Affairs*  
Robert Butvilla, *Suplee Clooney & Company*  
Edmund Grant, *Cape May County Director of Operations*  
Ken Mecouch, *Cumberland County Administrator*  
Kimberly Wood, *Cumberland County Deputy Administrator*  
Ronald Sworen, *Hunterdon County Freeholder*  
Mary Jo Buchanan, *Morris County Deputy Administrator*  
Lisa Defibaugh, *MHSA, CMP – Complete Healthcare Resources – Eastern, Inc.*  
Todd Wagner, *Complete Healthcare Resources – Eastern, Inc.*  
Brian Peters, *NovaCare Rehabilitation*  
Geoffrey Perselay, *President of Perselay Associates, Inc.*  
Al Pino, *Pino Consulting Group, Inc.*  
Joe Pino, *Pino Consulting Group, Inc.*  
Colleen Burns, *Premier Healthcare Resources*

The minutes of the April 27, 2012 Board Meeting were unanimously approved on a Bergen/Union County motion.

### **Guest Speaker**

The Honorable Richard E. Constable III, Commissioner of the New Jersey Department of Community Affairs, addressed members of the board and audience. Commissioner Constable informed the Board of the main focuses of the Department, which are keeping property taxes down, interest arbitration, cost savings of \$2.2 billion over the next 10 years through pension and health benefits reform, shared services, and dual levy caps.

### **Official Reports:**

1. **Secretary/Treasurer's Report** – NJAC Secretary-Treasurer and Union County Freeholder Angel Estrada informed the Board of the current financial status of the New Jersey Association of Counties. On a Hudson County motion, seconded by Monmouth County, and carried by voice vote, the financial report was unanimously approved. Freeholder Estrada then read the report of the NJAC Benefits, LLC and asked for a motion to approve. On a Bergen County motion, seconded by the County Clerk, and carried by voice vote, the financial report of the NJAC Benefits, LLC was unanimously approved.

**Robert Butvilla of Suplee, Clooney & Company** presented and explained to the Board the 2011 Audit for NJAC and NJAC Benefits, LLC. The accounting is in order and the organization is in good shape. It was suggested that the NJAC Benefits, LLC entity be dissolved by NJAC General Counsel. Mr. Butvilla advised the Board to monitor the Kistler-Tiffany Benefits (KTB) contract prior to dissolving the entity. The External Audit Reports Resolution was unanimously approved on a Warren/Passaic County motion.

2. **President's Report**– President Gardner presented Freeholder Deputy Director Peter S. Palmer with a resolution honoring him for his 50 years of public service and was congratulated by the Board and audience members.

Prior to providing members with an update for the 2013 NJAC Annual Conference, President Gardner requested feedback about the one just held this past June. Executive Trawinski found it to be informative and educational. Freeholder Zeoli enjoyed the

scale of the conference as it enabled him to meet all the vendors and NJAC Business Associate Members that participated. Both Freeholder Fiochchi and Freeholder Deputy Director Palmer agreed that it was great for exhibitors to have direct contact with county officials. Freeholder Cannon commended the students in the County Vocational-Technical Schools Cook-Off Challenge, found the County Executive Forum informative, and was thankful for the credit courses.

Mr. Donnadio apprised the members that the conference will be held at Caesar's in Atlantic City from May 8<sup>th</sup> through the 10<sup>th</sup> in 2013. The program will begin on Wednesday with a Meet & Greet Reception and end on Friday with the County Vocational-Technical Schools Cook-Off Challenge and President's Award Reception. Freeholder Estrada encouraged members to start speaking with businesses now so they may allot funding in their budgets for next year's conference.

3. **Executive Director's Report** - NJAC Executive Director John G. Donnadio informed the members that this year the Year End Summit will be Friday, December 7<sup>th</sup>, at the Trenton Country Club. American Petroleum Institute will be our sponsor for hosting the event at the Trenton Country Club. The important topic will be on Emergency Management & Preparedness. There will be two panel discussions. The first will consist of County & State government officials while the second panel will be of the New Jersey Board of Public Utilities and leading New Jersey utility companies. The Summit will follow an early morning NJAC Board of Directors' Meeting.

The Rutgers University Training & Certificate Program geared toward county administrators and other county officials will take place in New Brunswick on two separate dates - October 12<sup>th</sup> and 19<sup>th</sup>. Thus far, there are 28 individuals enrolled in this 12 hour certificate program.

A Nominating Committee Meeting must be held within the next month to review applications and select one applicant to serve on the Executive Committee for 2013. The Secretary-Treasurer position will be vacant and must be filled by a board member of the republican party.

On September 24<sup>th</sup>, the NJAC Foundation held its annual golf outing at the Mercer Oaks West Golf Club in West Windsor. Executive Hughes, Freeholder Estrada, and Freeholder Cannon were recognized for their participation and support. The NJAC Foundation donated \$8,000.00 to the National Guard State Family Readiness Council (NGSFRC). Len Mayersohn, Executive Director for NGSFRC, announced in his speech at Monday's reception that this is their biggest contribution of the year.

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.

On Monday, October 1, Senate Bill No. 998 will be addressed in legislation and NJAC will be opposing it. This bill prohibits certain individuals, businesses, or other organizations performing public contracts from making certain contributions.

Assembly Bill No. 3186, which would permit counties to charge a fee to fund infrastructure construction projects through voter approval. This bill is officially entitled the "County Self-Help Act." NJAC suggests the language of the bill to be changed. The bill amends the 1977 property tax cap levy law to exempt from a county's property tax cap levy calculation, any amount approved as an infrastructure construction fee. However, the bill does not appear to amend the 2010 property tax cap levy law; and it may need to as counties must use both formulas to determine its tax levy. NJAC recommends reviewing and comparing the capital construction cap exemption authorized by the 2010 property tax cap levy law to make sure that the provision is consistent with this legislation's proposed change to the 1977 law.

It is appreciated that the Utility Transportation and Construction Association (UTCA) is taking initiative to introduce a measure that will allow counties to proactively address critical infrastructure improvement needs through the use of a dedicated tax. We also appreciate the fact that UTCA is seeking our support as more often than not we are at odds with the organization on legislative matters. Additionally, NJAC is committed to advocating for legislation that provides counties with the opportunity to deliver essential services more effectively and facilitate the construction of much needed capital improvement projects. On the other hand, several counties have previously noted their general opposition to the use of local option taxes and recommend that NJAC instead focus its efforts on increasing State and federal aid. With this in mind, NJAC's Legislative Affairs Committee is encouraged to make both technical and substantive recommendations on the bill, while NJAC's Board of Directors must make a policy decision on whether it supports the use of county local option taxes as a means to address specified local and regional needs. A roll call was taken and the Board unanimously voted against this bill.

**Other Business:**

It is being considered that NJAC form an affiliation group in respect to County Nursing Homes. There is a meeting on October 18<sup>th</sup> with County Nursing Home Administrators and County Administrators. Pino Consulting Group, Inc. has been invited to this meeting. Freeholder Thornton thanked Mr. Donnadio for taking initiative with this matter of concern. Mr. Antun also commended Mr. Donnadio however he would also like NJAC to look into psychiatric hospitals operated by counties.

On a Cape May motion, seconded by Union County and carried by voice vote the meeting ended at 11:53 p.m.

Respectfully submitted by:

A handwritten signature in cursive script, appearing to read "Donnadio", written over a large, stylized initial letter "D".

John G. Donnadio  
NJAC Executive Director