

NEW JERSEY ASSOCIATION OF COUNTIES
County Government with a Unified Voice!

JEFFREY DUBLIN
NJAC President
Hudson County Freeholder

JOHN G. DONNADIO
Executive Director

BOARD OF DIRECTORS MEETING MINUTES
Friday, September 27, 2013
State House Annex - Committee Room 6
Trenton, New Jersey 08608

The meeting was called to order by NJAC President and Hudson County Freeholder Jeffrey Dublin at 10:08 a.m.

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

Members in Attendance:

Jeffrey Dublin, *Hudson County Freeholder*
M. Claire French, *Monmouth County Clerk*
Ann Cannon, *Mercer County Freeholder*
Richard Gardner, *Warren County Freeholder*
John G. Donnadio, *NJAC Executive Director*
Gerald M. Thornton, *Cape May County Freeholder Director*
E. Marie Hayes, *Cape May County Freeholder*
Ken Mecouch, *Cumberland County Administrator*
Carol Clark, *Essex County Freeholder*
Heather Simmons, *Gloucester County Freeholder*
Blanquita Valenti, *Middlesex County Freeholder Deputy Director*
Teri O'Connor, *Monmouth County Administrator*
John Bonanni, *Morris County Administrator*
Anthony DeNova, *Passaic County Administrator*
Peter Palmer, *Somerset County Freeholder Director*
John Eskilson, *Sussex County Administrator*
Vernell Wright, *Union County Freeholder*
Rob Garrison, *Improvement Authority of Bergen County – Executive Director*
John Armeno, *NJ Sheriff's Association Executive Director*

Absent

Atlantic County
Bergen County
Burlington County
Camden County
Hunterdon County
Ocean County
Salem County
County Executive
County Surrogate

Also in attendance:

Sarah Cureton, *NJ Historical Commission – Acting Executive Director*
Allison Kobus, *NJ Historical Commission – Chief of Marketing & External Communications*
Brett Pugach, Esq., *Associate of Genova, Burns, Giantomasi & Webster and NJAC Labor Counsel*
Michael O'Connell, Esq., *Associate of Pringle, Quinn & Anzano, PC and NJAC General Counsel*
Bob Butvilla, *Auditor of Suplee, Clooney & Company*
Michael Barrett, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*
Dick Lane, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*
Allen Weston, *NJAC Legislative Director*

Loren Wizman, NJAC Director of Business Development
 Kimberly Nolan, NJAC Office Manager
 Marge DellaVecchia, Camden County Deputy Administrator
 Kimberly Wood, Cumberland County Deputy Administrator
 Daniele Spence, Gloucester County Confidential Aide to Freeholder Simmons
 Jo Ann Povia, Mercer County Board of Chosen Freeholders' Director of Research & Special Projects
 Elaine Flynn, Middlesex County Clerk
 Ann Marie Howley, Monmouth County Consumer Affairs' Executive Director
 Mary Jo Buchanan, Morris County Deputy Administrator
 Caryn Gaetano, ACCSES NJ/CNA Services - Business Development Manager
 Gus Escher, AUS Energy, Inc. - Representative
 Mike Schiller, AXA Equitable - Financial Professional
 Alex Joice, AXA Equitable - Financial Professional
 Bruno Tirone, MRA International - President
 Bina Kumar, Nationwide Retirement Solutions – Managing Director
 Emanuel Mahand, Nationwide Retirement Solutions – Program Director
 Geoffrey Perselay, Perselay Associates, Inc. - President
 Ron Bird, Security Capital Advisors, LLC - Finance Director
 Bo Birkhead, T-Mobile US – Government Account Manager
 Jeff Mayer, Tradition Energy - Director

Guest Speakers

Ms. Cureton informed board and audience members that the New Jersey Historical Commission is celebrating the 350th anniversary of New Jersey in 2014; otherwise known as NJ350. New Jersey began in 1664 as a royal gift from Charles II of England to his brother James, Duke of York. James in turn gave this real estate to Sir George Carteret and John Lord Berkeley. New Jersey has played a pivotal role in the shaping of American life and culture.

Ms. Kobus stated that three themes have been designated to help frame New Jersey's 350th anniversary. Those themes are innovation, diversity, and liberty. New Jersey's innovations and innovators, like Thomas Edison's light bulb to Frank Sinatra, have had an impact on the nation and around the world. New Jersey has a diversity of people, places, products, and talents. The State of New Jersey played a pivotal role in the American Revolution, witnessing more significant military action than any other state in the new nation and establishing a tradition of distinguished military service that continues to this day. It's commitment to the cause of liberty was further demonstrated when it became the first state to ratify the Bill of Rights in 1789.

The NJ350 presents an opportunity for New Jersey communities to connect with their history, look to the future, and strengthen New Jersey's economic foundation. Ms. Cureton pointed out there are many ways to mark the celebration. Businesses, schools, community organizations, and nonprofits can engage in contests, concerts, exhibits, signage, parades, sporting events, ceremonies, and proclamations. A model proclamation or resolution is listed on their website, www.officialnj350.com. A brochure was given to every member.

Freeholder Director Thornton mentioned that Cape May County's Department of Tourism will promote NJ350 and participate. Freeholders Dublin and Clark agreed to address their freeholder boards about adopting a resolution.

Official Reports:

1. **Secretary/Treasurer's Report** - In the absence of Secretary/Treasurer Trawinski, 1st Vice President Cannon updated the board members with the financial report of NJAC. The board of directors unanimously approved the report by voice vote on a Middlesex County/County Clerk motion.

Robert Butvilla of **Suplee, Clooney & Company** presented the 2012 Audit for NJAC. The accounting is in order and the organization is in good shape. The report was unanimously approved by voice vote on a Mercer/Warren County motion.

2. **President's Report** - NJAC President Dublin asked for motions on the following:
 - a) Meeting Minutes - The minutes of the June 28, 2013 board meeting were unanimously approved by voice vote on a Gloucester/Warren County motion.
 - b) Nomination Committee - Somerset County Freeholder Director Palmer, Essex County Freeholder Clark, and Warren County Freeholder Gardner volunteered to serve on the committee. A meeting is scheduled to take place in late October or early November.
3. **Executive Director's Report** - NJAC's Executive Director John G. Donnadio updated the board members on the following:
 - a) Year End Summit - The Summit on the Affordable Care Act is scheduled for Friday, December 13th, at the Trenton Country Club. There will be two panel discussions moderated by Kevin McArdle of NJ 101.5 FM. Representatives from the State, federal, and county levels will participate on the first panel. Attorneys, brokers, and carriers will comprise the second panel. The keynote speaker for the luncheon is Jaime R. Torres, Region II Director of the US Department of Health & Human Services.
 - b) County Administrators' Training Program - The Program took place at Rutgers University - Center for Government Services - New Brunswick Campus on Friday, September 13th and Friday, September 20th. It was designed to enhance the operational and functional knowledge of county administrators and professional staff. This year's course offered two programs: The Basic Certificate Program covered public procurement, labor relations, county fiscal affairs and ethics. The Advanced Certificate Program covered DEP regulations, transportation funding, human services funding, and privatization challenges. The Division of Local Government Services of DCA approved continuing education credits for QPA, CCPO, CMFO, CCFO, and CWM recertification. Next year's courses will include the Basic Certificate Program and professional specific courses for purchasing officials, finance officers, and public works employees.
 - c) County Labor Contracts - During the summer season, NJAC's Legislative Director Weston collected data from the NJ Public Employment Relations Commission - Public Sector Contracts. Through the efforts of Mr. Weston and NJAC's Director of Business Development Loren Wizman, NJAC's website now contains 162 labor contracts from counties across the State.

- d) County Nursing Homes – On October 4th, County Nursing Homes of New Jersey (CNHNJ) will meet at the Geraldine L. Thompson Care Center in Monmouth County. Family group members are encouraged to attend this meeting to discuss their group’s structure, advocacy, challenges, and successes.
- e) NJAC Foundation Scholarships and Board Opportunity – Over the past three years, 175 county vocational-technical high school students have received approximately \$100,000.00 in scholarships through the NJAC Foundation and generosity of companies like Investors Bank, PSE&G, Wells Fargo, and Verizon.
- f) NJAC Goals and Objectives – NJAC’s Board of Directors unanimously supported the short-term legislative priorities summarized below with the purpose of helping county governments deliver essential services more effectively and efficiently while enhancing the level of service provided. County officials throughout the State made the recommendations subject to the following conditions: recommendations should be realistic and achievable within the two year legislative cycle; recommendations should be specific and tangible, so that we may accurately quantify any potential cost savings or other benefits; and, recommendations should benefit counties throughout the State and enjoy bi-partisan support.
1. Extending the expiration date under the interest arbitration reform law;
 2. Eliminating claimant certification on contracted goods valued under 15% of the bid threshold;
 3. Authorizing counties without mosquito control commissions to establish reserve funds for mosquito control activities;
 4. Authorizing counties to share county tax administrators; and
 5. Prohibiting commercial entities from using the Open Public Records Act (OPRA) for business purposes.

NJAC’s Board of Directors also supported the following long-term goals and objectives with the intent of providing solutions for long-standing issues that negatively impact county functions and operations. Although somewhat easier to identify, our long-term goals and objectives will prove more difficult to accomplish and are subject to the following criteria: recommendations should offer viable solutions for long-standing issues that negatively impact county functions and operations; and, recommendations should benefit counties throughout the State and enjoy bi-partisan support.

1. Increasing county aid allocations under the Transportation Trust Fund (TTF);
2. Mitigating the costs associated with the operation and maintenance of the county prosecutorial and judicial offices and facilities;
3. Eliminating the requirement that counties must perform two comprehensive cap calculations and use the more restrictive one;
4. Providing counties with their fair share of taxes collected from administering 9-1-1 dispatch services;
5. Providing county governing bodies with veto power over all county agencies, boards, commissions, and educational institutions;
6. Streamlining civil service laws, rules, and regulations to facilitate shared services; and,

7. Requiring the State to pay for time served by inmates at county correctional facilities.
4. **Legislative Committee Report** – NJAC 1st Vice President M. Claire French informed all board members that a copy of the most recent editions of the State House News were enclosed in their board packets and updated them on the following issues:
- a) State Health Benefits – Earlier this month, Governor Christie conditionally vetoed A-1273 (*Coughlin/O'Donnell*), which would require the State Health Benefits Program (SHBP) to provide certain information to participating public employers. The Conditional Veto would require joint insurance funds to provide the same information and in the same manner as the SHBP, all claims data to be provided in a manner consistent with the federal Health Insurance Portability and Accountability Act (HIPAA), and extend the timeframe for providing such data to 60 days. NJAC finds the Conditional Veto reasonable and plans to encourage the legislature to concur with the changes. Counties that currently participate in the SHBP have long objected to the fact that claims experience and loss report data are not made readily available by the SHBP. These counties currently include Atlantic, Camden, Gloucester, Hudson, Mercer, Ocean, Salem, Sussex, and Warren. Moreover, the SHBP forces counties to pay for this critical information typically provided at no charge and in a timely manner by private health insurance plans.
 - b) Projected Cost Estimates – Mr. Donnadio met with Assemblyman Louis D. Greenwald the week of September 23rd to discuss A-4147 (*Greenwald/Rible*), which would require certain contract bid advertisements to contain certified cost estimate ranges, specify the grounds for the rejection of all bids, and requires a 50% guaranty on bids. A-4147 would require a contracting unit to reject all bids for publicly stated bona fide reasons, which would include that the lowest bid substantially exceed the published and attested cost estimates or estimate ranges for the goods or services. This bill would increase the guarantee required by a person bidding on a contract for the erection, alteration, or repair of a public building, structure, facility or other improvement to real property, the total price of which exceeds \$100,000.00, in the amount of 50% of the bid, but not in excess of \$100,000.00. It also requires that the advertisement for bids for construction projects anticipated to cost in excess of \$500,000.00 shall include the contracting unit's or its purchasing agent's projected cost estimate ranges for the base bid contract and any specified alternate proposal, such estimate ranges having been attested to as reasonable by the individual or firm preparing the cost estimate ranges. The highest amount of a cost estimate range shall not be greater than five percent more than the lowest amount. The projected cost estimate ranges shall be attested no more than 30 days prior to the bid advertisement date. A-4147 is currently in the Assembly Housing and Local Government Committee awaiting consideration.
 - c) County Aid Allocations – On September 24th, Mr. Donnadio sent a letter to New Jersey Department of Transportation (DOT) Commissioner Jim Simpson and copied both NJAC Board of Directors and New Jersey State Association of County Engineers. The letter requested a meeting with Commissioner Simpson to discuss the distribution of County Aid pursuant to P.L. 2012 c.13, which revised the New Jersey Transportation Trust Fund Authority Act. This new law eliminated the

Federal Aid Urban System (FAUS) minimum allotment from the County Aid distribution formula and will cause substantial losses in funding for the State's most urban counties. Bergen, Camden, Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Passaic, and Union counties will lose over \$5.79 million per year in annual funding for much needed transportation infrastructure improvement projects. As a fair and equitable solution for all twenty-one counties, NJAC recommends a \$12.5 million increase in annual County Aid allocations through State fiscal year 2017. As an alternative, NJAC supports a \$5.79 million increase in annual County Aid allocations to replace the unexpected loss in critical State funding for the State's most populated counties.

NJAC is also concerned with the fact that the Act requires each county to award contracts for 100% of its allotment within three years or lose the funding, but fails to take into consideration the permitting process of the New Jersey Department of Environmental Protection (DEP) or other commissions charged with protecting the State's environment and natural resources. Although this new requirement appears reasonable, NJAC recommends a regulatory or legislative remedy that would prohibit the three-year spend down period from beginning until the relevant State departments or commissions approve all project permits accordingly. NJAC respectfully opposes the Department's procedural recommendation to eliminate its long-standing practice of awarding up-front allotments to county governments as this new procedure would create an additional and unnecessary layer of bureaucracy. Mr. Barrett provided clarification on a recent meeting the New Jersey Association of County Engineers held with DOT. Each county must spend down their money. Any money leftover will be returned to a general fund for redistribution to all counties.

Other Business:

The next meeting is scheduled for December 13th, 2013 at 8:30 a.m. in the Oakland Room of the Trenton Country Club.

Adjournment

At 11:31 a.m., the board unanimously approved to adjourn the meeting by a voice vote on a County Clerk/Warren County motion.

Respectfully submitted by:

A handwritten signature in cursive script, appearing to read "Donnadio". The signature is written in dark ink on a white background.

John G. Donnadio, Esq.
NJAC Executive Director