

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

M. CLAIRE FRENCH
NJAC President
Monmouth County Clerk

JOHN G. DONNADIO
Executive Director

BOARD OF DIRECTORS MEETING MINUTES
Friday, March 14, 2014
State House Annex - Committee Room 4
Trenton, New Jersey 08608

The meeting was called to order by NJAC President and Monmouth County Clerk at 10:06 a.m. After saluting the American flag, John G. Donnadio, NJAC Executive Director, called roll and a quorum was present.

Voting & Alternate Members in Attendance:

M. Claire French, *Monmouth County Clerk*
Ann Cannon, *Mercer County Freeholder*
Ed Trawinski, *Bergen County Administrator*
Heather Simmons, *Gloucester County Freeholder*
Frank Formica, *Atlantic County Freeholder Chairman*
Gerald M. Thorton, *Cape May County Freeholder Director*
E. Marie Hayes, *Cape May County Freeholder*
Mike Laffey, *Cape May County Director of Operations*
Ken Mecouch, *Cumberland County Administrator*
Carol Clark, *Essex County Freeholder*
Abe Antun, *Hudson County Administrator*
John King, *Hunterdon County Freeholder Deputy Director*
Teri O'Connor, *Monmouth County Administrator*
John Bonanni, *Morris County Administrator*
Anthony DeNova, *Passaic County Administrator*
John Eskilson, *Sussex County Administrator*
Vernell Wright, *Union County Freeholder*
Richard D. Gardner, *Warren County Freeholder Deputy Director*
Brian M. Hughes, *Mercer County Executive*
Elaine M. Flynn, *Middlesex County Clerk*
Donald De Leo, *Hudson County Surrogate*

Absent

Burlington County
Camden County
Middlesex County
Ocean County
Salem County
Somerset County
County Sheriff
County Improvement
Authority

Staff

John G. Donnadio, *NJAC Executive Director*
Allen Weston, *NJAC Legislative Director*
Loren Wizman, *NJAC Director of Business Development*
Kimberly Nolan, *NJAC Office Manager*

NJAC Auditor, General Counsel, Labor Counsel, and Consultants

Michael O'Connell, *Member of Pringle, Quinn & Anzano, PC and NJAC General Counsel*
Joseph Hannon, *Member of Genova Burns Giantomasi & Webster LLC and NJAC Labor Counsel*
Michael Barrett, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*
Richard Lane, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*
Robert Werkmeister, Sr. *Consultant of Greenman-Pedersen, Inc. & NJAC Transportation Consultant*

Also in attendance:

Mike Russo, *Director of Local Aid and Economic Development for NJ Department of Transportation*
James Ferguson, *Atlantic County Counsel*
Kimberly Wood, *Cumberland County Deputy Administrator*
Daniele Spence, *Gloucester County Confidential Aide to Freeholder Simmons*
Jo Ann Povia, *Mercer County Director of Research & Special Projects for the Freeholder Board*
William Dressel, *Executive Director for the New Jersey State League of Municipalities*
John Faella, *Account Executive for Siemens*
Samih Fawzey, *Regional Director for Tectonic Engineering*
Caryn Gaetano, *Account Executive for ACCSES*
Barry Gleissner, *Survey Manager for URS Corporation*
Ted Huesing, *Account Executive for Siemens*
Bina Kumar, *Managing Director – East Region for Nationwide Retirement Solutions*
Jon Livingston, *Business Development Manager for Jacobs Engineering*
Emanuel Mahand, *Program Director of NJ for Nationwide Retirement Solutions*
Jeff Mayer, *Director of Tradition Energy*
Geoffrey Perselay, *President of Perselay Associates, Inc.*
Geoff Stewart, *Director of Public Financial Management for PFM Asset Management and Public Financial Management*
Harry Thibodeau, *President for PharmaCare, Inc.*
Bernie Vitti, *Executive Director of Sales & Marketing for PharmaCare, Inc.*
RJ Weber, *Account Executive for Green Energy Management Services*

GUEST SPEAKERS:

Michael Russo, Director of Local Aid and Economic Development for the New Jersey Department of Transportation, addressed the Board on issues of Local Aid funding under the Transportation Trust Fund (TTF). Mr. Russo discussed the 2012 law that eliminated the Federal Aid Urban System (FAUS) minimum allotment from the County Aid distribution formula, which created a \$5.79 reallocation in funding with that amount being shifted from the State's most urban counties. Mr. Russo also noted that the Department is proposing regulations concerning the allocations that will impact all twenty-one counties. Mercer County Executive Brian Hughes expressed his concerns that the proposed regulations will require 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 on its face, the County Executive recommended tolling the three-year spend down period from beginning until the relevant State departments or commissions approve all project permits accordingly.

James Ferguson, Atlantic County Counsel, requested that NJAC file an Amicus Brief in support of Atlantic County concerning a December 19, 2013 decision from the New Jersey Public Employment Relations Commission's (PERC). In its decision, PERC held that the long-standing dynamic status quo doctrine is no longer viable in light of the relatively new laws to restrict property tax levies and interest arbitration awards. Mr. Ferguson successfully argued the case before PERC, but the decision is being appealed in Superior Court. The Board approved having its Labor Counsel Genova Burns Giantomasi & Webster LLC file an Amicus Brief in support of Atlantic County, and to sharing in the cost of Brief with the New Jersey Council of County Colleges at \$1,500.00 for each organization on a Sussex/Hudson motion.

OFFICIAL REPORTS:

1. **Secretary/Treasurer's Report** - NJAC Secretary-Treasurer and Gloucester County Freeholder Heather Simmons presented the following reports:
 - a. Meeting Minutes - The Board approved the meeting minutes of January 28, 2014 on a Passaic/Gloucester County motion.
 - b. NJAC Financials - The Board unanimously approved the NJAC financials, dated January 31, 2014, on a County Surrogate/Bergen County motion.
2. **President's Report** - NJAC President French asked for motions on the following:
 - a. Resolution - 2014 NJAC Standing Committees & Chairpersons - The Board unanimously approved the committees and assignments on a Gloucester/Passaic County motion.
 - b. Resolution - 2014 National County Government Month - The Board unanimously approved the month of April as the National County Government Month on a Mercer/Hudson County motion.

The 2014 NJAC Annual Conference is taking place from May 7th through May 9th at Caesar's in Atlantic City. Vendors begin setting up on May 7th from 9:00 a.m. to 3:00 p.m. followed at 5:00 p.m. by the Meet and Greet Reception. On Thursday May 8th, the conference kicks off at 9:00 a.m. with a Board of Directors Meeting and NJAC Foundation Scholarship Award Presentation. There are educational and informational workshops throughout the day for attendees to participate and earn continuing education credits. During the 12:30 p.m. President's Legislative Luncheon, an award ceremony will take place to recognize legislative leaders and county officials. The Exhibitors Reception will take place later on that evening. Friday May 9th, is the final day of the conference and it kicks off with a second NJAC Foundation Scholarship Award Presentation followed by the NJAC Business Associate of the Year Award presented by Lt. Governor Kim Guadagno, who will provide keynote remarks. Lastly, the county vocational technical schools will participate in a cook-off challenge beginning at 12:30 p.m. with awards being presented shortly thereafter. President French encouraged all to register and participate.

3. **Executive Director's Report** - NJAC Executive Director John G. Donnadio informed the Board that the New Jersey Manufacturer's Insurance Group awarded the NJAC Foundation a \$5,000.00 grant for county vocational-technical graduates who plan on continuing their education at a county college or State college or university. The NJAC Foundation will distribute one grant of \$1,750.00 in each county where NJM maintains a corporate office, which includes Atlantic, Mercer, and Morris counties. The NJAC Foundation is grateful for NJM's generosity and commitment to its community. It is also expected that the NJAC Foundation will receive grants once again from Investors Bank and PSEG. Hudson County Surrogate and NJAC Foundation Secretary-Treasurer De Leo remarked how active the NJAC Foundation Board members are in finding support from local industrial and banking business areas. Ms. Wizman was recognized for cultivating relationships with Investors Bank and PSEG.

The New Jersey Association of Counties is once again partnering with Rutgers University to offer the county administrators training programs. This year the training will take place in October and will be expanded for County Finance Officers, Purchasing Agents, and Road Supervisors. There will be planning done during the summer season to work through details.

A new affiliate group has been formed with directors of County Human Resources Departments. One meeting has already taken place, and another has been tentatively scheduled for May 16th.

4. **Legislative Committee Report** - NJAC 1st Vice President and Mercer County Freeholder Ann Cannon informed all board members that a copy of *State House News*, dated February 28, 2014, was enclosed in the provided packets prior to asking Mr. Donnadio to update the board members on legislation in which NJAC is active.

On February 25th, NJAC staff and NJAC President French attended Governor Chris Christie's Fiscal Year 2015 Budget Address. NJAC is in the process of analyzing the \$34.4 billion spending plan. NJAC also plans on testifying at the upcoming budget hearings on several issues that may include: Medicaid reimbursement rates for county operated nursing homes, Medicaid expansion for pre-adjudicated inmates in county jails, and local aid allocations under the Transportation Trust Fund.

During the afternoon of February 28th Monmouth County Administrator O'Connor, Cape May County Jail Warden Donald Lombardo, Passaic County Jail Warden Mike Tolerico, and Cumberland County Welfare Director Cheryl Golden met with the New Jersey Director of Medicaid Services to urge the Director to extend the 24-hour hospital stay exception to pre-adjudicated inmates housed in county jails for the following reasons:

- a. County governing bodies across the State will recognize substantial cost savings on inmate medical expenses.
- b. County welfare agencies and boards of social services will experience negligible increases in new caseloads.

- c. The federal government will pay 100% of the medical expenses for eligible applicants for up to three years and 90% thereafter.
- d. Fourteen states currently authorize the 24-hour hospital stay exception and make no distinction between pre-adjudicated and convicted inmates.

NJAC and the New Jersey County Jail Wardens Association (NJCJWA) urge the Department of Medicaid Services to include pre-adjudicated inmates housed in county jails under the 24-hour hospital stay exception and is seeking some much needed guidance or best practices from the Department of Medicaid Services on how to identify and enroll eligible inmates for healthcare coverage under a health insurance exchange and as intended under the Affordable Care Act. Hudson County Administrator Abe Antun provided board members with copies of Hudson County's resolution that stipulated the County's intent to file a Notice of Claim against the Department of Human Services on the matter and urged NJAC to join accordingly. Mr. Donnadio recommended to revisit joining Hudson County in June after NJAC and the NJCJWA had an opportunity to follow up with the Director.

NJAC staff, NJAC President French, and NJAC board member and Hudson County Administrator Antun met with New Jersey General Assembly Speaker Prieto on February 18th to discuss the importance of permanently linking the 2.0% cap on interest arbitration awards set to expire on April 1, 2014 to the 2.0% property tax cap levy. The meeting went very well. NJAC encouraged county officials throughout the State to contact their legislators as soon as possible, and to urge them to enact legislation before the April 1st deadline. Counties were also encouraged to adopt a resolution pertaining to the extension of the 2.0% cap on interest arbitration awards. The resolution was included in the *State House News* - February 28th edition. Atlantic, Cape May, Monmouth, Morris, Ocean, Somerset, Sussex, and Warren counties had already done so.

The Assembly Judiciary Committee met on March 10th and considered legislation that would establish judicial criteria for determining pre-trial statutory jail alternatives for non-violent offenders. Details of the proposed legislation are included in the *State House News* for Board members to review and consider taking a position on Bail Reform soon.

OTHER BUSINESS:

Essex County Freeholder Clark is the New Jersey representative for the Northeast County Caucus. She attended their meeting on March 2nd in Washington, DC during the NACo Legislative Conference. New Jersey needs a voice on the national level and is need of a second representative on this caucus. Freeholder Clark expressed the needs of New Jersey during this caucus and listing transportation funding as a top priority. She promoted the importance of joining NACo and its Annual Conference taking place July 11th through the 14th in New Orleans. If you are currently not a member and your county signs up now, then the dues will be pro-rated and your registration fee toward their conference will be waived but you must sign up with Andrew Goldschmidt.

The next board meeting is scheduled for June 27, 2014 at 9:30 a.m. in Committee Room 4 of the NJ State House Annex.

ADJOURNMENT

The board adjourned on a County Surrogate/Bergen County motion at 12:04 p.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 "D".

John G. Donnadio, Esq.
NJAC Executive Director