

# NEW JERSEY ASSOCIATION OF COUNTIES

*County Government with a Unified Voice!*

RICHARD D. GARDNER  
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Warren County Freeholder

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Executive Director

## STATE HOUSE NEWS

*April 12, 2012*

### COUNTY OPERATED NURSING HOMES

Thank you to Morris County Deputy County Administrator Mary Jo Buchanan for making the trip to Trenton on April 3<sup>rd</sup> to meet with Senator Paul Sarlo to discuss county operated nursing homes. Senator Sarlo chairs the Senate Budget and Appropriations Committee. Our meeting with the Senator went very well; and, he plans to use our "County Impact Statement" in preparing the budget bill he plans to introduce shortly.

Senator Sarlo strongly encouraged us to reach out to the Senate Budget and Appropriations' committee members listed below as he plans to work in a bi-partisan effort to increase funding for county operated nursing homes. With this in mind, please take a moment to reach out to your county legislator and provide them with a copy of our impact statement. If you don't have a copy of the document already, please let us know and we'll make sure to forward it to you accordingly.

Please note that NJAC sent letters and county impact statements to legislators serving on both the Senate Budget and Appropriations Committee and the Assembly Budget Committee; and has a meeting scheduled with Assembly Majority Leader Lou Greenwald at 10:00 a.m. on May 8<sup>th</sup> at his office in Voorhees. As you know, NJAC has been advocating for several initiatives that may help our counties continue providing a high standard of care to a vulnerable population. Some of these initiatives include:

- A supplemental appropriation that would that would restore Medicaid funding for only county operated nursing homes as a form of property tax relief;
- A county dedicated nursing home tax approved by voter referendum and limited to those counties that currently operate a nursing home;
- Legislation that would restore \$19.0 million in Medicaid funding for both privately and publicly operated nursing homes; and,
- A cap exception for losses incurred in the operation and maintenance of a county nursing home.

As time is of the essence, please make sure to reach out to the following legislators to educate them on how last year's Medicaid cuts and rate reductions hurt county operated nursing homes.

**SENATE BUDGET AND APPROPRIATIONS COMMITTEE**

Senator Paul Sarlo, Chair (*Bergen, Passaic counties*)  
[SenSarlo@njleg.org](mailto:SenSarlo@njleg.org) 201-804-8118

Senator Brian Stack, Vice Chair (*Hudson County*)  
[SenStack@njleg.org](mailto:SenStack@njleg.org) 201-861-5091

Senator Jennifer Beck (*Monmouth County*)  
[SenBeck@njleg.org](mailto:SenBeck@njleg.org) (732-933-1591)

Senator Anthony Bucco (*Morris County*)  
[SenBucco@njleg.org](mailto:SenBucco@njleg.org) 908-627-9700

Senator Sandra Cunningham, (*Hudson County*)  
[SenCunningham@njleg.org](mailto:SenCunningham@njleg.org) 201-451-5100

Senator Linda R. Greenstein (*Mercer County*)  
[SenGreenstein@njleg.org](mailto:SenGreenstein@njleg.org) 609-395-9911

Senator Kevin O'Toole (*Bergen, Morris, Passaic counties*)  
[Senotoole@njleg.org](mailto:Senotoole@njleg.org)

Senator Joseph Pennachio (*Morris County*)  
[SenPennachio@njleg.org](mailto:SenPennachio@njleg.org) 973-227-4012

Senator Nellie Pou (*Bergen, Passaic counties*)  
[SenPou@njleg.org](mailto:SenPou@njleg.org) (973-347-1555)

Senator Teresa Ruiz (*Essex County*)  
[SenRuiz@njleg.org](mailto:SenRuiz@njleg.org) 973-484-1000

Senator Jeff Van Drew (*Cape May County*)  
[SenVandrew@njleg.org](mailto:SenVandrew@njleg.org) 609-465-0700

Senator Loretta Weinberg (*Bergen County*)  
[SenWeinberg@njleg.org](mailto:SenWeinberg@njleg.org) 201-928-0100

## ASSEMBLY BUDGET COMMITTEE

Assemblyman Vincent Prieto, Chair (*Hudson County*)  
[AsmPrieto@njleg.org](mailto:AsmPrieto@njleg.org) 201-770-1303

Assemblyman Gary Schaer, Vice Chair  
[AsmSchaer@njleg.org](mailto:AsmSchaer@njleg.org) 973-249-3665

Assemblyman Anthony Bucco (*Morris and Somerset counties*)  
[AsmBucco@njleg.org](mailto:AsmBucco@njleg.org) 973-627-9700

Assemblyman John J. Burzichelli (*Cumberland, Gloucester, Salem counties*)  
[AsmBurzichelli@njleg.org](mailto:AsmBurzichelli@njleg.org) 856-232-6700

Assemblyman Gary Chiusano (*Morris, Sussex, Warren counties*)  
[AsmChiusano@njleg.org](mailto:AsmChiusano@njleg.org) 973-300-0200

Assemblyman Coutinho (*Essex County*)  
[AsmCoutinho@njleg.org](mailto:AsmCoutinho@njleg.org) 973-589-0713

Assemblyman Gordon Johnson (*Bergen County*)  
[AsmJohnsonJohnson@njleg.org](mailto:AsmJohnsonJohnson@njleg.org) 201-928-0100

Assemblyman Declan O'Scanlon (*Monmouth County*)  
[AsmOScanlon@njleg.org](mailto:AsmOScanlon@njleg.org) 732-933-1591

Assemblyman Singleton (*Burlington County*)  
[AsmSingleton@njleg.org](mailto:AsmSingleton@njleg.org) 856-234-2790

Assemblywoman Bonnie Watson-Coleman (*Mercer County*)  
[AswWatsonColeman@njleg.org](mailto:AswWatsonColeman@njleg.org) 609-292-0500

Assemblyman Jay Webber (*Morris and Passaic counties*)  
[AsmWebber@njleg.org](mailto:AsmWebber@njleg.org) 973-884-6190  
Assemblyman Wimberly

Importantly note that Governor Chris Christie's proposed FY 2013 State budget includes an increase of \$5.0 million for Medicaid reimbursement for all nursing home facilities with an additional \$5.0 million in federal matching funds for a total of \$10.0 million. As you may recall, the FY 2012 State budget contained a 37.5 million cut and the State lost an additional \$37.5 million in federal matching funds. Additionally, the Department of Human Services will begin administering Medicaid reimbursement rates in July of 2013 instead of the the Department of Health and Senior Services.

## **PUBLIC MEETINGS AND RECORDS**

On April 4<sup>th</sup>, NJAC and representatives from the New Jersey State League of Municipalities (NJSLOM), the New Jersey School Boards Association (NJSBA), the Constitutional Officers Association of New Jersey (COANJ), and the Municipal Clerks Association of New Jersey (MCANJ) met to discuss a package of bills that would provide greater access to public records and meetings.

More specifically, **SENATE, NO. 1451** (*Weinberg D-37*) would revise the law concerning meetings of public bodies to provide the public with greater access to meetings and to information about such meetings under the Open Public Meetings Act (OPMA); and, **SENATE, NO. 1452** (*Weinberg D-37*) would make certain access changes to the Open Public Records Act (OPRA). This meeting went very well; and, we developed a short term strategy to address the fact that the Senate Budget and Appropriations Committee will likely consider the measures before it breaks for summer recess in June.

### *SHORT TERM STRATEGY*

- Each Association will separately draft a one or two page position statement.
- The statement will contain a general overview of what's currently available under OPRA and OPMA.
- The statement will contain a general overview of what the bill would require of local governing bodies under OPRA and OPMA.
- The statement will also contain a segment entitled "What you should know," which will highlight our concerns with costs, workload, and privacy.
- We would also like members of the Senate Budget and Appropriations Committee to visit with a county clerk of the board and a municipal clerk to witness in person the amount of information currently available; and, how this legislation would impact day-to-day operations.
- We plan to hold a follow up meeting at 2:00 p.m. on May 8th at NJAC's office in Trenton.

NJAC's general strategy is to not necessarily oppose this legislation in committee, but instead highlight its significant issues and let the Legislature decide legislation's course of action. Importantly note that the bill makes NJAC, NJSLOM, and NJSBA subject to OPRA; and, that the sponsor and press have stated that we're opposing the bills for that reason alone. With this in mind, we plan to craft our message very carefully and make it clear that we support openness and transparency in local government. We also developed a long term strategy to address OPRA and OPMA moving forward.

LONG TERM STRATEGY

- Develop meaningful revisions to OPRA and OPMA that make sense for local governing bodies; and, then find a sponsor who's willing to introduce the reforms on our behalf.

As a recap, S-1451 does not contain an appropriation to address the costs associated with providing adequate notice and preparing accurate meeting minutes for committee meetings, which the bill general defines as any subordinate committee of a public body. Hudson County took the time to prepare the analysis below based on its current committee structure that is generally used by counties throughout the State.

COMMITTEE	FREQUENCY OF MEETINGS	MEETINGS PER YEAR	TOTAL HOURS
Contract Review	1 meeting per month 1 hour long	12	12
Economic Development	5 meetings per year 1 hour long	5	5
Environmental Health & Human Services	5 meetings per year 30 minutes long	5	2.5
Family Services & Welfare to Work	6 meetings per year 1 hour long	6	6
Finance, Budget, & Administration	6 meetings per year 1 hour long	6	6
Personnel	4 meetings per year 1 hour long	4	4
Public Resources	2 meetings per month 1 hour long	24	24
Public Safety & Corrections	2 meetings per month 1 hour long	24	24
Purchasing	2 meetings per month 30 minutes long	24	12
Task Force on Homeless	3 meetings per year 1 hour long	3	3
Tourism & Cultural Affairs	3 meetings per year 1 hour long	3	1.5
	<b>TOTALS</b>	<i>116 Meetings per year</i>	<i>100 hours per year</i>

1. The county pays a transcribing service of \$275.00 per meeting, per appearance; and, \$5.50 per transcribed page for its regularly scheduled board of chosen freeholder meetings.
2. The transcriber typically completes 90 double spaced transcribed pages per hour.
3. Based on these figures and the information contained in the chart above, the County used the following formula to estimate potential costs.

4. \$5.50 per transcribed page \* 90 transcribed pages per hour \* 100 hours = \$49,500.00 per year.
5. The above sum does not include advisory boards, which would likely double the projected cost.
6. The County concluded that it would need to hire a full-time employee to attend committee meetings, transcribe the meetings, prepare and proof transcripts, and maintain meeting minute files.

Although much more difficult to quantify, we have similar concerns with S-1452, which would in part require a custodian of records to provide a requestor with comprehensive written notice on redacted information; and, with an index that describes certain available government records. At a time in which local governments are struggling to make ends meet by reducing critical staff, essential services, and capital improvement projects, county officials will find it very difficult to allocate the necessary staff, time, and resources to carry out these added job functions and responsibilities. In addition to this concern, this legislation does not seem to provide guidance for local governments on what constitutes “voluminous” with respect to prohibited special service charges for requests on budgets, bills, vouchers, contracts, and public employee salary information.

#### **FINANCIAL DISCLOSURE STATEMENTS**

When the Legislature returns from its budget break, the Assembly Housing and Local Government Committee will very likely consider **ASSEMBLY, NO. 683** (*O'Donnell D-31/Clifton R-12*), which would prohibit the practice of requiring bidders to submit financial disclosure statements under certain circumstances. NJAC's Legislative Affairs Committee is in the process of reviewing this legislation.

In summary, this bill would prohibit the practice of requiring bidders to submit financial disclosure statements in order to bid on local or county college public contracts if such bidders are also required to furnish a guarantee, bond, or surety company certificate. This legislation would provide an exception for cases in which a law, rule, or regulation of the federal government imposes a condition upon the awarding of a monetary grant to be used for the purchase, contract, or agreement if the condition requires the submission of a financial disclosure statement.

Although this legislation would seem to streamline the bidding process for both bidders and local governments, some local officials contend that governing bodies should retain the discretion to require financial disclosure statements as a condition to bidding on public contracts for the performance of goods and services. The Utility Transportation Contractors Association (UTCA) supports this legislation. UTCA contends that while financial disclosure statements may

be helpful in determining the financial viability of bidders, a guarantee, bond, or surety company certificate also demonstrates a company's financial health and well being. UTCA submits that requiring both a financial disclosure statement; and, a guarantee, bond, or surety company certificate is duplicative, costly, and time consuming. Moreover, financial disclosure statement requirements vary among local governments making their preparation even more difficult.

NJAC is a strong advocate of measures that streamline the day-to-day operations of local governing bodies, but recognizes the fact that local elected officials should retain the autonomy to govern accordingly. With this in mind, NJAC recommends proposing an amendment to this bill that would authorize local governing bodies to continue requiring financial disclosure statements, but that such statements may only require certain information and must be standardized either through this legislation or through regulations developed by the Department of Community and Urban Affairs.

#### **DIRECT DEPOSIT**

Assemblyman Ruben Ramos (D-33) recently sent a letter to leadership in the General Assembly requesting that the Assembly State Government Committee have the opportunity to consider **ASSEMBLY, NO. 720** at one of its upcoming meetings following the budget break. In his letter, the Assemblyman noted NJAC's strong support of his legislation, which would authorize local government employers to pay its employees by direct deposit at the governing body's discretion. Although this seems like a no brainer, we've been facing some push back. With this in mind, please take a moment to contact your county legislator to let them know that county government supports this important and timely initiative that will ultimately streamline the payroll process, reduce overall workload, and save valuable taxpayer dollars.

#### **SHARING COUNTY TAX ADMINISTRATORS**

In addition to Senator Michael Doherty (R-23) introducing **SENATE, NO. 1694** on behalf of NJAC, Assemblyman John McKeon (D-27) and Assemblywoman Annette Quijano (D-20) recently introduced the companion version of the measure in the General Assembly as **ASSEMBLY, NO. 2758**. As you know, this legislation would allow counties to share their county tax administrators; and, NJAC supports this important and timely legislation as a means to eliminate an antiquated law that has become a barrier to moving forward with a potential cost saving measure. We would also like to thank our county finance officers for sharing with us the salary information on county tax administrators. Please let us know if you would like a copy of the summary of our findings, which conclude that tax administrators earn between \$72,000 per year in our smaller counties to \$158,000.00 in our larger counties. These figures do not include pension, health, or other fringe benefits.

**NJAC's 62<sup>ND</sup> ANNUAL CELEBRATION OF COUNTY GOVERNMENT**  
*Schedule of Events*

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**TUESDAY, JUNE 5<sup>TH</sup>**

9:00 a.m. – 3:00 p.m.  
Exhibitor Set Up

5:00 p.m. – 7:00 p.m.  
Meet and Greet Cocktail Reception in Exhibitor Area with DJ

**WEDNESDAY, JUNE 6<sup>TH</sup>**

8:00 a.m. – 9:00 a.m.  
Board of Directors Meeting in Exhibit Area with continental breakfast and coffee stations available all day.

*For the first time, we plan to hold our Board of Director's meeting in the Exhibit Area, so everyone will have the opportunity to network with our members.*

9:00 a.m. – 12:30 p.m.  
Staggered one hour workshops to begin at 9:00, 10:15, and 11:30

10:00 a.m. - 12:00 p.m.  
New Freeholder/County Official Orientation

12:00 p.m. – 2:00 p.m.  
Legislative Luncheon in Exhibit Area

*Lunch will be served at 12:00 p.m. NJAC will present two legislative leadership awards before the panel discussion begins at 12:30 p.m.*

2:15 p.m. – 4:15 p.m.  
Doing Business with County Government for vendors in Exhibit Area

*Our county purchasing officials will host an informative panel discussion for all registered business associates.*

2:15 p.m. – 4:30 p.m.  
Staggered one-hour workshops to begin at 2:15 and 3:30

5:00 p.m – 7:00 p.m.  
Exhibitors' Reception with DJ in Exhibit Area

## THURSDAY - JUNE 7<sup>TH</sup>

8:30 a.m.

Exhibit Area opens with continental breakfast and coffee stations all day

9:00 a.m- 12:30 p.m.

Staggered one hour workshops at 9:00, 10:15, and 11:30

12:30 p.m. - 2:30 p.m

County Vocational-Technical School Cook-Off Challenge in the Ballroom

*For the first time, several of our county vocational-technical schools will compete in a cook-off for bragging rights on which county makes the best appetizer as determined by three sets of judges that will include Atlantic City chefs, NJAC judges, and conference attendees. Bally's will serve lunch in the Ballroom as well.*

2:45 p.m. - 4:15 p.m.

County Executive Forum in Exhibit Area

*Our county executives, and there's only five of them, are the most influential county officials in the State, so don't miss this opportunity to hear their informative panel discussion.*

4:30 p.m. - 7:00 p.m

President's Awards Reception and Dancing

- The "Maurice Fitzgibbons" County Freeholder of the Year Award
- Business Associate of the Year Award
- Best Exhibit Display Award
- Best Giveaways Award
- Friendliest Vendor Award

## FRIDAY - JUNE 8<sup>TH</sup>

9:00 A.M. - 11:00 A.M.

Vendor Breakdown

*"The final test of a leader is that he leaves behind him in other men, the conviction and the will to carry on." Walter Lippman*