

# NEW JERSEY ASSOCIATION OF COUNTIES

*County Government with a Unified Voice!*

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## STATE HOUSE NEWS

*March 6, 2012*

### PUBLIC MEETINGS AND RECORDS

On Monday, the Senate State Government, Wagering, Tourism, and Historic Preservation Committee considered 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; 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.

For example, one of our counties noted that it holds approximately 115 committee meetings each year that total 100 hours. The County pays a transcribing service of \$275.00 per meeting appearance; and, \$5.50 per transcribed page. The transcriber typically completes 90 double-spaced transcribed pages per hour. Based on these figures, the County estimates that it would cost approximately \$49,500.00 per year to comply with this legislation [ $\$5.50 \text{ per transcribed page} * 90 \text{ transcribed pages per hour} * 100 \text{ hours} = \$49,500$ ]. As a result, the County submits that this legislation would require it to hire one additional full-time employee to attend committee meetings, and prepare, proof,

and maintain meeting minutes. Please note that the above sum does not include advisory boards, which would likely double the projected cost.

With respect to S-1452, this legislation would in part require a custodian of records to provide a requestor or records with comprehensive written notice on redacted information; and, with a comprehensive index that describes 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.

With this mind, NJAC requested that the Senate Budget and Appropriations Committee have the opportunity to review the package of bills in more detail to determine their overall fiscal impact on local governing bodies. The Committee and Senator Weinberg agreed; and, the Committee second referenced the bills accordingly by a vote of 3 - 0 with 2 abstentions. Please note that the Committee was also set to consider **SENATE, NO. 303** (*Whelan D-2/Norcross D-5*), which would have required government records to be made available on the Internet. However, the Committee held the bill because of the substantial costs associated with converting and maintaining government records into a digital format that the public may view in a secure environment.

#### COUNTY TAX ADMINISTRATORS

Senator Michael Doherty (R-23) recently introduced **SENATE, NO. 1694**, which would permit counties to share county tax administrators. As you know, 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.

In summary, N.J.S.A. 54:3-7(b) requires the county board of taxation in each county to appoint a full time county tax administrator. The Governor appoints all tax board members with the advice and consent of the Senate, and the State Treasurer pays their salaries accordingly. However, counties must pay for the salaries of their county tax administrator at approximately \$120,000 - \$150,000 per year, plus pension and health benefits. Counties must also pay for the salaries of all clerical assistants, and for the operation and maintenance of the offices for the entire tax board and administrator. Several of our counties have expressed interest in sharing their county tax administrator as a meaningful cost saving measure, but have been advised that such an arrangement is prohibited

by N.J.S.A. 54:3-7(b) as it again requires that counties employ their tax administrator on a full-time basis.

With this in mind, S-1694 would permit two or more adjoining counties to enter into an agreement to share a county tax administrator and clerical assistants pursuant to the provisions of the "Uniform Share Services and Consolidation Act." The bill would also allow the parties to the shared services agreement to fix an annual salary for the shared county tax administrator and clerical assistants commensurate with the combined population of the participating counties and consistent with certain minimum salary requirements. We're optimistic that the Senate Community and Urban Affairs Committee will consider the measure at one of its upcoming committee meetings; and, that there will be an identical version of the bill introduced in the General Assembly.

#### **SUPPLEMENTAL COMPENSATION FOR ACCUMULATED SICK LEAVE**

On Thursday, the Assembly State Government Committee will consider two measures that limit the payment of supplemental compensation for accumulated sick leave. In general, **ASSEMBLY, NO. 1179** (*Lampitt D-6/Coutinho D-29*) and **ASSEMBLY, NO. 2489** (*Lampitt D-6*) would prohibit the payment by the State, local governments, and boards of education of supplemental compensation to any current or future public officer or employee for accumulated unused sick leave earned after the bill's effective date. Supplemental compensation for any time earned prior to that date would be payable as under current law. Although county governments have done a terrific job at capping the payout of supplemental compensation, NJAC supports the measures nonetheless as timely initiatives that will save valuable taxpayer dollars.

#### **REAL PROPERTY ASSESSMENT DEMONSTRATION PROGRAM**

On February 27<sup>th</sup>, the Senate Community and Urban Affairs Committee favorably reported **SENATE, NO. 1213** (*Van Drew D-1*), which would create a real property assessment demonstration program.

In summary, the bill would create a real property assessment demonstration program, which would be open for participation to any county in the State, to demonstrate a more cost effective and accurate process of real property assessment administration. The real property assessment demonstration program will specifically address the systematic costs that result from the losses due to successful assessment appeals. S-1213 is currently in the Senate Budget and Appropriations Committee awaiting consideration; and, the companion version in the General Assembly Assembly, No. 1591 (*Benson D-14/Riley D-3*) is currently in the Assembly Housing and Local Government Committee awaiting consideration as well. NJAC is generally supportive of this measure as it may ultimately lead to potential cost savings.

## NJAC CONFERENCE WORKSHOPS

Time is running out, so please submit your proposal for a workshop no later than **MARCH 30<sup>TH</sup>** to Loren Wizman by email at [loren@njac.org](mailto:loren@njac.org) or by facsimile at (609) 989-8567. We plan to apply to the appropriate State departments for continuing education credits, so please note the following as workshops approved for such credits will be given priority.

1. Workshops should be educational.
2. Workshop sessions should be 50-60 minutes long.
3. Proposals should include the name, title, and company information of those presenting.
4. Proposals should also contain a title and one-page informative summary of the workshop, so that we may include these details in our Conference Journal.
5. Proposals should be submitted by **MARCH 30<sup>TH</sup> 2012**.
6. We will notify you in writing of the time, location, and other important details concerning your workshop well in advance of the Conference.

*"The task of a leader is to get his people from where they are to where they have not been." Henry Kissinger*

