

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

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STATE HOUSE NEWS *February 13, 2015*

DISSOLUTION OF COUNTY GOVERNMENT

Assemblyman Robert Auth (*D-Bergen*) recently introduced legislation that would dissolve county government and require the State and municipalities to perform the functions of county government. We do not agree with the Assemblyman.

In fact, county government is playing a much greater role in the everyday lives of New Jersey residents as the only true regional form of government in the State capable of delivering essential services in a cost effective and efficient manner. As municipalities continue to struggle with the 2.0% property tax cap and a seemingly never ending barrage of unfunded State mandates, towns across the State are looking to county government for leadership and relief. In addition to delivering the services highlighted below, county government has evolved over the past decade into providing traditional municipal functions at significant cost savings to taxpayers while enhancing the level of service provided. Some of these former municipal functions include: cooperative purchasing, 911 dispatch, animal control, public health, tax assessor, county police, and much more.

Although Assemblyman Auth contends that the State and municipalities should perform the functions of county government and that it's a layer of government that is no longer necessary, the Assemblyman ignores that fact that neither the State nor municipalities have the resources available or subject matter expertise to provide the services delivered by county government. Some of these services include: administering the State's welfare programs; maintaining and operating the county jails, court facilities, expansive park systems, and virtually every bridge in the State; funding the county colleges and county vocational-technical schools; managing elections and vital statistics; providing transportation services for the aged and disabled; handling solid waste and recycling activities; and, several others that we plan on discussing with the Assemblyman in person. We do in fact agree with Assemblyman Auth that New Jersey has too many layers of government, but county government must be part of the solution for relieving New Jersey residents of the highest property tax burden in the nation.

TRANSPORTATION TRUST FUND

On February 9th, NJAC participated in a press conference with Forward NJ to once again urge State leaders to establish a stable, dependable, and long-term source of dedicated funding for the nearly insolvent Transportation Trust Fund (TTF). As you may know, NJDOT Commissioner Jamie Fox recently announced his plan to freeze municipal aid dependent on (TTF) dollars until the Administration and Legislature reach an agreement on a funding solution. Although the Commissioner's action will immediately and directly impact municipalities throughout the State, we're in the process of collecting data from the county engineers on how this decision will impact county government both short and long-term.

In general, municipalities receive 75% of Local Aid under the TTF up front and the balance as grant money from DOT. As noted above, the Commissioner plans to freeze allocations from this balance, which municipalities use to complete vital transportation projects and appropriate as anticipated revenue in annual budgets. Although the Commissioner's decision may not immediately and directly impact county government as counties receive 100% of Local Aid under the TTF for projects up front, this decision will certainly carry far reaching consequences. Importantly note, that we're waiting for official confirmation from DOT on whether the Department has also frozen monies from the Local Bridges, Future Needs Program, which allocates an annual \$1.0 million grant to each county as financial assistance for repairing and replacing county bridges. As of this writing, counties have not received DOT's announcement that the grants are available for 2015.

County governments spend approximately \$565.0 million each year to operate and maintain an estimated 7,140 bridges and more than 6,775 centerline miles of roads. However, the State's current Transportation Capital Program (TCP) only allocates \$165.0 million each year in Local Aid with \$78.75 million for counties and municipalities, \$25.0 million for county bridges, and \$7.5 million in discretionary funding leaving county governments responsible for financing \$453.75 million of its transportation need through the collection of local property taxes. As has been well documented, county and municipal roads and bridges carry an estimated 53% of the State's overall traffic, yet inequitably receive only 12.3% of funding under the State's annual \$1.6 billion TCP. Moreover, the proportionate share of Local Aid relative to overall TCP increases has dramatically decreased by 56.7% since the inception of the TTF in 1985.

County governments must also make substantial capital improvement investments as 281 (11.0%) of the 2,556 major bridges maintained by counties are classified as "Structurally Deficient" and in need of \$663.0 million worth of

rehabilitation or replacement. A Structurally Deficient bridge is generally defined as a bridge or culvert rated in poor condition, its load carrying capacity is below current design standards, or if a waterway below frequently overtops the bridge. Moreover, 452 (17.7%) of the same 2,556 bridges are classified as "Functionally Obsolete" and in need of \$938.0 million worth of rehabilitation or replacement. A Functionally Obsolete bridge is generally defined as a bridge or culvert that is not Structurally Deficient, but its design is outdated. Finally, 2,941 of the 4584 (64.1%) minor bridges maintained by counties are in need of repair and 1,002 (21.9%) must be replaced at a cost of \$1.25 billion for a grand total of \$2.85 billion.

With these staggering numbers in mind, NJAC will continue to urge our State leaders to establish a stable, dependable, and long-term source of dedicated funding for vital transportation projects; and, to increase Local Aid allocations under the TTF as a means to mitigate the reliance on the collection of local property taxes, promote job growth and economic development, and ensure a safe and reliable transportation network.

ELECTRONIC WASTE RECYCLING

Special thanks to Gloucester County Recycling and Hazardous Waste Coordinator Monica Gismondi, Somerset County Director of Public Works Paul McCall, and Middlesex County Clean Communities Coordinator Carole Tolmachewich for taking the time out of their busy schedules to testify at the Senate Environment and Energy Committee hearing on February 9th. Senator Smith invited NJAC to discuss with the Committee the impact of electronic waste recycling on county recycling centers and facilities across the State.

In general, electronics manufacturers are responsible for providing free and convenient recycling options for their goods in each county. Manufacturers typically meet this obligation by entering into contracts with the New Jersey Environment Protection (DEP) authorized recyclers, who in turn enter into agreements with local governments to provide E-Waste recycling services at no charge. An authorized recycler then reduces the E-Waste into component parts and sells them as the market demands. However, it appears that changes in the E-Waste market is making the business less profitable and forcing authorized recyclers to charge fees despite the requirements of the "Electronics Waste Management Act" N.J.S.A. 13E:1E-99.94 et seq. As a result of these market conditions, which are also forcing authorized recyclers to consider leaving the State to conduct business elsewhere, counties must ultimately decide to either absorb E-Waste recycling costs or eliminate the programs entirely. Senator Smith plans to introduce legislation shortly to address this looming crisis and is looking for additional input from subject matters experts for a fair and equitable solution.

COUNTY MOSQUITO CONTROL RESERVE FUNDS

Legislation that would authorize a county by resolution to establish a mosquito control reserve fund has passed both houses and is on the Governor's Desk awaiting his signature. NJAC sent Governor Christie a letter encouraging him to sign **SENATE, NO. 2115** (*Van Drew D-1/Oroho R-24*)(*Schaer D-36/Garcia D-33, Ciattarelli D-16*) into law as one of NJAC's top legislative priorities.

Current law requires counties to conduct comprehensive mosquito control activities that may include source control, trap setting, water management, surveillance, brush cleaning, public education, and the use of other vector control techniques. As the State continues to endure extended periods of heat, humidity, and rainfall, it's becoming increasingly more difficult for mosquito control officials to accurately predict mosquito populations. In fact, several counties recently issued emergency bonds as prescribed by N.J.S.A. 26:9-28 as they did not anticipate the surging mosquito population and the substantial costs associated with eradicating the parasites and the potential diseases they transmit.

As such, authorizing a county to establish a mosquito control reserve fund similar to a snow removal reserve pursuant to N.J.S.A. 40A:4-62.1, would stabilize the mosquito control budgeting process and enhance fiscal planning for mosquito control activities. Moreover, a mosquito control reserve would streamline the process for using emergency monies by eliminating the need to issue an overly burdensome bond that a county must provide in full as a deferred change in the next budget year N.J.S.A. 40A:4-47. We're optimistic that the Governor will sign this measure into law just in time for mosquito season.

MADE IN AMERICA

On February 6th, Governor Christie executed an Absolution Veto of **SENATE, NO. 1811** (*Sweeney D-3/O'Toole R-40/Egan D-17/Diegnan D-18*), which would require the use of goods made in the United States for all public contracts under certain circumstances. Governor Christie's Veto read in part: *"The present bill constrains purchasing decisions by setting artificial thresholds of reasonableness based almost exclusively on price. Subject to few exceptions, any goods or materials sourced for any State contract would have to be made in the United States.... In stark contrast, these bills will chill international development and increase costs borne by taxpayers.... The bidding process will become more complex and reporting requirements will become more burdensome. Rather than helping Americans, this measure will simply drive up the price of doing business, and threaten job creation...."*

In summary, this bill would have applied to contracts that exceed the applicable bid threshold, which is the dollar amount above which a particular contracting

public agency is required to advertise for and receive bids. The bill would have authorized public entities to issue a waiver if products manufactured or farmed in the U.S. were unavailable or were too costly. Waivers must be made public, reported to relevant State agencies, and are subject to a 15 day public comment period. The bill would not have applied to: replacement parts or components for equipment or systems provided under a contract approved prior to the bill's effective date; equipment or systems for which a waiver was provided under the bill; information technology, electronic, digital, computing, or technology articles, materials or supplies that are imported into the U.S. and their parts or components for assembly in the U.S.; to any product approved or legally marketed under the Federal Food, Drug and Cosmetic Act and regulated biologics; or satellite and cable television and broadband communication services.

SHERIFF'S OFFICERS REEMPLOYMENT LIST

On February 5th, Governor Christie signed into law **ASSEMBLY, NO. 3391** (*Johnson D-37/Prieto D-32*)(*Sacco D-32*), which establishes a civil service sheriff's officers reemployment list.

In general, civil service regular reemployment lists are comprised of former permanent civil service employees who resigned in good standing, received a general resignation, retired, or were voluntarily demoted, who timely requested reemployment and whose reemployment was certified by the appointing authority as being in the best interests of the service. Regular reemployment lists are valid for three years, unless extended by the commission to a maximum of four years. Civil service police and fire reemployment lists include former police officers and firefighters who have resigned in good standing and whose reemployment is certified by the appointing authority as in the best interest of the service. Police and fire reemployment lists have unlimited duration. Since current law does not specifically establish a sheriff's officer reemployment list, the Civil Service Commission places former sheriff's officers on regular reemployment lists which expire after three years. This bill establishes special sheriff's officers reemployment list similar to police and fire reemployment lists.

SPEED BUMPS

On January 29th, Governor Christie signed into law **ASSEMBLY BILL NO. 1483** (*DeAngelo D-14/Benson D-14*)(*Greenstein D-14*), which authorizes a municipality or county to conduct traffic calming measures in a business districts on streets under municipal or county jurisdiction without the approval of the Commissioner of Transportation of the State Department of DOT. However, the new law does require that a county or municipality obtain the approval of the

commissioner prior to constructing a speed hump or other traffic calming measure which places any impact on a State roadway

The law defines a business district is as that portion of a highway where within any 600 feet along the highway there are buildings in use for business or industrial purposes, including, but not limited, to hotels, banks, office buildings, railroad stations, and public buildings which occupy at least 300 feet of frontage on one side, or 300 feet collectively on both sides of the roadway. A traffic calming measure is defined to mean the combination of physical controls and community support to reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized users, and includes, but is not limited to, speed bumps. At the request of the New Jersey State Association of County Engineers (NJSACE) NJAC had requested amendments to address their concerns that the measure will authorize municipalities to conduct traffic calming measures on county roadways without prior county approval and would authorize counties to do the same on municipal roadways. NJAC's proposed amendments would have helped to avoid any potential conflicts and costly litigation between governing bodies.

NJAC ANNUAL CELEBRATION OF COUNTY GOVERNMENT

NJAC conference registration, hosting opportunities, and the action packed schedule of events are now available online on our terrific new website at www.njac.org. Don't miss the opportunity to be a part of our 65th annual celebration of county government scheduled to take place from May 6th through May 8th at Caesar's in Atlantic City. And, make sure to mark your calendars for NJAC's next Board of Directors meeting at 9:30 a.m. on March 13th in Committee Room 4 of the State House Annex.

STATE HOUSE TRIVIA

Did you know that over 36 million boxes of chocolate are sold each year on Valentine's Day?

*"Things may come to those who wait, but only the things left by those who hustle."
Abraham Lincoln*

