

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

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STATE HOUSE NEWS

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CRIMINAL JUSTICE REFORM

NJAC recently had the opportunity to meet with legislative leadership in the General Assembly and submit our position statements on Criminal Justice Reform to the Assembly Budget Committee in preparation for its budget hearing with the Judiciary on May 24th. We were encouraged by the Judiciary's testimony, which also reviewed our materials, and of which appears on board with some of our recommendations to streamline court facility operations as highlighted below. In summary, the Judiciary agrees in concept with permitting a risk assessment within 48 hours after a defendant's commitment to jail by video conferencing on weekends and holidays, and at the county jails under certain circumstances. We're also pleased to report that the Administrative Office of the Courts (AOC) has subsequently contacted the New Jersey County Jail Wardens Association (NJCJWA) to discuss implementation.

The Judiciary also appears open to including a representative from the county governing body on the Statewide Judiciary Security Committee, which is not currently the case. Finally, the Judiciary recognizes that county governments will incur additional costs to implement the new law, which is a critical point. In addition to our recommendations below, we're advocating for a budget resolution to address the costs associated with implementing and administering Criminal Justice Reform. Some of these costs will include salaries and wages, health and pension benefits, operation and maintenance expenses, court security enhancements, court facility improvements, other capital expenditures, and prisoner reentry services as recommended by an assignment judge, prosecutor, sheriff, or jail warden and as approved by the governing body.

You may review the Judiciary's testimony in its entirety at www.njleg.state.nj.us. Click on the Archived Proceedings Link and then the Assembly Budget Testimony Link for May 24th. We'll continue to engage the AOC, Legislature, and Administration throughout the month of June, and will make sure to keep you posted. In the meantime, it's critical for our county officials to contact their legislative delegation today. Let them know that counties are offering viable solutions to streamline court facility operations, and need State funding to implement Criminal Justice Reform. Any advocacy after June 31st will be too late.

The following recommendations offer important and timely solutions to address the costs associated with implementing Criminal Justice Reform, providing enhanced court security, and operating and maintaining county court facilities:

1. Limit conducting an in-person risk assessment within 48 hours after a defendant's commitment to jail to normal business hours of operation on Mondays through Fridays.
2. Permit conducting a risk assessment within 48 hours after a defendant's commitment to jail by video conferencing on weekends and holidays.
3. Authorize the use of conducting a risk assessment within 48 hours after a defendant's commitment to jail by video conferencing at the county court facility or county jail.
4. Extend implementing Criminal Justice Reform until 2018 to permit for the use of the recommendations contained herein and for county governments to develop a clearer picture on the costs associated with implementing and administering Criminal Justice Reform.
5. Allocate State monies or establish a funding mechanism to offset the costs associated with implementing and administering the new law.
6. Require the AOC to appoint a representative from the county governing body to the Statewide Judiciary Security Committee and other similar bodies that issue directives funded by local property taxpayer dollars.
7. Permit the limited use of Class Two special law enforcement officers to provide security at county court facilities.
8. Authorize county governing bodies to share or regionalize court facilities similar to how several counties have begun sharing county jails.

TRANSPORTATION TRUST FUND

Several legislators have recently proposed solutions to remedy the State's transportation funding crisis and we may see a bipartisan legislative plan shortly. NJAC's primary objective remains enhancing Local Aid Allocations under the Transportation Trust Fund (TTF). If the TTF is not renewed, county governments will undoubtedly face an annual budget battle for limited State resources.

The State's current Transportation Capital Program (TCP) allocates \$190.0 million each year in Local Aid with \$78.75 million for counties, \$78.75 million for municipalities, \$25.0 million for counties in Local Bridges Future Needs Funding (LBFN), and \$7.5 million in discretionary funding. Local Aid monies are funded by the TTF and the loss or reduction of this critical source of revenue would be devastating for county governments already struggling with a restrictive property tax cap levy, a declining ratable base, and mounting unfunded State mandates. As such, NJAC will continue to advocate for a stable, dependable, and long-term source of dedicated funding for the ailing TTF. Moreover, as county and municipal roads and bridges carry an estimated 53.0% of the State's overall traffic, yet inequitably receive only a 12.0% share of funding

under the TCP, NJAC will continue to advocate for an increase in Local Aid 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.

As has been well documented, county governments have an annual need of \$565.0 million to operate and maintain an estimated 7,140 bridges and more than 6,775 centerline miles of roads. County governments must also make substantial investments in capital improvements as 288 (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 when its load carrying capacity is below current design standards, or if water scour impacts 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.

INCLUSIVE PLAYGROUNDS

Special thanks to Assembly Majority Leader Lou Greenwald and to the New Jersey Parks and Recreation Association for working with NJAC on crafting amendments to **ASSEMBLY, No. 3612** (*Greenwald D-6/Lampitt D-6*). As introduced, the bill would have required counties to design and construct inclusive playgrounds to receive State funding for recreational and conservation purposes.

On June 6th, the Assembly Woman and Children’s Committee amended the legislation, in part and based on NJAC’s recommendations, to require that the Department of Environmental Protection (DEP) prioritize any application submitted by a county seeking to acquire or develop lands for recreational and conservation purposes using Green Acres funds, provided that the Green Acres funds requested by the county are to be used for the design and construction of an inclusive playground. The Committee further amended the bill to require that the Commissioner grant additional prioritization to the applications submitted by counties that do not currently operate and maintain an inclusive playground, in an effort to ensure at least one such playground is operated and maintained by each county. As introduced, the measure would have required DEP to deny any application submitted by a county seeking to acquire or develop lands for recreational and conservation purposes using Green Acres Funds, unless the requesting county has completed or commenced design and construction of at least on inclusive playground prior to the date of the request.

The Committee also amended the bill to clarify that the Department of Community Affairs (DCA) would be required to: promulgate rules and regulations specifically for

inclusive playgrounds that generally exceed current State and federal standards within 90 days of the effective date of the bill; consult with nonprofit organizations with a demonstrated expertise in the design and construction of inclusive playgrounds; and, promulgate rules and regulations mandating that inclusive playgrounds would be designed to facilitate access by adults and children with disabilities. A-3612 is on Second Reading in the General Assembly and **SENATE, No. 2118** (*Beach D-6*) is currently in the Senate Community and Urban Affairs Committee awaiting consideration.

ELECTRONIC PROCUREMENT

June 6th was a busy day in Trenton as the Senate Budget and Appropriations favorably reported **SENATE, No. 1729** (*Whelan D-2/Oroho R-24*), which would authorize local governing bodies subject to the "Local Public Contracts Law" and "Public School Contracts Law" to use electronic procurement technologies for such purposes as authorized by the local governing body.

In summary, the measure would authorize local units, joint purchasing units, or cooperative pricing systems to use electronic procurement practices for the following purposes: to purchase electric generation service, electric related service, gas supply service, or gas related service, for use at its facilities so long as the purchase otherwise complies with the provisions of the "Electric Discount and Energy Competition Act"; for the sale of surplus personal property under certain circumstances; and, for the sale of real property that would otherwise comply with the sale and lease provisions of the "Local Lands and Buildings Law."

Contracts awarded for the administration of electronic procurement practices would be subject to the requirements of the "Local Public Contracts Law," and the "Public School Contracts Law." The bill would also require the Director of the Division of Local Government Services in the Department of Community Affairs, in consultation with other State government entities, to promulgate rules and regulations to effectuate the provisions of the bill. NJAC supports this legislation as it would modernize the procurement process saving valuable time, money, and resources. S-1729 is on Second Reading in the Senate and **ASSEMBLY, No. 2220** (*Benson D-14/Webber R-26*) is on Second Reading in the General Assembly as well.

SOURCE SEPARATION OF FOOD WASTE

Also on June 6th, NJAC and attorney Sandra Ayres with the law firm of Scarinici & Hollenback on behalf of the Ocean County Landfill, testified before the Assembly Environment and Energy Committee on **ASSEMBLY, No. 2417** (*Eustace D-38/Zwicker D16*).

NJAC is primarily concerned with how the measure will impact county governments that have committed considerable resources to cutting edge recycling and solid waste management activities. Atlantic, Burlington, Cape May, Cumberland, Gloucester,

Middlesex, Ocean, Monmouth, Salem, and Warren counties have invested substantial taxpayer dollars into state of the art Landfill Gas to Energy (LGTE) facilities that utilize methane gas produced from decomposing organic food waste to generate renewable Class One electricity under the “Electric Discount and Energy Competition Act.” NJAC is concerned that mandating the source separation of food waste from other streams of waste would divert large volumes of critical material from these facilities, which in turn, would adversely affect the quantity and quality of gas relied upon by LGTE facilities, and jeopardize their economic viability.

The LGTE process eliminates harmful methane gas from the environment, and food waste decomposes quickly leaving valuable landfill space for other matter. Importantly, county governments have invested substantial taxpayer dollars on the development and implementation of comprehensive solid waste management plans that serve their communities well, and should retain the autonomy to manage food waste in a manner consistent with their respective solid waste management systems. On April 20th, NJAC and several stakeholders met with Senator Bob Smith (*D-17*), as the sponsor of **SENATE, No. 771** and Chair of the Senate Environment and Energy Committee, to discuss potential changes to the measure that would make the legislation more palatable for county governments. NJAC would like to thank Senator Smith and the Assembly Environment and Energy Committee for taking the time to meet with stakeholders, and we’re optimistic that the final version of the legislation will incorporate recommendations to exempt certain county facilities. We plan to meet with sponsors of A-2417 shortly as well.

SEC DISCLOSURES

On the 6th day of June, the Assembly State and Local Government Committee favorably reported **ASSEMBLY No. 3540** (*Holley D-20/Schaer D-36*), which would authorize certain corporations bidding for public contracts to submit federal Securities and Exchange Commission filings to comply with requirements to disclose certain interest holders.

In general current law requires a corporation or partnership that is awarded a public contract to submit the names and addresses of all stockholders in the corporation who own 10% or more of the stock, or of all individual partners in a partnership who own a 10% or greater interest. To comply with this requirement, this bill would permit a bidder whose direct or indirect parent entity is publicly traded to submit the name and address of the publicly traded entity and the name and address of each person that holds a 10% or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission.

NJAC supports the measure as proponents of the bill addressed our initial concerns before introducing the legislation as it will allow publicly traded companies to more effectively comply with the Local Public Contracts Law. A-3540 is on Second Reading in the General Assembly, and the Senate State Government, Wagering, Tourism, and

Historic Preservation Committee plans to consider the measure **SENATE, No. 2310** (*Diegnan D-18/Oroho R-24*) at its meeting on June 9th.

COUNTY LAW ENFORCEMENT TRAINING

Finally on June 6th, the Senate Budget and Appropriations Committee favorably reported **SENATE BILL No. 790** (*Sarlo D-36*), which would require the Police Training Commission (PTC) to establish a modified law enforcement basic training program that would permit a county correction's officer to transition into the position of sheriff's officer.

Under current law, a county correction's officer is required to complete an 18-week basic training course, and then an additional 26-week training course to transition into the position of sheriff's officer within the same county. This legislation would authorize a county correction's officer to utilize their prior training, in conjunction with the modified basic training established by the PTC under the bill, to secure employment as a sheriff's officer. Under the bill, a county correction's officer would be eligible for the modified basic training program if the officer has previously completed a PTC basic training course; has been certified by the county sheriff to transition into the position of sheriff's officer based on the officer's Civil Service test and seniority; and, has served in the county correction's officer title for 36 months in a facility under the jurisdiction of the county sheriff.

The measure would also require the Civil Service Commission (CSC) to develop a written examination equivalent to the entry level law enforcement examination, entitled the "Promotional Examination for County Correction's Officers to Transfer to the Title of Sheriff's Officer." NJAC supports the measure as it will streamline the process for hiring a sheriff's officer and reduce considerable training expenses. S-790 is on Second Reading in the Senate, and **ASSEMBLY, No. 3256** (*Lagana D-38*) is currently in the Assembly Law and Public Safety Committee awaiting consideration.

ANNUAL CELEBRATION OF COUNTY GOVERNMENT

Thank you to everyone who joined us for NJAC's 66th annual celebration of county government where attendance was at an all-time high, and county and business leaders from across the State had the unique opportunity to share resources and ideas at several terrific venues. Congratulations to our 2016 award winners.

MAURICE FITZGIBBONS FREEHOLDER OF THE YEAR AWARD

Union County Freeholder Vernell Wright

COUNTY SERVICE AWARDS

- Gloucester County Recycling Coordinator Monica Gismondi
- Passaic County Jail Warden Mike Tolerico
- Ocean County Chief Finance Officer Julie Tarrant

BUSINESS ASSOCIATE OF THE YEAR

NJM Insurance Group

As expected, the 5th Annual County Vocational-Technical School Cook-Off Challenge once again stole the show as culinary art students from Atlantic, Burlington, Cumberland, Gloucester, Hudson, Hunterdon, Monmouth, Ocean, Somerset, Ocean, and Warren counties for titles in taste, creativity, and food presentation.

PEOPLE'S CHOICE AWARD

Gold Medal

- Cumberland County Technical Education Center
Black Pepper & Molasses Lacquered Short Rib

Silver Medal

- Hunterdon County Polytech High School
Milford Farms Pork Belly and Chicken Confit Tostada with locally foraged ramp Kimchi and Korean BBQ sauce

Bronze Medal

- Ocean County Vocational Technical School
Jersey Shore Lobster Roll with roasted corn and tomato served on a fresh baked bun

NJAC Judges Taste

Gold Medal

- Cumberland County Technical Education Center
Black Pepper & Molasses Lacquered Short Rib

Silver Medal

- Hunterdon County Polytech High School
Milford Farms Pork Belly and Chicken Confit Tostada with locally foraged ramp Kimchi and Korean BBQ sauce

Bronze Medal

- Hudson County Schools of Technology
Sous Vide Pork-Loin Arepas with BBQ foam

NJAC JUDGES STATION DISPLAY

Gold Medal

- Warren County Technical School

NJAC JUDGES STATION DISPLAY (cont'd)

Silver Medal

- Union County Vocational Technical School

Bronze Medal

- Hudson County Schools of Technology

PROFESSIONAL CHEFS TASTE

Gold Medal

- Cumberland County Technical Education Center
Black Pepper & Molasses Lacquered Short Rib

Silver Medal

- Atlantic County Institute of Technology
Wild-Caught Grilled Shrimp with tomato cantaloupe salsa & basil sorbet

Bronze Medal

- Burlington County Institute of Technology
Marinated Flank Steak
- Hunterdon County Polytech High School
Milford Farms Pork Belly and Chicken Confit Tostada with locally foraged ramp Kimchi and Korean BBQ sauce

PROFESSIONAL CHEFS FOOD PRESENTATION

Gold Medal

- Cumberland County Technical Education Center

Silver Medal

- Hunterdon County Polytech High School
- Union County Vocational Technical School

Bronze Medal

- Burlington County Institute of Technology

Additional outstanding dishes and schools: Gloucester County Institute of Technology serving *Balsamic Honey Roasted Shredded Pork with fig chutney & whipped ricotta*; Monmouth County Culinary Education Center serving *Asian Day Boat Scallop with sweet chili sauce*; Somerset County Vocational Technical School serving *Applewood Smoked Scallops with pear and roasted poblano relish*; and, Warren County Technical School

serving Coconut Infused Risotto Pancake topped with grilled marinated shrimp surrounded by a mango coulis and toasted macadamia nuts.

As equally impressive were the talented students who joined us for the First Annual County College Acapella Sing-Off. Led by instructor Robyn McCullough, Atlantic-Cape students sung beautiful renditions of: And so it Goes by Billy Joel; Over the Rainbow by Israel Kamakawiwo'ole; and Tshotsholoza, a South African Folk Song. Led by instructor Zulema Cheek, Union County students followed with inspiring versions of: Sweet Dreams by the Eurythmics; Flashlight by Jessie J; and Applause by Lady Gaga. My two favorites were a moving "Over the Rainbow" and an old school Philly soul "Sweet Dreams."

UPCOMING NJAC EVENTS

Please join us on June 24th for NJAC's Board of Directors meeting scheduled for 9:30 a.m. in Committee Room 6 of the State House Annex in Trenton, and on July 28th for NJAC's Annual Night at the Ballpark to watch the Trenton Thunder take on the Altoona Curve. Check out our website at www.njac.org for additional details.

STATE HOUSE TRIVIA

Did you know that New Jersey has the most-dense system of highways and railroads in the United States?

"It's a sure sign of summertime when the chair gets up when you do." Walter Winchell