

# NEW JERSEY ASSOCIATION OF COUNTIES

*County Government with a Unified Voice!*

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## STATE HOUSE NEWS

*August 4, 2017*

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### **NJAC GOALS AND OBJECTIVES**

NJAC's Legislative Affairs Committee is meeting later this morning to discuss establishing the Association's legislative goals for the fast approaching lame-duck session, the 2018/19 legislative session, and a new Governor set to take office in January of 2018. If you can't make the meeting, please share with us your thoughts and suggestions on potential goals as outlined below. NJAC's Board of Directors will consider and adopt our final objectives at its next meeting on September 22<sup>nd</sup> in Committee Room 4 of the State House Annex in Trenton.

#### LAME-DUCK GOALS

1. Recommendations should be realistic and achievable before the new Governor and Legislature take office in January of 2018.
2. Recommendations may include existing legislation such as permitting counties to hire temporary employees for up to 10 months, authorizing counties to share tax administrators, and extending the 2.0% cap on binding interest arbitration awards.
3. Recommendations should benefit counties throughout the State and enjoy bi-partisan support.

#### SHORT-TERM GOALS

1. Recommendations should be realistic and achievable within the two year legislative cycle.
2. Recommendations should be specific and tangible, so that we may accurately quantify any potential cost savings or other benefits, and may include matters such as prohibiting commercial entities from using the Open Public Records Act for business purposes and providing counties with their equitable share of 9-1-1 fees collected by the State.
3. Recommendations should benefit counties throughout the State and enjoy bi-partisan support.

## LONG-TERM GOALS

1. Recommendations should be realistic and achievable within the first term of the newly elected Governor.
2. Recommendations should offer viable and substantive solutions for a long-standing issues that have had a negative impact on the county government system, and may include matters such as establishing incentives through grant funding to regionalize 9-1-1 centers and specific ideas for mitigating the costs associated with providing courthouse security.
3. Recommendations should benefit counties throughout the State and enjoy bipartisan support

## **CAPS ON BINDING INTEREST ARBITRATION AWARDS**

As previously reported, NJAC is working with the New Jersey State League of Municipalities (NJSLOM) and the New Jersey Conference of Mayors (NJCM) to urge members of State Legislature and Governor Chris Christie to enact legislation that would permanently extend the 2% cap on binding interest arbitration awards set to expire on December 31<sup>st</sup> of 2017. Additionally, we plan on hosting a press conference in September with details to follow and have meetings scheduled with State leaders throughout the month of August.

The 2% cap on binding interest arbitration awards first enacted in 2010 and extended for an additional three years in 2014, enables county governments across the State to effectively control public safety employment salaries and personnel costs. In general, county governments dedicate the majority of their overall annual operating budgets to employee salaries, wages, health benefits, and other related costs. In addition to these pervasive expenses, county governments face a restrictive 2% property tax cap levy where they must prepare budgets pursuant to two comprehensive cap calculations and use the more restrictive one. Counties also face significant regulatory and statutory State mandates, which include implementing Criminal Justice Reform, operating judicial and prosecutorial facilities, providing courthouse security, housing inmates in county jails, delivering health and human service programs, maintaining county roads and bridges, funding county colleges and vocational-technical schools, conducting primary and general elections, and much more.

As has been well documented, the 2% cap on binding interest arbitration awards has leveled the playing field in negotiations between collective bargaining units and local governing bodies. Prior to the 2% cap, arbitrators routinely awarded contracts with double digit increases in certain counties. These awards took into consideration base salary, step increments, and longevity pay all of which are now included under the cap. In addition to effectively controlling personnel costs, the cap on interest arbitration awards has been a critical tool for negotiating reasonable successor contracts as parties are closer to reaching an agreement from the onset of negotiations avoiding further

legal and administrative costs. As such, failure to permanently extend the 2% cap on binding interest arbitration awards will cause arbitrators to once again award generous contracts that will force county governments throughout the State to further reduce or even eliminate essential services, critical personnel, and long-overdue infrastructure improvement projects.

Although NJAC's Board of Directors has the utmost respect and admiration for the police, firefighters, correction officers, and sheriff officers that put their lives on the line every day to protect the communities in which they serve, it also recognizes that our State, local governments, and property taxpayers are struggling to make ends meet. With this in mind, NJAC is urging all twenty-one counties to adopt the following resolution.

**A RESOLUTION** urging Governor Chris Christie and the New Jersey State Legislature to enact legislation that will permanently extend the 2% cap on binding interest arbitration awards before December 31, 2017.

**WHEREAS**, pursuant to the sunset provision contained in P.L. 2014, c. 11 the 2% cap on interest arbitration awards is set to expire on December 31, 2017; and,

**WHEREAS**, this law empowers county governments throughout the State to effectively control public safety employment salaries and personnel costs by capping interest arbitration awards at 2% for base salaries, which includes step increments and longevity pay; and,

**WHEREAS**, county governments dedicate a substantial portion of their overall annual operating expenses for employee salaries, wages, health benefits, and other personnel costs; and,

**WHEREAS**, county governments face a restrictive 2% property tax cap levy where counties must prepare two comprehensive cap calculations and use the more restrictive one; and,

**WHEREAS**, failure to extend the 2% cap on interest arbitration awards will force county governments to further reduce or even eliminate essential services, critical personnel, and long-overdue infrastructure improvement projects; and,

**WHEREAS**, it is in the best interest of county governments and property taxpayers throughout the State struggling to make ends meet to permanently extend the 2% cap on interest arbitration awards.

**NOW, THEREFORE, BE IT RESOLVED** that the New Jersey Association of Counties does in fact hereby urge Governor Chris Christie and the New Jersey State Legislature to enact legislation that will permanently extend the 2% cap on interest arbitration awards before December 31, 2017; and,

**BE IT FURTHER RESOLVED** that certified copies of this Resolution are forwarded to the Governor of the State of New Jersey Chris Christie, the President of the New Jersey State Senate Steve Sweeney, the Speaker of the General Assembly Vincent Prieto, and the New Jersey Association of Counties.

## **LIBRARY BOND CONSTRUCTION ACT**

On July 21<sup>st</sup>, Governor Christie signed into law **SENATE, No. 2171/ASSEMBLY No. 222** (*Bateman R-16/Greenstein D-14*)(*DeAngelo D-14/Giblin D-34*) as P.L. 2017, c. 149, which authorizes the issuance of \$125,000,000.00 in State general obligation bonds to provide grants for the construction, expansion, and equipping of New Jersey's public libraries.

In summary, the measure directs the State Librarian, in consultation with the President of Thomas Edison State University, to establish eligibility criteria for the receipt of grants by local governing bodies that provide support to public libraries. The State Librarian, with the approval of the President, must prepare a list of eligible projects. The grants will support 50% of the cost of a project for any project financed by the bond proceeds with the appropriate local governing body served by the public library supporting the balance. The new law also authorizes local governing bodies to solicit and receive grants, and other funds from any private source to support its required share of the project. The measure further provides that the bond act must be submitted to voters for approval at the General Election in November, and appropriates \$5,000.00 to the Department of State for expenses in connection with the publication of the public question. NJAC supported the initiative as it made its way through the Legislature as it will provide financial assistance to county governments across the State in their efforts to operate and maintain state of the art public library systems.

## **BRIDGE MAINTENANCE GUARANTEES**

On July 13<sup>th</sup>, Governor Christie signed into law **SENATE, No. 2809/ASSEMBLY, No. 2181** (*Sarlo D-36*)(*Caride D-36/Schaer D-36*) as P.L. 2017, c.109, which prohibits the New Jersey Turnpike Authority (NJTA) from requiring a county to provide a guarantee for the maintenance of a pedestrian bridge when determining approval for construction of the bridge under certain circumstances.

In summary, the new law provides that when determining whether to approve the construction of a pedestrian bridge that impacts property owned and operated by NJTA, the Authority is prohibited from requiring a county to provide a guarantee for the maintenance of said pedestrian bridge in the event that a municipality defaults on its obligation to maintain the bridge. However, the law only applies if the pedestrian bridge connects two points within the same municipality and the municipality has the ability to generate revenue from property taxes. NJAC supported the measure as it made its way through the Legislature as it removes an impediment under prior law that prevented the construction of a pedestrian bridge in a municipality that would allow its residents to access one of our outstanding county parks.

## **OPEN SPACE ACQUISITION**

Also on July 21<sup>st</sup>, Governor Christie signed into law **SENATE, No. 195/ASSEMBLY, No 1645** (*Kyrillos D-13/Smith D-17*)(*Schaer D-36/Webber D-36*) as P.L. 2017, c.154, which expands the definition of “acquisition” under the law concerning the establishment of county and municipal open space trust funds. In summary, the new law clarifies that the term “acquisition” includes the demolition of structures on, the removal of debris from, and the restoration of those lands to a natural state or to a state useful for recreation and conservation purposes. NJAC applauds the passage of the new law as it should resolve any conflicting interpretations or applications that may have hindered county and municipal preservation and revitalization efforts.

## **EMS DATA TRACKING**

Also of note on July 21<sup>st</sup>, Governor Christie signed into law **SENATE, No. 5/ASSEMBLY, No. 4925** (*Vitale D-19/Sweeney D-3*)(*Conaway D-7/O’Scanlon R-14*) as P.L. 2017, c.116, which establishes certain reporting requirements for emergency medical services (EMS) providers.

In general, the new law requires each EMS provider that provides pre-hospital emergency medical care to patients in the State to report to the Department of Health (DOH) certain information about each incident for which the entity provides emergency medical services. This information must then be reported in the most current format used by the National Emergency Medical Services Information System (NEMESIS) and is to include: the date, time, and location of the encounter; the nature of the medical emergency, including the number of persons requiring emergency medical services and their conditions; the nature and type of any emergency medical treatment or services provided; the name and certification or professional licensure of each professional staffing the EMS provider unit during the encounter; whether any other EMS providers responded to the request for services; the outcome of the encounter, including whether each person receiving services was treated, refused additional treatment, was transported to a hospital or other health care facility or transferred to another EMS provider for further treatment, or died; and, any other particulars of the encounter as may be relevant or required by the Commissioner of Health.

The measure also requires EMS dispatch centers to report to DOH, in a standardized format as required by the Commissioner by regulation, certain information concerning each request for emergency medical services that is received by the dispatch center. Such information must include: the date, time, and location of the request for services; the nature and circumstances of the emergency, as provided to the dispatch center; the identity of each EMS provider dispatched; and any other particulars of the request as may be relevant. The Commissioner must also establish a system to allow for the electronic reporting of EMS dispatch and response information pursuant to the new law. Additionally, DOH must furnish to EMS providers and dispatchers, without charge, any

software or programs developed by the DOH for accessing and using the electronic reporting system. Information must be reported to the system in a format and at such intervals as the commissioner requires, except that, to the extent possible, the system is to be designed to interact with existing systems used by EMS providers and dispatch centers, including, but not limited to, ems-Charts and Image Trend, so as to facilitate automated, real-time reporting.

Finally, the new law requires the commissioner to establish, maintain, and coordinate the activities of the New Jersey Emergency Medical Services Task Force. The purpose of the task force will be to support and enhance the provision of specialized response services, utilizing personnel and equipment to respond as requested, for both pre-planned and emergency events, including natural disasters, mass casualty incidents, and chemical, biological, radiological, nuclear, and explosive events, in order to reduce morbidity and mortality through appropriate triage, incident management, and coordinated pre-hospital care and transportation. The membership of the task force is to represent all regions of the State and include first responders, emergency medical technicians, paramedics, registered nurses, physicians, communications specialists, hospitals, agencies providing emergency medical responder and other emergency medical services, and communication centers that are utilized for the purpose of providing emergency medical services.

#### **UPCOMING NJAC EVENTS**

Don't miss NJACs next Board of Directors meeting set for 9:30 a.m. on September 22<sup>nd</sup> in Committee Room 4 of the State House Annex in Trenton where the Board will adopt NJAC's legislative goals as noted above. And, make sure to visit our website at [www.njac.org](http://www.njac.org) for details about this year's County Administrators Program designed for local government employees and elected officials who would like to advance their careers in public service. Subject matter experts from across the State will cover essential topics such as public procurement, management challenges, county fiscal affairs, and ethics. Courses will take place on October 20<sup>th</sup> and October 27<sup>th</sup> at the Rutgers University Continuing Education at Atrium located at 300 Atrium Drive in Somerset, New Jersey. All successful program graduates will receive a certificate from Rutgers University verifying their completion of training.

**STATE HOUSE TRIVIA:** *Did you know* that the month of August was named after Julius Caesar's grandnephew Augustus when he became Emperor of the Roman Empire?

*"We can complain because rose bushes have thorns or rejoice because thorn bushes have roses." - Abraham Lincoln*