

NEW JERSEY ASSOCIATION OF COUNTIES

County Government with a Unified Voice!

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STATE HOUSE NEWS

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NJAC is advocating for the following legislative initiatives for the remainder of the 2024/25 legislative session.

ONLINE LEGAL NOTICES

ISSUE: NJAC supports legislation that would provide local governing bodies with the opportunity to electronically publish legal notices in a newspaper's website or digital publication as it would provide counties, municipalities, school boards, authorities, and more with the opportunity to comply with the law in a timely, cost effective, and efficient manner.

In general, current law requires purchasing officials, clerks of the boards, planning departments, improvement authorities, and several others to publish onerous written information and legal notices in local newspaper publications. Such notices typically include contract awards, contract addendums, meeting notices, RFP and RFQ notices, election notices, and much more. Public officials have long decried that publishing these voluminous documents in print media is costly, time consuming, and outdated. Moreover, as the newspaper industry has become increasingly digitized and struggled to retain staff, resources, and publications, local officials have found it difficult to comply with the notice requirements under the law.

REMEDY: Title 35 of the Revised Statutes may be supplemented with the following language, in part, as well as amendments made to various sections of the statutory law that would permit local governing bodies *"to electronically publish legal notices on a newspaper's website or in a newspaper's digital publication."*

WORKING TEST PERIOD

ISSUE: NJAC supports legislation that would extend the Working Test Period (WTP) for local governments from three months to four months along with the ability to extend the WTP to six months at the discretion of the Civil Service Commission (CSC). This important and timely change to the law would provide personnel departments in local governments across the State with additional time to adequately evaluate and recommend qualified employees for full-time employment.

For the past two years, NJAC has been working with the Chair/CEO of CSC, Allison Meyers, who has made several positive changes to streamline the antiquated hiring, evaluation, and promotional procedures long imposed by the CSC. As an integral component of these initiatives, the Chair/CEO and Commission implemented a Pilot Program in Atlantic County to extend the WTP from three months to four months with a copy of the Administrative Order dated December 23, 2023 available upon your request.

In general, the CSC defines the WTP as the period of time following a regular appointment from a certified list or appointment to a non-competitive title. CSC considers the WTP as a continuation of the examination process and as an opportunity for local governments to properly evaluate prospective employees. County officials contend that this relatively brief timeframe hampers human resource professionals from properly evaluating potential employees and making accurate recommendations accordingly. Moreover, current law provides the State of New Jersey as an employer with a four-month WTP, so any permanent changes to the law would create uniformity among all levels of government. Please also note that prior to the commencement of the Pilot Program, Atlantic County notified all career service employees subject to the three-month WTP of the change and that the County has reported no issues, challenges, or grievances with any of its collective bargaining units.

REMEDY: N.J.S.A. 11A:4-15 may be amended as follows to make the Atlantic County Pilot Program permanent and applicable to all local governments following the Program's conclusion in January of 2025: "*a. A working test period following regular appointment of four months, which may be extended to six months at the discretion of the commission, except that the working test period for [political subdivision employees shall be three months and the working test period for] entry level law enforcement, correction officer, and firefighter titles shall be 12 months,*"

BODY WORN CAMERAS

ISSUE: NJAC supports establishing a permanent and dedicated source of funding to support the unanticipated expenses associated with the implementation of P.L. 2020, c.128, which requires all uniformed law enforcement officers in the State to wear body worn cameras.

Although the Office of the Attorney General (OAG) awarded a total of \$57.0 million in grant funding through the Body-Worn-Camera Grant Program (BWCGP) to participating law enforcement agencies in 2021, the OAG provided these monies on a one-time basis for the purchase of cameras and ancillary equipment such as clips, chargers, batteries, etc., as well as storage costs. Since that time and depending on the size of the county, prosecutor offices and sheriff departments across the State have spent between \$50,000 and \$1.6 million per year on new software, licenses, warranties, servers, docking stations, cloud storage, staff, and body worn cameras.

In particular, the storage of body worn camera footage has presented a significant challenge due to the sheer volume of the data generated as each camera produces a substantial amount of high-definition video, which law enforcement agencies must securely store for varying lengths of

time depending on the nature of the footage and legal requirements. Consequently, this process has forced county law enforcement agencies to make annual investments in cloud storage, software, licenses, warranties, and more from private vendors that charge a premium through subscription-based services. For example, Bergen County reported receiving a one-time grant of \$300,000 from the BWCGP to purchase cameras, ancillary equipment, and services from a private vendor, but now spends approximately \$500,000 per year for cloud storage, software, licenses, and more with that same vendor. This scenario is not unique to Bergen County, and the recurring expenses do not end there.

Also of note, the new law has forced county prosecutor offices and sheriff departments to hire additional staff necessary to review and process evidence, administer Open Public Records Act (OPRA) requests, and categorize body worn camera footage accordingly. Each of these functions require valuable staff time and resources along with the challenges they present supervisors, who must review footage and other procedures for compliance and training purposes. For example, earlier this year, the Morris County Board of Commissioners approved having the Morris County Prosecutor's Office hire three new employees to review and process evidence at a cost of \$270,000 per year with anticipated annual increases of 3%. Moreover, county law enforcement agencies must train all officers on the proper use of body worn cameras along with educating officers on applicable legal considerations.

Some additional examples of the extraordinary expenses and operational challenges highlighted above, include the Hudson County Prosecutor's Office dedicating over \$960,698 per year in salaries, equipment, warranties, upgrades, licenses, and servers; Monmouth County spending nearly \$1.6 million between 2020 and 2024 for similar expenses; Passaic County likewise allocating \$813,577 between 2024 through 2028; Salem County averaging \$51,000 per year between 2023 through 2025; and, Warren County's IT Department dedicating 130 hours to implement the County's body worn camera program along with receiving initial grant funding for less than what it cost to establish the County's program.

REMEDY: Beginning in State Fiscal Year 2026, establish a permanent and dedicated source of grant funding along with an annual appropriation where all local law enforcement agencies in the State may apply for relief to offset the unanticipated costs associated with P.L. 2020, c.128, which has forced county and municipal governments to purchase new software, licenses, warranties, servers, docking stations, cloud storage, staff, body worn cameras, and more.

EMPLOYEE RESIDENCY REQUIREMENTS

ISSUE: As local governing bodies across the State have been struggling to hire and retain qualified candidates in the wake of soaring inflation, increasing healthcare costs, and the prospects of more lucrative paying jobs in the private sector, relief from the "New Jersey First Act" would eliminate a significant barrier for individuals seeking public sector employment in the Garden State. Since September of 2011, any new or prospective public employee must reside in the State of New Jersey unless otherwise exempted under law.

REMEDY: The New Jersey First Act be amended under N.J.S.A. 52:14-7 a.(4) to authorize counties, municipalities, and more to hire individuals who reside in other states but still permit such governing bodies to maintain a residency requirement on current, new, or prospective employees as currently required under the law as follows: *“Notwithstanding section a. to the contrary, a county, municipality, political subdivision of the State, and or an authority, board, body, agency, district, commission, or instrumentality of the county, municipality or subdivision, may by resolution, adopt a policy that would allow the local governing body to hire, appoint, retain, or otherwise employ an individual who does not have a principal place of residence in this State.”*

In other news:

WORKERS’ COMPENSATION FEES

On August 22nd, Governor Murphy signed into law as P.L. 2024, c.55 **S-2822** (*Lagana D-38*)(*Verrelli D-15*), which would increase the cap on fees paid to petitioner attorneys in workers’ compensation claims from 20% to 25%.

In general, local officials are concerned that this legislation would increase monies awarded to petitioner attorneys at the expense of workers and local governing bodies as employers. Under current law, a workers’ compensation judge may award reasonable attorney fees up to 20% with the employer responsible for paying 60% of that amount and the injured worker paying the balance of 40% deducted from the final settlement. In addition to enhancing attorney fees, this legislation could increase insurance premiums and nullify the steps county governments have taken to effectively manage workers’ compensation claims. As local governing bodies continue to struggle with navigating annual increases in the cost of goods and services, this legislation would make it even more difficult to control operating expenses while delivering essential services.

PARATRANSIT SERVICES

On September 12th, Governor Murphy conditionally vetoed **A-2607** (*Karabinchak D-18/Calabrese D-36*) (*Diegnan D-18/Mukherji D-32*, which would permit taxicabs, limousines, and transportation network companies (TNCs) to provide paratransit services in the State for a period of two years.

In summary, this legislation would require that within 60 days of the termination of the two-year period in which the provision of paratransit services is permitted by taxicabs, limousines, and TNCs, each paratransit provider that provides paratransit service by means of a taxicab, limousine, or TNC prepare and submit a report to the Department of Transportation (DOT) containing the following information: information on the number of paratransit service rides provided during the two-year period; information on any vehicle safety, labor, environmental, or any other applicable violations that occurred during the provision of paratransit services; and information pertaining to each motor vehicle accident that occurred during the provision of

paratransit services and any related injuries or insurance claims that resulted from each motor vehicle accident. NJAC supports this legislation as it could help county governments provide critical community and paratransit services to senior citizens, individuals with disabilities, and others with mobility needs. Although the types of transportation services provided to those in need may vary from county-to-county, this legislation could make additional rides available for medical appointments for hemodialysis, chemotherapy, and radiation; physical and mental therapies; employment and educational training opportunities; veteran services; recreational activities; meals on wheels; visitation of loved ones in nursing homes and hospitals; and more. The Governor's conditional veto address his concerns with Medicaid transportation services and beneficiaries, and the Legislature is expected to concur.

UPCOMING NJAC EVENTS: Don't miss NJAC's Year-End Summit on "Artificial Intelligence & Cybersecurity" set for Friday 12/13 at the historic Trenton Country Club. Make sure to visit our website at www.njac.org for registration details and other opportunities to join us.

The greatest-sappiest songs of all time that you're too embarrassed to admit that you love but know every word and sing along to every time you hear them in the shower, car, garage, or wherever you pray no one is listening.

7. The Hills are Alive *by Julie Andrews*
6. I Write the Songs *by Barry Manilow*
5. Laughter in the Rain *by Neil Sedaka*
4. Touch me in the Morning *by Diane Ross*
3. You Light up my Life *by Debbie Boone*
2. After the Lovin *by Englebert Humperdinck*
1. Close to You *by the Carpenters*

"The only place success comes before work is in the dictionary." Vince Lombardi