

# 2009 NJAC ANNUAL REVIEW



## Message from the NJAC President

The New Jersey Association of Counties is one of the oldest and proudest advocacy organizations in the state. Its mission is to represent the interests of county governments in the state capital.

NJAC fulfills its mission by monitoring legislation that could affect county governments; testifying in the Legislature on behalf of the counties; meeting with lawmakers and administration officials to advance the organization's position; educating the general public on the importance of county government and the effect of state taxes, regulations and mandates on county property taxes.

In 2009 NJAC monitored more than 800 bills to determine their effect on counties and county taxpayers. As a result of its activities, county governments won a number of significant victories that saved millions of dollars for county taxpayers. Included among them was increased aid for transportation, shared services and other important priorities for county governments.

The following pages contain a review of our accomplishments and activities this year. I hope that you find it useful.

In the meantime, please feel free to contact the NJAC office with any suggestions that you may have to make next year just as successful.

Sincerely,

Carol Y. Clark

NJAC President and Essex County Freeholder

# 2009 NJAC ANNUAL REVIEW

## LEGISLATIVE PROGRESS REPORT

NJAC works regularly with policy makers to provide funding for essential county services and to offset the cost of service delivery measures that would otherwise be borne by the local property taxpayers. Among the most important priorities for counties is aid for transportation. Indeed, county governments are responsible for maintaining more road miles and bridges in New Jersey than even the state government.

The New Jersey Association of Counties is the only agency in New Jersey whose sole mission is to advocate for the collective interests of county governments statewide. The Association was formed nearly a century ago for the express purpose of fostering cooperation and coordination among and between New Jersey's 21 counties and their elected officials. Through educational programs, legislative advocacy and public outreach, the Association strives to improve the quality of life for county residents statewide by enhancing the delivery of governmental services and making county governments more effective in responding to the needs of their constituents.

Each year, the Association plays an active role in the State's legislative, regulatory and policy making environments to ensure that lawmakers take into account the potential impact that their public policy proposals will have upon county governments and their taxpayers. In a typical legislative session, for instance, the Association tracks and monitors close to 900 bills which have a potential impact upon county governmental operations. In addition, the Association formally comments on proposed administrative regulations, meets with public policy decision makers to advance pro-county initiatives, testifies before boards, committees and commissions and hosts influential legislative leaders and cabinet officials at NJAC meetings.

The Association also regularly hosts seminars, workshops and educational conferences to highlight emerging trends in local governmental operations, educate members and associates regarding laws, rules and regulations that have an impact on county governments and provide opportunities for cooperation and coordination among and between county officials. These venues often provide opportunities for county officials to complete continuing education credits towards professional certifications and to liaison with their counterparts from across the State. Finally, the Association, working closely

## **2009 NJAC ANNUAL REVIEW**

with corporate benefactors, provides scholarships, internships and other similar opportunities for New Jersey residents in an effort to promote county governments and county governmental operations.

### **SECURING STATE FUNDING FOR COUNTIES**

The New Jersey Association of Counties is working closely with Governor-Elect Chris Christie's Transition Team to examine methodologies for the State to improve long-range transportation infrastructure planning and funding. Historically, NJAC has strongly supported the reauthorization of the Transportation Trust Fund to support the State's transportation infrastructure. NJAC believes firmly that the effective and efficient movement of individuals and goods by road, rail and water is essential to growing the State's economy and creating and retaining jobs.

Over the past several decades, county roadways have become regional highways serving residences and businesses large and small. Moreover, county transportation infrastructure assets have become increasingly important to the regional economy. County bridges, in particular, play a vital role in the overall State transportation system.

County governments own and/or operate over 7000 bridges statewide; many of which are situated on municipal roadways. The New Jersey Association of Counties, in consultation with our transportation consultants and the New Jersey Association of County Engineers, estimates that approximately 340 county owned or operated bridges are structurally deficient and another 480 are functionally obsolete. County governments are in need of approximately \$500 million annually over a 10 year period to replace, repair or maintain these structures.

Under the current funding system, the State is providing the counties with less than 20% of the funds needed to rectify structurally deficient and functionally obsolete bridges owned and operated by county governments statewide. All of the additional funds needed for critical replacement, repair and maintenance efforts can only come from one source; the local property tax. NJAC will continue to work tirelessly with policy makers at all levels to ensure

## 2009 NJAC ANNUAL REVIEW

that an increased commitment to county transportation infrastructure is effectuated in a timely manner.

NJAC has succeeded in securing funding for other county priorities as well. Among them are:

- The current State Budget includes \$25 million in grant funds for the maintenance and improvement of county owned bridges. Every county in the State was awarded a share of the funding and grant money is eligible to be used for structurally deficient and functionally obsolete bridges.
- The FY 2007-08 State Budget included a line-item appropriation of over \$10 million to reimburse local governments for their costs incurred in administering the 2008 presidential primary election.
- The Budget also provided \$10 million to assist local governments in complying with the State requirement that every voting machine used in New Jersey be capable of producing a permanent paper record of each vote cast by January 1, 2008.
- Recent State Budgets have also included almost \$20 million to promote and implement shared services arrangements at the local level.
- A recent appropriation of approximately \$1.1 million was made to county governments to offset their obligations to meet the salary increases of certain county officials due to the enactment of P.L. 2007, c.350.
- The current State Budget restored full funding to the Public Archives and Records Infrastructure Support program after the previous year's budget had diverted \$10 million from the PARIS program to the State's General Fund. The Program supports county records management programs.

# 2009 NJAC ANNUAL REVIEW

## LEGAL ADVOCACY FOR COUNTIES

In 2008 NJAC participated as an amicus curiae party before the New Jersey Supreme Court in a case regarding the impact of the county prosecutors' costs to the county taxpayers. NJAC filed a brief in December of 2007 and argued the case before the Supreme Court in March of 2008. The case had significant implications for all counties statewide. The case was ultimately decided in favor of county governments.

## LEGISLATIVE INITIATIVES FOR COUNTIES

Over the past several years, NJAC has successfully lobbied the legislature for the passage of legislation that will save county taxpayers money and/or will improve the delivery of county services to county residents. Some examples are as follows:

- P.L. 2009, c.123 - This legislation, the "County Homelessness Trust Fund Act," authorizes county governments to adopt a homeless housing plan to address the housing needs of homeless persons within its jurisdiction. The bill provides a funding mechanism to help offset the costs of the anti-homelessness initiatives.
- P.L. 2009, c.118 - This law, the "Property Tax Assessment Reform Act," establishes a pilot program in Gloucester County for the transfer of the municipal property tax assessment function to the county. The bill's aim is to save taxpayer dollars by studying the feasibility and potential cost savings of consolidation in this area.
- P.L. 2009, c.110 - This law eliminates the requirement that county elections officials continue to deliver sample elections ballots to inactive voters. County governments incur significant costs each year in printing and mailing sample ballots to voters who are inactive and have not responded to a notice inquiring about their current place of

## 2009 NJAC ANNUAL REVIEW

residence. This law will save taxpayer dollars by eliminating the requirement that inactive, unresponsive voters be provided with sample ballots.

- P.L. 2007, c.63 – This act implements measures to promote uniform shared services among and between local and county governmental units.
- P.L. 2007, c.191 – This law authorizes counties to construct, own or operate Internet communications infrastructure for county residents.
- P.L. 2007, c.104 - This law permits county and municipal governments, school districts and county colleges, to join with the State for the purchase of energy services for their facilities. In addition, the act requires the State's Division of Purchase and Property to notify, in writing, each State agency and local governmental unit of the opportunity to enter into a contract for the aggregate purchase of energy services. The legal authorization of the purchase of energy in this manner will likely reduce energy costs for county governments.
- P.L. 2008, c.83 - This law permits county governments to enter into long term contracts for the provision or performance of goods or services for the production of certain renewable energies.
- P.L. 2008, c.18 - This law extended the deadline for the use of electronic voting machines by county elections officials that are capable of producing a voter-verified paper record; a requirement that would have likely been very costly for county governments to comply with.
- P.L. 2008, c.110 - This act permits counties to make certain traffic engineering decisions without the approval of the Commissioner of the State Department of Transportation and will thus streamline local transportation initiatives.

# 2009 NJAC ANNUAL REVIEW

## LEGISLATIVE ADVOCACY FOR COUNTIES

NJAC has also successfully lobbied for the defeat of legislation that would have a detrimental impact on county operations and county taxpayers. Some examples are as follows:

- Helped stop the passage of legislation that would lead to increased public constructions costs by requiring every construction contract entered into pursuant to the “Local Public Contracts Law” to contain a provision for renegotiation upon the fluctuation of the price of a key construction material. (S-2955 - 2006/2007)
- Helped stop the passage of legislation that would be detrimental to local public contracting officials by requiring local governments to publish a projected cost estimate range for construction projects. (A-2561 – 2008/2009)
- Helped stop legislation that would drive up the costs of public labor awards by making all employment matters subject to the negotiations process. (S-1137 – 2008/2009)
- Helped stop legislation that would have required county governments to take into account compensation guidelines developed by the State before setting salaries for various county employment titles. (A-629 – 2008/2009)
- Helped stop legislation that would have required county governments to pay prevailing wage rates to food service vendors. This legislation would have had a detrimental impact upon public contracts at county correctional facilities, county juvenile detention facilities and county senior nutrition programs. (S-2850 – 2008/2009)
- Helped stop legislation that would have mandated rigid long range financial planning operations by county governments. The bill’s

## 2009 NJAC ANNUAL REVIEW

bureaucratic administrative requirements would have been very costly for county taxpayers. (A-2552 – 2008/2009)

- Helped craft amendments to legislation that would have modified the manner in which financial institutions that hold public deposits collateralize. (A-3998 – 2008/2009)
- Helped stop legislation that would have established rigid timelines in interest arbitration procedures; thereby limiting the ability of counties and their bargaining units to settle disputes. (A-2243 – 2008/2009)
- Helped stop legislation that would have prevented county governments from changing the health plan providers of county employees under certain circumstances. (A-3557 – 2008/2009)
- Helped secure amendments to legislation that would require every construction contract entered into under the Local Public Contracts Law to contain a price fluctuation clause for fuel and asphalt. The amendments significantly curtail the provisions of the bill. (S-2833 – 2008/2009)

### DEVELOPING NEW IDEAS TO HELP COUNTIES

NJAC works closely with legislative leaders and gubernatorial administration officials on the development and introduction of legislation that, if enacted into law, will save significant tax dollars for county residents. Some examples are as follows:

- S-1836 would authorize counties to limit the increase in their annual appropriation to support the office of the county prosecutor to four percent.

## 2009 NJAC ANNUAL REVIEW

- A-2760 would provide grants to county governments to offset the costs of the implementation of State mandated court security measures at county and municipal court facilities.

### NEW PROGRAMS TO SAVE MONEY FOR COUNTIES

The New Jersey Association of Counties is nearing completion of the formation of a Joint Insurance Fund (JIF) for New Jersey county governments statewide. Earlier this year, the NJAC Board of Directors formed a JIF Steering Committee comprised of freeholders, county administrators and other county officials and employees to oversee a feasibility study that is being led by Arthur J. Gallagher Risk Management Services and Fairview Insurance Associates; two highly respected entities in the N.J. insurance industry. The purpose of the feasibility study is to determine whether pooling resources and taking advantage of economies of scale make the formation and implementation of a County Joint Insurance Fund beneficial to county governments across the State.

The NJ Counties JIF will provide general comprehensive liability, property damage and workers' compensation coverage. Additional coverages may be explored at a later date by the JIF board at the members' discretion. NJAC views the NJ Counties JIF as the ultimate shared service; bringing together large, regional entities for the purpose of streamlining operations and reducing per capita costs. Member counties will also have the opportunity to share ideas and experiences regarding coverages and claims, as well as extraordinary loss issues, safety programs, loss prevention, training and claims management.

In addition, the JIF will maintain a repository of risk management information that will help the individual members better manage their losses and claims. The JIF will regularly host risk management, loss prevention and workplace safety seminars and training sessions for the benefit of the member counties. Moreover, additional endorsements that most county insurance programs do not currently provide may be available through the New Jersey Counties JIF, such as, a green endorsement promoting green building technologies and an "ordinance" endorsement providing coverage for antiquated facilities to be modernized.

# 2009 NJAC ANNUAL REVIEW

The JIF Steering Committee has filed its proposal for the formation of the NJ Counties JIF with the Departments of Community Affairs and Banking & Insurance and is nearing final approval by these entities.

## CRITICAL INFORMATION FOR COUNTIES

The New Jersey Association of Counties website and newsletter provide timely information and current events to nearly 3,500 people every month. Among them are county officials, employees, state legislators and business leaders.

NJAC's communications program ensures that all of its members and supporters receive legislative updates, business news and important announcements on a regular basis. The website is updated daily and the newsletter is distributed on a weekly basis to more than 1,200 subscribers. Visitors to the website come from every part of the world, with nearly 30 percent coming from New York, Pennsylvania and Connecticut. NJAC's message has broad appeal and regional influence.

# 2009 NJAC ANNUAL REVIEW

## THE NJAC FOUNDATION

The NJAC Foundation was established by the New Jersey Association of Counties in 1996 for several purposes: to promote a broader understanding of the critical roles that county governments have in delivering vital services; to provide professional education to county officials in the form of formal courses, seminars and educational events; and to provide educational opportunities for students throughout New Jersey.

Through the Foundation, the organization provides a number of educational programs:

The Annual NJAC Conference – The Annual NJAC Conference is primarily an educational event for county officials and employees. It features dozens of seminars approved by the New Jersey Department of Community Affairs for continuing education credits for certified county professionals. The seminars are designed to make county professionals aware of new practices, public policy trends, technologies and solutions to their common challenges and operations. At its 2009 conference the NJAC Foundation offered 34 seminars that were attended by hundreds of county officials and employees. Thousands of county officials have been educated by the seminars over the years. For 59 years, the Annual NJAC Conference has attracted governors, cabinet members, state and federal elected officials who need to learn about the issues faced by county governments.

The LEAD New Jersey Program – In partnership with The College of New Jersey, the NJAC Foundation offers a college-level course for county officials and employees. The five session is taught by college faculty and practitioners. Its graduates can earn three credits toward a undergraduate and post-graduate degree. It is designed to educate elected county officials and county government professionals in a range of disciplines, including public finance, public administration, land-use management, transportation, leadership, ethics, shared services and the history of county government in New Jersey.

## 2009 NJAC ANNUAL REVIEW

The Partners in Excellence Program – Established in 1997, the Partners in Educational Excellence Scholarship Program was designed to assist students in learning about county government; to help them advance their educations; and to encourage them to consider careers in county government. Under the program, the Foundation awards stipends to one student from each of the vocational-technical schools. Students can use the award to attend any county or state institution of higher learning. Since its inception 12 years ago, the Partners in Educational Excellence Program has awarded approximately 300 students throughout New Jersey.

The NJAC/Wal-Mart Green Internship Program – This new program, established in 2009, is a partnership between the NJAC Foundation and the Wal-Mart Corporation. Its purpose is to create a hands-on learning experience for students interested in emerging “green” technologies. Under the program, one student from each of the county vocational-technical schools is chosen to participate in a structured learning program. The students work on county government projects or programs to reduce energy consumption. Wind turbines, alternative fuel vehicles, geothermal heating and cooling systems and smart building design are just some of the areas in which students are getting a first-hand education through to this program. The program has two goals: to help students prepare for the new “green” economy and to build a pool of prospective county employees qualified in the technologies of tomorrow.

The NJAC/PSE&G Green Scholarship Program – In partnership with PSE&G, one of the state’s largest utility companies, the NJAC Foundation offers scholarships to students who are learning about green technologies and practices. County vocational-technical schools offer programs now in energy management. Under the Green Scholarship Program, one outstanding student from each school is selected to receive a stipend that can be applied to any county or state college to continue their education or to obtain an employment/apprenticeship in a green-related field. Like the Green Internship Program, this program is aimed at helping students to learn emerging “green” technologies and to educate prospective county employees who are proficient in those technologies.

NJAC County Orientation Manual – The NJAC Foundation publishes the NJAC County Orientation Manual as a resource tool and guide for newly-elected county officials. Developed in 2000, the NJAC Manual provides information on the New Jersey Association of Counties, the NJAC

## 2009 NJAC ANNUAL REVIEW

Foundation, the National Association of Counties, the New Jersey State Legislative process and contact information for state officials, federal officials and local media outlets. Newly-elected county officials also receive a one-on-one orientation session with NJAC staff.