(C)

Masser, Michelle

From: Lashway, Lisa
Sent: Monday, February 27, 2012 4:40 PM
To: Canning, Sean; Masser, Michelle
Subject: FW: S-2 Shared Services Bill Advances

Lisa Lashway
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Township of Mount Olive
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From: NJLM to Municipal Officials [mailto:njlm-clerks@cityconnections.com]
Sent: Monday, February 27, 2012 4:42 PM
To: Lashway, Lisa
Subject: S-2 Shared Services Bill Advances

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NJLM
New Jersey State League of Municipalities

Municipal Clerks for Mayors, Elected Officials and Staff

February 27, 2012

Re: S-2 Shared Services Bill Advances

Dear Mayor:

Earlier today, League President Mayor Art Ondish and Conference of Mayors' Legislative Chair Mayor Colleen Mahr presented testimony to the Senate Community and Urban Affairs Committee on S-2. You can access Mayor Ondish's testimony at www.njslom.org/testimony.html.

This bill would amend the statutes that created the Local Unit Alignment, Reorganization, and Consolidation Commission (LUARCC), and grant LUARCC greater powers and duties regarding consolidation and shared services proposals. Beyond this, the bill would also remove many of the impediments to service sharings and consolidations, caused by terminal pay requirements, employee tenure provisions and Civil Service statutes and regulations.

First, we want to thank Senate President Sweeney and his staff for continuing to involve the League in the process. His leadership in promoting shared service is part of that commitment. By removing or reducing many of the roadblocks that increase the costs of shared services – things like terminal leave pay, civil service mandates, employee tenure requirements – many of the provisions in Senator Sweeney's bill could reduce the costs and hurdles to shared services and consolidations, produce municipal savings and promote relief for our taxpayers. These provisions of S-2 give municipalities greater flexibility to implement shared services.

We have worked with the Senator and his staff since this bill's predecessor was heard in December. We sincerely appreciate the changes that Senate President Sweeney has incorporated into S-2.

We support the amendment that LUARCC must focus its studies on local units that neither participate nor have undertaken independent shared services studies or negotiations. This amendment provides baseline criteria for LUARCC. We support the amendment that LUARCC's proposed shared service must be capable of maintaining the same level of service or improve on the service and either have meaningful savings or slow the rate of growth. This amendment will ensure that viable shared services are pursued.

We support the amendments to change the language for the public question. This change will provide the voters will all the information necessary to

make an inform decision. The amendment balances the public question and provides a complete picture of the proposal. We support the amendments to require the municipality to certify or object to LUARCC's finding to the State Treasurer within 30 days. This amendment will provide the State Treasurer with all the information necessary to make an informed decision. Furthermore, it provides the municipality an opportunity to present any objections to LUARCC findings.

We support provision that require at least five on-site consultation sessions and two public hearings in each affected municipalities enhances the process and provides for greater transparency.

Respecting the State Constitution's provisions banning unfunded mandates, we truly appreciate the reimbursement for any costs associated with conducting the hearings.

We support the amendment that requires that the Division of Local Government Services approve joint meeting budgets. We support the amendment to repeal the police seniority, tenure protection for joint meetings to mirror the repeal for shared services.

While we appreciate those provisions, we must oppose the bill, as currently drafted. Our opposition is directed solely at the taxpayer penalty provision in Section 9.f. of bill. Under that provision, the voters would be threatened with the diminishment of future CMPTRA funding, if they do not vote in favor of a LUARCC shared services recommendation.

Voters should hold elected officials accountable; not the other way around. We must oppose any proposal which would, on the one hand, allow the voters to express their will; but, on the other hand, inform those voters that they will be punished, if their will does not comport with that of a majority of the appointed members of the LUARCC. As taxpaying citizens of the State of New Jersey, our taxpayers must be allowed the unencumbered right to determine the future government of their communities. And they must be assured equitable access to the benefits secured by their own tax dollars.

We will continue to urge State Legislators to remove that provision. Funding

for CMPTRA was promised to our property taxpayers, when those taxpayers were asked to relinquish the rights to locally assessed and collected property tax relief moneys from sources like the Bank Stock Tax, the Business Personal Property Tax, the Tax on Class II Railroad Property and other sources of revenue dedicated to local purposes.

The bill now goes to the Senate Budget and Appropriations Committee for further review.

If you have any questions on this, please contact Lori Buckelew at 609-695-3481, ext. 112 or lbuckelew@njslom.com.

Very truly yours,

William G. Dressel, Jr.
Executive Director

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