

Public Hearing

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before

ASSEMBLY TRANSPORTATION AND COMMUNICATOINS COMMITTEE

"Operations of the Delaware River Joint
Toll Bridge Commission"

LOCATION: Room 319
State House
Trenton, New Jersey

DATE: February 23, 1993
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Alex DeCroce, Chairman
Assemblyman Fredrick P. Nickles
Assemblyman Jeff Warsh
Assemblyman Jerry Green

MEMBERS OF THE PENNSYLVANIA HOUSE TRANSPORTATION COMMITTEE PRESENT:

Representative Andrew J. Carn
197th District - Philadelphia County
Representative Thomas Druce
144th District - Bucks County
Representative Dennis Leh
130th District - Berks County



ALSO PRESENT:

Amy E. Melick
Office of Legislative Services
Aide, Assembly Transportation Committee

New Jersey State Library

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ALEX DECROCE
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New Jersey State Legislature

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS COMMITTEE

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NOTICE OF A PUBLIC HEARING

The Assembly Transportation and Communications Committee will hold a public hearing on the operations of the Delaware River Joint Toll Bridge Commission.

The hearing will be held on Tuesday, February 23, 1993 at 10:00 AM in Room 319, State House, Trenton, New Jersey.

Testimony will be taken from invited parties only.

The public may address comments and questions to Amy E. Melick, Committee Aide, or make bill status and scheduling inquiries to Kim Johnson, secretary, at (609) 984-7381.

Issued 02/11/93

TABLE OF CONTENTS

	<u>Page</u>
Jay Destribats, Esq. Former Chairman Delaware River Joint Toll Bridge Commission	2
Richard Van Noy Former Deputy Executive Director Delaware River Joint Toll Bridge Commission	22
Richard Goepfert Former Director of Personnel Delaware River Joint Toll Bridge Commission	53

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ASSEMBLYMAN ALEX DeCROCE (Chairman): Good morning, ladies and gentlemen. This morning the Assembly Transportation and Communications Committee will hold its second hearing on the operations of the Delaware Joint Toll Bridge Commission. My name is Alex DeCroce. I am the Chairman of the Transportation and Communications Committee. I represent the 26th Legislative District, which is Morris, Passaic, and Essex Counties.

With us this morning, from New Jersey, are: Assemblyman Fred Nickles, of Atlantic County; Assemblyman Jeff Warsh, of Middlesex County; and Assemblyman Jerry Green, from Middlesex County. Also, working with us again today, from the Pennsylvania General Assembly are: Representative Andrew J. Carn, from Philadelphia County -- thank you for coming, Andy; Representative Dennis Leh, from Berks County; and Representative Tom Druce, from Bucks County. I welcome you all, and thank you again for being with us.

At our first hearing we heard testimony from the Executive Director of the Toll Bridge Commission regarding certain personnel, purchasing, and financial policies of the Commission. Today we are going to hear from past officials and executive employees of the Commission regarding the same matters.

Before we begin, I want to indicate for the record that all of our witnesses have come forward voluntarily and in the spirit of cooperation. I am certain we will receive information, or testimony today which will help us to determine if constructive changes should be made at the Commission to further its charge as a public agency. It seems to be that in these days when public agencies are given a trust and a responsibility, we are hearing almost daily that these trusts are being violated. Only today we are finding that other authorities have their own problems with regard to certain aspects with regard to spending policies. So I think it is

good that both Pennsylvania and the State of New Jersey take a good, hard look at some of their commissions and some of their bistate authorities, to see if we can get them to work a little bit better for the general public. That is what we are all here for.

So at this time I would like to call upon Mr. Jay Destribats, former Chairman of the Delaware River Joint Toll Bridge Commission. Good morning, Mr. Destribats.

J A Y D E S T R I B A T S, ESQ.: Good morning, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you so much for coming before us today.

What is your profession, sir?

MR. DESTTRIBATS: I am an attorney, Mr. Chairman.

ASSEMBLYMAN DeCROCE: How long have you been associated with the Joint Toll Bridge Commission, and in what capacity?

MR. DESTTRIBATS: I was appointed in 1984, and my last term ended in April of 1992. I spent eight years, my last year as Chairman.

ASSEMBLYMAN DeCROCE: Okay. Mr. Destribats, would you please describe the hiring procedures for personnel at the Commission, if you would?

MR. DESTTRIBATS: Yes, sir. From a Commissioner's point of view, I would learn when a vacancy would occur, and that was done through attrition, and I would, as a Commissioner, submit a name, or request an application be sent to an individual. From there, the application was processed in our Personnel Department. That individual was interviewed; had a police check done; received a minimum medical examination; and then would be appointed.

ASSEMBLYMAN DeCROCE: When these things happened, was there any allocation of positions that was given to either the

State of New Jersey or the State of Pennsylvania, and how did that occur?

MR. DESTRIKATS: There was, and that was always something where we on this side of the river made sure that we had our fair share of the positions. If you will note, the positions are almost equally divided between the Commonwealth and the State of New Jersey. That was accomplished by each position having an origin. If, in fact, a toll collector was hired originally from Mercer County, and that toll collector retired, that would be, not only a New Jersey job, but a Mercer County job. I shouldn't restrict it to county, because actually it was districts. We had three districts. That position would be filled from a recommendation from that district, and therefore we always kept balance.

The only time that procedure was not followed was when -- as in the case when we opened I-78. We needed a complement of 40 or 50 new employees. Those employees, half came from the Commonwealth and half from the State of New Jersey.

ASSEMBLYMAN DeCROCE: How did you keep track of these positions and how they were allocated, and to what district?

MR. DESTRIKATS: There was a record. There was a record that had the origin of every position; that is, the location and a very -- tracking was kept. Even if a person were hired from Mercer County, then moved to Pennsylvania, and then retired, that would be a Mercer County, New Jersey position, and you would look to that area to replace that person.

ASSEMBLYMAN DeCROCE: What involvement did the Commissioners have in these hiring practices?

MR. DESTRIKATS: Commissioners would recommend people to fill the positions. Some Commissioners were very aggressive in doing this; some were more passive, but Commissioners would recommend people to fill the positions.

ASSEMBLYMAN DeCROCE: When you speak of a record that was kept, how long was this record kept in existence?

MR. DESTTRIBATS: I think forever. It was there when I got there. You see, each time there was an opening, obviously not to have a disagreement between the Commonwealth and New Jersey, we knew where that job was to be filled from.

ASSEMBLYMAN DeCROCE: Let me ask you this: Did they ever -- did they ever participate in advertising for these positions, or were these strictly done in-house?

MR. DESTTRIBATS: No advertising ever, that I know of.

ASSEMBLYMAN DeCROCE: Was there a listing of positions that was put on the boards so somebody could apply, or was there ever a record kept of what jobs were given out or kept for Commissioners to hand out, or whoever?

MR. DESTTRIBATS: Well, yes. When a vacancy occurred, you would-- As a Commissioner, you would learn that a vacancy was going to be open. In our monthly meeting, we had a list of all retirees, so we knew in advance when positions were going to be open. I don't know that there was any posting, except for promotions. That was a different matter.

ASSEMBLYMAN DeCROCE: Did these positions-- Were they executive, as well as being normal toll collection and law enforcement, or what have you?

MR. DESTTRIBATS: Everything.

ASSEMBLYMAN DeCROCE: Everything, from top to bottom?

MR. DESTTRIBATS: Top to bottom.

ASSEMBLYMAN DeCROCE: Okay. I noticed, in looking back over the material I was given, that there was a lot of political input on a lot of these positions. Was that common practice on both sides of the river?

MR. DESTTRIBATS: Both sides; both parties. Yes.

ASSEMBLYMAN DeCROCE: Would they hold precedence over, maybe a Commissioner, or anyone else just applying for a position?

MR. DESTRIKATS: If I recommended a person for a job, as a Commissioner?

ASSEMBLYMAN DeCROCE: Yes.

MR. DESTRIKATS: Yes, I would think so. If that person didn't get the job, but was qualified, and passed the procedures, as a Commissioner I would probably ask why that person was not appointed. And I would probably, as a Commissioner -- I'm speaking generally for all Commissioners -- I would probably want to know why.

ASSEMBLYMAN DeCROCE: If I, as a particular legislator, submit a name and you may have your own name that you submitted, would mine be given preference? Is that what you're saying, in all cases?

MR. DESTRIKATS: Well, with different Commissioners, Mr. Chairman, it worked a different way. We had some very, very active political Commissioners. We had Commissioners who were not so active. I would classify myself as not being really active, and therefore I would look to other sources for recommendations. If you called me and I submitted that name, that person, if it were my opening, should be appointed.

ASSEMBLYMAN DeCROCE: I see. The present Executive Director testified that a member of the general public applying for employment at the Commission is given equal treatment to someone applying upon recommendation of the Commissioners, and that jobs were filled according to a person's qualifications. Now, is that now, and was it then, or does it apply now at all?

MR. DESTRIKATS: Well, obviously I haven't been there since April of '92, but the Executive Director would be coming from one way and a Commissioner from the other, and a Commissioner who recommended someone would expect that person to be appointed.

Now, obviously there would be some pressures if the Executive Director was trying to keep it all equal. But a Commissioner with a strong will, if he had someone he wanted

appointed-- Obviously the Executive Director, in my opinion, would be under a lot of pressure to appoint that person -- have that person appointed.

ASSEMBLYMAN DeCROCE: And specifically, if it came from some legislator on either side of the river. Is that what you're saying?

MR. DESTRIKATS: Yes, yes.

ASSEMBLYMAN DeCROCE: Would the people applying for these jobs get-- Would their credentials be examined? Would they be checked out, as you mentioned earlier?

MR. DESTRIKATS: Oh, yes, yes.

ASSEMBLYMAN DeCROCE: And the one with the highest credentials-- Would he always get the job?

MR. DESTRIKATS: Well, Mr. Chairman, highest credentials-- For our entrance level positions, I believe the criteria was a high school diploma, and not much beyond that. So to say that you always got the most qualified-- I don't think you could say that, but I don't know that there were great -- that there was a great disparity in the qualification of the applicants either.

ASSEMBLYMAN DeCROCE: Would the people who recommended these positions to you-- First of all, was that coming from the Personnel Department, from the Executive Director, from a standing committee of the Commission? How do these jobs come to the Commission?

MR. DESTRIKATS: As I said, we knew when a vacancy was going to occur. We would have a retirement of a bridge officer in District 1 -- that's Trenton/Morrisville -- and the second question would be: Is that a Pennsylvania or New Jersey job? Again, back to the origin of that job. If it was New Jersey, I was the Commissioner in District 1 -- actually there were two of us -- and I would submit a name, and the next time the other Commissioner would.

ASSEMBLYMAN DeCROCE: So what you are saying is, there was an equal amount of distribution, and Commissioners on either side had the opportunity to appoint from their representative districts, let's say?

MR. DESTTRIBATS: Exactly. I would not appoint anyone north of my district, which ended in Hunterdon County, nor would anyone from District 2 or District 3 appoint anybody in District 1, which is Mercer/Bucks -- Mercer/Hunterdon.

ASSEMBLYMAN DeCROCE: And there was a record kept, or a so-called "job book" was kept?

MR. DESTTRIBATS: Yes.

ASSEMBLYMAN DeCROCE: Is it still kept today, do you think?

MR. DESTTRIBATS: I would think so, because that is the only way-- You can imagine, Mr. Chairman, there is a lot of competition on both sides of the river. In order not to have things become unbalanced, we were always looking for equality, and those records would provide that.

ASSEMBLYMAN DeCROCE: Let me ask you this: With regard to legislators on either side, would you say they more than took advantage of the situation with regard to attempting to put their own people in certain positions -- on either side?

MR. DESTTRIBATS: Well, in my experience, Mr. Chairman, elected officials are constantly being called upon to provide jobs for people. The people I know, whether they be mayors or state representatives or county representatives, are always called upon to provide employment. Now, those people that I knew would say, "Jay, when there is an opening, I have a person who needs a job. He is a good man, and he was just laid off. Please keep him in mind." So I would get that name, and then when the opening came, I would submit that name.

ASSEMBLYMAN DeCROCE: Except that some of these positions were extremely lucrative. Many times-- Not many times, but at least two times that I am aware of, Commissioners

have stepped down to become so-called superintendents of a district. Isn't that true?

MR. DESTRIKATS: That's true. I am familiar with one of those. No, I am familiar with a couple, yes.

ASSEMBLYMAN DeCROCE: But that was done on their own accord, as Commissioners. Let me ask you this: Obviously, no one advertised for those positions, or no other people came forward. They just-- I don't know if they came from either state or both from one state, or whatever -- however that worked. I assume that was the practice.

MR. DESTRIKATS: That was the practice.

ASSEMBLYMAN DeCROCE: Okay. Did the Commissioners ever discuss advertising jobs at all?

MR. DESTRIKATS: I don't recall hearing it discussed. If it was, it would not have been a very popular topic of conversation.

ASSEMBLYMAN DeCROCE: How would you know, then, that you had the top executive for an executive position unless you really tried to qualify those people? I mean, even yourself, as Chairman of that Board, wouldn't you question when someone's name was submitted to you, regardless of whether he was a Republican or a Democrat, on either side of the river?

MR. DESTRIKATS: Well, first of all, when you are recommending someone for a top position, as a Commissioner you would not recommend someone who did not have the qualifications. Now, whether it was the top qualified person, that is hard to say, and I doubt that it was, but I think that is true all over. It was a qualified person, and that is about as far as we went.

Also, the Commissioner recommending that person -- sponsoring, so to speak -- stood behind that person. If that person were not up to the position, then, in rare instances, he or she would be let go. That didn't happen very often. The Commission got some pretty capable people.

ASSEMBLYMAN DeCROCE: Would you say that in your tenure as Chairman of the Board that you felt that certainly in the area of executive hirings, those people were probably the most qualified that could sit in those positions? Or, do you think you could have done better had you had a better -- if you could have advertised for them, or maybe solicited the general public for a position here and there?

MR. DESTTRIBATS: Oh, I would have to conclude that if you really went out on a job search, you probably could have gotten more qualified. But I would add that the people who were hired were qualified for the positions.

ASSEMBLYMAN DeCROCE: It just seems to me that in these days when people are really out of work all over the place-- I think more of an opportunity should have been given through the Commission to the general fellow on the street. I'm sure, as you said, that it was the general practice the way these things were done in the past, but today things are changing. I would hope that the people who are in power now would see that.

I am going to open up the questioning to other members. If anyone has a question of Mr. Destribats, please let me know, and I will be glad to entertain your considerations.

Mr. Green?

ASSEMBLYMAN GREEN: Yes. During the course of your presentation you mentioned, quite often, job qualifications. It is obvious that no one had to take a test. Am I correct? Can you explain to me what your qualifications were for these different positions?

MR. DESTTRIBATS: Well, you are quite correct, Assemblyman. No one took a test to come into the Commission. The only tests were given for promotions after they arrived. But obviously, if you were looking for a certain position, you would require the candidate to have the qualifications for that

position. We did have job descriptions. Certain positions required a college degree. Each position had its own description, and the applicant must fall within that.

So what I am saying, in response to the Chairman's question, is that perhaps we did not have the top possible candidate, but the person taking the job was qualified, in the Commission's view.

ASSEMBLYMAN GREEN: Was any background check being done on the new employees in terms of--

MR. DESTRIKATS: Yes, sir. My understanding is that every employee-- I am not sure if this goes all the way down to the clerical, but certainly from entrance level bridge officers and up, they have a police check done. In New Jersey it is done by the New Jersey State Police.

ASSEMBLYMAN GREEN: What corrections have you made since this investigation started, because it is obvious that it is not what is good for either state, in terms of how you hire people. It is obvious that it is political. Have you seen any improvement in terms of--

MR. DESTRIKATS: Well, as I said, Assemblyman, I have not been there since April of '92, but prior to that, and even prior to the investigation, because of court decisions, the practices were changed. Our application system was changed. It was expanded. Applications were made more available to the public. The political aspect was toned down, if you will. I cannot say that it vanished, but it was toned down a bit. And incidentally, that was as a result of a strong recommendation from our labor counsel and our attorneys. We have a common -- Pennsylvania and New Jersey -- counsel on the Commission, and a special labor counsel.

ASSEMBLYMAN GREEN: One more question, Mr. Chairman.

ASSEMBLYMAN DeCROCE: All right.

ASSEMBLYMAN GREEN: Just like politically people are hired, were people fired politically in case they had a disagreement with someone who was their sponsor?

MR. DESTTRIBATS: No, never. Oddly enough, once you came on the Commission, very, very few people were discharged, and never, never was I aware that someone was let go for political reasons. Once you were in, then, as I said, the procedure almost followed Civil Service. You took exams; you were promoted; and you were not discharged because of your political affiliation, or your lack thereof. You were pretty much on your own.

ASSEMBLYMAN GREEN: As an employee, if I had no union and no Civil Service, then what guarantee did these people have that they weren't going to get fired if they stepped on someone's toes, or they didn't donate to the right person?

MR. DESTTRIBATS: No guarantee, except the tradition of the Commission. The employees that I talked to, and conversed with, thought it was a pretty good place to work. They enjoyed working there, and they were all pretty happy working there.

ASSEMBLYMAN GREEN: You didn't answer my question. Maybe I will answer it for you. There is no security. Am I right or wrong?

MR. DESTTRIBATS: Technically the answer would be, there is no security. But on the other hand, no one that I am aware of was ever let go for political reasons.

ASSEMBLYMAN GREEN: Thanks, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you. Representative Carn?

REPRESENTATIVE CARN: No questions.

ASSEMBLYMAN DeCROCE: Assemblyman Nickles?

ASSEMBLYMAN NICKLES: Just one question.

MR. DESTTRIBATS: Yes, sir?

ASSEMBLYMAN NICKLES: How many times over your tenure did you recommend someone and that person not be appointed to the position? Maybe a percentage answer.

MR. DESTTRIBATS: I think only once.

ASSEMBLYMAN NICKLES: Probably 99 percent of the time your recommendations--

MR. DESTTRIBATS: The reason was, to my embarrassment, that person did not pass the State Police check.

ASSEMBLYMAN NICKLES: Good. Thank you.

ASSEMBLYMAN DeCROCE: Assemblyman Warsh?

ASSEMBLYMAN WARSH: Thank you, Mr. Chairman. Good morning. The Delaware River Joint Toll Bridge Commission-- Does that have to comply with New Jersey's Open Public Meetings Act?

MR. DESTTRIBATS: An interesting question. Our counsel, both Pennsylvania and New Jersey, concluded that we did not. However, we tried to follow the Act.

ASSEMBLYMAN WARSH: On what grounds did they decide? Certainly it is a public body that spends taxpayer dollars.

MR. DESTTRIBATS: True; quite true. I guess just because of the uniqueness of it being a bistate agency. You know, we get into things, should Pennsylvania law control, or New Jersey law, or either? Or, do we have our own?

ASSEMBLYMAN WARSH: Okay. What was the Commission's policy with regard to executive sessions?

MR. DESTTRIBATS: Executive sessions? Before each meeting -- before our monthly meeting -- we would have an executive session that commenced at approximately 9:00 or 9:30 in the morning, and would run up to the time of the regular monthly meeting that was at 11:00.

ASSEMBLYMAN WARSH: What discussions occurred during the executive sessions? Were they limited solely to personnel or legal issues?

MR. DESTTRIBATS: I think it was tried to limit them to that. There is no doubt in my mind that we strayed on occasion. We covered a lot in the executive sessions.

ASSEMBLYMAN WARSH: Would you be able to publicly disclose what -- when you say strayed, what those conversations were about?

MR. DESTRIKATS: Gee! No, I really wouldn't, offhand. We had, you know, all the Commissioners there; we had our counsel there. We discussed a lot of matters. Nothing comes to mind, you know.

ASSEMBLYMAN WARSH: I am curious. I would like to explore that earlier point a little bit. When you said you received counsel opinion that you were not subject to the Open Public Meetings Act, but you attempted to comply, was that-- Was the genesis for that attempt internal, or were there requests from the public for--

MR. DESTRIKATS: Oh, no, no, internal. We had very little-- I was always amazed. We would advertise all of our meetings. Most of them were held in New Hope, but occasionally we went north. Very, very little public attendance. The only time we would see anyone from the public would be if there was something controversial in their particular area. But even then, I don't ever remember seeing more than a half a dozen people from the public at any of our meetings.

ASSEMBLYMAN WARSH: Just one last question, if I may, Mr. Chairman?

ASSEMBLYMAN DeCROCE: Sure.

ASSEMBLYMAN WARSH: Did the Joint Toll Bridge Commission ever involve themselves in matters not associated with transportation and bridge crossings, like commercial ventures or other things that some of our authorities in New Jersey have ventured into?

MR. DESTRIKATS: No, no.

ASSEMBLYMAN WARSH: Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you. Representative Leh?

REPRESENTATIVE LEH: Yes, Mr. Chairman. Which one of these is on? (referring to microphones)

ASSEMBLYMAN DeCROCE: They're both on.

REPRESENTATIVE LEH: Thank you, Mr. Chairman.

Two of my questions were already asked by Assemblyman Warsh. I would just like to follow up. Concerning the meetings, who attended the Personnel and Finance Committee meetings? Was there normally a quorum present?

MR. DESTRIKATS: Personnel and Finance Committee meetings were held monthly. Maybe not quite that often. They were held in the evening, usually a dinner meeting, at the New Hope headquarters, and they were attended by all of the Commissioners. So, yes, there was always a quorum there.

REPRESENTATIVE LEH: Okay. Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Representative Druce?

REPRESENTATIVE DRUCE: When the Executive Director of the Commission would recommend the hiring of an individual, did the other Commissioners know that a particular position was already earmarked, if you will, to another Commissioner, and therefore in those cases the full Commission just adopted the recommendation of the Executive Director?

MR. DESTRIKATS: Yes, that is correct.

REPRESENTATIVE DRUCE: I just want to clarify: As I read back on questions that I raised to the Executive Director prior, and look back on some of those comments, it appeared as though that position may well have yielded a great deal of influence by making recommendations to the Commission that they seem to rubber-stamp. But if in essence I am hearing you, the Executive Director was, maybe most times, implementing the directives of Commission members to hire certain individuals, and hence there was the appearance that the Commission was rubber-stamping.

MR. DESTRIKATS: Yes.

REPRESENTATIVE DRUCE: Is that a more accurate description of how the Commission functions?

MR. DESTRIKATS: That is much more accurate. The Executive Director did not -- maybe dictate is not the right word -- but he never dictated to the Commissioners. It was the

reverse. The Commissioners were very tuned in. They were active. I always say, "Your side of the river." The Commissioners were much more -- much more aggressive. But the reason for that was, three of them were elected officials from the Pennsylvania Cabinet; two were appointed by the Governor. They were high profile people. They were guys who were really politically active, much more so, I always felt. I felt New Jersey was kind of behind the Commonwealth. I thought your side of the river was much better tuned in, and we always kind of fought that battle.

REPRESENTATIVE DRUCE: Let me ask one question before we leave the subject of personnel.

ASSEMBLYMAN DeCROCE: Sure.

REPRESENTATIVE DRUCE: If the Commonwealth and New Jersey were to get together and make some recommendations as a means by which to address at least the appearance to the general public that you need to know a Commissioner in order to get a job, which is apparently what I am hearing being said, what recommendations would you suggest be made to help to try to open up that process a little bit more, maybe giving more discretion to the individual staff at the Commission in terms of making some decisions about hiring the best individuals, as well as giving consideration to a more open employment process as it may relate to equal opportunity employment, or disregard for geography, or what have you?

MR. DESTRIKATS: Well, getting more input from the people who would be supervising the hirees would be one method of doing it. Frankly, I think it is a very, very difficult situation. I equate it-- I worked for the State of New Jersey some years ago. Now, the State of New Jersey has a very sophisticated Civil Service system, but you also have unclassified positions, very high level positions. They don't go out-- You don't see those in the newspaper. They are appointed. How do they get appointed? I would guess that they

are recommended by someone. This is the exact situation with this Commission. It is not something that-- You know, you would have to have a drastic change. You are changing the system, so to speak, in my opinion.

REPRESENTATIVE DRUCE: Okay. Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you. Wouldn't you say there is an awful lot of difference from, let's say, the hierarchy of the State of Pennsylvania or the hierarchy of the State of New Jersey receiving appointments to certain positions, as opposed to any bridge commission, regardless of whose it is? I mean, there is an awful lot of difference there. These are political realities we all face; that one Governor or another Governor comes into power, and he brings his own political group in with him. That is not unusual. However, in a bridge commission, it would seem to me highly unusual -- it should be highly unusual -- that before a person should be hired, they have to be blessed by either a Commissioner or some elected official on either side, of either party.

Obviously the abuses -- I call them abuses, frankly -- may have been going on for a number of years. It was a way of life; it was a practice. Nobody ever thought about it. But I think now it is beginning to catch up, hopefully. As the Executive Director indicated to us, they are beginning to do a little bit more than they had done in the past.

I would like to go into another area: Would you indicate to me what the process by the Bridge Commission was for hiring consultants?

MR. DESTRIKATS: Yes. First of all, the particular consultant would either be from the Commonwealth or from New Jersey. That was the first question that was resolved. As far as a New Jersey Commissioner, I always lobbied hard that New Jersey got its fair share, and I think we did pretty well.

After it was determined where that consultant would come from, then I would get a recommendation, usually, from my Governor's Office as to who to select.

ASSEMBLYMAN DeCROCE: I'm sorry. Say that again.

MR. DESTRIKATS: I would get a name from the Governor's Office as to--

ASSEMBLYMAN DeCROCE: As to who should be selected for the position?

MR. DESTRIKATS: Right.

ASSEMBLYMAN DeCROCE: Let me ask you this: Were there more than one of any consultants nominated to the Commission at any time? I mean, let's say New Jersey-- It was New Jersey's so-called turn. Did they nominate three different parties and then the Governor's Office call you and say, "Select party "A," or was just one consultant nominated?

MR. DESTRIKATS: No, no. The Commissioners had nothing to do with procuring the consultants. They were given names; not three, but--

ASSEMBLYMAN DeCROCE: One.

MR. DESTRIKATS: --one.

ASSEMBLYMAN DeCROCE: By the Governor of either state?

MR. DESTRIKATS: Right. Now, I should hasten to add, when I use the term "Governor--" In my eight years, I never talked to Governor Kean or Governor Florio about Commission business.

ASSEMBLYMAN DeCROCE: I understand.

MR. DESTRIKATS: But it was always the Governor's Office, the Governor's Office, and we followed that. We were appointed by the Governor.

ASSEMBLYMAN DeCROCE: I understand that. Were they discussed by the Commission at all -- when certain appointments were made? Was there any time during your term that the Commissioners may have been unsatisfied -- dissatisfied -- with the person being directed by either of the Governor's Offices?

MR. DESTTRIBATS: Not that I can recall offhand.

ASSEMBLYMAN DeCROCE: Fait accompli?

MR. DESTTRIBATS: Yes.

ASSEMBLYMAN DeCROCE: To this day?

MR. DESTTRIBATS: Well--

ASSEMBLYMAN DeCROCE: To April '92?

MR. DESTTRIBATS: I think so.

ASSEMBLYMAN DeCROCE: Okay. Did the Executive Director have any input into these discussions?

MR. DESTTRIBATS: Very little, in my opinion; no personal input. I think to the extent that he may have gotten messages from the various Governors' Offices, but not his own input.

ASSEMBLYMAN DeCROCE: You had an insurance company from Pittsburgh chosen. They were given a very lucrative contract, as I recall. Again, was that done through the Governor of Pennsylvania's Office, whoever the Governor may have been at the time?

MR. DESTTRIBATS: Yes. That was a-- There had been an insurance consultant out of Philadelphia -- whose name escapes me -- who had been with the Commission for a number of years. He was there when I arrived on the Commission. During my term, the Pennsylvania delegation decided that he should be replaced, and he was.

Now, it was a Pennsylvania appointment, and I guess you would call it a "gentleman's agreement." When Pennsylvania came forward with that appointment, New Jersey acquiesced. We didn't challenge it, again, as long as the person had the proper qualifications.

ASSEMBLYMAN DeCROCE: Were perks provided by any of the vendors of the Commission? If so, did you or your Commissioners or any of the hierarchy of the Commission enjoy those perks?

MR. DESTTRIBATS: From people that we did business with?

ASSEMBLYMAN DeCROCE: Yes.

MR. DESTRIKATS: No, no.

ASSEMBLYMAN DeCROCE: None at all?

MR. DESTRIKATS: None at all. I can recall a dinner tab being picked up by someone at a convention, but nothing beyond that.

ASSEMBLYMAN DeCROCE: No trips to San Diego or no trips to Puerto Rico, or no golf trips to--

MR. DESTRIKATS: From the vendors?

ASSEMBLYMAN DeCROCE: Yes.

MR. DESTRIKATS: No, absolutely not.

ASSEMBLYMAN DeCROCE: Okay. I would like to call upon Mr. Nickles.

ASSEMBLYMAN NICKLES: With regard to financial disclosures, are Commissioners or executive officers or any employees required to fill out a financial disclosure report?

MR. DESTRIKATS: As a New Jersey Commissioner, I was, because of Governor Florio's order. But that did not apply to the Pennsylvania Commissioners, nor did it apply to any of the employees.

ASSEMBLYMAN NICKLES: So, there is no policy at the current time that would require -- either policy from the Commission itself or from the states -- that would require a filling out of a disclosure form?

MR. DESTRIKATS: Not that I am aware of.

ASSEMBLYMAN NICKLES: Do you think there should be?

MR. DESTRIKATS: I think it would be a good idea, for certain top level people.

ASSEMBLYMAN DeCROCE: Well, where from? I mean, what level and up?

MR. DESTRIKATS: Well, probably the top echelon, the top half a dozen, the directors.

ASSEMBLYMAN NICKLES: That is all I have. Thank you.

ASSEMBLYMAN DeCROCE: Is there an Ethics Committee on the-- Oh, I'm sorry. Gerry?

ASSEMBLYMAN GREEN: No, go ahead.

ASSEMBLYMAN DeCROCE: Is there an Ethics Committee made up in the Commission? Is it one of their standing committees at all?

MR. DESTRIKATS: No.

ASSEMBLYMAN DeCROCE: None at all?

MR. DESTRIKATS: No.

ASSEMBLYMAN DeCROCE: How are questions of ethics or possible conflict resolved?

MR. DESTRIKATS: They would be brought before the entire Commission. I can't recall an incident where we had such a situation.

ASSEMBLYMAN DeCROCE: Never in eight years?

MR. DESTRIKATS: No, sir.

ASSEMBLYMAN DeCROCE: Okay. Mr. Green?

ASSEMBLYMAN GREEN: If this question is-- If I am out of line, just correct me.

ASSEMBLYMAN DeCROCE: Well, we have attorneys here. We will let you know if you are out of line.

ASSEMBLYMAN GREEN: What about the bonding counsel?

MR. DESTRIKATS: The bond counsel?

ASSEMBLYMAN GREEN: Yes. How are they chosen, the same procedure?

MR. DESTRIKATS: The same procedure, the Governor's Office. The first again-- We go back to square one: Will it be New Jersey or Pennsylvania? When I came on the Commission, Pennsylvania was very, very strong in this area. We fought and got some of the work back to New Jersey, when New Jersey started to get active in the bond counseling area. But it would come from the Governor's Office.

ASSEMBLYMAN GREEN: Who is the bond counsel presently? Do you know?

MR. DESTTRIBATS: No, I do not. The last issue, the one just before I left -- we did some refinancing -- it was Mudge Rose that acted as bond counsel.

ASSEMBLYMAN GREEN: Are any of these -- insurance, bond counseling, etc.-- Do you get an opportunity to compare prices in terms of-- Are you saying to me that it comes from the Governor's Office automatically, that this person is handpicked, case closed? Is that the procedure?

MR. DESTTRIBATS: Compare prices?

ASSEMBLYMAN GREEN: Yes.

MR. DESTTRIBATS: No. We trusted that they would be fair with us.

ASSEMBLYMAN GREEN: So you are saying to me that if you decide that you want to choose me tomorrow to take care of your insurance, I am the guy, you don't have to go out and worry about what I am charging you? Is that what you're saying?

MR. DESTTRIBATS: Oh, well, I do not mean to imply that the Commission gave money away. We were pretty frugal. If you charged us more than we were used to paying, you would have a problem. In the insurance area, especially in health insurance, we periodically had a review and looked to cut costs. I do not want to give the impression that we just -- that it was open season. But if you were the person selected, you would be appointed.

ASSEMBLYMAN GREEN: Through you, Mr. Chairman, is there a possibility that we can get a list of the consultants and the people who are the vendors?

ASSEMBLYMAN DeCROCE: Yes. We will solicit those from the Executive Director. I'm sure he will give us a full list and we will be able to see who's who.

ASSEMBLYMAN GREEN: Thank you.

ASSEMBLYMAN DeCROCE: Does anyone else have any additional questions for former Chairman Destribats? (no

response) Hearing none, Mr. Destribats, I thank you for coming before this Committee today.

MR. DESTRIBATS: You're quite welcome, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you.

Now the Committee would like to hear from Mr. Richard Van Noy, former Deputy Executive Director; currently the Executive Director of the Mercer County Improvement Authority. Thank you for coming before us this morning, Mr. Van Noy.

R I C H A R D V A N N O Y: Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Could you tell me how long you have been associated, or were associated with the Joint Toll Bridge Commission?

MR. VAN NOY: I was there for about six years, two months.

ASSEMBLYMAN DeCROCE: How were you hired, sir?

MR. VAN NOY: I was hired-- I was recommended by Mr. Destribats, and I was hired with the consensus of the Governor's Office in Mercer County.

ASSEMBLYMAN DeCROCE: From New Jersey?

MR. VAN NOY: Yes.

ASSEMBLYMAN DeCROCE: Could you give me a background on yourself, your educational/professional background?

MR. VAN NOY: Yes. I am a graduate of Rider College. I had some six years of banking experience prior to having my own business for a short time. Then I was with the Dillinger Company, where I attained the position of District Manager for the Apparatus Division. I was also involved in the political arena in Hopewell Township for 12 years. I was Mayor four times. During 1986, while I was Mayor, I did accept the position of Deputy Executive Director of the Bridge Commission.

ASSEMBLYMAN DeCROCE: Could you please outline for the Committee the scope of your responsibilities as Deputy Director?

MR. VAN NOY: Yes. I was a liaison to the Executive Director. My primary responsibilities were for the operation and maintenance of the facility.

ASSEMBLYMAN DeCROCE: And, going back to your background, you were highly qualified for this position, and were recommended by former Chairman Destribats?

MR. VAN NOY: I would like to think so, yes.

ASSEMBLYMAN DeCROCE: Well, obviously, it seems to me that you were anyway. I mean, maybe I am making a judgment.

Does anyone have a question on that particular issue? (no response) If not, I would like to call upon Assemblyman Warsh, if you will, to go into some questions.

ASSEMBLYMAN WARSH: Good morning, Mr. Van Noy.

MR. VAN NOY: Good morning, sir.

ASSEMBLYMAN WARSH: Could you please describe for the Committee the hiring procedure which was in place when you were Deputy Executive Director of the Commission?

MR. VAN NOY: Yes. As former Chairman Destribats mentioned, usually a particular individual who was desirous of a position with the Commission would make himself available to a particular Commissioner or a person who knew a particular Commissioner. When there was a vacancy that that person was qualified for, that individual's name was placed in nomination by a particular Commissioner. Usually those would come about by a monthly report -- and I think you probably have copies of those -- and it would say "vice," and that individual's name would either be New Jersey or Pennsylvania. There used to be a saying around the Commission from our former Director of Personnel that, "Commissioner, I have one for you," meaning, of course, that there was a vacancy available, and should they go out and solicit a particular name.

I would like to make an editorial comment along those lines, if I could: In my six years with the authority -- with the Commission -- I will tell you that the amount of people that I thought were hired who may have been deficient was very, very minimal. I would stake my reputation on the quality of the people that most Commissioners, both New Jersey and

Pennsylvania, gave to that Commission. I think that is one of the reasons that that Commission is well maintained and operates the way it does.

ASSEMBLYMAN WARSH: Was there a formal evaluation process for determining merit raises for the employees who were hired?

MR. VAN NOY: The evaluation process that took place was strictly for new hires. I could try to give you an example: If an individual was hired as a toll collector, that individual would be reviewed by a particular sergeant or corporal on that shift. It would be referred to the Superintendent, and then, in turn, it would be referred to me. I either approved or disapproved it and sent it back to the Director of Personnel. That was ended after six months of a probationary period for those individuals. There was no annual evaluation. I understand that that disappeared prior to my coming to the Commission under the former Executive Director. I think his name was Jim Mitchell. At least that is what I was told.

ASSEMBLYMAN WARSH: During the hiring procedure, prior to the point where someone was hired, a name was brought forward and then the procedure started. Was there ever an opportunity for all the Commissioners to interview the prospective hiree?

MR. VAN NOY: No, there was not. That individual, in some cases, would not even be known to most individuals. I think most Commissioners, at least the few that I know, basically kept their own records on people who were interested in positions. If a particular maintenance position would come up and they knew they had a maintenance background, whether it be with a sewer authority, a public works department, or possibly a detective or something, who wanted a bridge officer's job, something along those lines, they would then submit that individual's name at a Personnel and Finance

Committee meeting, and it was approved by the Commissioners at the time. There had to be three votes from each state in order to have an individual hired.

ASSEMBLYMAN WARSH: You mentioned when you were detailing your credentials that you were Mayor of a New Jersey municipality four separate times.

MR. VAN NOY: Right.

ASSEMBLYMAN WARSH: When you were Mayor and vacancies occurred in the municipal employee ranks, did you publish the opening and seek applicants publicly?

MR. VAN NOY: We did. That is correct.

ASSEMBLYMAN WARSH: Is that a practice that you feel is a sound practice?

MR. VAN NOY: I feel it is a sound practice. I have to go back to the historical background, I think, of the Commission. In order to keep a balance between the New Jersey and Pennsylvania employees, and knowing the system as our former Commissioner has identified, and how those jobs became available, and the fact that they were -- that that was a function of the Commissioner, whether it be called patronage or any other word, I think that was the system that was designed. That is the historical system that was followed up until my leaving.

ASSEMBLYMAN WARSH: Were there ever any attempts from either staff or Commissioners to reform that process when you were there?

MR. VAN NOY: There were. I know the Executive Director had come up with some different changes. I think there was an application review and it was changed. I believe there was probably more interaction between the Executive Director and the application process, but the Commissioners still had that function of hiring.

ASSEMBLYMAN WARSH: I understand the need to maintain the balance between the states when you are obviously a bistate

agency. But within the context of a publicly advertised, much more of a Civil Service kind of a process, you could have wound up with a pool of applicants from the actual region you were looking for from which to choose, could you not?

MR. VAN NOY: You could; yes you could.

ASSEMBLYMAN WARSH: What was the--

MR. VAN NOY: May I add, though, I understand that there had been, from time to time, not while I was there that I can remember-- I didn't have that responsibility, but I do remember that occasionally, at least when I first got to the Commission, that there were postings of jobs available, certain maintenance, toll, and clerical jobs. People within the system could apply for those.

Prior to my coming with the Commission I understand that there were some advertisements. I would guess that maybe two, three, four, five people were hired that way. However, that was way before my time.

ASSEMBLYMAN WARSH: Do you recall how many attorneys-- When you were with the Commission, how many attorneys were working as Commission employees or contractors?

MR. VAN NOY: There were no Commission employees. We had counsel from both New Jersey and Pennsylvania. Then we had a labor counsel, and I guess any special counsel that may have been needed for bond issues, or whatever.

ASSEMBLYMAN WARSH: So then the attorneys that you hired, for instance, the New Jersey attorney who was hired-- Was that a part-time position?

MR. VAN NOY: It was a contractual agreement as a consultant for the Commission.

ASSEMBLYMAN WARSH: Was this contractual arrangement made between the Commission and an individual attorney, or the Commission and the law firm?

MR. VAN NOY: Well, to my knowledge, it was done between the Commission and the law firm.

ASSEMBLYMAN WARSH: Did you tend to have representation from one attorney consistently at your meetings, either public or executive sessions, or did it rotate?

MR. VAN NOY: We always had counsel from both states at all of our meetings.

ASSEMBLYMAN WARSH: Let me just restate that: Was it one attorney? If it was Joe Smith, did Joe Smith show up every time, or did different attorneys from the firm show up at different meetings?

MR. VAN NOY: Most of the time it was the same attorney, to bring about some continuity. There were occasions when, you know, there was a problem, where an attorney was in court, or whatever, but it was always both New Jersey and Pennsylvania counsel represented at the meetings, and predominantly the same person.

ASSEMBLYMAN WARSH: So, when the Commissioners sought an advisory opinion on a matter, say, for instance, the Open Public Meetings Act or any other kind of advisory opinion, one was received by the Commissioners from the Pennsylvania attorney and the New Jersey attorney?

MR. VAN NOY: That is correct. The Executive Director -- and I could be off on my time frame -- about two or three years ago, maybe longer, did instruct both the New Jersey and Pennsylvania counsels to get together. I think that in their own minds they thought it was going to be a lot easier to accomplish than it was. Once again, the time frame can be off, but as I remember it, it was about three or four months with some interaction back and forth, with some different opinions. Finally they came up with a policy that was agreeable to all of the Commissioners at the time on the Open Public Meetings Act.

New Jersey, of course, has a much stronger Act than does Pennsylvania, and they were, I guess, involved with both of those.

ASSEMBLYMAN WARSH: Were there times when advisory opinions from one state -- from Pennsylvania differed from those of New Jersey, regardless of the law? Usually they say, as the old adage, "If you get two attorneys together, you get three opinions." I am an attorney, so I can say that.

MR. VAN NOY: I saw pretty much a spirit of cooperation between both counsels. I can't ever remember where there was a hard and fast issue that came about that way.

ASSEMBLYMAN WARSH: Mr. Chairman, I would just like to explore one last area, and that is the Commission's policy with regard to summer employees. What was the policy with regard to the hiring of summer employees, and how many, on average, would you hire?

MR. VAN NOY: I would say that in the first four years I was with the Commission, the Executive Director always budgeted for about 120 summer employees. He tried to spread them equally up and down the river. The last two years I was with the Commission, unfortunately we had many more than the 120. I think the first four years we ranged from about 85 to 90. The last two years I was with the authority, I believe it went as high, one time, as 160. So we were approximately 40 over.

ASSEMBLYMAN WARSH: What was the hiring procedure with regard to the summer employees?

MR. VAN NOY: Once again, there were names submitted by the Commission. I think it was always presented that each Commissioner should have approximately 12 summer employees.

ASSEMBLYMAN WARSH: Did they have to certify a need for these employees, or was it just kind of a pot that was just carved up and handed out?

MR. VAN NOY: There was a general need. There was a consensus, I think, that this was to benefit college students and help them to defray their expenses, as well as provide certain services for the Commission. They had various jobs

from clerical to washing cars to washing equipment to hosing down the lanes to mowing grass -- a considerable amount of mowing grass -- cutting down brush weeds along the roadways, painting guardrail, all kinds of various things. The problem they always ran into was the supervisory capacity. We always had to have at least one, maybe two, supervisors per every five summer students.

ASSEMBLYMAN WARSH: Were these summer employees all paid at the same rate, or did the rate differ depending on the job?

MR. VAN NOY: No, they were all paid at the same rate.

ASSEMBLYMAN WARSH: What was that rate, as you last remember it?

MR. VAN NOY: You're searching my memory. I believe it was -- and I could be wrong -- \$6.50.

ASSEMBLYMAN WARSH: Did you find, sir, that these employees productively contributed to the operation, or did you think it was more trough activity?

MR. VAN NOY: I would contend that I think the majority of those students we had working did a very good job. Naturally, we are going to have the very, very few who are going to be playing around. We always had those little disciplinary problems, at least each year I was there.

I will tell you this: I had at least three occasions that I know of where I sent individuals home. I told them exactly why they were being sent home, regardless of who the Commissioner was.

ASSEMBLYMAN WARSH: Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: You had a total of 300 employees, I was led to believe, at the Commission. Now you are telling me that you had an additional 160 part-time, or was this complement all together for the total 300?

MR. VAN NOY: The last year I was with the Commission, that summer, I think it was 160, in round numbers. It may have

been 164 or 158. It varied, because some people left and some people came on, but I think the average was 160. That was in addition to our regular full-time employees.

ASSEMBLYMAN DeCROCE: Wasn't that an excessive number?

MR. VAN NOY: Well, it was seasonal, and you will have to remember that we had a lot of roadway to maintain. It probably was a lot, but I think it could have been better managed. I know the Executive Director had only budgeted for, and only requested, 120.

ASSEMBLYMAN DeCROCE: Did you give each of those people on a part-time basis an equal amount of hours to work, or was it sporadic, one got a little more than the next?

MR. VAN NOY: No. It was a 40-hour week for the maintenance summer help. Clerical was the same. A 35-hour week was administrative employees. We did encourage people, if it was a rainy day, that they go home. Most of the students took advantage of that. They took the day off and went home.

ASSEMBLYMAN DeCROCE: Thank you. Assemblyman Green?

ASSEMBLYMAN GREEN: Yes. How long have you been involved with this authority?

MR. VAN NOY: With what, sir?

ASSEMBLYMAN GREEN: How long have you been involved with this authority?

MR. VAN NOY: With the authority? With the Commission?

ASSEMBLYMAN GREEN: Yes.

MR. VAN NOY: I was there for six years.

ASSEMBLYMAN GREEN: Six years, so you should be familiar with all of the processes. Do you have an affirmative action program?

MR. VAN NOY: We do, sir, yes.

ASSEMBLYMAN GREEN: How do you enforce it?

MR. VAN NOY: We have an affirmative action officer. We also have set-asides in our contracts. We have a group of

individuals who represent -- I guess a New Jersey consultant, who represents and goes over our affirmative action programs.

ASSEMBLYMAN GREEN: I listened to the previous speaker. He mentioned the consultants and some of the other recommendations they had received from the Governor's Office. Have any minorities been recommended to the Commission to do bond counseling, or to do some of the other what I consider high level jobs?

MR. VAN NOY: I cannot answer that question. I do not know.

ASSEMBLYMAN GREEN: I mean, I'm pretty sure if you were there, you should have been aware of whether or not we had any minorities who had been given contracts, in terms of consultants, etc.

MR. VAN NOY: There are minorities who have contracts, but on the bond--

ASSEMBLYMAN GREEN: Not just bond counseling. You know, we are talking about insurance; we are talking about jobs that mean something. I am saying to you, you should know whether or not Governors from either side of the aisle recommended anything of this nature to the authority.

MR. VAN NOY: I do not know if--

ASSEMBLYMAN GREEN: You were there for six years. Am I correct?

MR. VAN NOY: Pardon me?

ASSEMBLYMAN GREEN: You were there for six years. Am I correct?

MR. VAN NOY: Yes, sir.

ASSEMBLYMAN DeCROCE: Let me correct one thing: Mr. Van Noy is not there, and has not been there for -- how long now, Mr. Van Noy?

MR. VAN NOY: I left in November.

ASSEMBLYMAN DeCROCE: November of this year?

MR. VAN NOY: Yes.

ASSEMBLYMAN DeCROCE: So you should be up-to-date on most of those issues.

MR. VAN NOY: That's correct. I guess maybe I am misunderstanding the question. Are you asking am I aware of the consultants who may have been a minority who were hired?

ASSEMBLYMAN GREEN: Yes, within the six-year period.

MR. VAN NOY: I know of only two consultants who were hired that were minority firms.

ASSEMBLYMAN GREEN: So in six years you are saying to me that on both sides of the river, the Governors had only recommended two minority firms to do business with this authority?

MR. VAN NOY: Well, I can tell you that the Commissioners were very sensitive to set-asides for our contracts for both MBEs and also WBEs, and did adhere to those. I am only aware of -- and I was not in the decision-making process -- the two minority firms.

ASSEMBLYMAN DeCROCE: Can you tell us where those firms were from?

MR. VAN NOY: They were both from New Jersey.

ASSEMBLYMAN GREEN: So in six years the State of Pennsylvania has never recommended a minority firm to do business with this authority?

MR. VAN NOY: Not to my knowledge, sir.

ASSEMBLYMAN GREEN: Thank you.

ASSEMBLYMAN DeCROCE: Representative Carn, do you have any questions?

REPRESENTATIVE CARN: Yes. Can you explain to me what set-aside requirements the Commission has in its contracts?

MR. VAN NOY: Yes. There were certain percentages. I am not sure exactly what those percentages were. I think it was 3 percent and 10 percent -- maybe 3 percent and 11 percent -- set-asides for contracts for WBE and also MBE, and we adhered to those.

REPRESENTATIVE CARN: Were these required or just requested, and were they adhered to?

MR. VAN NOY: They were required and, to my knowledge, they were fulfilled.

REPRESENTATIVE CARN: Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Does anyone else have a question regarding this matter? Representative Leh?

REPRESENTATIVE LEH: Yes. Thank you, Mr. Chairman. Mr. Van Noy, first of all, forgive me, I was out of the room at the close of the previous speaker's testimony. If this question was asked, I was not aware of it.

What was the process for the hiring of consultants providing professional services, and was there ever more than one consultant considered? Also, what was the criteria for approving a consulting firm for the contract?

MR. VAN NOY: I'm sorry you missed that closing statement from our former Chairman. I really can't answer that question. That information-- I was always on the receiving end of that -- knowledge that the consultant was hired -- and I was always told it was done by the Authority's unit of New Jersey and the Governor's Office in Pennsylvania.

REPRESENTATIVE LEH: Okay. Thank you, Mr. Chairman. Thank you, Mr. Van Noy.

ASSEMBLYMAN DeCROCE: Representative Druce?

REPRESENTATIVE DRUCE: Thank you, Mr. Chairman. Mr. Van Noy, I heard earlier your comment that it requires, I believe, three Commissioners from each state to approve a hiring. Is that correct?

MR. VAN NOY: That is correct.

REPRESENTATIVE DRUCE: Six Commissioners total. Would you, in essence, say then that that is the heart of the policy of the Commission in terms of hiring; that you need to acquire the approval of six Commissioners?

MR. VAN NOY: Yes. You also need six Commissioners, of course, to be dismissed. But that is correct. You do need three from each state -- three from New Jersey and three from Pennsylvania.

REPRESENTATIVE DRUCE: I guess what I am trying to ascertain is, that, in essence, is what the requirement is, yet the system that is employed at the Commission is a set requirement of who is contacted and who is solicited in terms of filling vacancies. There really is not a process whereby there is open participation for applicants, and then six Commissioners would need to approve those. Really the process has been simplified, in essence, to the sense that the other Commissioners need not participate, only the Commissioners whose position is in question, and then that spot is filled. Most times they are not accepted by the other Commissioners. Is that correct?

MR. VAN NOY: That is correct. Normally, a particular individual's name is submitted at the meeting. That is voted on, of course, and it needs three votes from each state. I was never present when any less than the majority voted in favor of a particular person to be hired. I have never heard of any particular person being dismissed because of political affiliation.

Obviously, I was of the minority when I -- at the end of my tenure at the Commission. I will tell you -- in fact, there is a gentleman in this room who thought my job was his job. The Executive Director stood up in my defense and said, "No. We do not, and will not" -- that he would not be a part of dismissing anybody because of their political affiliation. That is the kind of rapport and security that this Commission has always had.

REPRESENTATIVE DRUCE: Let me ask you: If the Commission were to advertise positions, would you recommend that in those advertisements the Commission, depending upon the

particular vacancy, indicate in writing that, for example, "Mercer County residents only need apply"?

MR. VAN NOY: I doubt that that would be the advertisement that they would put out. I would doubt that that would be the advertisement.

REPRESENTATIVE DRUCE: Would it be your sense that you probably would have an appearance in court if that was probably the advertisement?

MR. VAN NOY: I would guess that it would definitely mean a court appearance.

REPRESENTATIVE DRUCE: Then let me ask: If that would be the reality of publicly advertising a particular vacancy, then why operate under a system that now, as you share with us publicly, in essence, is confirming the system that the Commission operates under? Why would the Commission continue a practice that if it was otherwise disclosed would probably find itself in court being sued by residents from other areas, who felt disenfranchised from applying for that particular job?

MR. VAN NOY: Well, there are just too many "ifs" in that question.

REPRESENTATIVE DRUCE: Well, no, I mean-- I guess in essence what I am saying is, did anyone stop to say, "If we were doing this publicly it would be wrong"?

MR. VAN NOY: I don't think there was a consensus, or even a conscious awareness that somebody was doing something wrong. I will tell you that I feel that our Executive Director at the time was sensitive to some outside influences, and would have liked, probably, to expand the hiring practices.

I think you have to go back to the historical nature of the hiring of both parties of both states -- how people were hired. I don't think the Commissioners, either past or present, would like to give up that, let's say, perk that they had in the hiring. I do think there was-- At least the last year, year-and-a-half that I was with the Commission, there

were some advances made in the hiring practices. I think they were trying to become, let's say, more professional. But, you also have to look at the history of the Commission. When things are going well, you don't try to disturb the process. I will attest before all of you that there are some excellent employees with this Commission.

I think in District 3, we have some of the highest caliber of people we could even think of, and we have tasks that go from custodian to maintenance to toll to supervisory positions. The labor market that we represent-- There are actually three labor markets. The markets that we have in Warren, and Northampton County are also excellent. That is not to say that there is not a good area in the Mercer/Bucks County area either. I just think that you represent these three areas. The Commissioners have references they use, whether they be political, Assemblymen, Representatives, Senators, Congressmen, Mayors, on how that process comes about. They let that individual make application, and then they submit his name to the Commission.

But I will say to you that I think that for the most part they do-- I can only think of probably, maybe -- and there was a bunch of people hired while I was there -- four or five people who maybe after a second look I would not have hired. I would ask the question in rebuttal: Is there anyone here who has had that success?

REPRESENTATIVE DRUCE: Well, I would say specifically, I don't think anyone here is questioning the qualifications of the individuals who are selected. I think what might be more at heart here is the integrity of the process. We -- and I say this jointly here where we are operating in what is to be the public interest--

MR. VAN NOY: Right.

REPRESENTATIVE DRUCE: While I can certainly appreciate the pressures upon the Executive Director and maybe

even Commission members to act on behalf of recommending individuals, and understand that that is part of our political process in this country, there is a difference between putting names into consideration where there is an open process and those which are forwarded where they are specifically earmarked to a particular county, and maybe even to a particular individual.

Let me ask you then in one final question, as I asked the Chairman as he concluded: Understanding where we are in time now--

MR. VAN NOY: Yes?

REPRESENTATIVE DRUCE: --and that this is something that certainly didn't develop overnight and there is a long history of this, what would you recommend be done to try to open up that process more so that the general public can have more confidence in the Commission in terms of its hiring, and feel as though, "If I am from Bucks County," for instance, "and I send my application in, I need not worry if the little blue book" -- or whatever color it may be -- "says that that job is earmarked for someone from Mercer County; that I, as a resident of the Commonwealth, have as much of a chance to get that position as anyone else applying"? What steps would you suggest?

MR. VAN NOY: A great question. I have done a lot of thinking about that. As a matter of fact, I even, at one time, kind of gave a subtle hint to the Executive Director. I think he agreed with me, although that is not the process we follow.

First of all, when it comes to maintenance, or even toll or bridge officers, I would let the Superintendent have an active role in that process; possibly be the screening person of three, four, five, ten applicants, if they desired that position. Their recommendations of three, that I would recommend, would be forwarded then to the Director of Personnel, and also the Executive Director for further review.

If I had my druthers, that is the way I would recommend that the process be done. As a matter of fact, that is the process that I have at the authority I am with now. I let the department head do the screening.

REPRESENTATIVE DRUCE: Okay. Thank you, Mr. Chairman. Thank you, Mr. Van Noy.

ASSEMBLYMAN DeCROCE: Are there any other questions before I go to Mr. Nickles? (no response) I have one -- two.

To the best of your knowledge, are promotions awarded in a fair and unbiased manner?

MR. VAN NOY: Yes, sir, they are, and I was a part of that process, so maybe I am patting myself on the back a little bit. It was designed prior to my going there. I think it was designed-- I am not sure about this, but I think the existing Executive Director, as well as the Director of Personnel formerly, designed a process that I thought was very well done. That process was: If an individual was desirous for promotion and they were, let's say, a toll collector, and they wanted to become corporal, there were steps you had to take: toll collector, corporal, sergeant. They would make their wishes known. If there was an advertisement on the board, they would make their wishes known and apply for that position, at which time they took a test.

Now, about two or three years ago, the Executive Director had an order that they must pass the written test before they could go on with the process. I thought that was a great recommendation. I was part of that process. They would take the written test. They must have a score of 70 or above, at which time they were then given the opportunity of having an oral exam. When it came to a maintenance person, there were four people involved: myself, the Director of Personnel, the Chief Engineer, and-- I'm sorry, there were three people, I guess. Yes, there were three people involved for maintenance and below. For toll, it was: myself, the Controller, and the

Director of Personnel. There was an oral exam given, which was about 15 questions, maybe 10. Then there was a Superintendent's evaluation, which was 20 percent. I think it was 40 percent for the written test, 30 percent for the oral test, and 20 percent for the Superintendent's evaluation, which brought into play the seniority, their sick leave, their overall daily attendance and operation, and their attitude toward their position. That same kind of a procedure, but a different test, of course, was done for maintenance personnel. For a maintenance person who was a Maintenance Worker 2 worker who wanted to be-- Let's say a 2 or 1 worker who wanted to be an Assistant Foreman or a Foreman entered into the same process. I believe the Executive Director, about two years ago -- again, my timing might be off -- contracted with Bucks County to review the written part of the test, and they submitted their questions, which I have never seen -- and that is the way it should be.

ASSEMBLYMAN DeCROCE: Was there ever, during your review periods for promotion in your committee, or whatever it was trying to go through these questions-- Was there ever at any time intervention on either side of the river by political sources--

MR. VAN NOY: No, there was not.

ASSEMBLYMAN DeCROCE: --to move that person up, either further or--

MR. VAN NOY: No. I can attest to you that there was not. There was one other means, by the way, of promotion. I got to the testing part of it. There was a Salary Review Committee that incorporated the Chief Engineer, the Safety and Training Officer, the Director of Personnel, the Manager of Administrative Services, the Controller, and myself. If a person wanted to go from a Maintenance Worker 2 to a 1, there was a process they had to go through. They had to submit documentation that they met the job description; that they had

good work habits; that they were on time, were not tardy; that they had a good attitude about their work habits, and so on.

The same process was done with clerical. The clerical was Secretary 3, 2, 1, and then Executive Secretary. If an individual wanted to progress in that stage, they had to submit their recommendation to the Executive Director. He submitted it to the Salary Committee. They reviewed the entire process and made a recommendation back to the Executive Director. He always followed their recommendation, that I know of, and most of the time it was very positive. Very, very few times did I ever see a negative evaluation come out of that process.

ASSEMBLYMAN DeCROCE: Thank you. Lastly, I would like to know if you might be aware if at any time-- Some of the people that I met by virtue of the fact that we were doing these hearings, who came to me, frankly, voluntarily just to bring forth their stories, and usually they were personal matters, would always indicate to me that for some reason or another-- Most of them were politically involved one way or another, whether it be on a county committee's position or a councilman's position, or whatever position it might be.

Would you know at any time if any of these people were required to work for any so-called political official on either side of the river as part of their receiving these positions, by virtue of their recommendations?

MR. VAN NOY: To my knowledge, that never happened in my entire time with the Bridge Commission. As a matter of fact, I will attest to the fact that not only I, but the Executive Director were very sensitive to that, and stayed completely away from that issue.

ASSEMBLYMAN DeCROCE: Thank you very much.

Now we will go to Assemblyman Nickles.

ASSEMBLYMAN NICKLES: Good morning, Mr. Van Noy. At our last hearing we discussed a little bit some of the newspaper articles that dealt with certain toll collectors --

employees -- stealing money, then not going through the criminality process -- the criminal process of being charged with that, but rather just being let go.

Now, that brings me up to this question: In your opinion, is the toll collection system and the auditing procedures adequate to ensure the integrity of the system?

MR. VAN NOY: Do you want me to respond to the first part of your statement, too?

ASSEMBLYMAN NICKLES: I would like you to respond to everything.

MR. VAN NOY: Okay. Well, first of all, I was in complete agreement with the Executive Director and anyone else -- the Superintendent, the Controller, myself, and the Chief Engineer -- on the way that that was handled up in District 3 when we found out that there was some industrial shrinkage going on. Basically what we did was, we salted the system, and I was a part of that. We handed money to an individual, and we marked it. The individual didn't write up the proper report, and whatever happened to the money I cannot attest to.

Frankly, we had four times, with four individuals going through the lanes, where we witnessed an individual toll collector -- collectors, I might say -- taking the money and putting up the wrong toll classification for the money they were given. They are the only ones that we can attest to.

Now, we found these individuals to be guilty. We confronted them with this, and the district auditor, of course, went on and did the rest of it. The bottom line was that we have taken these situations to court before, and in each case the crime was so minimal that the judges, on both sides of the river, found them not guilty, or dismissed the case. We felt it was in our best interest to discover these individuals who were wrongfully taking money, or industrial shrinkage, whatever you want to term it, and dismiss them. We confronted them with

it. They pretty much admitted that the guilt was going on, and they were dismissed.

Now, we can be chastised -- we meaning the Commission -- by the press for that humane process, but in a lot of cases -- in most of the cases -- these were young individuals and adults. They made a mistake. They got their hands slapped very hard. They were in the press. They had a life to carry on. Why, you know, let's say, try to incarcerate them, or take them to task any further? I thought their punishment was due, because they got a lot of notoriety from the press themselves and they were fired from their positions.

Now, as far as my concern about the toll auditing: The Controller and I had had many philosophical discussions on this. I was always of the opinion that we should increase our Auditing Department by approximately two people. He always felt that we should decrease it by two people. We had that philosophical difference.

We also had another one, and that is the equipment that we had in our automatic toll lanes is -- and also our automatic toll lanes are 1968 vintage-- We had many give and take conversations on whether or not that equipment should be replaced. As you know, sometimes you win a few, and sometimes you lose a few. I happened to have been on the losing side of that particular issue. I still feel as if we should be doing lane audits. I still feel as if we should have an awareness of our auditors being present, not only the-- And they do make inspections, by the way, through one-way glass windows in different offices. I also think there should be some surveillance equipment. We have updated our process a great deal by putting visual equipment in the tellers' rooms, and that is one good step. I think there are some additional steps we should take. I say "we." I am not there any longer. They should take additional steps. That is possibly doing the same thing that the RPA has done, and that is have visual equipment

within the toll booths. That might be being considered. I don't know. That would be my recommendation.

ASSEMBLYMAN NICKLES: With the new toll booth system improvements over the 1968 models, would that keep a closer count over the moneys coming in? I guess what I am looking for-- You said there was a difference of opinion. Could there be a sloppy accounting system of the automatic toll booths now?

MR. VAN NOY: There is not a sloppy accounting system. What I think there is-- I used to be out in the lanes. This, by the way, is between myself and the Controller. We used to have friendly, but philosophical differences on this. I would see a quarter, when it was a two-way toll -- a quarter go into the machine and the red light go off. That was a definite violation. I would get, "Well, you have to prove it," or you have to do this, or you have to do that. Anyway, the bottom line was, I found it hard and difficult, and went on to other matters about how we could improve the system.

I felt as if, if you had a 1968 car, would you be driving it today? You would have a lot of miles on it. Do you know how many transactions go through those things every day? I just felt as if we should probably, from a capital standpoint, improve the toll recording equipment in the automatic and manual lanes.

ASSEMBLYMAN NICKLES: Okay. With regard to your first statement, I want to take issue with you, in a respectful manner. The term "industrial shrinkage" is another term for stealing or theft. I, too, work in the public sector outside of a selected position, and I am responsible for 675 employees in a school district. It is my attitude that I am not responsible for what the courts do through a criminal process. But, as people paying taxes, as people going through toll booths, in the situation of the Toll Bridge Commission, and that is quasi-public, I believe that that Commission, and every

public entity, should do its utmost to maintain the integrity of the process of what is being done. If we want to term things "industrial shrinkage," and say they were properly found guilty through the press, that's one thing. But I think as elected officials, or appointed officials representing with tax dollars, we have a responsibility.

I just wanted to take issue with that. I respect your opinion on that, but I wanted to share mine with you and with the panel today.

MR. VAN NOY: I appreciate that, but I will tell you, I still maintain my position. I supported the staff on the position we took in those instances, and I still do that.

ASSEMBLYMAN DeCROCE: Okay. Are there any other questions?

ASSEMBLYMAN WARSH: Yes, I just have a few. Thank you, Mr. Chairman.

Looking through the newspaper clippings on this issue, Mr. Van Noy, I see something particularly disturbing, and that is the amount of cash on reserve that the Commission had. I see through the Table of Organization that you supervised the activities of the Controller. Why it is--

MR. VAN NOY: No, no. I did not, sir. The Controller reported directly to the Executive Director; so did the Director of Personnel, and so did the Purchasing Agent -- and the Manager of Administrative Services.

ASSEMBLYMAN WARSH: Oh, I see. I stand corrected. Were you aware, when you were at the Commission, of the substantial cash reserves that the Commission maintained?

MR. VAN NOY: I was aware, yes.

ASSEMBLYMAN WARSH: Was this a matter that had ever been discussed at an executive session or at a public meeting of the Commission?

MR. VAN NOY: It was.

ASSEMBLYMAN WARSH: Were the cash reserves on hand justified at any point, or can you justify that for us today?

MR. VAN NOY: With all due respect, I think counsel should probably interject in this, because this is, I believe, of a Federal nature right now. I don't know the outcome of it, and I don't know that I should be testifying on that issue. I don't know. I will defer to attorneys.

ASSEMBLYMAN DeCROCE: We are going to stand you excused from that question. Okay? I hope you will understand, Jeff.

ASSEMBLYMAN WARSH: One last question, Mr. Chairman. I see a quote in here that, at least the current Executive Director, Mr. Catania, had indicated that in his opinion the Commission is not a public agency. In your opinion, is the Commission a public agency, or not?

MR. VAN NOY: Yes, it is.

ASSEMBLYMAN WARSH: Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Okay. Assemblyman Green?

ASSEMBLYMAN GREEN: Thank you, Mr. Chairman. As Manager, what managerial changes did you recommend, and were any of them implemented?

MR. VAN NOY: Oh, well, you hit me with a question. There were several, and I have probably forgotten a few. One of them was-- I remember early on -- once again, you win a few, lose a few -- in my position with the Commission, I recommended that the Purchasing Agent not report to the Controller. I made a report on that to the Executive Director. He immediately changed that and had the Purchasing Agency report to him. I always felt it was not a good policy to have the guy who pays the bills also be responsible for the person who is buying the equipment.

I made some other recommendations. One of them was, in the purchasing function, to further streamline it and help along with the large purchasing requirements we had, that we

promote an individual who was a receiving clerk to another title. I believe it came up to Assistant to the Purchasing Agent. You mentioned some auditing changes, but I lost that one.

I also made a recommendation that the tellers no longer report to the Controller; that they report to the Superintendents who had the responsibility for their time, as well as their scheduling. I lost that one.

I made a recommendation that we give some authority, along with the responsibility to our Superintendents. That was on the purchasing level; that we give them the ability to buy up to \$250 for their particular district, as long as they adhered to our purchasing regulations. The Executive Director approved that and made that a staff memorandum.

There are probably some others that I have forgotten about. Oh, I talked about risk management many times, and suggested that we should have our -- because we have a self-insurance program -- we should have a particular person in charge of our insurance. That was pretty much done, and that person is with the Commission.

That is all I can think of right now.

ASSEMBLYMAN GREEN: So you won some and you lost some, right?

MR. VAN NOY: Yes. That is true be it in the corporate world, as I was for many years-- That is the way it goes.

ASSEMBLYMAN GREEN: Well, I am happy that you just mentioned the fact that you did come from the corporate world. It is obvious that the corporate world is strictly business. Would you feel the Commission over there is run like a business professionally, or is it run more like a political machine?

MR. VAN NOY: No, it was not. I think it was run in a businesslike manner. Once again, I have to separate that Federal matter that has come up. But overall, I think it is

run much like a business. We do have a vertical integration system. We do have a chain of command. It goes up, as well as comes down. I think, for the most part, it is pretty much businesslike.

However, I will tell you, any individual who is a Deputy Director, as I was, also has their own ideas when they become Executive Director, just like our Executive Director had. So I think there is always an outside opinion that anybody has on the way they could run a system. I am not faulting the way it is being run now. I am just saying that every individual on their way up the ladder, let's say, has his own idea about how something should be run. And I would make some changes if I had that position, which I do not have.

ASSEMBLYMAN GREEN: Do you feel that you were given the authority to manage the day-to-day operation without any influence from the Commissioners--

MR. VAN NOY: I was.

ASSEMBLYMAN GREEN: --or did you feel that they had the opportunity to go directly to save someone in a low management position and give their opinion, and they would listen to them before they would listen to you?

MR. VAN NOY: I feel as if I had a very excellent rapport with the Executive Director, and I also feel that he gave me the authority with my job description and below; that I had a pretty good rapport with all of the employees, whether they be Superintendents, Assistant Superintendents, Foremen, Sergeants, right on down to the custodian worker. I think I had an excellent rapport with those people.

ASSEMBLYMAN GREEN: Have you recommended that a policy of financial disclosure be adopted by the Commission, and to whom did you make these recommendations? Were the recommendations implemented?

MR. VAN NOY: I did make that recommendation a couple of years ago, and I think it may have been done. I would not

be aware if it had or had not been. But I did make that recommendation at one point and, to my knowledge, it might have been done.

ASSEMBLYMAN GREEN: Are you saying you made these recommendations the latter part of your career there, or was it early on? How long did it take for this to happen?

MR. VAN NOY: Well, it was probably about a year-and-a-half to two years ago that I made the recommendation. Whether it was done or not done, I couldn't tell you because it would have been done either to the Chairman or the Commission or just in their personnel file. I don't know how it was done.

ASSEMBLYMAN GREEN: When an individual has been in the corporate world, and you have been in the political arena as an elected official, would you feel at this point now that the agency is managed very, very well, very professionally, or do you see some problems that you felt could have been resolved when you were there, but because of a lack of communication with the Commissioners this did not happen? What area of problems did you see that you feel you can share with this body, so we can go forth and try to help get it corrected?

MR. VAN NOY: Well, I think you have targeted one of them, and that is probably the hiring practices and maybe the security of the individuals, although I testified earlier that I had never seen anyone dismissed or political pressure put on individuals. Everybody there probably has a political affiliation, or most of them do anyway. That has never been, to my knowledge, a conscience problem to those people. There has never been any pressure put on them about what they should or should not do, to my knowledge.

I feel it is a public agency, and I know-- I am not sure how that quote came out of the paper, by the way, or whether or not Mr. Catania said that or didn't say it. I guess it was in the paper. I feel as if things have changed in our

world today. I know that I have gotten a lot of experience. I always felt the Commission a very good stepping stone to my present position. I have made some changes there that I would have liked to have incorporated within the Bridge Commission. I guess hiring would probably be one of them.

ASSEMBLYMAN GREEN: Also, when we talk about hiring, we are talking about the fact that, unfortunately, I happen to look at politics as business; that the State of New Jersey is in a big business; that Pennsylvania is in a big business. It seems like the remarks I have heard during these last two meetings is basically-- It is not looked upon in that particular way in terms of how we manage. It is more like looking at it politically, rather than looking at it in terms of getting the best bang for the dollar for the citizens of both states.

That is where I get confused in terms of what I am hearing you say; that you feel it was managed very, very well. The only problem that you saw was with the hiring of employees. But when you look at the structure itself, to me, I don't see the management there that should be there, especially coming from a professional like yourself in terms of being in corporate America, as well as being an elected official who has dealt in both arenas.

MR. VAN NOY: May I respectfully disagree with what you just said? I will defend that by saying, if you will -- not only at the hearing today, but for us-- If you would take a closer look at the Commission and how the maintenance is done at that Commission, the kind of reputation we have in maintaining our facilities, what has been done, the projects that have been completed over the last five years-- We had a \$12 million redecking at the Delaware Gap Bridge with a one-way toll; we had a redecking prior to that at the Milford/Montague Bridge; we have resurfaced, and went the one-way toll at the Easton/Phillipsburg Bridge; and had major construction on the

Belvidere nontoll Bridge. We finally paid both states for their part in the I-78 Bridge, as well as we maintained 10 miles of roadway. We have accolades from people in New Jersey and Pennsylvania on how the facilities are maintained and kept up. We have also redecked completely another nontoll bridge in Stockton.

We have a regular painting program we adhere to for all the nontoll bridges, as well as the toll bridges. We went to a one-way toll system, basically by the way, to help both states in their Clean Air Act responsibilities, so they could take credits for a one-way toll at the Trenton/Morrisville facility. In fact, we have competing bridges, two of them -- the lower Trenton Bridge and the Calhoun Street Bridge -- right next to each other. There has been a loss of revenue there. That was a conscious decision.

The Executive Director, along with the Commissioners of about three or four years ago, made a conscious decision not to raise the tolls until the year 2003. Somebody mentioned earlier about a \$40 million or \$50 million reserve. That reserve probably has to go to \$75 million or \$80 million before 1996 or '97, when there is a drawdown, so that the toll structure is maintained to the year 2003. I don't know of any other authority that has made promises like that.

So, rather than just coming today, or to the previous hearing, and hearing testimony from individuals, you have to take a more hands-on look at the way the organization is managed. I would say that for the most part it is done very well.

ASSEMBLYMAN GREEN: Mr. Chairman, my last comment: If I wanted to stay in business -- and they are obvious, all the things you just rattled off to me -- I would make sure that all the things would happen myself. I mean, it is obvious that there is a lot of money being floated in; there is a lot of money being floated out. The bottom line to any corporation

is, if you don't have sound business management skills, if you don't have an agenda, if you don't have protocol, if you don't have all the things that go into running a good business, all of those things don't mean anything at all.

Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you, Mr. Green. Are there any further questions for Mr. Van Noy? Representative Druce?

REPRESENTATIVE DRUCE: May I ask one question? I share a little bit, I think, of Mr. Green's perception that while the Commission, maybe its end results being commendable, with a record that both states can be proud of, that along the way in achieving those goals there have been questions about how we have arrived at them. In essence, maybe we are winning the game, but not taking a look at how we put the players on the field. Under certain circumstances, and maybe other circumstances, maybe the end result of the practice we use may give us different results, and hence we would be looking at how we arrive at those points.

I just wanted to ask one question to get a reaction from you potentially on a recommendation and how you feel this would impact, not only on hiring, but maybe on the overall operation of the Commission. If it were suggested to you that the Commission be reduced from its 10 members to five members, two appointed each by the Governors and a fifth member selected jointly by the Governors, what kind of an impact do you think that would have upon the Commission as it relates to some of the actions the Commission takes, and do you feel that that sort of a structural change might well give the current staff and Executive Director more flexibility in functioning and letting the Commission operate more as a Board of Trustees, than as maybe a more active player, particularly as it relates to hiring?

MR. VAN NOY: Well, I can agree with part of what you said; that is, I think the real key is if they can act as a

Board of Trustees and let the executive staff do the hiring, do the recommendations. Earlier testimony was, how do you hire consultants? Well, ladies and gentlemen, consultants were hired by politicals on both sides of the river. I would suggest that if you want to change the structure, that is the structure I would change. I would not reduce the number. I would keep the number. As a matter of fact, I wouldn't even change the way they are appointed on both sides of the river. But I will tell you, I would let them act as a Board of Trustees, and let the professional staff come to those Commissioners with their recommendations. Let them have three, four, and five proposals on consultants. Let them have two, three, four, or five recommendations for hiring, or take the recommendation of the Executive Director after the Superintendent, or the Director of Personnel, or whatever director was responsible for that individual. Let them make their recommendations. Those are the kinds of changes I would make.

I would not change the ED down. Well, I would make some changes, but, I mean, the structure the way it is laid out. I would not do that. But I think a Board of Trustees concept would be the way to go.

REPRESENTATIVE DRUCE: But in order to get them to function like a Board of Trustees, would you think you might achieve that more expeditiously if a Governor appointed, let's say, two individuals from the private sector, as opposed to-- In some ways I may be indicting the Pennsylvania system, where we have elected officials sitting on the Board, who will, in essence, function as they do, which is as political figures.

MR. VAN NOY: That's a good suggestion. You know, I don't know what the makeup would be, but let's say one banker, one lawyer, one businessperson, two political people. I am not saying that is the way it should go, but that will give you a reference. I would keep the number at 10, five from each state.

REPRESENTATIVE DRUCE: Why are you committed to that number? Would a lesser number reduce the pressures? That way there wouldn't be 10 people all wanting to have their hands in the pot as it relates to hiring. By reducing the number, you would have less pressure because there would be fewer members, and more opportunity for the staff then to make discretionary decisions.

MR. VAN NOY: That would be a judgment call.

REPRESENTATIVE DRUCE: Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you. No one else? (no response) Thank you very much, Mr. Van Noy. We do appreciate your coming today.

MR. VAN NOY: Thank you.

ASSEMBLYMAN DeCROCE: Now I would like to call Richard Goepfert, a former Personnel Director, who is presently retired.

Mr. Goepfert, I would like to thank you for coming this morning. We appreciate the time you are willing to put in with us.

If I may, I would just like to ask you, what was your position with the Joint Toll Bridge Commission?

R I C H A R D G O E P F E R T: Director of Personnel.

ASSEMBLYMAN DeCROCE: Director of Personnel. How long were you employed by that Commission?

MR. GOEPFERT: Thirty-seven years.

ASSEMBLYMAN DeCROCE: Thirty-seven years. You went back awhile. Okay.

Can you tell me, in your 37 years, what was the normal hiring procedure at the Commission?

MR. GOEPFERT: Anything that I may say today, anything I may answer for you, respectfully, will only go as far as my retirement date, which was September of '89.

ASSEMBLYMAN DeCROCE: Yes, we understand that. Thank you.

MR. GOEPFERT: Okay. Your question again?

ASSEMBLYMAN DeCROCE: What was the hiring procedure at the Commission up to 1989?

MR. GOEPFERT: More or less what Mr. Destribats and Mr. Van Noy have stated. You have to realize that the river is, say, 110 miles of riverfront that we had bridges across, and then geographically the various counties on both sides. There were Commissioners, most of the time, from those respective counties; example: Mercer County, Hunterdon, Warren, Sussex, and so forth; and on the Pennsylvania side, Bucks, Northampton, Monroe, and Pike. So, when there was a vacancy in complement at any particular toll facility or tax-supported facility, the respective Commissioner in that geographical area where the person was retiring or resigning, or whatever caused the vacancy-- That particular Commissioner was contacted to be made aware, and then he or she would submit the name to be considered for replacing the vacant position.

ASSEMBLYMAN DeCROCE: Does that again go back to the so-called record, as mentioned by former Chairman Destribats? Was there a record for those 37 years? Was there a book? Was there a listing of each position and who make the appointments for those positions?

MR. GOEPFERT: Yes. We had an "Employee by Residence" book. This book would have all of the employees by payroll location and where their original hiring was from, what state and what county. When that particular employee left the Commission, that particular position was filled again by wherever the original appointment was from. That was to keep a balance between Pennsylvania and New Jersey. If we had 300 employees, we always tried to maintain, as closely as we could, 150/150--

ASSEMBLYMAN DeCROCE: I understand.

MR. GOEPFERT: --for permanent, full-time employees.

ASSEMBLYMAN DeCROCE: Was consideration ever given to people's qualifications, or was it strictly as mentioned by the

previous speakers, that they were recommended and usually put into place?

MR. GOEPFERT: To replace a vacancy, the name was submitted at a Commission monthly meeting. I sometimes was made aware by the Executive Director or the Commissioner that they were going to submit a name. This would give me some lag time to initiate criminal history, a background check. If the person was from New Jersey, the New Jersey State Police did it. If the person was from Pennsylvania, the Pennsylvania State Police did it. It would also give me an opportunity to bring the individual into my office in Morrisville to interview him, go over the job description, fringe benefits, the salary, etc., etc. and to ascertain if the person was genuinely interested in the position at the salary that was allocated to it. If so, I would also initiate the medical examination.

ASSEMBLYMAN DeCROCE: In your position, though, as Personnel Director, you-- As Director of Personnel, you really never went out and solicited any hirees. They were all submitted to you, in all probability.

MR. GOEPFERT: Most all of the time.

ASSEMBLYMAN DeCROCE: Most all of the time.

MR. GOEPFERT: Few exceptions.

ASSEMBLYMAN DeCROCE: Well, when you came to the executives, Mr. Goepfert, those people in the higher ranking positions, were there any specific qualifications given to you for your examination, to make sure they qualified for the position that the Commission was hiring for? Or, was it just fait accompli as usual?

MR. GOEPFERT: Not really, no. I think I do recall when we hired a Chief Engineer that there were some -- there were more than one applicant. They were interviewed by Commission members.

ASSEMBLYMAN DeCROCE: They were interviewed?

MR. GOEPFERT: Yes.

ASSEMBLYMAN DeCROCE: But you never personally interviewed them?

MR. GOEPFERT: I was there.

ASSEMBLYMAN DeCROCE: You were there?

MR. GOEPFERT: Right.

ASSEMBLYMAN DeCROCE: Were you asked to participate in these hirings?

MR. GOEPFERT: Yes, yes.

ASSEMBLYMAN DeCROCE: Were there criteria for various jobs at the Commission, regardless of whether they were executive position, a superintendent position, maintenance work, or toll taker? Were there certain criteria and parameters that were followed when these people were hired, or were they just arbitrarily sent over by some Assemblyman on this side of the river or some Representative on that side of the river, or a Senator on either side of the river?

MR. GOEPFERT: Legislators who were interested-- I did, through the years, receive calls -- personal calls from legislators, but I always suggested that the legislator contact the respective Commissioner, and most all of the time they did. I never acted on applications strictly from a legislator, but through the Commissioners.

ASSEMBLYMAN DeCROCE: Would a member of the general public have an equal opportunity for employment, would you say?

MR. GOEPFERT: Only up until '89, if that person could contact the respective Commissioner who would handle the vacancy -- make contact with the Commissioner. Some of our Commissioners interviewed applicants before they came to my office. They were well aware of who they were recommending, and so forth.

ASSEMBLYMAN DeCROCE: At any time, Mr. Goepfert, did you ask to put into effect any procedures to improve the system, as you saw it? I'm sure you must have during your 37 years. I'm sure you had to do something.

MR. GOEPFERT: Most of the time that I was Director of Personnel, that is exactly the way we handled things -- the way it has been stated.

ASSEMBLYMAN DeCROCE: Okay. So there was really never any input from any of the people at your level, other than the fact that you would sit in on interviews of particular applicants, and you would then hire and explain their positions to them?

MR. GOEPFERT: Right. The Commission did the hiring at a Commission meeting.

ASSEMBLYMAN DeCROCE: Did the Executive Director ever confer with you regarding recommendations for new hires?

MR. GOEPFERT: Yes.

ASSEMBLYMAN DeCROCE: At all times?

MR. GOEPFERT: We worked very closely for each Commission meeting. The Personnel and Finance Committee of the Commission would meet, say, like Mr. Destribats said, at 9:00 in the morning. I would prepare an agenda in advance for the Personnel and Finance Committee and submit it to the Executive Director for his approval. Then that was sent out to Commission members with our agendas. So, in fact, on a Commission meeting day, they had a Personnel and Finance Committee agenda, along with a regular agenda, and so forth and so forth.

ASSEMBLYMAN DeCROCE: Was there a specific agenda for every meeting?

MR. GOEPFERT: Yes.

ASSEMBLYMAN DeCROCE: Commission meetings as well as standing committees? It was not unusual to have a specific agenda for each of those meetings?

MR. GOEPFERT: I don't know about the other committees, but there was a specific agenda for the Personnel and Finance Committee.

ASSEMBLYMAN DeCROCE: I see.

MR. GOEPFERT: That would include names that were going to be submitted for hiring, promotions, and so forth and so on.

ASSEMBLYMAN DeCROCE: In your capacity as Personnel Director, it is my understanding that the Bridge Superintendent evaluated the employees in his district for purposes of awarding increases each year. Did you have any input in that at all? Did you do any evaluations yourself, or, again, was it fait accompli by that Superintendent, whoever he may be?

MR. GOEPFERT: The only evaluations that were ongoing were the initial six-month evaluations of new, full-time employees.

ASSEMBLYMAN DeCROCE: Who did the evaluations, sir?

MR. GOEPFERT: The department head. The six-month evaluations for new employees were two months, two months, two months.

ASSEMBLYMAN DeCROCE: Yes.

MR. GOEPFERT: And that form was completed, one on one with the department head and the new employee.

ASSEMBLYMAN DeCROCE: On an annual basis, would the Commission just arbitrarily issue an across-the-board increase for certain level employees, wherever they may be -- bridge maintenance people, toll takers, Superintendents, before you got to the executive branch?

MR. GOEPFERT: The yearly budget was a calendar budget -- January 1 to December 31. Those budgets were worked on in August/September, over a time frame, and Commissioners would decide if a cost-of-living was going to be given. If so, how much, and it was given across-the-board to all employees.

ASSEMBLYMAN DeCROCE: So then there were never any really formal evaluations of the positions, just an across-the-board raise?

MR. GOEPFERT: Through my 37 years, we tried, a couple of times, yearly evaluations, and, for one reason or another, it didn't seem to work out.

ASSEMBLYMAN DeCROCE: Do you know what those reasons may have been?

MR. GOEPFERT: Being a small organization -- 290, 300 employees-- No, I don't think I will answer that. No.

ASSEMBLYMAN DeCROCE: Okay. Were raises ever denied any persons who worked for the Commission?

MR. GOEPFERT: If the person was on suspension for violation of rules or regulations, or something like that, raises were held up. If the employee was on-- At the time we had supplemental sick leave. Raises were not granted while an employee was on supplemental sick leave.

ASSEMBLYMAN DeCROCE: Mr. Destribats stated that during his eight-year tenure, rarely, that he could recall, was anyone ever dismissed. In your 37 years, was that practice-- Rarely was anyone ever dismissed?

MR. GOEPFERT: We had a few for various reasons -- drug abuse, narcotics, different things like that.

ASSEMBLYMAN DeCROCE: How about pilferage?

MR. GOEPFERT: Several times during my career.

ASSEMBLYMAN DeCROCE: Many times during my discussions with people who came to me -- and I don't know if I am out of line. If I am, Counselor, you ought to tell me. Many people told me that a lot of times in the different districts, certain employees made it a practice to arbitrarily make up some additional lost income, and it could be done with the system which, frankly, is presently in place. In your experience over those 37 years, would you say that was not unusual?

MR. GOEPFERT: I am not qualified to answer that.

ASSEMBLYMAN DeCROCE: Okay. Are there any other questions from any other member of this Committee? Representative Carn?

REPRESENTATIVE CARN: Thank you. How long were you Director of Personnel?

MR. GOEPFERT: Twenty-some years.

REPRESENTATIVE CARN: So what position did you hold prior to that?

MR. GOEPFERT: I moved up through the ranks. I started out in September of '52 as a toll collector; then full Sergeant; then Assistant to the Executive Director; and then Director of Personnel.

REPRESENTATIVE CARN: Did you have to take any tests to become Assistant to the Executive Director or Director of Personnel?

MR. GOEPFERT: No.

REPRESENTATIVE CARN: Thank you.

ASSEMBLYMAN DeCROCE: Mr. Green -- Assemblyman Green?

ASSEMBLYMAN GREEN: Yes, Mr. Chairman. I would just like to follow-up on a question you asked earlier in terms of the fact that, if you had just a person from the public who was coming in, that the only way he would get a recommendation would have to be through a Commissioner. Am I correct?

MR. GOEPFERT: Right.

ASSEMBLYMAN GREEN: That means that if a Commissioner did not recommend you, well then, you did not go anyplace.

MR. GOEPFERT: That's right.

ASSEMBLYMAN GREEN: So in a sense, the Commission is really in control of who gets hired, rather than a manager? An example: Normally a manager of any business may make recommendations to the board in terms of who he feels should get hired. It would seem like that is just a reverse policy there. Would you say yes or no?

MR. GOEPFERT: That's right.

ASSEMBLYMAN GREEN: So that means the public itself does not really get a chance to get a job, because the

Commission, in a sense, controls who gets a job. Would you say yes or no?

MR. GOEPFERT: Except that there were Commissioners from time to time who would ask me -- or who would even come down to the office and review applications from just rank and file people who would submit them.

ASSEMBLYMAN GREEN: So, for example, if a person-- A prime example is in my county. We have a policy even with the unclassified jobs that they are posted in any governmental building. If an individual comes in and for some reason or another asks you, as the person who is in the position to hire him, "Is it possible I can get that job?" you would not have the authority to hire him. You would have to take it to a Commissioner. Am I correct?

MR. GOEPFERT: That's right.

ASSEMBLYMAN GREEN: So in a sense the Commissioner controls everything, even the management, because if you can't hire anybody, that means you are really not the manager. Am I correct?

MR. GOEPFERT: That's right.

ASSEMBLYMAN GREEN: Thank you, Mr. Chairman.

MR. GOEPFERT: We would average, I would say, about 1000 applications a year that would come in. These were permanent and part-time, or temporary applications. We kept them filed by New Jersey and Pennsylvania, and by county. So, if a Commissioner was interested in who had been applying for jobs in his area, we could just pull the file in, say, Mercer County, New Jersey, or Bucks County, Pennsylvania, and that Commissioner could glance through all the applications we had on file, if they wanted to, and some Commissioners did.

ASSEMBLYMAN GREEN: One other question, Mr. Chairman: Are there any qualifications for these Commissioners to be able to know how to interview individuals, so that they can

professionally give their opinion in terms of whether they are qualified for the jobs or not?

MR. GOEPFERT: No.

ASSEMBLYMAN GREEN: I mean, that would seem rather odd, that as a Commissioner -- that as a layperson he would be in a position to be able to dictate to you who should be able to get a job, because of the fact that he does not have the ability to be able to do that because of his experience.

MR. GOEPFERT: Well, like I said, the Commissioner gets a person approved at a Commission meeting, and then lets go of the hand. The minutes of any particular meeting would say, "John Brown is recommended for employment at such and such," and the bottom line in that paragraph would say, "based on satisfactory personnel processing." Then it was dumped in our laps to follow through with medical exam, State Police, and so forth.

There were employees from time to time who were held up for medical reasons, even though they were approved at a Commission meeting. They did not start employment until the medical was satisfied.

ASSEMBLYMAN GREEN: In your 20 years, other than medical reasons, other than for a police background checkup, did a person just not qualify? Have you ever denied a person the ability to have a job that was recommended by a Commissioner?

What I am saying to you is, as a Commissioner I have made a recommendation. Have you ever told a Commissioner, "No. Sorry, Mr. Commissioner, I cannot hire this person"?

MR. GOEPFERT: There were some cases of falsifying an application. That would be brought to the attention of the Commissioner at a P&F Committee, and then they would decide.

ASSEMBLYMAN GREEN: Again -- and I think I said it to you clearly -- with the background check, am I correct-- For those reasons, I can understand excluding a person. For

medical reasons, I can also see excluding a person. I'm saying, if a person met all of the criteria but there was something professionally about the individual that you felt he should not have this job, have you ever told a Commissioner, "I cannot hire this person"?

MR. GOEPFERT: No.

ASSEMBLYMAN GREEN: So in a sense you are saying to me, "Whatever the Commissioner says, that is the way it has to go." Would you say yes or no?

MR. GOEPFERT: If all the other criteria were met.

ASSEMBLYMAN GREEN: Right. Okay. Thank you.

ASSEMBLYMAN DeCROCE: Thank you, Mr. Green. Mr. Nickles?

ASSEMBLYMAN NICKLES: No, thank you.

ASSEMBLYMAN DeCROCE: Representative Leh?

REPRESENTATIVE LEH: I yield to Representative Druce.

REPRESENTATIVE DRUCE: Mr. Chairman, I just want to follow-up on a question Mr. Green was asking.

ASSEMBLYMAN DeCROCE: Representative Druce.

REPRESENTATIVE DRUCE: Maybe I can word this in a different way: If we could remove our geographical boundaries for a second and not think in terms of the counties, what percentage of the time, would you say in your experience, that a Commissioner may have recommended an individual, yet if you had the ability to look through your entire reference file of individuals-- What percentage of the time would you have been able to produce a better qualified individual for that position than what the Commissioner had presented?

MR. GOEPFERT: I don't know. I don't know.

REPRESENTATIVE DRUCE: A guesstimate? I mean, were there times when you would look and see that a Commissioner had recommended someone, albeit qualified, that you would think to yourself, "I've got these two or three other applications that came in via some other method, without political connection,"

but yet you could not advance those even though they may have actually had more qualifications than the individual who was selected? A couple of times, half the time?

MR. GOEPFERT: I don't really know what you are getting to as far as "other qualifications." Most of the entrance level applications, as long as you had a high school education and so forth, that was it.

REPRESENTATIVE DRUCE: I would suspect, sir, that those are minimum requirements. What I am trying to ascertain, I guess, specifically is: While individuals who may have been hired were qualified who had connections with a Commissioner-- For each one of those, how many applicants may there have been, who maybe had better qualifications -- maybe they had an associate's degree from a community college, and were maybe more qualified than an individual with just a high school degree-- How many of those individuals may have been bypassed because they lacked the recommendation of a Commissioner in order to move their application forward?

MR. GOEPFERT: A very small percentage, I would say.

REPRESENTATIVE DRUCE: So most of the time the Commissioners then, if I am hearing you correctly, were recommending individuals who more times were better qualified than other individuals who may have just applied to you directly from other means?

MR. GOEPFERT: I would say that the ones the Commissioners recommended were qualified.

REPRESENTATIVE DRUCE: Thank you, Mr. Chairman.

ASSEMBLYMAN DeCROCE: Thank you. Representative Leh?

REPRESENTATIVE LEH: Yes. Thank you, Mr. Chairman.
Mr. Goepfert--

MR. GOEPFERT: Yes?

REPRESENTATIVE LEH: --you said you had your position as Director of Personnel now for 20-some years.

MR. GOEPFERT: Twenty-some years.

REPRESENTATIVE LEH: Who has the authority to hire and fire the Director of Personnel?

MR. GOEPFERT: Who has the authority?

REPRESENTATIVE LEH: Who has the power, or the authority, to hire and fire the Director of Personnel?

MR. GOEPFERT: All hiring and firing was done by the Commission members.

REPRESENTATIVE LEH: Okay. During your 20-some years, did you ever feel pressured in any way by any of the Commissioners, the Executive Director, or any elected officials regarding the hiring of certain personnel over other personnel? You know, if I were an elected official that had a legislative district next to the river, or I was a Commissioner even, and I came to you and said, "Hey, I know this individual. This person worked very hard on my reelection campaign. I would like to see him have a job. Could you see that he is moved up, or could you see that he takes preference over someone else?"-- Has that ever happened? Did that ever occur?

MR. GOEPFERT: Are you talking about a brand-new employee?

REPRESENTATIVE LEH: Yes, somebody coming in from the outside, over somebody who just submitted his name -- somebody just off the street.

MR. GOEPFERT: Again, the name would come from a Commissioner for the vacancy.

REPRESENTATIVE LEH: Do you ever recall a Commissioner saying this to you: "Hey, this name was given to me by a friend of mine who serves in the Legislature," or, "He is a friend of mine, and I would like to see him have this job. I don't care who else has applied. I want this person to have this job, or do what you can--" Be a little subtle about it. "Do what you can to make sure that he gets the job."

MR. GOEPFERT: No.

REPRESENTATIVE LEH: One last question: Was anyone, to your knowledge -- and you were there until 1989, I believe--

MR. GOEPFERT: September '89, right.

REPRESENTATIVE LEH: Was anyone, to your knowledge, ever fired to make room for someone else?

MR. GOEPFERT: Never; never.

REPRESENTATIVE LEH: Okay. There was an article here -- and I didn't read the whole article-- I realize that everything that is in the newspapers is not necessarily true. There is an article, I guess it is in The Express Times, about a Mary Ann Drake. She said she was fired because she didn't pay the proper heed to one of the Commissioners who came through the tollbooth. Was this something unique, or did this happen more than once, in your recollection, in your 20-some years? And, what recourse did someone have who was fired? Did he or she have any appeal process?

MR. GOEPFERT: What was the name?

REPRESENTATIVE LEH: Mary Ann Drake. She was fired, I think it was in 1986. She failed to acknowledge, or failed to pay the proper heed to a Commissioner. The Commissioner then resigned, but nevertheless, this woman was out of a job. I just wondered, gee whiz, if that was in the private sector, she may have had some recourse. She may have had an appeal process.

MR. GOEPFERT: I think if you go back and check the records, you will find that that person was a part-time employee, hourly rated. I don't think the person was fired. I think the person was let go for noncompletion of a work assignment.

REPRESENTATIVE LEH: Well, you'll have to excuse me. I only have the newspaper to go by, and her quote said that she was fired. But if that is not the case, so be it.

MR. GOEPFERT: Like I said earlier, the only firings I can recall were those for cause.

REPRESENTATIVE LEH: In the case of a firing, is there an appeal process? If I am fired-- If I am a worker and I am fired, what course of action do I take, or do I just pack my bags and go home?

MR. GOEPFERT: We have a grievance procedure. It is all spelled out in the "Employees' Manual," which every employee has. They can follow the procedures in the grievance section. They can appeal.

REPRESENTATIVE LEH: Who would they appeal to? Would they appeal to you? Would they appeal to the Commissioners?

MR. GOEPFERT: To the Executive Director, and then he could forward it to the Commission members.

REPRESENTATIVE LEH: Okay. Those are all the questions I have, Mr. Chairman. Thank you very much.

ASSEMBLYMAN DeCROCE: Thank you, Representative Leh. Does anyone have any further questions? (no response) Thank you very much, Mr. Goepfert. We do appreciate the fact that you came here today to come before us.

MR. GOEPFERT: Thank you.

ASSEMBLYMAN DeCROCE: Ladies and gentlemen, that concludes our testimony for today. I would like to state for the record, though, that some persons contacted for these hearings declined to come forward in a public forum, because they were concerned about possible reprisals; real or imagined, I don't know, but from the Commission.

Now, if that is true, it really will not be tolerated by either side of the river. This Committee will continue its oversight of the Joint Toll Bridge Commission, and would look very unfavorably upon any inappropriate action by the Commission as a result of these hearings.

We will review the testimony given to this point and will reconvene at a date to be announced later. Thank you all for coming.

(HEARING CONCLUDED)

