

Public Hearing

before

ASSEMBLY BIPARTISAN LEADERSHIP COMMITTEE

*"Testimony from residents on their ideas on how
State and local government can improve life in the state"*

LOCATION: Committee Room 11
State House Annex
Trenton, New Jersey

DATE: February 2, 2010
3:00 p.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblywoman Sheila Y. Oliver, Co-Chair
Assemblyman Alex DeCroce, Co-Chair
Assemblyman Jon M. Bramnick
Assemblyman Joseph Cryan
Assemblyman Jerry Green
Assemblyman Louis D. Greenwald
Assemblywoman Amy H. Handlin
Assemblyman Joseph R. Malone III
Assemblywoman Nellie Pou
Assemblywoman Joan M. Quigley
Assemblyman David P. Rible
Assemblyman Scott T. Rumana



ALSO PRESENT:

David J. Rosen
*Legislative Budget and Finance Officer
Office of Legislative Services*

***Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey***

TABLE OF CONTENTS

	<u>Page</u>
Joseph Fornarotto Private Citizen	3
Robert Perro Sr. Legislative Liaison Association for the Advancement of Retired Persons	6
Peter A. Scarcella Private Citizen	7
Michael English Representing South Plainfield Ad Hoc Truck Committee	9
Jacquetta Rawls Assistant Supervisor Professional Residential Services Vineland Developmental Center	13
Thomas V. Yarnall Jr. Private Citizen	15
John O'Rourke Representing New Jersey Fair Tax Leaders	16
Kim Y. Taylor Private Citizen	19
Thomas J. Gilmour Director Department of Commerce, and Executive Director Urban Enterprise Zone Program City of Asbury Park	20
Martha Gomez President Clearbrook Residents for Equity in Education	23

TABLE OF CONTENTS (continued)

	<u>Page</u>
Janice Testa Administrator Arcadia Nursing and Rehabilitation Center	27
Frank Fusco Councilman City of Clifton	30
Theodore Guis Councilman Borough of Riverdale	33
Gina Genovese Representing Courage to Connect NJ	35
Alan Rothstein, Esq. Private Citizen	37
Lowell Arye Executive Director Alliance for the Betterment of Citizens with Disabilities	39
John F. Bencivengo Mayor Hamilton Township	42
Rose M. Clevenger Private Citizen	44
Alan Berliner, Esq. Private Citizen	47
Omar Dyer Private Citizen	48
Barbara Nieroda Clark Private Citizen	50

TABLE OF CONTENTS (continued)

	<u>Page</u>
Roger Bernier President and Chief Operating Officer Chelsea Senior Living	52
James Francis Waddleton Private Citizen	54
Maryann Mesics Private Citizen	55
Mike Hojnaski Private Citizen	57
Raymond Hohman Adjunct Instructor Ocean County College	61
Michelle Boggan Executive Director Burlington County Region Community Options	63
Thomas Ng President Student Government Association Ramapo College	65
Donna Ward State Committeewoman New Jersey Republican State Committee	69
Thomas Giacoebe Private Citizen	70
Teresa M. Downey Private Citizen	71
Reverend Bruce H. Davidson Director Lutheran Office of Governmental Ministry in New Jersey	76

TABLE OF CONTENTS (continued)

	<u>Page</u>
Rae Roeder President Local 1033 Communication Workers of America	78
Anthony F. Miskowski Secretary Local 1033 Communication Workers of America	80
William H. Eaton, Esq. Counsel Paradise Park Homeowners Association	83
Loretta Dibble Legislative Representative Manufactured Homeowners Association of New Jersey	84
Theodore Seredocha Private Citizen	86
Valerie Bivins Private Citizen	89
Mary Grace Hix Private Citizen	91
Bob Barush Private Citizen	95
Nancy Henry Private Citizen	98
Mary Alicia Devine Private Citizen	101
Voltaire Pinili Private Citizen	105

TABLE OF CONTENTS (continued)

	<u>Page</u>
Dan Fabrizio Private Citizen	107
Al J. Stankevich Private Citizen	108
Marie Tasy Executive Director New Jersey Right to Life	111
Ray Farruggia Private Citizen	112
APPENDIX:	
Testimony, plus attachments submitted by Joseph Fornarotto	1x
Letter addressed to Christopher Jones from Michael English	6x
Testimony, plus attachments submitted by Jacquetta Rawls	8x
Testimony, plus attachments submitted by Thomas V. Yarnall Jr.	10x
Testimony, plus attachments submitted by John O'Rourke	11x
Testimony submitted by Kim Y. Taylor	17x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

	<u>Page</u>
Testimony submitted by Thomas J. Gilmour	20x
Testimony submitted by Martha Gomez	21x
Testimony submitted by Janice Testa	23x
Testimony submitted by Frank Fusco	26x
Testimony submitted by Alan Rothstein, Esq.	29x
Testimony submitted by Lowell Arye	31x
Testimony, plus attachments submitted by Mayor John F. Bencivengo	35x
Testimony submitted by Rose M. Clevenger	39x
Ordinance submitted by Omar Dyer	41x
Testimony submitted by Barbara Nieroda Clark	48x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

	<u>Page</u>
Testimony submitted by James Francis Waddleton	49x
Article, plus attachments submitted by Mike Hojnaski	50x
Testimony submitted by Thomas Ng	74x
Testimony submitted by Teresa M. Downey	76x
Testimony submitted by Reverend Bruce H. Davidson	80x
Testimony submitted by Rae Roeder	82x
Testimony submitted by Anthony F. Miskowski	84x
Testimony submitted by William H. Eaton, Esq.	89x
Testimony submitted by Mary Grace Hix	90x
Testimony, plus attachments submitted by Dan Fabrizio	95x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

	<u>Page</u>
Testimony submitted by Al J. Stankevich	106x
Testimony submitted by Marie Tasy	107x
Testimony submitted by Denise Garner Member Environmental Commission Jackson Township	108x
Statement submitted by Deborah Dowdell President New Jersey Restaurant Association	109x
Additional appendix materials submitted to the Committee by members of the public	110x

rs: 1-116

ASSEMBLY SPEAKER SHEILA Y. OLIVER (Co-Chair):

Good afternoon, everyone, and thanks for being here.

For those of you who aren't regular visitors, we want to formally welcome you to the State House. If you have not been to the State House before, we hope that you will take an opportunity before leaving to familiarize yourself with our beautiful structure.

I'm very honored to be here today with colleagues that I consider to be my friends in the Legislature. And we wish to spend the next several hours listening to your ideas for improving New Jersey.

I've reiterated to many of my colleagues in the Legislature that there are 120 of us, but in our state there are 8 million people. And many of them have experienced life in this state working, raising families, operating businesses. And we know that you probably observe the work that we do and, often, reflect, "I've got a better idea." So that's what we're here for today.

I'm happy to be joined today by Assembly Republican Leader Alex DeCroce. We're joined by Assembly Majority Leader Joe Cryan, Assembly Republican Conference Leader Jon Bramnick, Assembly Speaker Pro Tempore Jerry Green, Assembly Republican Whip David Rible, Assembly Majority Conference Leader Joan Quigley, Assembly Deputy Republican Conference Leader Scott Rumana, Assembly Budget Chairman Lou Greenwald, Assembly Republican Budget Officer Joe Malone, Assembly Appropriations Committee Chairwoman Nellie Pou, Assembly Republican Deputy Leader Amy Handlin. And I'm not going to take up too much more time here. We're here today to listen to you.

When I became Speaker on January 12, one of my top priorities was finding ways for the public to experience transparency in how our government operates. Far too often government, and how it works, and its processes are a mystery to our citizens. And today represents one of the beginning steps of opening up and doing what I like to call *civic engagement*.

We want to hear from you. And we want you to keep in mind that because of the number of people who are here, we wish to limit your remarks to three minutes each so that everyone can be accommodated. As we progress, we are going to break up into three different legislative leg groups, and we will convene in other committee rooms right in close proximity. We want to make certain that everyone who took time to travel to Trenton today is given an opportunity to have interaction and dialogue with legislators who are decision makers in our legislative House. There will be staff stationed all around this room. And in certain instances, if you have a detailed kind of a proposal or presentation you wish to make, in deference to time and accommodating everyone, we will ask you to convene into another room with our respective staffers from both of our caucuses. I'm going to ask that everyone focus on presenting ideas and do your best to keep your remarks limited to three minutes.

We are transcribing everything that is recorded here today. We will be able to study the things that are put on the record this afternoon and evening. And we are live-streaming this session on our Web cast. So there are people all over New Jersey who are able to participate this afternoon.

At this time, I just, once again, want to thank you for coming. And I would like to now turn the mike over to our Minority Leader, Alex DeCroce.

ASSEMBLYMAN ALEX DeCROCE (Co-Chair): Thank you, Speaker.

On behalf of the Republican members and, frankly, all of the members on this panel, I, too, would like to welcome all of you to this gathering.

This afternoon, the legislators are here to listen to all of you pertaining to concerns that you may have in order to make New Jersey more affordable and, frankly, a better place; and give us all a better quality of life. I'm confident that with your input, you will provide and give the panel many commonsense ideas that will be certainly considered. It's noteworthy though -- we are a bipartisan panel. And we do want to improve the way of life for all those who live and work in the State of New Jersey.

I wish to acknowledge also the efforts of both Jon Bramnick and Assemblyman Cryan, for their efforts in putting this panel together, along with myself and the Speaker.

And thank you all, again, for coming.

Thank you.

SPEAKER OLIVER: Thank you, Minority Leader DeCroce.

At this time, I'm going to ask Joseph Fornarotto to come forward. He represents the Disabled Veterans. And he is here to discuss the Meadowlands, the casino, and money for seniors and veterans.

JOSEPH FORNAROTTO: Right here?

SPEAKER OLIVER: Yes, sir.

And there is a red button. (referring to PA microphone) Press that red button, and that will turn your microphone on.

MR. FORNAROTTO: Good afternoon.

Can you hear me?

SPEAKER OLIVER: Yes.

MR. FORNAROTTO: Good afternoon, elected officials, Assembly people, who represent the State of New Jersey.

Sheila Oliver, you and I know each other a long time. It's a pleasure to meet you today.

Alex DeCroce, my dear friend Frank Iosa (phonetic spelling) is one of your constituents in Morristown. And Sheriff (*sic*) Cryan -- I mean Joe Cryan, I worked with your father years ago in Essex County. (laughter) And I'm happy to be here today at my age to express my views on a revenue scheme -- how we can make money with the casino at the Meadowlands.

In the last couple of weeks, I heard a lot of pros and cons. In fact, the new Governor specified he'd like to close the Meadowlands. Mr. Sarlo would like to keep the Meadowlands football stadium for a casino. Without a roof, it's impossible. Because if they could have put a roof on it, they would have put a roof on that stadium and not make a new stadium. Because the ground is in a swamp, and I don't think the weight could handle it.

But starting off, I just want to say that the Atlantic City casinos are losing millions of dollars every month. Right now you have two casinos open in Pennsylvania, you have Yonkers, you have two casinos in

Connecticut, and you have one in Delaware, and you have another one opening up in Long Island.

I'm interested in the veterans, because the casino revenue goes to the veterans, disabled people, seniors, and a few others. So I'm interested in bringing more revenues out of the casinos locally -- that they would be losing to Atlantic City.

Now, the same casinos -- which are nine in Atlantic City -- the revenue that they're losing daily could be made up in North Jersey at the Meadowlands, including the racetrack. Only this past weekend -- Friday, Saturday, and Sunday -- the revenue from the Meadowlands was a little over \$9 million. So I believe with the casinos very close to us that are taking the money away from Atlantic City -- could be made up in the Meadowlands, the same as the Yonkers, and the same as in Delaware, and other areas that do have racetracks.

My argument, or my recommendation is, if the Committee gets in touch with the casino committee or the control, and recommend that each owner puts in 500 to 1,000 machines at the Meadowlands, they monitor everything, they use their own cashiers -- which you have cashier booths right now at the racetrack -- you could make change booths there. As long as they monitor their own moneys coming and going, the State doesn't have to do anything except collect revenue. We collect taxes, and we have people working. We have a lot of people out of work. This would give 500 or 600 people jobs. It's easy to get to in North Jersey. You have the customers from Connecticut, you have the customers from New York City, and you have the customers from North Jersey.

SPEAKER OLIVER: Thank you, Mr. Fornarotto. We get your drift. We've recorded it. I know I've taken notes. I see Assembly Malone taking notes as well. And you do have the opportunity to consult with any of our members if you have more details. But we certainly are taking note of your concerns and your issues related to the Meadowlands, the expansion of sports betting, and your concern that that revenue be expanded so that we continue to support our programs of transportation for the disabled and elderly.

MR. FORNAROTTO: I thank you, Madam Chairwoman.

And like I said, this is win-win success for the State of New Jersey.

And I thank all of you Assembly people. It was a pleasure to meet you in person. Thank you, again.

SPEAKER OLIVER: Thank you very much.

I am going to ask Robert Perro Sr. to come forward, representing AARP, a legislative liaison.

And then I will just let you know that after he has finished, Peter A. Scarcella will be next, followed by Michael English.

At this time we'll hear from Mr. Perro Sr.

ROBERT PERRO SR.: Can you hear me okay, Madam Speaker?

SPEAKER OLIVER: Yes.

MR. PERRO: Thank you.

Madam Speaker, and Assemblyman DeCroce, and all elected officials of our great State of New Jersey, I had written a lot down here on my paper, but I'm not going to use that one. I'm going to say what a great honor it is just to be here with such a great group of people. I'm a lifetime

New Jersey resident, proud to be. And it looks to me like it's going to get better. It looks like it to me, and I'm really honored.

SPEAKER OLIVER: That's what we're aiming for.

MR. PERRO: That's good, because I read the papers a lot. I keep a-- As a matter of fact, I just got this yesterday about this meeting, and I made it a point to call right away.

I'd like to read the last paragraph of the article that was in the paper. It says, "The officials hope it will help to add transparency to government operations, and they charge residents to become more actively involved in the legislative process." I think today it's already started. I'm glad to be here.

I think I said it all.

Thank you very much, everyone.

SPEAKER OLIVER: Thank you, Mr. Perro. Thank you very much.

Peter Scarcella.

And then, Michael English, you will follow Mr. Scarcella, followed by Jacqutta Rawls.

Mr. Scarcella.

P E T E R A . S C A R C E L L A: Madam Speaker, ladies and gentlemen, much respect--

SPEAKER OLIVER: Push that red button. (referring to PA microphone)

MR. SCARCELLA: Do I have to hold it down?

SPEAKER OLIVER: Let it go. There you are.

MR. SCARCELLA: With much respect, many corporations who have divisions in New Jersey and across the United States enjoy multi-year or multi-decade property tax abatements. This means they do not share, proportionately, the burden of educating the children or providing public services for the communities where they reside.

Further, loopholes in business tax codes allow corporations to move profits to other states with lower or no corporate taxes. These practices leave our state without a large portion of tax revenue. This also shifts a larger burden on small businesses and individuals.

Reworking the business tax codes to include combined reporting to stop the corporate tax avoidance is one way to increase revenues. This will also shift some of the tax burden away from small businesses, encouraging entrepreneurship and, in turn, creating economic growth.

To attack the salaries and wages of working people in the state is self-defeating and unfair, being the larger of the revenue bases of the state. Instead, the State could construct a set of criteria that forces municipalities to combine services. A recent study quoted in the *Star-Ledger* found municipal (indiscernible) to be among the larger wasters of public money. Combining services would cut costs and ease property taxes.

SPEAKER OLIVER: Thank you very much.

ASSEMBLYMAN CRYAN: Can I ask a question?

SPEAKER OLIVER: Certainly.

Assemblyman Cryan has a question.

ASSEMBLYMAN CRYAN: Can you come back for a second?

It's just a quick one, because it was a little tough to hear you. That's all.

In summary, your point to us is: look at regulations that look at corporate tax avoidance? Did I get that right?

MR. SCARCELLA: Yes.

ASSEMBLYMAN CRYAN: And look at ways to combined services?

MR. SCARCELLA: Yes.

ASSEMBLYMAN CRYAN: Did I miss any of your points? It was just a little tough to hear you.

SPEAKER OLIVER: Abatements.

MR. SCARCELLA: I'm sorry. I was a little nervous.

ASSEMBLYMAN CRYAN: It's all right, relax. So what was the other part of it?

MR. SCARCELLA: That was it; combining of services and reworking the tax codes.

SPEAKER OLIVER: He raised the issue of tax abatements.

ASSEMBLYMAN CRYAN: All right, thank you.

SPEAKER OLIVER: Thank you so much.

Michael English, South Plainfield Ad Hoc Truck Committee. And he's speaking on an issue of the New Jersey Department of Environmental Protection and response time.

MICHAEL ENGLISH: Good afternoon, everyone.

For means of identification, my name is Michael English. I'm a former councilman and mayor of South Plainfield, New Jersey.

I come here today to speak on behalf of the South Plainfield alternate truck route, and I also come to speak primarily on the inability of the New Jersey Department of Environmental Protection to respond in a

quick and effective manner to the communities and to people in South Plainfield.

And I first want to say thank you. I think this is absolutely fabulous, giving the people of New Jersey the opportunity to speak on certain items to members of the Legislature who can actually make things move.

I would like, very quickly, to read a letter that I sent to Chris Jones, in December. "Mr. Jones, on August 13, 2009, four months ago, three copies of a projected synopsis report and updated traffic report, and a conceptual design with the summary report were submitted to your attention for review and comment."

"Thirty years ago, when Route 287 came through the central part of the state, an awful lot of the communities like South Plainfield had a tremendous increase in industrial and commercial development in their towns. What happened was, we did not plan for the traffic of commercial and residential truck traffic all on the same streets. So the problem is, we now see ourselves trying to devise an alternate route through an environmentally sensitive area less than a half-mile in length. And we have been asking the DEP for 10 years, and specifically within the last six months, to simply give us a phone call. We have supplied them with everything they have asked us to give them -- the synopsis, conceptual drawings, etc. And where we're at now is, before the Bureau has to spend hundreds of thousands of dollars, we simply want the State DEP to give us an idea: do they think this is going to go, they're going to be willing to give us permits and accept the permits, or they don't? All we're looking for is a phone call. And for the last six months, we have got nothing."

Now, I have read the transition team's -- I have read the proposal of what their critique was of the New Jersey Department of Environmental Protection. I would simply ask that everybody in the Legislature take a real hard look at the response time that one of your agencies has to communities and municipalities that are only trying to help our own citizens, and separate commercial from residential traffic so kids don't get hurt.

And I simply would ask you to look at the -- and I saw some of the ideas with the transition teams. I would hope that some of those ideas will be implemented, because it seems to me there is a real hard look at exactly how the DEP works; how it's structured; its guidelines, its multiple, multiple demands of qualifications on things that I think can very easily be streamlined.

SPEAKER OLIVER: We hear you.

MR. ENGLISH: And I again want to thank you for this opportunity to talk to you.

Thank you.

SPEAKER OLIVER: Thank you, Mr. English.

Assemblyman Bramnick has a question for you, Mr. English.

MR. ENGLISH: Oh, I'm sorry.

ASSEMBLYMAN BRAMNICK: It's more of a comment.

Speaker, Leader, thank you for conducting these hearings.

One of the reasons we're having these hearings is -- and you've presented it in a very civil and polite way. All you're looking for is a phone call. I'm convinced we see people in here from the new administration. You certainly have some leaders in the Legislature. This is why we're

having the hearings; so we hear those kinds of complaints. And I'm sure that as you leave today, you will be contacted by a staff member. And I'm pretty convinced that you'll receive a phone call back.

But we thank you.

MR. ENGLISH: I'd be delighted.

Thank you.

SPEAKER OLIVER: Assemblyman Malone.

ASSEMBLYMAN MALONE: You kept saying *DEP*. Is the traffic study a DEP or Department of Transportation issue?

MR. ENGLISH: No, no, no. The land use-- Mr. Jones is in charge of the New Jersey Department of Environmental Protection, Division of Land Use Regulations. We have to go and get two permits, and we know that. But they're the ones who have to give us direction on how they would like it designed.

ASSEMBLYMAN MALONE: You mentioned something about a traffic study and everything else.

MR. ENGLISH: This has been in the-- Actually, we've been doing this for 10 years with the New Jersey Department of Transportation and the New Jersey Department of Environmental Protection. And I know it takes a long time because they want to make sure things are done right. But I think 10 years is a little too long.

ASSEMBLYMAN MALONE: God bless you. (laughter)

MR. ENGLISH: Thank you.

SPEAKER OLIVER: Thank you, Mr. English.

Assemblyman Green also has a question for you, Mr. English.

ASSEMBLYMAN GREEN: Yes, thank you very much.

SPEAKER OLIVER: Mr. English, you hooked us with that 10 years for the return phone call. (laughter)

ASSEMBLYMAN GREEN: I'm somewhat familiar with this particular issue. I represented South Plainfield.

MR. ENGLISH: Yes, you did, Assemblyman Green.

ASSEMBLYMAN GREEN: And I would just like to know: Have you been working with Assemblyman Pat Diegnan on this particular issue? I know Pat has now (indiscernible) front office. He's been all over the place on this issue. I just want to make sure that communication is there. Because I know Pat has done what he has in terms of representing South Plainfield. So I'm confident. I don't want anyone to leave feeling that Pat has not done his job, which he has.

All of us here who have been around a long time will recognize we don't often get what we want when we go to these particular agencies. This is why we're having this meeting today. And this is why I'm congratulating the Speaker. Maybe now they'll see that we're going to connect with the community, and maybe we can get some answers that we used to not be able to get.

MR. ENGLISH: Oh, definitely. And just to reassure you, Assemblyman Diegnan, of course, has been working with us for 10 years on this. In fact, Assemblyman Diegnan was the pitcher on my Little League team, and I was short stop. (laughter) So we've grown up together, and Patrick has been well-versed and instrumental in getting us to where we are today.

Thank you.

SPEAKER OLIVER: Thank you, Mr. English.

Jacquetta Rawls, followed by Tom Yarnall, followed by John O'Rourke.

I'm so sorry, Ms. Rawls.

JACQUETTA RAWLS: Madam Chair and Committee members, I thank you for the opportunity to speak before you today.

My name is Jacquetta Rawls, and I'm a CWA member, and I work at the Vineland Developmental Center. I'm an Assistant Supervisor of Professional Residential Services and have worked at the Vineland Developmental Center for 30 years.

As a worker at the Developmental Center myself, I am fully aware of DDD clients' needs and necessary staff requirements in order to meet these needs. I have seen many consumers go out into the community and return because the community is not ready to support the needs of these consumers.

When we talk about shifting out of the developmental centers and into the group homes, we must do so the right way. Vineland Developmental Center and Parents and Friends Association group homes, or POPPA homes, were instituted in 1982, 28 years ago. It is the model we should use in order to ensure that there is continuum care, necessity services, and professional and license standards for community care.

Vineland Developmental Center and the POPPA homes have approximately 430 consumers, and are unique in that we not only provide care for those with lower functioning levels by serving those in the institutions, but also providing care for those with higher functioning levels in our 21 State-operated group homes and three supervised apartments.

SPEAKER OLIVER: Excuse me, Ms. Rawls. I'm going to attempt to kind of facilitate you a little bit, because we have to have so many people who want to address us.

So is the gist of your presentation your concern with the developmental centers' proposals to transition residents into communal living settings? And is your issue, if that is to occur, it needs to be planned and strategically facilitated? Is that the gist of what you're bringing to our attention?

MS. RAWLS: Yes, it is. And we already have a model which we would like for them to do a study on, follow that model that's been working for 28 years. Yes, that's the gist of what we're asking -- that you do it properly. We're not opposed to group homes. We just want them properly-- Because when they close one institution, they put the people out on the streets, and we don't want that to happen again.

SPEAKER OLIVER: Thank you very much.

MS. RAWLS: You're welcome.

SPEAKER OLIVER: Tom Yarnall.

T H O M A S V. Y A R N A L L JR.: Madam Speaker and Alex, it's great to be here. (laughter) I welcome this opportunity.

SPEAKER OLIVER: See, I get Madam Speaker, he gets Alex. (laughter)

MR. YARNELL: Right, because I know him better.

It's great to be here, and I appreciate the opportunity to testify to work on how we can make New Jersey more affordable.

I'd like to do it this way. (holds card to his forehead) The answer is: saving the State \$1 billion to \$6 billion. And the question I gave

to Sharon Birch in the form of my testimony, which takes five minutes to read, and I'm limited to three. So now I think you see why I did the Carnac routine.

It's six items on top of the Christie 88. So the Legislature has a large workload. I realize that. If you took all of the 88 items that Christie promised, I don't know how you're going to get them done. And here I am adding six more. But they are different from his 88. I hope you will read what I wrote. I hope that it will be useful, because I'm telling you there are \$1 billion to \$6 billion in savings in this document.

Thank you for your time.

And I would be glad to meet with your staff on details. You can call me, you can send me e-mails. And I will give you all the specifics.

Thank you.

See you, Lou.

SPEAKER OLIVER: Thank you.

I'm going to ask Mary Messenger to -- Bill, all right.

Bill, if you would, get that document from Mr. Yarnall.

John O'Rourke, New Jersey Fair Tax Leaders.

J O H N O' R O U R K E: Madam Speaker and other legislators, thank you for the opportunity.

I'm from Brick Township, New Jersey, and I'm here to talk about the Fair Tax.

Now, those who know something about the Fair Tax probably know that it's a bill in the House of Representatives -- HR-25 -- and in the U.S. Senate, S-296. And basically what the Fair Tax would do is, it would eliminate nine Federal taxes and really become a jolt to our economy.

What it would do is, it would not only bring foreign investors, but it would bring all of our off-shore accounts, underground economy -- it would all finally be taxed. It would be a tremendous jolt to our economy.

But I think more importantly is what it would do for New Jersey. If New Jersey was to pass the version of the Fair Tax with the same base that the Federal Fair Tax would do-- What we could do here in New Jersey is eliminate five taxes: the Sales Tax, the personal and corporate income taxes, the Estate Tax, and the gift tax. And a prebate would be included with that. In other words, the people of the state would -- the prebate would cover the tax on all essentials up to the poverty level and replace all of those taxes with a tax of 5.52 percent.

Now, there's another possibility of doing this. Instead of eliminating all of those other taxes, you could eliminate the Sales Tax and the Gross Receipt Tax, and replace it with a 1.49 percent consumption or sales tax with a prebate, or 1.26 percent sales tax without the prebate.

Now, I'm getting this from a 36-page study by Dr. David Tuerck, T-U-E-R-C-K, from the Beacon Hill Institute at Suffolk University, in Boston. And the name of it is called "Fiscal Federation: The National Fair Tax and the States." So I'd like to offer this to the Budget Committee. I see Mr. Malone here. I'd like to offer information to him or his staff.

SPEAKER OLIVER: And Assemblyman Greenwald, our Budget Chair.

MR. O'ROURKE: Okay. I wasn't sure who you were.

ASSEMBLYMAN GREENWALD: You can give it to Joe.
(laughter) That's fine.

ASSEMBLYMAN MALONE: I'll take it, and I'll be sure to pass it on to Lou. (laughter)

MR. O'ROURKE: And there is also-- We would like to talk about the possibility of both the Assembly and the Senate in New Jersey passing a resolution to the -- I won't read it -- but it's to the Congress of the United States--

SPEAKER OLIVER: Urging them to support HR-25.

MR. O'ROURKE: Right, and S-296.

SPEAKER OLIVER: All right.

MR. O'ROURKE: I thank you very much for the opportunity.

SPEAKER OLIVER: Thank you, Mr. Yarnall (*sic*), and you can leave your documents you're going to share with us.

MR. O'ROURKE: I'm Mr. O'Rourke.

SPEAKER OLIVER: Oh, Mr. O'Rourke, I'm sorry.

MR. O'ROURKE: That's okay.

SPEAKER OLIVER: Thank you.

We are going to take the next speakers that I call, and then the staff will help facilitate us breaking into respective rooms so that we will have ample opportunity to hear from everyone.

But we will call Kim Taylor, we will call Tom Gilmour.

Is Kim Taylor here? (affirmative response)

Tom Gilmour will follow Kim Taylor, and then Martha Gomez will follow.

After that, I'm going to ask our staff to instruct us in terms of the respective rooms we will deploy into.

Good afternoon, Ms. Taylor.

KIM Y. TAYLOR: Good afternoon, Madam Speaker and Leader DeCroce.

I would like to thank everyone for this opportunity to be here today to kind of give my idea of where I think we can go in the future, as far as the State of New Jersey's fiscal problems.

In October, I had an opportunity to speak before a panel of the Assembly about how to help resolve some of the waste that New Jersey has. And my suggestion at that time was to look at the workers themselves. Sometimes we like to look at the workers, public employees, as the problem instead of the solution. And I feel that we are the front line. You are the legislators, but we are the front line. We are the ones who, on a daily basis, provide the services and move the programs forward.

And I think in that, I just have a small thing I would like to read. So basically my topic is on efficiency; and underscoring the need to involve public employees as partners, not as adversaries, in reducing the cost and size of government and helping government run more effectively and efficiently; measures which, in the end, will help all New Jerseyans.

To achieve the necessary changes in the cost and size of government, we must shift the focus from doing more with less to doing better with less. To that end, I urge bringing public employees to the table, not just in a labor-management negotiation, but in an open, public, honest dialogue about the future of this state, the current size and cost of State government operation. This is an effort that can be replicated at every level of government and that can and should be held in every facility where there is a State office, with all three branches of government involved.

In general discussions about reducing the size and cost of government, abstract references to the cost associated with contracts and employee healthcare benefits frequently become depersonalized and render the public employee workforce as an abstract entity, failing to recognize the vast majority of public employees are, themselves, New Jersey taxpayers and, consequently, are stakeholders in effective government. Recognizing the dual role of public employees at all levels of government as both deliverers of government services and stakeholders in government efficiency, it is essential to recognize the role of public employees individually and collectively in reducing the cost and size of government, particularly at the operational level.

Sometimes the quest to do better can actually wind up costing less. The people who deliver services or perform office functions on a daily basis--

SPEAKER OLIVER: Excuse me, Ms. Taylor. I'm going to have to -- although I'm finding your presentation of great interest-- We've got a lot of people who want to talk.

MS. TAYLOR: Okay. I just ask, Madam Speaker -- just to close -- that we are just mindful that we are the solution to this problem.

Thank you.

SPEAKER OLIVER: Thank you. We appreciate that.

Tom Gilmour.

THOMAS J. GILMOUR: Thank you for having me here today.

I am Tom Gilmour. I serve as Director of Commerce and Economic Development for the great City of Asbury Park; and also serve as the Executive Director of the Urban Enterprise Zone Program for the City.

I'm here, really, representing small business today and will put a number of items on the table that I hope you will consider.

The first is banks. We need to get our banks lending right now. A lot of what's happening in our cities in our state right now -- small businesses' lines of credit are frozen or terminated, and it's preventing businesses from growing and adding jobs.

I ask you to ease or eliminate prevailing wage restrictions on State programs. Once upon a time there were reasons to create rules and regulations for prevailing wages. Today, they are just another increase in costs and a brick wall for many construction projects. The added cost of a project that includes prevailing wage is at least 30 percent. Thousands of businesses do not use State programs because they cannot afford the added cost of prevailing wages.

Repeal the Family Leave Act. This program is another fiscal burden to all New Jersey businesses. We did well without it, and very few people are actually using it right now. So do commerce and the State of New Jersey a favor and repeal it.

Eliminate the UEZ Rebate Program. This Program never worked, and actually cost the State additional funds to operate and process rebates. Many businesses dropped out of the UEZ Program because the reporting was extremely cumbersome and an added expense.

I ask you to consider continuing funding tourism. Tourism is now the largest industry in the State of New Jersey, larger than the pharmaceutical industry, and we provide a lot of funding and support to the pharmaceutical industry. Tourism employs more people than any other industry in the State of New Jersey and generates significant income,

primarily in the form of a Sales Tax. In 2002, the Hotel Tax was passed. The spirit of that legislation was to fund tourism, arts, and history, and the Cultural Trust. Today we are below the funding levels of the poison pill that was part of that legislation. So I realize that we can't get back to full funding right now, but I implore you to get back to the poison pill level and put together a plan -- a five-year plan to get back to full funding for all those programs. We need--

SPEAKER OLIVER: Mr. Gilmour, are your remarks prepared in a written form?

MR. GILMOUR: Yes, they are.

SPEAKER OLIVER: All right, let our staff receive a copy of that.

MR. GILMOUR: Can I make one more comment, please?

SPEAKER OLIVER: You can.

MR. GILMOUR: Okay. I'd ask you also to create an urban initiative. I think it's very important. Lots of cities, including Asbury Park, get significant funding. I think we all need to be accountable for that funding. So I implore you to put together a program that has some standards, and build in some rewards for cities that actually do well as far as doing that funding. And I ask you to look at Asbury Park as a model city of how urban funding works.

Thank you very much.

SPEAKER OLIVER: Thank you, Mr. Gilmour.

And I'm going to ask Martha Gomez to come forward. And at the conclusion of Ms. Gomez's entry into the record, I'm going to ask the

staff to give instructions in terms of the groups we will -- the rooms we will disperse into.

Ms. Gomez.

MARTHA GOMEZ: Thank you for affording me the opportunity to address this Assembly.

An article appeared in the Princeton Metro *Times* on 2/1/2010. How will you fix New Jersey? I quote, "As representatives of the people, it is our responsibility to listen to suggestions on how to make New Jersey a more affordable place to live." DeCroce said, "I'm hopeful that our hearing will generate many commonsense solutions to the problems facing our state."

I want to introduce myself. I'm President of a grassroots organization namely Clearbrook Residents for Equity in Education, located in Monroe Township, in an adult community -- Clearbrook. There are 2,026 units totaling 3,000 residents. Clearbrook was established in 1972. There were 18 sections established as a separate corporation. The attorney at the time was Wendell Smith. Attorney Smith wrote a book concerning condominium law here in New Jersey. Many attorneys refer to this document.

I don't have time, I see, to read. But what I did say was, "How did I get involved here?" My late husband. There was a meeting in April 1999, and the then president got up and said, "We're going to assess you \$1,680 because we want to refurbish the club house and cover a pool." We had nothing to say about it. There was an uproar. No vote, no nothing. So my husband and I started a petition, taxation without representation. That led into our organization. People voluntarily gave us money because

the board did not want to listen to us. Our mayor tried to intervene on our behalf, but they wouldn't listen.

When we went to court-- And then what happened-- We then introduced a bylaw that said, "Any capital improvement over \$175,000, through additions, alterations, and new construction -- you have to come to the people, and we have to vote." Common sense.

Okay, we went to court, we won, and we won about 556, 557 against 1,402 -- all right. There was a lot of bitterness left in the community as a result. And it was in all the newspapers.

The second thing that happened -- we wanted to introduce a bylaw that said, "We can vote for the common operating expenses, we can vote for the school board. Why can't we vote for that?" Okay. We went to court. I mean, we didn't go to court. We had arbitration. The community association lawyer said we prepared a very fine brief, but he could do nothing through that decision. We didn't have the money to go to court. Okay, that one.

The next thing that happens -- these guys decide that they're going to fix the roof at the building of the club house.

SPEAKER OLIVER: Ms. Gomez, if I could interrupt.

MS. GOMEZ: Yes.

SPEAKER OLIVER: I'm finding your presentation intriguing. It's interesting to me. But you are raising issue with us, as legislators, around laws governing property associations.

MS. GOMEZ: I'm going to get to that. (laughter)

SPEAKER OLIVER: Okay.

MS. GOMEZ: I understand what you're saying.

So in conclusion-- All right.

So they wanted to again assess us. And it was for a capital-- We said it was capital improvement. We went to court. We lost this one, but one of our members, Morris Rubin, of late, was pro se. He lost the case, but Judge Messina said that he presented an excellent case. There were only two things that were capital improvement. But he's making an appeal.

The bottom line is there's a bill right now, S-1971 -- the Turner-Rice bill. That should be addressed.

Now, these problems that I'm telling you exist throughout all of New Jersey. We could tell some horrific stories. But it has to be addressed sooner or later. The Condominium Act of 1969 is antiquated.

Now, getting into issue: money. Senator Jennifer Beck introduced a bill regarding gentlemen farmers. Now, these sweethearts -- they enjoy the privilege of not getting their land taxed. Our former Governor of this state has hundreds of acres of land up in wherever. And she enjoys this privilege. She's a gentleman farmer.

Now, I say Jennifer Beck introduced -- I mentioned it to Christie. He said he wasn't aware -- he knew her. However, if this bill was introduced and changed, that land would be taxed, and land is something that doesn't belong to anybody. It's God's. Even in the Bible, every 49 years the land was reversed. In fact, the priesthood wasn't even allowed to own land. That was in the--

SPEAKER OLIVER: We have it, Ms. Gomez. We got it.

MS. GOMEZ: All right, one more thing, please.

SPEAKER OLIVER: And we have Assemblyman Green with us on this panel.

MS. GOMEZ: I know, I saw him before.

SPEAKER OLIVER: He chairs Housing.

MS. GOMEZ: I just want to mention this other thing, please.

SPEAKER OLIVER: Yes, Ms. Gomez.

MS. GOMEZ: The commercial secretary, in the 1950s -- in order to attract business to the Carolinas, he gave a five-year tax abatement on buildings for commercial properties. So what happened? Everybody ran down there. I think we should eliminate Sales Tax because it's a burden on the pocketbooks of people and business. They have to collect.

And the last thing is the-- We have-- You look out here and you see New Jersey Makes, the World Takes. That is no longer. So we've got to do something about it.

SPEAKER OLIVER: I understand.

Ms. Gomez, I appreciated you. You are a very informed resident of New Jersey, and continue to be engaged.

MS. GOMEZ: Can I give you my brief?

SPEAKER OLIVER: Yes, one of our staff members will take that from you -- Mr. White.

Ms. Messenger is going to--

Oh, okay. Dave Rosen will tell us our procedural order.

MR. ROSEN (Committee Aide): Okay. To facilitate the hearing of all the testimony, the Committee has directed that we divide the witnesses randomly among the three committee rooms, and members of the Committee will be in each of those rooms.

So I'm going to read off, first, the list of the names of people to go to Committee Room 16, then I will read a list of people to go to

Committee Room 15. If your name is not on either of those lists, you stay here in Committee Room 11. All three of the Committee Rooms' testimony will be streamed on the Internet, all three will be archived on the Internet. There will be a record of everything said in each of the rooms.

So, again, I'm going to start off with the list of names of people who are slated to testify in Committee Room 16. (reads list of names)

SPEAKER OLIVER: Excuse me. As the room clears out, we are just going to take a five-minute break to allow everyone to get to where they need to be, and then we will convene in this room in approximately five minutes.

(RECESS)

AFTER RECESS:

SPEAKER OLIVER: We're going to reconvene now, and we're going to begin with Jan Testa. And Jan is representing Arcadia Nursing and Rehabilitation.

JANICE TESTA: It's already on. (referring to PA microphone)

Madam Speaker, Mr. Minority Leader, and members of the Assembly Bipartisan Leadership Committee, my name is Janice Testa. I'm the Administrator of Arcadia Nursing and Rehab, which is located in Hamilton, right here in Mercer County. We are a 128-bed long-term care facility, not-for-profit, specializing in subacute and Alzheimer care.

I appreciate the opportunity today to appear before you to discuss an initiative that I believe would significantly improve the health of New Jerseyans, save millions of dollars in government costs, and provide

better access to quality long-term care services to the frail elderly of our state.

Over 65 percent of the people we care for in nursing homes, assisted living residences, and home- and community-based options are beneficiaries of the Medicaid program. For the last five years, there has been a State and Federal policy goal of expanding services to keep people in their homes and to prevent or delay placement in nursing homes. You may know this program as Global Options.

We have supported that program, and it has experienced modest growth. However, that program and long-term care facilities around the state are hampered in their efforts to serve the elderly and their families by a cumbersome and slow-response Medicaid eligibility application and determination process. In fact, the viability of many nursing facilities and home-care programs is threatened by the unpredictability of the current Medicaid application process. Here in Mercer County alone, members of the Health Care Association of New Jersey, which represents long-term care providers throughout the state, are taking care of individuals who have had their Medicaid applications pending since 2008. I currently have a resident from February of 2008 who has not been approved yet for Medicaid eligibility, and he has a court-appointed public guardian that I went to court and paid for.

In addition, millions of dollars in past bills remain unpaid to providers while they await the decision as to whether or not a person is eligible. In the event that after 18 months a decision of ineligibility is made, the provider has to assume the cost of care for this individual. This easily can run into the hundreds of thousands of dollars for one person. In

the case of a home-health agency or a community-based provider, to assume a six-figure debt is impossible and one such occurrence could easily bankrupt an organization. As a result, most home or community providers will not accept individuals for care until their Medicaid status has been determined.

With over 38,000 elderly long-term care beneficiaries and nearly 30,000 non-elderly beneficiaries, the impact of improving the timeliness, efficiency, and accuracy of Medicaid eligibility is self-evident. Based on my experience, the two goals that we, as a state, strive for are, one: make it easier to apply for eligibility through a Web-based application process. Just to give you an example--

SPEAKER OLIVER: Ms. Testa, I'm going to have to bring your testimony to a close. But I am going to just reiterate that I think we've gained an understanding that operators are hindered and hampered by the State's inability to process Medicaid applications in a more timely way. And I know I can speak for myself as a legislator. I do hear from program operators in my particular district. We do understand the financial burden that is then placed on the shoulders of program operators.

But I'm going to have to bring your testimony to a close. Is there any specific intervention that could close this loop? I've heard you identify a Web-based application process.

MS. TESTA: Absolutely. We e-file our taxes, we do college application fund availability on the Internet. Why can we not streamline the process and create a Web-based system that could be accessed throughout the State, localize it in -- I mean, not localize it -- centralize it and not have so many divisions? Again, not to take a lot of your time, but

there's a 14-page application booklet for the person to read before they fill out the application, and then there's a 12-page application. This all needs to be streamlined for many, many purposes.

SPEAKER OLIVER: Well-taken. And I know that the population the projects such as your own are serving don't have the ability to do that. So I hear it loud and clear. I think the legislators hear it loud and clear.

MS. TESTA: Thank you.

SPEAKER OLIVER: Thank you.

MS. TESTA: Thank you for your time.

ASSEMBLYWOMAN POU: Did you want to leave anything?

MS. TESTA: Yes.

SPEAKER OLIVER: Yes, and Ms. Brown is going to take that from you.

MS. TESTA: We have copies of the testimony.

SPEAKER OLIVER: Thank you, Ms. Testa.

MS. TESTA: You're welcome.

SPEAKER OLIVER: Councilman Frank Fusco, from the City of Clifton.

C O U N C I L M A N F R A N K C. F U S C O: Good afternoon.

My name is Frank Fusco, and I'm a Councilman from the City of Clifton.

I would like to thank all of you for allowing me a few minutes to share my views on what areas need to be fixed and improved in the great State of New Jersey.

As a Councilman, I know firsthand what tools I need to make my governing body more effective and the daily lives of my constituents better. You need to find that out too. I would remind everyone down here in Trenton that all politics is local. The only true way to find out what is wrong with our state and how to fix it is to listen to the people. Urge all your colleagues to hold town hall meetings in each and every town they represent. And while you might not like all of what you hear, too bad. No one ever said this was supposed to be easy.

I can tell you the number one issue on people's minds is jobs. We need more. Without jobs, people cannot afford to pay for anything at all. A large number of major companies have left the state. Actually, they have been taxed out of the state. Please do not make the same mistake with small businesses. They are the backbone of any community, the heart and soul of our economic stability. We need to find a way to allow and encourage their growth, development, and long-term survival. As they go, so goes a community.

Whatever you do from this point on must focus on aiding them. Nothing hurts a town more than boarded up windows all along Main Street. The jobs and stable ratable base they provide are keys for long-term financial planning by any community.

Another key area of concern is the exorbitantly high property tax burden we shoulder. For far too long Trenton has balanced its budget on the backs of municipalities. The average family can almost no longer afford to live here. Over half the average property tax bill goes to funding public education. Reduce this. The property tax burden is strangling the state. Schools should be the shining light of a community. But the harsh

reality is, taxpayers simply cannot afford to build schools right now. As long as this is true, our children are being dealt a grievous injustice.

County government: If it cannot be eliminated, at least limit its scope and purpose. This too would reduce property taxes. If there was ever a layer of government that could use more oversight and regulations, it is county government. Conversely, you need to let municipalities govern themselves. I'm an ardent supporter of home rule. Untie our hands and allow us the opportunity to decide what is best for our citizens.

You need to exercise fiscal responsibility. Financial policy based on taxing, spending, and borrowing has led the State to the brink of financial ruin. Scrutinize, reduce, and restructure every service, program, and job. Examine every check you send to a city. We can no longer afford to subsidize the ineptitude and fiscal irresponsibility of some towns at the expense and to the detriment of towns like Clifton.

This overall effort needs to remain bipartisan. I govern in a nonpartisan town. We check our party affiliations at the door and remember that we were elected to do the people's work, not the parties'. You all need to remember to do the same.

I do not envy the task that lays ahead of you. Governance under ideal times is not always easy. Crisis management, which is what you now must do, is never easy. But it is your charge to help find a way out of this mess.

I am confident the great citizens of this state will do their part, but only if they see you doing yours. The time for rhetoric has long passed. The time for action, leadership, and common sense is at hand.

I'd again like to thank you for the time to read this statement, and I wish you all luck.

Thank you.

SPEAKER OLIVER: Thank you, Councilman Fusco.

Theodore Guis.

C O U N C I L M A N T H E O D O R E G U I S: Thank you for hearing me today, Madam Chairwoman, Alex.

I'm also a Councilman in a local town in Morris County.

I have some specific recommendations, much less grandiose, but I think they're the types of things you need to look at.

One of them is the DOT Roadside Assistance Program. Not to criticize them -- they do a fine job -- but we're spending a lot of money to keep a lot of trucks on the road which, at the same time, is keeping private contractors out of work. So it not only costs us to run the program, but I believe you're losing revenue in terms of State taxes, both Income and Sales Tax. I think in these hard times, these are the types of programs we need to look at.

The second point I'd like to bring up is DEP regulation. Again, this is just an example. But regulations get passed, they come down to the municipal level, and they cost the municipalities money. The one I'm talking about is the little blue medallions on all of our catch basins that say, "This catch basin runs to the river." That's wonderful. It looks pretty. It cost us over \$1,000 to buy the medallions, to prepare it, let alone-- And we have Scouts on an Eagle project install them for us. Does anybody really -- apply common sense -- think that a person who is going to dump into a storm sewer is going to change his behavior because of a little medallion? I

don't think in these times you can afford these little feel-good projects. And I think we need to take a hard look at these before you impose them upon municipalities.

The last item I have is-- I believe some of the regulations that we're doing here in the state are chasing hard-working taxpayers out of the state. Two of the most specific -- and, again, these are just examples -- we have the highest, or second highest, Estate Tax in the country. Retirees are leaving the state. Again, these are taxpayers, people who worked. They've earned their money, they paid taxes on it, and the State sees fit to redistribute their wealth. They're leaving.

Another example -- it's much less of an impact -- but it's our current level of gun control laws. It has created a bureaucracy where many times citizens -- and these are people I know -- have no idea. They can't understand the laws. Attorneys don't understand them; police don't even understand them.

I'm not debating the gun control issue. But what I'm saying is we've created a bureaucracy that-- I personally know people who have decided to leave the state because to pursue their sport, they read our laws and can't understand them.

And I think we don't have time here to go into details, but these are accurate statements. I think we really need to look at streamlining them and trying to make an effort to keep the taxpayers and working people here in the state. Because without them, how are you going to fund what you want to fund if the taxpayers are leaving.

ASSEMBLYMAN DeCROCE: Thanks, Ted.

SPEAKER OLIVER: Thank you.

Gina Genovese, representing Courage to Connect NJ.

G I N A G E N O V E S E: Thank you for this opportunity this afternoon.

We've been discussing the restructuring of New Jersey's 566 municipalities for more than 40 years. Residents were told the way to save property taxes were to merge two adjoining towns. I'm here to say that that plan will not work. To achieve true economies of scale, we must consider merging between five and 10 towns instead of two.

Last November, voters in Sussex-Wantage rejected the merger of their two towns. I believe they were correct. This merger would have created a town of 12,000 residents. The savings were not significant enough to justify the transition to one government. Today, Chester Borough and Chester Township are again considering merging. If they merge, they will create a town with a population of less than 9,000. There are no economies of scale for a town this size. I know; I was the mayor of Long Hill Township with 9,000 residents. There were 3,300 households carrying the burden of supporting the municipal structure. This size simply doesn't work.

The first merger in New Jersey has to show the people the economies of scale. We need to move toward five to 10 towns merging into one municipal structure. Yes, five to 10 towns with a combined population of 30,000 to 100,000 residents. This larger tax base will provide significant cost savings, greater efficiency, and less redundant government. With fewer municipalities, limited State aid can have a greater impact on the local tax burden.

The people of New Jersey need to be informed of their role in restructuring New Jersey. I have founded Courage to Connect NJ to do just that. It is a nonprofit, grassroots organization that uses educational videos and engaging presentations to involve the public. We directly address the loss of town identity and the fear of loss of control while focusing the debate among the people, not the elected officials.

There is a myth that towns cannot survive without their own separate government. People need to know that there are over 300 towns in New Jersey with identifiable names, zip codes, fire departments. These towns have a strong heritage and identity that is not tied to a government.

For example, Iselin is world renown for its Asian-Indian communities, but its central government, Woodbridge Township, is not. I go to Ocean Grove in the summer, not to Neptune Township which provides the municipal services. Even gubernatorial candidate Chris Daggett said he was a proud resident of Basking Ridge, not Bernards Township where he pays taxes. These communities show that our strength and our identity come from the people, not local government.

To begin restructuring our state, we need only five to 10 towns with the courage to connect. I believe when residents can vote for significant property tax savings with no loss of community or name, the first merger will succeed. New Jersey can no longer afford to wait.

Thank you.

SPEAKER OLIVER: Thank you so much, Ms. Genovese.

We're going to next hear from Alan Rothstein, followed by Lowell Arye.

ALAN ROTHSTEIN, ESQ.: Thank you, Assembly Speaker, Mr. DeCroce, and other members of the Legislature.

My name is Alan Rothstein. I live in a condominium complex in Morris County, Rockaway Township to be exact.

Many of us who live in condominiums have two severe problems: unbelievable, shoddy construction; and boards of directors who see themselves as apart from the rest of the community, often serving to establish their own agenda and acting as lords of the fiefdom. They have to be reigned in.

As to the boards of directors, there must be both criminal and civil penalties written into the Condominium Act -- not only as to the boards, but to those individual directors, where they intentionally invite (*sic*) our Condominium Act, the common interest developments master deed, and bylaws. Boards' authority must be limited only to making decisions relating to day-to-day operations -- things like budgets, lawsuits. We're engaged in a massive lawsuit; millions upon millions of dollars -- must have owners approval. Boards shouldn't be free to do that. Anything else where we don't have our say in our community in which we're all in this together, whether we're a member of the board or a homeowner, reduces us to nothing more than a person to pay fees.

If you bring suit in court -- if I as an individual were to bring suit, the court can do nothing. The Act was so poorly drafted, it's indescribable. No penalties, no sanctions, nothing when boards act, no matter how blatant their acts, no matter how egregious, no matter how unlawful-- All the court can say is, "Don't do it again." Even if you got an injunction, it doesn't stop them. They go and do it again.

You expect the homeowner, with no legal training, to go in the chancery division and argue against corporate attorneys? I'm in the process of writing a letter to the Law Journal. Do you know what I entitled it? The New Charlatans. And I refer specifically to those attorneys that represent condominium complexes. They know their law inside and out. There's no doubt about that. But they will do anything to protect the association, no matter how outrageous their acts.

You must, and hopefully you will, appoint an ombudsman specifically -- and hopefully the Public Advocate -- to protect us. As people said before, Senators Rice and Shirley Turner had proposed a beautiful act. It's not perfect, but nothing is. But that act will go a very long way toward leveling the playing field. By no stretch of the imagination should a board--

SPEAKER OLIVER: Excuse me, Mr. Rothstein. I'm going to wind you up in your testimony, because we're on a time constraint. But your issue -- we're understanding it. It's very similar to some of the issues that Ms. Gomez brought to our attention.

MR. ROTHSTEIN: Yes.

SPEAKER OLIVER: Okay. I follow you, and I made note of the Rice-Turner Senate bill as well.

MR. ROTHSTEIN: May I just say-- Okay, that's it.

SPEAKER OLIVER: We understand.

May I ask a question? Are you an attorney, Mr. Rothstein?

MR. ROTHSTEIN: Yes, I was a DAG for 25 years out of the 35 years I practiced.

SPEAKER OLIVER: I could tell based on your expertise.

MR. ROTHSTEIN: Okay. And I don't like, naturally, to say anything bad against attorneys, but they have to be reigned in. And the Supreme Court has to know what they're doing.

ASSEMBLYWOMAN POU: What town is he from?

SPEAKER OLIVER: He is from Franklin Lakes, in Morris County.

Thank you.

MR. ROTHSTEIN: Thank you.

SPEAKER OLIVER: Thank you.

ASSEMBLYMAN DeCROCE: Thank you, Mr. Rothstein.

L O W E L L A R Y E: Madam Speaker, Assemblyman DeCroce, Minority Leader, my name is Lowell Arye. I'm the Executive Director of the Alliance for the Betterment of Citizens with Disabilities. We represent agencies who serve people with multiple physical, neurological, and developmental disabilities.

I have a number of issues that I'm going to lay out for you, and I'll just do it quickly. I do have written testimony.

New Jersey is in a financial crisis, and we need to find every way to find additional dollars. One of the ways to do that is to go after and put together preferred drug lists for Medicaid purposes so that we can get the supplemental rebates that other states do. Many states have developed these preferred drug lists, one of them being New York. And we can actually net significant funds from the pharmaceutical firms above and beyond what the Federal government allows. For example, in New York, they have a preferred drug list and receive over \$390 million in supplemental rebates.

There are some advocates who have been concerned about that. And those concerns in other states have been dealt with, and I think that we should be able to do that.

In addition, another way to get additional funding from Medicaid and other places is to actually consolidate our multiple programs of drugs, durable medical equipment, and actually use bulk purchasing and use it to power -- the power of the State with bulk purchasing with all of these different things.

The other issues are: Providers have had extreme problems over the last few years. From 2003 through 2008, they have only received 7.5 percent increases and the CPI has increased by over 20 percent in that same period of time. They are doing everything possible to create efficiencies, and we would like the State to help us create those efficiencies. Back in 2004, there was a task force to look at contract reform. We need to relook at that. Those plans were never implemented. We need to look at that to ensure that we could actually get the flexibility necessary.

Another way is to allow providers to actually use the State-run gas stations for the vans and transportation vehicles that they have. It has lower gas prices than that, and so you could get better contracts -- use contract dollars for that.

In addition, there are multiple background checks and criminal history checks. Each department has its own statute with regard to criminal history and background checks, and we could actually do that. So an agency that has one staffer who gets funded by three different departments has to go through three different background checks and fingerprinting. And that's another way to save money.

A final thing where we could also save money is through the use of Food Stamps. Currently, my agencies who serve people in residential facilities could actually use and work -- because they are on SSI -- could actually get Food Stamps that would actually supplement the poor contract dollars that they get. They do not get enough contract dollars. And this is one way to do it. The State is looking forward and trying to do that, but there have been some problems with that, and we need to move forward on that.

In addition, we also have to maximize other Federal Medicaid waivers.

SPEAKER OLIVER: I'm going to wind you up.

MR. ARYE: I'm done.

But if we keep going with the Federal Medicaid waivers and going after extra Federal money, we could do that as well.

So I have my testimony, and I'd be happy to talk more with you.

SPEAKER OLIVER: And thank you for that. You know that that has been a long-standing issue for many of us: What -- is New Jersey maximizing it's opportunity to gain Federal reimbursement, particularly in Medicaid and other human services programs?

MR. ARYE: Thank you, Assemblywoman.

SPEAKER OLIVER: Thank you.

The Honorable John Bencivengo, Mayor of Hamilton Township.

Good afternoon, Mayor.

MAYOR JOHN F. BENCIVENGO: Good afternoon, Speaker Oliver and Leader DeCroce. I appreciate this opportunity to speak to you today on a very important issue for municipalities, and that's unfunded State mandates.

For some time now, I have gone around the State, in various places, to discuss how onerous these particular mandates are to municipalities and how they affect the tax rate of our individual citizens. For instance, I had a session at the New Jersey League of Municipalities for the Red Tape Committee, for Governor Christie. And present was Lieutenant Governor Guadagno. And we discussed many, many issues.

But when you look at the mandates that are currently plaguing towns, such as COAH, and binding arbitration, and wastewater regulations, these things are not in our budgets. And what happens is, in the middle of a budget year, we are hit with items that have to be done by a certain date. For instance, when I came into office, I was faced with a \$16 million deficit -- a large, large amount of money that was spent half-way through the fiscal year with no alternative for revenues. I quickly found out the State Department of Environmental Protection on stormwater wanted us to build a truck facility to clean salt and chemicals off the trucks. It's costing our town \$140,000. Who pays for that? Not the State of New Jersey, but the citizens that, today, cannot even put food on their table. We want to build a truck facility because somebody has decided that some of that is going into the wastewater. Well, granted, that could be possible. But what's more important, food or stuff that's going into wastewater right now?

I think there's a time and a place for things, and we need to really look at all the onerous, unfunded State mandates. I do realize, also,

that some of the mandates are federally instituted. And I went to Washington a couple of weeks ago and urged the Obama administration to do the same thing, to curb unfunded State and Federal mandates. Because basically they are not funded by you, they're funded by individual taxpayers. There is no way these taxpayers can afford any more money.

Pension contributions: Let the individual unit work out and negotiate employee-matched contributions. Why is the State doing it?

Mandatory training for police: \$5,000 per police officer per year that is mandated by the State of New Jersey. This cannot continue.

We get our budget in place, and you turn around in the State and take the money away from us, who has to pay for it. And I realize if you funded it, you'd have to pay for it too -- not you, but the people. It all ends up coming from somewhere.

My point is, we have to efficiently look at the mandates that are necessary. We cannot have departments continue to issue mandates to local units and have us pay for them. We can't afford it anymore.

There's one other thing that I want to mention. There's a number of -- I'm going to leave this with you -- a number of them here that we have identified through the New Jersey League -- is the legislation that was approved recently and signed by Governor Corzine, A-500. A-500 has to do with senior housing converted to market rate housing, which is going to cost our town a considerable amount of money. If anything can be done with A-500, I would suggest that you get it into committee and discuss it again, because absolutely it will affect us in a big way: our schools, our infrastructure, our police, everything.

And to give you an example -- and I will be complete at this point. A developer has come in with 230 units. We have a total of 400-some units on the books that are not built yet. He comes in. He's beginning to put the trailer up for 230 senior houses. Before one shovel is in the ground, he's come to us and asked us if we would consider market-rate housing. Now, A-500 allows for -- a clause in there allows for the developer -- for the town to allow the developer to build units to see if they can be sold first before they ask for market-rate housing. But what's happening now is, of course everybody wants -- every developer wants market-rate housing. We have to deal with the situation. You guys create the legislation, and we're stuck dealing with the problem.

Please leave the zoning and planning issues to the local unit. Please do not plan our individual towns. We went through a great, great deal of trouble listening to the review of their application with public comment and basically used the process that is put in there by law. And then the Legislature comes and changes it.

So I just want to thank you for listening to me, and I hope we can make some changes here. They're really needed. And people can no longer afford what is going on.

ASSEMBLYMAN DeCROCE: That's the purpose of the hearing tonight, Mayor.

MAYOR BENCIVENGO: Thank you.

SPEAKER OLIVER: Thank you, Mayor.

We're next going to hear from Rose Clevenger, addressing the issue of wasteful spending and health care.

ROSE M. CLEVENGER: Good afternoon.

I'm Rose Clevenger. I'm just a plain old citizen from South Hampton, New Jersey.

While running for office, I know you all said you would work for all the people of New Jersey, and you'd also work to reduce property taxes. It's now time to start.

According to a *Time* magazine article in '05, New Jersey health benefits were going to cost taxpayers \$1 billion for active and \$900 million for retirees. By 2010, they were anticipating that they would spend more for retirees than for active employees.

With that in mind, here are a few real changes that must be made in order to reduce the ever-rising taxes. In New Jersey, if you're not a public employee of some type, then you're a resident with the dubious job of providing free healthcare for most State, county, township, and all school employees, most of whom make more money than we do. The majority of the people paying for this public employee health insurance must pay a large portion of their own insurance bill. Some residents can't even afford insurance for themselves. Many private companies have already cut retirees' insurance. You must make a law that all public employees, even those already retired, begin to pay 20 percent of their health insurance. Their insurance is costing the rest of us \$15,000 to \$20,000 per year, per employee, and rising each year. Health insurance is not earned, it is a gift. We are even reimbursing a lot of these retirees for the Medicare deducted from their Social Security checks. That's disgraceful. Do you realize this giveaway program is more costly than Welfare, because if they work 25 years or go out on Disability, it's for life?

Here are a few more problem areas and some solutions: cut all school administrators by at least 10 percent, privatize all lunch rooms and school bus routes beginning September of this year. Since New Jersey is the only state with a superintendent for every school district, cut them down to the State, the large cities, and county superintendents. The State should take over the salaries for teachers. The raises they fight for and get are a disgrace. This is why they're the third highest in the nation and they're wanting more. The high salaries paid to New Jersey teachers does not mean that our students are receiving a premium education. In fact, many students can't pass a college entrance exam and most take remedial classes. There should be a set pay schedule like the Federal government has. These changes I have mentioned will save billions of dollars.

Well, now you've heard some of the real problems and real solutions. So it's time for you to act. Wouldn't it make you proud to remove New Jersey from the list of the highest property taxes in the nation? I know you can do it. Let's see if you do it.

And by the way, I've attended the school board meetings, since this was mainly about schools. For 13 years I've missed five meetings. I've learned so much, and none of it is good. So that's where I come from. You have to do something. It's disgraceful.

SPEAKER OLIVER: Thank you.

MS. CLEVENGER: We can't afford to give all this health insurance away.

SPEAKER OLIVER: Thank you, Ms. Clevenger. Very good.

MS. CLEVENGER: Thank you.

SPEAKER OLIVER: Thank you.

Alan Berliner, addressing health insurance premiums, medical malpractice, lower threshold, tenured teachers.

ALAN BERLINER, ESQ.: I won't get to all of it.

SPEAKER OLIVER: That sounds like more than a three-minute conversation.

MR. BERLINER: It is. I didn't know there was a three-minute time limit, so I will cut it down, for sure.

My name is Alan Berliner.

Thank you for this opportunity to be here. I'm a self-employed attorney in Newark. I represent mostly uneducated, uninsured, and very low-income individuals.

I believe that there is a basic flaw in the medical malpractice tort reform discussion which is never brought up. And in 20 years of practice and continuing, I can tell you that this is a fact.

When patients of that kind are treated by private hospitals or private doctors, because they are brought to a private doctor or private hospital because of the condition that they have -- and not to a public hospital because there's no room for them -- those people are treated much, much differently than any of you seated up there, or me for that matter, who have private insurance. And then they come to an attorney like me looking to make a claim against that hospital or doctor. And I process that claim.

That doctor or hospital, if it's private, has the ability, through the Department of Insurance of the State of New Jersey, to consent or not to a settlement to the patient. There is no other insurance policy in this state that allows that. If you have homeowners' and I fall on your property,

you have no say what your insurance company does or not. You rear-end me, when I go out of here, in your automobile, and I make a claim against you for property damage or injury, you have no say whether your insurance company pays my claim or not. You can go through any other insurance, and no insured has such right. The doctors have that right, and they deny it most of the time. And because of that, the public is then limited because they know this happens when the word gets out that they don't process a claim for a malpractice claim that has merit to it.

The second avenue is, as a self-employed individual, I have two employees. I have what's called a *small group health insurance*. I cannot get group rates. I have tried for 15 years to convince BlueCross BlueShield and other carriers to just lump me with any other persons to make me a big group. Therefore, my premiums would be conditional like a big group. I get an increase of 30 percent of my premiums yearly. This has been going on and on. It is one computer click away from making me a big group with 400 other people who are self-employed, whether they're attorneys or not. And that can be done very simply if the Department of Insurance would make a regulation that that is permissible. And so many people like myself would save so much money on health insurance premiums, which, according to the press now, is the number one issue, after jobs, on the Federal level.

Thank you very much.

SPEAKER OLIVER: Thank you very much, Mr. Berliner.

Omar Dyer, followed by Barbara Clark.

O M A R D Y E R: I am going to talk about something called *anti-corruption*, because in Jersey City -- you look in the paper -- we just had this

awful thing of corruption going on. So what I propose here is a proposal to at least limit corruption in New Jersey.

With this proposal -- because I can't give you the full details, because we only have three minutes. But in this proposal, it has politicians coming to assemblies like this and requesting funds to make the campaigns clean. We fund clean -- where we don't have developers coming in and just dumping a whole load of money. These assemblies will grant the candidate the money, and then it would be distributed that way.

Here's the proposal here.

SPEAKER OLIVER: So what you're speaking to is your concern about what we call *Clean Elections*, publicly funded elections.

MR. DYER: Correct, publicly funded.

SPEAKER OLIVER: And the point you're putting on the record is, you believe that there would be-- What you're speaking of is what we hear called *campaign finance reform*. And your issue is: If there was not so much pressure involved in the raising of money, and you feel that the way to solve it--

MR. DYER: Is to come to the assembly and be approved through the assembly.

SPEAKER OLIVER: I understand you. Thank you, Mr. Dyer.

MR. DYER: Do you want the proposal? Here is it.

SPEAKER OLIVER: Yes. Although I have to tell you, Mr. Dyer, with all the things we're confronted with down here, I don't know if the citizens would want to pay for campaigns. (laughter) But point well taken.

Barbara Clark.

B A R B A R A N I E R O D A C L A R K: Thank you, Madam Speaker.

My name is Barbara Nieroda Clark. I reside in Hamburg, New Jersey, Sussex County.

I have owned my own condominium unit for 22 years, and now I'm facing foreclosure because I withheld \$40 from my monthly maintenance fee for one year due to a dispute. I did not believe the increase was warranted for many reasons, but I have time to mention only one out of many. Our playground for our children that live there has deteriorated and is still the same. And they were forced, and still, play in the streets.

I requested to inspect our financial records, and this request was refused, even though this is permitted by law. I now know that it is my obligation to pay the entire fee, regardless of whether I think they are justified. My belief was that the \$480 I withheld would become a lien on my property which the association would recover upon my death, and that is absolutely the truth. And I am not alone in this belief. Late fees of \$25 per month on the \$40 were also assessed, which the association refused to resolve or even talk about. No one from the association ever approached me on this case.

A suit was commenced to impose a lien for the indebtedness, which was \$480 plus late charges. A lien was recorded on May 19, 2008, for \$1,960; updated and recorded on August 20, 2008, to \$2,950; and updated and recorded again on November 5, 2009, to \$7,190.84. The difference between the initial \$480 indebtedness and the lien of \$7,190.84 are all due to attorney fees, including various other minimal costs.

SPEAKER OLIVER: Respectfully, Ms. Clark, I think we understand what you experienced. You're raising the issue of how, as an owner, the assessment of late fees -- minimal \$40 a month -- accumulated attorney fees. And you were then confronted with an amount of money, and you did dispute. We understand that. So you're raising the issue with us, as two previous speakers have, that we need to do an examination of laws that are governing condominium associations and, sort of, for lack of a better term, protection for consumers in that relationship. That's the issue you're raising with us.

MS. NIERODA CLARK: Yes, I am.

SPEAKER OLIVER: Thank you.

MS. NIERODA CLARK: Maybe a class or something the State can institute for teaching people -- senior citizens even -- that--

SPEAKER OLIVER: Who make a decision to become condominium owners.

MS. NIERODA CLARK: Correct.

SPEAKER OLIVER: Sort of like we do The Truth in Renting through DCA, you're saying that we need to elevate it up to that level for condominium purchases.

MS. NIERODA CLARK: That would be great.

SPEAKER OLIVER: Thank you.

May I ask what your status is now?

MS. NIERODA CLARK: My status is that if we don't come to terms, or whatever, they will be taking my home away after I've lived there for 22 years.

SPEAKER OLIVER: Thank you.

MS. NIERODA CLARK: Thank you very much.

SPEAKER OLIVER: Thank you.

MS. NIERODA CLARK: May I present this to the--

SPEAKER OLIVER: Yes, please. Ms. Brown will take that from you.

MS. NIERODA CLARK: Thank you.

SPEAKER OLIVER: Roger Bernier, Chelsea Senior Living. He wants to speak and address autism and housing for those with autism.

R O G E R B E R N I E R: Thank you, Madam Speaker.

My name is Roger Bernier. I'm President and Chief Operating Officer of Chelsea Senior Living. We operate a series of senior housing residences that provide comfortable, safe, and secure homes for the elderly who need support.

I've dedicated 20 years of my life, both professionally and personally, to senior care issues. But here I am taking off my senior care hat and putting on an autism housing hat.

One in every 95 children born in New Jersey is diagnosed with autism. More disturbing, there are between 8,000 and 10,000 people with special needs -- varying special needs -- waiting for group homes. Only a handful of these individuals are actually placed every year. The rest live with parents or family members, possibly for years, until those aging family members can't take care of them anymore. Then the solution is only an institution, which everyone agrees is the least desirable solution.

We have a housing alternative, which will be opening in 2011. It's called Mount Bethel Village, and I brought a rendering of it. It is a supportive housing facility dedicated to developmentally disabled and

autistic adults. I was going to describe the program, but I know we're lacking time. So with that, I'm going to get right to the punch line.

Essentially, our project is using private money and can easily be replicated. It's about 40 apartments basically with eight neighborhoods. It will be creating about 60 jobs per community and will greatly reduce the waiting list. It's a win-win situation for the State.

One of the things that has to be done is changes to the Council on Affordable Housing to facilitate projects like this one. It took us three years to battle the Council on the misconceptions of our project -- we finally won -- to help recognize these projects, meet the low-income housing need and, therefore, trigger no growth share obligation and no residential development fee.

Also, the State can't be so fixated that anything above a four-bed group home constitutes an institution, especially because every family member and resident has told us that they prefer this choice and our option. We've had many focus groups.

Also, the State must adopt Real Life Choices program to offer financial support for models such as Mount Bethel Village. The family could use this -- (indiscernible) currently in a group home or at their own home -- give them a choice to use it in other housing alternatives.

I think it would be a great opportunity to explore again the private-public partnership, and help alleviate that waiting list, and support more families and individuals with this disease.

SPEAKER OLIVER: Thank you.

May I ask a question?

MR. BERNIER: Sure.

SPEAKER OLIVER: Residents who will be privileged to move into Mount Bethel -- how do they finance their stay there?

MR. BERNIER: They're going to have to be forced to finance privately because there's no State money available because it's not approved for Global Options.

SPEAKER OLIVER: Thank you.

Erma Farca. (phonetic spelling) (no response)

Erma is not here.

I will go to James Waddleton.

J A M E S F R A N C I S W A D D L E T O N: Hello, Madam Speaker.

SPEAKER OLIVER: Just push the red button.

MR. WADDLETON: Hello, Madam Speaker. Thank you for having me.

My name is James Francis Waddleton. I'm a proud, life-long resident of Jersey City.

New Jersey should legalize the growth of hemp. The Assembly and Senate can create a green path for the nation to follow. If New Jersey legalizes the growth of hemp, it will create jobs. Legalizing the growth of hemp will make way for billions of dollars in revenue while saving one of the biggest victims of war, family farms. It can be used to produce more than 25,000 products. New Jersey can see a house built, plumbed, painted, and furnished with the world's number one renewable source: hemp. It is the lifeline for the future, the universe's most important ecological resource, and potentially New Jersey's single largest industry.

It is time that New Jersey responds to economic emergency as the country did following World War II, permitting New Jersey farmers to grow the only biomass source capable of making New Jersey energy-independent and smog-free. One acre of hemp produces as much paper as four acres of trees being cut, with at least four tons less pollution. There is no need to ever cut another tree down except for if it's dead.

Most importantly, hemp has a short growing season and can be planted after food crops have been harvested. If it had not been made illegal, the majority of the pollution which has poisoned New Jersey's rivers and waterways would have never occurred. Hemp can save New Jersey's economy and environment at the same time. It is the most cost-efficient and best substitute to expensive and wasteful energy methods. This plant that produces the most biomass with the ability to replace fossil fuels is hemp. Fuels--

SPEAKER OLIVER: Mr. Waddleton, I got it. (laughter)

MR. WADDLETON: Thank you for having me, and please consider hemp.

SPEAKER OLIVER: Thank you.

Maryann Mesics.

A teacher once told me that a human being had to hear something four times. That's why I got it with that hemp. (laughter)

Ms. Mesics.

Push the red button.

MARYANN MESICS: I thought I did.

I don't have to hold it, do I?

SPEAKER OLIVER: No.

MS. MESICS: Okay.

My name is Maryann Mesics. And although I do work for the State of New Jersey, I'm here today as a private citizen. I am from Columbus, New Jersey. And I just have some ideas here that I thought I would share with you.

First of all, I want to say the Legislature must take responsibility for bond referendums. Don't pose any that you know New Jersey can't afford. What tends to happen is that people read them, and they think, "Gee, that sounds good." But they don't stop to think whether we can afford it or we can't afford it. And they assume that if it's on the -- if it's to be voted on -- if it's on the ballot, that we must be able to afford it; and that's not always the case.

Also, you need to take responsibility for regionalizing school districts in order to save money. Now, I know we've talked about this before, and I know that all of you are probably afraid of this, politically. But you need to bite the bullet and pass the bill. It's not about you, politically, it's about the future of New Jersey. And we really would save an awful lot of money if you could do this.

Now, both political parties need to stop stuffing the authorities and agencies with expensive and unnecessary politicians. That's a big problem. It's costing us a lot of money. We can't afford that right now.

Stop making the holes in the State pension deeper by allowing municipalities to not pay their part of the pension payment.

Stop playing politics through privatization schemes. Privatization always costs more than having State workers do the job. I'm going to give you a couple examples. One is in Motor Vehicles. Motor

Vehicles has people from India with H-1B visas doing computer work that could be done by New Jersey State workers. These people are making six-figure salaries, which is more than most State workers. Money is being taken out of our economy in the State of New Jersey and contributed to other countries.

Also, information about private citizens in New Jersey is being sent to a foreign country without the permission of the citizens. I have a problem with this.

Another example: computer software for the Department of Education school facilities that costs \$8,000-plus could have been done free by the Treasury Department. This money is coming out of the facilities grant programs and must be periodically renewed because school facilities no longer control the data.

Okay. Also, we need to stop duplication by the State, county, and local authorities.

And one last thought, and then I leave, I promise. Wealthy communities should use their own police force instead of the State Police, which is costing all of us money.

Thank you very much for your time.

SPEAKER OLIVER: Thank you very much, Ms. Mesics.

Next we're going to have Mike Hojnaski addressing the issue of COAH and building fees.

MIKE HOJNASKI: The red light is on. We're good, right?

SPEAKER OLIVER: Yes.

MR. HOJNASKI: All right.

Thank you, Madam Speaker. Let's get to it. We have three minutes.

Recently I was on a trip to Florida.

Sell temporary E-ZPasses to the people of New Jersey. People think big brother is watching them all the time. Just selling temporary E-ZPasses for like \$10 alleviates a lot of traffic, a lot of confusion at the tolls. Out of the way. Boom. Let's go.

Slots at the racetrack. The veteran guy talked about the Meadowlands, Freehold, Garden State Park. Catch up with the crowd. Don't make a big committee out of this. Just put them in and go.

SPEAKER OLIVER: I know I gave three minutes, but I like some of those ideas so I want you to slow down a little bit.

MR. HOJNASKI: All right. Centralize some building departments. Right now these towns have suffered a big loss with the buildings. Mayor Bencivengo left. But when I was doing some work there, I had to wait three weeks for an electrical inspection for one little, \$1 box. As a developer of modular homes in New Jersey -- and there are lots around Trenton, Ewing, and Hamilton -- it's costing us a lot of time for us to build a house. If I was to get a construction loan for \$300,000, I would pay about \$2,500 in interest. If I was to wait for three weeks for an inspection, it's going to cost me \$1,700 in interest. The bank doesn't wait.

Now, back to the COAH fees. Over here, the COAH fees-- I'd like you guys to support Senator Lesniak and eliminate COAH and maybe sick them on those condo people. How does that sound? (laughter)

SPEAKER OLIVER: I'm sure Ms. Clark likes that.

MR. HOJNASKI: Ewing COAH: 1 percent I have to pay over in Ewing now -- \$762 net. But if I make \$1,000 in my pay, I only make \$650 take-home after taxes. So what you see here is gross pay, gross pay, gross pay, and then this is my net. This is my \$762 to Ewing. Hamilton's old COAH fee was \$15,963. I even have their resolution here. I also have my letter of resolution and their ordinance fee from way back when. So hypothetically, I would have to make \$26,558 gross on my pay. Not to mention, the subdivision cost to me was \$18,369. That's \$28,000. I would have to do a total gross pay of \$52,818 to develop one little 40x105 lot. That's unbelievable.

Now, there's a nice person at the DCA down there who told me, "Mike, wait until June. The third-round round tables are coming out in June" of last year -- of '09. They reduced it now down to 1.5 percent. So now it's like 1.5 percent of a \$200,000 project. It gives me a \$3,000 fee to COAH, which leaves about \$4,615 at gross pay, \$18,369 at my net -- what I had paid for my subdivision, for all my attorney fees -- Mr. Graziano; Paul Szymanski, my professional planner; and Rick Crusilli, of Hamilton. Now I'm back down to still paying -- I have to make \$32,831, at a net cost of \$21,000 out of pocket, to pay all these fees. I mean, how is this affordable to the people I'm selling a house to, or even myself to build a house, or other people? According to the COAH fees, you have like \$350 million in that fund. I mean, people in Princeton paid up to \$40,000.

But even my letter of resolution, if you look at it, for this one little lot -- I can leave you the drawings just to review at your own leisure -- and some of the resolution that is required. I mean, the townships are just taking form letters, and they're putting prerequisites from other commercial

jobs. Like here, "The applicant is responsible for an affordable housing fee of \$15,000" -- which this has changed. "But all structures are to be precast." Am I building a cement home? "All concrete structures have to be a minimum compressed strength of 4,000 PSI." That's, like, for a road. And it says in an earlier line, "Add a notation the plans are stipulated to be done in accordance with the New Jersey DOT substandard specifications for road and bridge construction." If I'm paying the fees to the town in my escrow fees, at least review what I'm building. I'm not building a road or a bridge. I'm building a little, single-family home.

It's really funny, because in Ewing Township I paid almost \$4,000 in fees. I had four engineers from Schoor DePalma at \$140 an hour for 22 hours worth of review time to look at a 60x100 lot with three trees on it. You're squeezing the little guy out of here.

My daughter is in the back room. She'll testify that last week and the week before I'm looking for places in Florida. I can't keep up here. You guys have been-- Through the previous administrations, you guys have been cutting your throat with a butter knife, and now you're starting to bleed, and now you're starting to have us come in here and try to help bail you out with ideas. I think you're done. You're \$7 billion to \$10 billion short. That's big numbers. That's really big numbers. And I don't-- I feel for the new administration, the previous guys. But like I told Senator (indiscernible) at the meeting in October, you build a tunnel that goes under nothing. You have lights ever six inches in that tunnel at \$600 a fixture. You have State workers that have 11,000 cars. I said to him at the last meeting, let them pay for the oil changes, buy tires, take care of preventative maintenance. You have a hundred-million-dollar building

going by the State Police project over there. Who is watching that job? How many square feet is that building? I don't know. It's like a top secret lab over there.

You're spending a lot of money; nobody is overseeing it. Hire a forensic accountant to see if you can save \$15 million, and then maybe throw the guy a \$200,000 bonus. You're still \$14.8 million ahead.

So in conclusion, for me, if things don't change quick, in two years I'm out of New Jersey with my wife, my daughter, and my business because I can't pay \$32,000 to develop a lot that I already own. Now, for another person to buy that lot, how much is it going to cost them?

SPEAKER OLIVER: Thank you very much for the--

MR. HOJNASKI: Thank you very much for your time.

SPEAKER OLIVER: --illustration. It was very much appreciated. And I think you identified some things for many of us.

MR. HOJNASKI: And we were ranked second in Tax Freedom Day. June 17 is when we're actually free of taxes in New Jersey if we go by the same timeframe as last year. I will leave this with you to ponder. It's really a shame.

SPEAKER OLIVER: Thank you. I appreciate it.

ASSEMBLYMAN DeCROCE: Next will be Ray Hohman.

It is on, Ray. (referring to PA microphone)

RAYMOND HOHMAN: Thank you.

I happen to just come here simply because I got an e-mail late at night. And after I taught a course at Ocean County, I drove over. I thought this was going to be the hearing on the Shirley Turner-Rice bill.

I happen to be adjunct faculty at Ocean County and put together an adult community leadership program. Because after seeing the abuses at my adult community -- and I guess you notice I do take advantage of senior discounts. It turned out that I determined that most of the adult community board members are not equipped, or trained, or have the professional background to actually be board members. They can't read financial statements. None of them -- or few of them, I should say -- have been in small business, or developed business. Others don't understand the legal ramifications upon their decision maker.

So you can cut me to about a minute, because I just want to say to you that I endorse, as well as the other people who have come here -- I endorse hearings on that particular bill.

Coming from Maryland -- and you probably might have noticed the accent -- coming from Maryland, I will say one thing: After a decade of being a resident and paying taxes here, it's the highest I've ever seen. I've lived in other states. And it's got to be attacked. I respect the fact this is what the attempt is. I heard about the consolidation of the various communities as being a movement. Being a national consultant, I would tell you that 100,000 residents is much too small. It's got to be more like 250,000. Because at 100,000, with 9 million residents, you'd have still up to 90 jurisdictions, which would be too many.

In ending, I will say to you that I decided, in my bucket list, to take a jump out of an airplane. I think you guys are taking on something much bigger than just jumping out of an airplane. So good luck.

ASSEMBLYMAN DeCROCE: Thank you.

MR. HOHMAN: I hope you succeed.

One last question: If I could get staff to tell me where I can send some remarks and comments, I -- when I have time, I'll be glad to send them over.

ASSEMBLYMAN DeCROCE: Ms. Brown will address that with you.

MR. HOHMAN: Thank you.

ASSEMBLYMAN DeCROCE: Thank you, Ray.

Svetlana Repic-Qira.

MICHELLE BOGGAN: Hello.

Thank you for the opportunity to speak. My name is Michelle Boggan, and I'm here on behalf of Svetlana Repic-Qira.

ASSEMBLYMAN DeCROCE: Oh, I'm sorry. You're right. You are. I'm sorry.

MS. BOGGAN: That's okay. Something came up and she wasn't able to make it.

She's our Regional Vice President for Community Options. And I am the Executive Director for the Burlington County Region.

We are a national organization that supports people with developmental disabilities through residential and employment supports. I am here to speak on behalf of the people with disabilities and what we believe to be in their best interest.

I ask that you support bill A-3625 sponsored by Assemblyman Greenwald, which provides a plan to rebalance State resources by consolidating and closing New Jersey's developmental centers and using savings to expand the services and supports available in the community. Twice as many people can receive services in the community for the same

amount of funding used to support someone in a developmental center. According to the U.S. Supreme Court and Federal regulations, we must take all reasonable steps to allow people with developmental or mental disabilities to live in the community to their fullest extent possible. In New Jersey, we cannot say we're doing that, with over 3,000 citizens currently living in these centers. By closing two of these developmental centers, New Jersey will take a major step in this direction.

Additionally, there are over 8,000 people waiting for community-based services that they are entitled to. The list has doubled in the last 10 years, and the waiting list continues to grow at an alarming rate. Close to half of these individuals are considered to be on the priority waiting list. Without the proper funding, those on the waiting list are hearing that their only option may be a developmental center which, as we all know, is not an option at all.

As a provider, we urge the government to provide adequate supports within the community in regard to infrastructure needs and the growing need for community-based services. We need to address the maintenance and upkeep of our existing housing stock and vehicles, as well as providing cost-of-living adjustments to the salaries of our hard-working direct-care staff. The cost of rising healthcare, child care, and other costs of living in New Jersey--

Community agencies that provide services are being fiscally compromised due to insufficient funding that does not keep up with inflation. Agencies must deal with increases in health insurance, increases in Workers Compensation costs, and staff who have not received salary

increases. Without cost-of-providing-care increases, providers are faced with problems in maintaining the services.

Providers have been meeting with numbers of individuals currently living in developmental centers in the last few years through the Olmstead process. Most of them and their families are in favor of leaving the institutions and to move into their own homes in the community. Why shouldn't they have that right? People with developmental disabilities have a right to choose where they want to live and how they're cared for. I've witnessed firsthand people who have been a burden to taxes -- tax burdens become taxpayers. And we're looking forward to more people doing that.

Thank you for your time.

ASSEMBLYMAN DeCROCE: Thank you, Ms. Boggan.

Thomas Ng.

T H O M A S N G: Good afternoon.

ASSEMBLYMAN DeCROCE: Good afternoon.

MR. NG: My name is Tom Ng. I am the Student Government President at Ramapo College of New Jersey. I was also a former student trustee, so I sat on my College's Board of Trustees and was a voting member last year.

At Ramapo, I am studying history and music education. I'm studying to be a high school history teacher. And I'm actually currently student teaching at Riverdale High School in northern New Jersey, Bergen County.

Last week I was talking to some of my AP U.S. History students. And let me tell you, these are some of the brightest kids I've seen. They're very sharp kids. And they were telling me about their plans for

after college (*sic*). And after talking to them, they all started naming the names of institutions outside of the State of New Jersey -- not too far, usually New York, Pennsylvania, Delaware.

This upset me, because I saw some of the brightest students our state has set on leaving New Jersey. But I couldn't say I was surprised. The reason for that is because of the continual cuts to public higher education and, as a result of this, ultimately raising tuition and putting financial burden on students to offset these costs.

Just to share a statistic with you: New Jersey is number one in the nation in net outmigration of our high school graduates attending college. That's not something I think we want to be number one on the list of. And worst yet, there are numerous other students who simply aren't going to college because they simply can't afford the high costs. And this is truly a shame because -- I don't know if you know -- but New Jersey is in the top five states in the nation in K-12 funding to public education, but in the bottom five in the nation in public higher education. What this is essentially doing is, we're making a huge investment in our primary school students; and by the time we educate them, they either leave the state, when they're less likely to come back and provide educated taxpayers in the future; or simply not go to college. And one way or the other, our state is losing its investment.

Like I said before, I'm planning to be a teacher. I see education as a solution to a lot of the long-term problems of our state. But there are some solutions I would like to pose. The first and foremost, and maybe the simplest, take higher education off the chopping block. Higher education in New Jersey -- public higher education -- has been cut continually over the

past 25 years. And according to the New Jersey Policy Perspective, appropriations for New Jersey higher education, as a percentage of the State budget, has been cut by almost one half since 1983.

Now, I realize that this might be difficult -- although this is putting a big burden on the students -- it's also difficult, especially now with the economic situation we have. But I think there are some other options.

First of all, the State negotiates with our back -- with the unions. That's necessary in order to make sure that we are rewarding faculty members who are educating our students. We make sure that the best and brightest are in the state to attract the best and the brightest. However, in recent years, the State has not supported these salary increases. And as a result, the burden falls on the students. Since 1997, the underfunding of State-negotiated contracts has resulted in \$145 million that had to be paid by the colleges and, more specifically, by the students through tuition. And in 2008 alone, New Jersey State colleges and universities were asked to pay \$20 million in unfunded salary mandates. Again, this translates into more tuition hikes for students.

The other option that I see as definitely feasible is to create a formula for higher education. A formula was created for K-12 a few years ago, and I think it's definitely feasible and necessary. There's been a lot of growth at our State public colleges and universities over the past few years -- past 20 years. But right now, funding is based off historical precedent. And it's not rewarding institutions that have done the job to create more seats, to become more residential, to accommodate the growing college population that our state has.

ASSEMBLYMAN DeCROCE: Thank you, Mr. NG. I've heard you, and I understand. Coming out of the county college area, I'm familiar with what you're talking about.

Are you planning to stay here in New Jersey?

MR. NG: I sure hope so.

But if it's okay with you, I'd just like to end with a closing remark.

ASSEMBLYMAN DeCROCE: Make it quick.

MR. NG: Sure.

I personally have seen a lot of my classmates either leave the state for higher education, which has been upsetting to me as a soon-to-be New Jersey college grad. And also, I've also seen bright, capable, motivated classmates of mine, in state, have limited opportunities after college, not because of the education they're getting, but because of the financial burden they bear because they're so far in debt that they can't pay for grad school. And it's really a shame. And I really urge you to take a stand on this. And, hopefully, we can work together to create a solution.

I have copies of my testimony that have -- a bit more in depth.

ASSEMBLYMAN DeCROCE: Thank you. Ms. Brown will take some of them.

MR. NG: And if you have any other questions, feel free to let me know.

ASSEMBLYMAN DeCROCE: Thank you.

MR. NG: Thank you.

ASSEMBLYMAN DeCROCE: Donna Ward.

How are you?

D O N N A W A R D: Good, thank you.

My name is Donna Ward. I'm the New Jersey Republican Party State Committeewoman.

Thank you for holding this public meeting today.

One of the complaints I hear from voters is that it seems our elected representatives are not listening to us. Hosting this public forum is a step in the right direction.

I have been listening today to some interesting solutions to problems we are experiencing in New Jersey. I am here today to tell you about a false solution, which is a constitutional convention, or a *con con*. I heard this suggestion made by an Assemblyman at a Chamber of Commerce luncheon back in October. A con con is very dangerous in that our wonderful U.S. Constitution will be opened up and subjected to any changes the chosen delegates wish to make. One reason given for a con con is term limits, a possible solution to our problem with career politicians who refuse to follow the rule book, which is our U.S. Constitution.

We already have term limits, and that is to vote the incumbents out of office in the next election. This will take effort on the part of the voters to educate others in their district about their elected leaders' voting records. The answer to our problems lie within the U.S. Constitution. We do not need to reinvent the wheel. I respectfully ask that you, our elected leaders, practice strict adherence to the United States Constitution. You took an oath to defend and uphold the United States Constitution and the New Jersey Constitution. Please honor that oath and beware of Article 5.

ASSEMBLYMAN DeCROCE: Thank you very much, Ms. Ward.

MS. WARD: Thank you.

ASSEMBLYMAN DeCROCE: Thomas Giacoebe.

T H O M A S G I A C O E B E: My name is Thomas Giacoebe, and I begin with a sincere expression of gratitude to you, Republican Leader Alex DeCroce, and Sheila Oliver, and all of the other members of the State Legislature. This is truly a bipartisan effort. Your presence, your convening this listening session says that you have put the State's common good above partisan politics, and I commend you highly.

ASSEMBLYMAN DeCROCE: Thank you.

MR. GIACOEBE: When a medic approaches a wounded soldier lying in the field of combat, the medic first determines the most life-threatening problem and tends to that problem first. This is triage medicine. The medic establishes a hierarchy, and the most serious gets immediate treatment. Lesser problems are handled later.

As our governing lawmakers, I'm here to encourage a triage approach to the most serious condition in the state. And the most pressing problem, the problem bringing the state to its knees, is the State pension system. We desperately need pension reform. The pension system for public employees -- teachers, police, State, county, and municipal employees -- is much too generous. Today is not the time to outline this reform. But some key issues that need reforming are the age a person can start taking a pension, and people getting more than one pension.

You might think I have nothing to lose by advocating reform of the State's pension system. That's wrong. Three members of my immediate family are connected to the New Jersey pension system, and all three concur with me and see the need for pension reform as a first order of

business and the most pressing problem crippling this great state. Triage medicine is not pleasant. And a bipartisan reform of the State's pension system will bring unpleasant and vigorous opposition from the powerful public employee unions like those for teachers, police, and others.

And to my way of seeing, many of these unions are not in touch with reality and are driven by greed. These unions seem to forget that they are riding on the backs of the people. For example, during this time of very deep recession, teachers in my area did not seek a wage cut or a wage freeze but a wage increase, despite nearly 10 percent unemployment and many homes in foreclosure. And wage increases have an exponential effect on pensions, as the base for yearly increases in wages is continually rising. And only a truly bipartisan effort at pension reform will prevail over the massive union opposition this reform will generate.

I conclude with gratitude for this bipartisan listening session, and encourage you to carry this bipartisanship back into the Legislature and tackle our most pressing problem, pension reform. Opposition will be mighty. But with a unified resolve for the common good, you will be successful. And may God continue to bless you and your families, and all the work you have done and will do for the great state and people of New Jersey.

Thank you.

ASSEMBLYMAN DeCROCE: Thank you, sir.

Theodore Seredocha. (no response)

Teresa Downey.

T E R E S A M. D O W N E Y: I'm at a disadvantage, because I just walked in the door.

Where am I sitting?

ASSEMBLYMAN DeCROCE: Right there.

MS. DOWNEY: I'd like to just take a minute to--

ASSEMBLYMAN DeCROCE: Please speak into the mike.

MS. DOWNEY: Okay.

My name is Terry Downey, and I live in Cape May County. I just arrived a few minutes ago. I have come up to ask you to develop a package of legislative initiatives to address issues regarding violence against women in Cape May County.

I've worked for almost 20 years on issues relating to women down there. And part of that work has been on helping families whose daughters have been murdered or appear to have been murdered in Cape May County, whose deaths have not been handled properly. And it's a major issue down there. We need to have some loopholes closed.

I started doing my work with Susan Nagersmith's case, which was in 1990. Some of the Assembly members and Senate members might remember her case, because it was the impetus for eliminating the statute of limitations on rape prosecutions back in 1996. The handling of her case was the impetus for that legislation. I'm the person who proposed that legislation because of the work that I had done on her case in particular.

In her case, she was 20 years old, she was found on the sidewalk in Wildwood. She had been beaten, raped, strangled, sodomized. And the Prosecutor's Office and the medical examiner issued a death certificate saying she had died accidentally of hypothermia and alcohol poisoning. It took over five years to have her death certificate corrected. And I was instrumental in getting that death certificate corrected.

Her case is still unresolved as of today. And there is a need to have an independent investigation into her case, both into the circumstances surrounding her death and into the handling of her case by the Prosecutor's Office. There are problems with that investigation, because there are so many different law enforcement agencies that are involved: the Wildwood Police, the Cape May County Prosecutor's Office, the State Police, and the Attorney General's Office. And it took such a long time to get that death certificate corrected.

Some of the same people who were involved in that case and said she was not murdered are now in charge of investigating her homicide. They're also in charge of investigating other deaths -- unexpected deaths of women in Cape May County.

I have brought up-- I thought there were only going to be two people here, so I didn't bring up papers for everyone. So I don't know who would need them. But I brought up a listing of the different types of initiatives that I would think we would have. And they are initiatives to increase transparency in the Prosecutor's Office and in the handling of those cases.

If I could just have another minute or two.

The initiatives would address the ethics issues that are involved, conflicts of interest, the handling of the Prosecutor's Office with respect to public citizens -- private citizens who are concerned about--

ASSEMBLYMAN DeCROCE: I think we understand where you're coming from. Frankly, I think we'd like to have that material so we can examine it.

MS. DOWNEY: And I'll give that to you.

But there are a number of issues relating to, for example, the medical examiner's office, the protocols that should be established there; the protocols that should be followed by the Prosecutor's Office in investigations like that. Confessions should be videotaped. I mean, there's a whole complex of legislation that should be proposed, I think.

ASSEMBLYMAN DeCROCE: We understand where you're coming from. And, frankly, it's something we want to take a look at. So if you will give someone -- one of our people -- your notes, any information you can give to them, we'll be glad to take a look at it.

MS. DOWNEY: I would like to come back up if you have a hearing on these different legislations so that I can actually speak to them.

ASSEMBLYWOMAN POU: Minority Leader.

ASSEMBLYMAN DeCROCE: Question from the Assemblywoman.

ASSEMBLYWOMAN POU: I'm sorry. Have you petitioned a court to take this particular case outside of the Cape May County jurisdiction, since you seem to imply that there has been a number of different -- I'm going to use the word *discrepancies*?

MS. DOWNEY: Yes.

ASSEMBLYWOMAN POU: So have you done that? Has it gone outside of even the State Attorney General's Office and gone toward the U.S. Attorney General's Office?

MS. DOWNEY: Well, I have gone to the U.S. Attorney General's Office.

ASSEMBLYWOMAN POU: Okay.

MS. DOWNEY: I went five years ago, but they said they didn't really see that they had jurisdiction. I'm hoping to change their mind now. But I am a private citizen who does this work. But it is not just Susan Nagersmith's case. There are a number of cases. Sexual assaults are generally not prosecuted down there. We're talking about hundreds and hundreds of cases that have not been prosecuted since 1996. There are a number of deaths of women that have not been handled properly. There's a case just last year that's very similar to Susan Nagersmith's in some respects, where they also said she died of alcohol poisoning and hypothermia. I mean, there are a number of cases.

ASSEMBLYWOMAN POU: I'm sorry, I just want-- In respect to the time and, certainly, to our Minority Leader, let me just say that it would be of great interest to all of us if you would forward that information. I assume your recommendations and some of the comments are listed in your paperwork that you're going to provide us.

MS. DOWNEY: Yes.

ASSEMBLYWOMAN POU: If not, I'm sure staff will follow up with some questions.

But thank you very much. I just find your story to be very interesting.

Thank you, Mr. Minority Leader.

ASSEMBLYMAN DeCROCE: Thank you.

MS. DOWNEY: Thank you very much for your time.

ASSEMBLYMAN DeCROCE: Reverend Davidson.

Good evening.

REVEREND BRUCE H. DAVIDSON: Good evening, and thank you, Minority Leader DeCroce. It's a pleasure to be here.

And thanks to the members of the panel -- those of you who are still awake -- for your patience and for conducting this hearing. I really want to applaud you for the bipartisanship that's eminent in the room. But also, hopefully, this is a sign of partnership for the future. It's a great way to start out the new session of the Legislature. And I appreciate it.

Thank you.

ASSEMBLYMAN DeCROCE: We're trying.

REVEREND DAVIDSON: My name is Bruce Davidson. I'm the Director of the Lutheran Office of Governmental Ministry in New Jersey. I also am one of the co-conveners of the Anti-Poverty Network of New Jersey, and I'm a member of New Jersey's Interagency Council on Preventing and Reducing Homelessness.

The main focus of concern for the Lutheran Office of Governmental Ministry is responding to issues related to hunger and poverty in the state. In 10 years of ministry as Director of this Office, one issue has always been central to the concerns that I've heard from low-income people. And I've listened to a lot of them. That issue is the lack of decent, safe, and affordable housing in New Jersey.

New Jersey is one of the most economically segregated states in the country, with large pockets of poverty concentrated in a dozen or so areas of this state. Much of this is due to the fact that New Jersey's most affordable housing is, to a large extent, found only in those communities with the deepest poverty. More than 35 years after the Mount Laurel decision called for each town to include a fair share of affordable housing,

most low-income families have not found welcome or housing opportunity in the majority of New Jersey communities.

Yet every town in New Jersey needs low-wage workers in order to thrive economically, among other things. Sales clerks, home health aides, maintenance workers, teachers' aides, firefighters, restaurant workers, and others are essential to the well-being and success of virtually every community. If people who do this work cannot afford to live near where they work, then it will become increasingly difficult for them to maintain employment as commutation costs alone continue to rise.

I have a few suggestions and possibly some strategies to promote the expansion and maintenance of affordable housing in New Jersey, and they're bullet points. A massive public awareness campaign needs to be initiated in order to fight negative perceptions of affordable housing and the people who live in them. Affordable housing does not mean slums, it does not mean criminal elements or drug dealers moving into your community. It means low-wage workers have a place to live.

State government must keep in place a uniform program that holds every town accountable for a fair provision of housing that's affordable so that people can live where they work, if they choose.

Some type of financial incentive needs to be put in place to encourage towns to provide affordable housing for families, recognizing the impact this has on local education systems and on property taxes.

Housing reforms adopted in 2008, which originated in the Assembly as bill A-500, need to be kept in place, including those that abolished regional contribution agreements that added new sources of funding to replace money generated by RCAs.

And finally, require that a reasonable percentage of affordable housing be kept as part of any transit village. And seriously improve the availability of affordable and adequate intrastate transit in New Jersey.

Thank you for your time and consideration.

ASSEMBLYMAN DeCROCE: Thank you very much.

Rae Roeder.

RAE ROEDER: Thank you very much, Assemblyman DeCrocce.

I happen to know Nellie Pou, who is always open every time we came before her in the Committee that she heads. I thank her.

And I thank the rest of you who are here as well.

First of all, I'd like to spend my time talking about--

My name is Rae Roeder, and I'm the President of CWA Local 1033, and I'm a State worker for the last 30 years. I work for the Department of Education.

More often than not, one of the solutions that is always brought to you to fix the budget are those who purport to support privatization and blindly tell you that privatization of government services either saves money or provides improved services. In reality, the record shows that privatization actually costs more money and, quite often, results in poorer service than those provided by public workers.

Examples of failed privatization are easy to find. In the 1980s, privatization of Motor Vehicle computer services, where Price-Waterhouse was given an \$800,000 contract, plus another \$700,000 contract using a bid waiver, followed up by a \$6.5 million contract, which led to the July 1985 total breakdown of the Motor Vehicle computer system.

The Price-Waterhouse contract scandal came on the heels of another privatization scandal at Motor Vehicle known as the Sears-Taggart affair, where implementation of the mandatory photo license law was characterized, according to the State Commission of Investigation's 1985 report, by misjudgments primarily attributed to the bureaucratic paralysis that sets in when political influence replaces sound business judgement.

In June of 1986, the firm hired by the State to microfilm Motor Vehicle reports went bankrupt, leaving Motor Vehicle with a backlog of licenses, registrations, titles, and other driver's licenses. Who can forget the delays in problems caused when Motor Vehicle agents were run by the private sector? Since Governor McGreevey ended the privatization of Motor Vehicles agencies, they have operated smoothly and efficiently at considerably less cost than the private agencies.

The one area of Motor Vehicle that has not been changed is the area of Parsons, and the huge amount of money that comes out of the budget to pay this particular contract. One of our suggestions is to take a look at that contract and bring the work back in-house where it costs far less money.

Another example is Payco contract with the State of New Jersey, that turned into the OSI Collection agency, that overbilled the State by \$1 million. This was a tax assessment. And therefore we have six indictments in Treasury -- Taxation -- as a result of it.

And my final comment to you is bordering on what somebody else said previously. There's presently a \$52 million contract with Saber Software that has resulted in 61 H-1B visa employees. These are individuals from India who have been brought here. Their passports and

everything have been paid for -- their visas. They have vouchers where they get food. They also have drivers from the State who bring them to the Division of Motor Vehicle. These alien workers are sending sensitive documents and data out of this country. Why, during a recession, are not qualified residents of this state who are now unemployed -- the State allows a contractor to bring in foreign workers to perform work our own citizens could make? And I would appreciate an investigation of this matter as soon as possible. Because when I talked to a high-ranking official at Motor Vehicle, the answer to me was, "Well, Rae, we don't have anybody in this country to do the work." And I dare say that's not the case, because we have thousands and thousands of workers in the State of New Jersey from the computer industry who are highly skilled and trained and who could do that particular work.

ASSEMBLYMAN DeCROCE: Thank you, Rae.

Rae, will you leave us a copy?

MS. ROEDER: Yes, I will.

ASSEMBLYMAN DeCROCE: Thank you.

MS. ROEDER: Thank you.

ASSEMBLYMAN DeCROCE: Thank you very much.

Anthony Miskowski.

ANTHONY F. MISKOWSKI: Good evening, distinguished members of the Assembly Bipartisan Leadership Committee.

My name is Anthony F. Miskowski, a lifelong resident of New Jersey. I grew up in the Garden State having attended elementary, high school, and college in New Jersey.

I have about 10 pounds of studies here that document, and reinforce, and expand upon the points that I will summarize here today. Some of the studies I've prepared myself. So please consider them out of courtesy.

ASSEMBLYMAN DeCROCE: Thank you.

MR. MISKOWSKI: Thank you.

The Legislature needs to contain costs and lower the high costs of everything. I have a study that I prepared in February of 2007 that compares the State of New Jersey with the other states regionally. Food costs: 9.7 percent more than the average for all the states. Housing costs: 28.4 percent higher. Only the far West, Hawaii, California, and Alaska were higher. The cost of utilities: 25.6 percent higher. Cost of health: 10.6 percent higher than the average of all the states. Cost of transportation: 17 percent higher. Overall, the cost of the above five categories averaged 19.3 percent higher than all of the states indexed regionally.

Furthermore, if you index the cost of living by state capitals, just in case Mayor Palmer should be listening, Trenton, New Jersey, has the fifth highest cost of living behind -- get this -- Honolulu, Hawaii; Sacramento, California; Boston, Massachusetts; Providence, Rhode Island.

This enormously high cost of living is resulting in a new class of New Jerseyans that I call *pension refugees*. Retirees are leaving the Garden State in droves and taking their pension checks with them. The Empire Center for New York (*sic*) Policy produced a study called Empire State Exodus and provided extensive data for New York migration. I reconfigured their data table on Page 2 to highlight New Jersey. And I provide both of those for your review.

Between 2000 and 2008, New Jersey net migration resulted in 469,000 citizen taxpayers fleeing New Jersey. That's 5.1 percent of our population leaving. Only Michigan, Illinois, California, and New York had a greater percentage of net loss.

That National Institute on Retirement, February 2008, released a study. I include that for your review. For every dollar paid out in pension benefits, \$2.36 of total output was generated in the national economy. Nationally, in 2006, expenditures made out of State and local pension benefits created 2.5 million jobs that paid \$92 billion in income. This resulted in \$57 billion in Federal, State, and local taxes. The study shows that New Jersey public pensions supported 45,000 jobs, putting \$8 billion into the economic engine. Yes, that's the multiplier effect in action. And software is available that will enable you, as the Legislature, to make those projections. The information is in the packet.

The 2009 New Jersey Workforce profile shows that the median salary for State workers is \$57,716; median length of service is 10 years; median age is 46. We're growing older. Thirty-seven point nine percent of the workforce is now 50 years of age or older. A worker earning the median salary will take a pension salary of about \$25,000 after 25 years of service. This amount is woefully insufficient to retire here in the State of New Jersey. Just look at the graphs that I produced.

I ask the Legislature to please perform an adequacy of benefits study, such as Nebraska did for their retirement system in the year 2000. And, yes, I include that study for your review. Nebraska had a 34-year experience of a defined benefit, such as New Jersey public workers have, alongside a defined contribution or 401(k) style plan. The contrasts were

staggering. Individuals with the 401(k) plans had an inadequate balance as determined by Buck Associates, their actuary -- about 20 percent lower on average. And some retirees had so little in their 401(k) that, the same day they filed their retirement papers, they were eligible for county Welfare benefits.

In the year 2002, the state of Nebraska, by act of their legislature, allowed those enrolled in the 401(k) defined contribution program to opt out of that system. As a State worker for 37 years, and having worked in the State of New Jersey for 42 years, I think I have the right to retire here in the State of New Jersey.

Thank you very much for your consideration.

ASSEMBLYMAN DeCROCE: Thank you, Mr. Miskowski. And we've taken that material, and we'll take a look at it.

MR. MISKOWSKI: Thank you, sir.

ASSEMBLYMAN DeCROCE: Thank you.

I'd like to call upon, I think, two people: William Eaton and Loretta Dibble.

WILLIAM H. EATON, ESQ.: Good afternoon.

ASSEMBLYMAN DeCROCE: Good afternoon.

MR. EATON: My name is William Eaton. This is Loretta Dibble. Ms. Dibble is here on behalf of the Manufactured Housing (*sic*) Owners Association of New Jersey. I'm an attorney. I represent Paradise Park Homeowners Association.

I'll let her speak first.

ASSEMBLYMAN DeCROCE: Thank you.

L O R E T T A D I B B L E: Actually, I represent the Manufactured Homeowners Association of New Jersey. I am their Legislative Representative. This is the first time I've been here.

I wanted to talk to you about the homeowners of manufactured housing who typically live in leasehold communities, so they have both homeowners and tenants. And they receive scant protections -- consumer protections -- for financing, for community safety, and for many other areas.

I'm primarily interested right now in addressing three or four areas that we're working on quite a bit. And we'd like to be able to come talk to all of the legislators in the future about initiatives that we think will provide good protections for homeowners in manufactured housing communities.

We are the single largest source of unsubsidized affordable housing in the State of New Jersey. And we are not given adequate consideration in the current COAH laws and COAH regulations. And we also are subject to many difficult situations because we are homeowners and landowners -- homeowners and tenants at the same time.

Mr. Eaton is going to discuss a particular piece of legislation that was passed in 1992 called the Mobile Home Protection Act. And I'll let him discuss that. But I want to come and talk to everyone later and bring a complete legislative package and initiatives that the Manufactured Homeowners Association of New Jersey is putting together. And we represent over 35,000 homeowners in New Jersey and about 60,000 voters.

ASSEMBLYMAN DeCROCE: Thank you.

MR. EATON: Thank you.

I came here with a very small agenda. Back in '92, when the Legislature passed the Mobile Home Protection Act, it did it with the intention of providing protection for residents of mobile homes.

Back a year ago, the Appellate Division, on a case that, frankly, I won, said about the Mobile Home Protection Act-- It said, "In adopting the Mobile Home Protection Act, the Legislature intended to protect the continuation of mobile home communities and promote and encourage ownership and self-governance by the residents of these communities." Toward that end, when an owner of a mobile home park decides to sell or receives a bona fide offer to buy, the residents of the mobile home communities are statutorily entitled to a right of first refusal. Needless to say, that right of first refusal has not been popular among both the owners of the parks who want to sell to developers and to the developers. And they've spent what the Appellate Division called an inordinate amount of time looking for loopholes. And they found a few.

And what we'd like to ask you to do today is to consider tying up those loopholes. There are about six of them. I put them down. I have them with me. I'll leave them with you. They are, essentially, interpretations of imprecise language. There have been times where the Legislature would say *homeowner*, and then other times they would say *owners of homes*. They'd call it *homeowner*, and then once they called it a *unit owner*. We need consistency of the language so that the courts can understand that when they talk about homeowners they mean *homeowners*, they don't mean a landlord who is buying a mobile home and now decides he wants to vote as a homeowner.

I've got it right here.

Thank you very much for your consideration. We'll be back to the appropriate committee.

ASSEMBLYMAN DeCROCE: Thank you, both. We appreciate any material you could give Ms. Brown.

Thank you.

MS. DIBBLE: Thank you very much.

ASSEMBLYMAN DeCROCE: Two other people: Kathy Dixon and Michelle Ricketts. (no response)

I called Kathy Ricketts. (*sic*)

UNIDENTIFIED SPEAKER: Kathy Dixon and Michelle Ricketts.

ASSEMBLYMAN DeCROCE: Oh, I'm sorry, Michelle Ricketts and Kathy Dixon. (no response)

How about Theodore Seredocha? (affirmative response)

I called you before, missed you.

T H E O D O R E S E R E D O C H A: You did?

ASSEMBLYMAN DeCROCE: Yes.

Thank you for coming in.

MR. SEREDOCHA: That's okay.

My name is Theodore Seredocha. I live in Cream Ridge, New Jersey.

In listening to people here before me that presented--

ASSEMBLYMAN DeCROCE: Pull that mike closer, Mr. Seredocha.

MR. SEREDOCHA: In listening to the people who spoke here before me, I will only be duplicating what was said. So I will keep it really short.

There was an article in the *AP Press* -- *Asbury Park Press* -- about Governor Christie's cabinet full of lawyers and businesspeople. I find that to be a little interesting. I'm sure that he's free to--

ASSEMBLYWOMAN POU: I'm sorry, sir.

ASSEMBLYMAN DeCROCE: Mr. Seredocha, I think you have to talk into that mike, because it's hard for us to understand you, frankly.

Thank you.

MR. SEREDOCHA: How about that? Can you hear me now?

ASSEMBLYMAN DeCROCE: That's better.

MR. SEREDOCHA: There was an article in the *Asbury Park Press* site on the Web about Governor Christie's cabinet full of lawyers and business people, which I found interesting. Of course, he's free to pick the people to support him as he chooses. But it seems to be heavily weighted toward the business community. And I don't see the people of the State of New Jersey being represented. I would like to see if that could be addressed somehow.

One of the things that I found interesting is the opening paragraph. "As a candidate, Republican Chris Christie promised parents more school choice. The promise made was really from affordable housing mandates. He promised taxpayers to clean up corruption and reduce the size of their taxes." Just that paragraph is my entire statement to you.

So transparency was also mentioned when I first became aware of this commission. And it was one of the key words to me that I honed in on. So with that in mind, there is a site on the Web, nj.gov/transparency. And I went there, and it doesn't work. It's blocked.

ASSEMBLYMAN DeCROCE: I can't tell you about that. I don't know about that.

MR. SEREDOCHA: I know you can't tell me about it, but I would expect it to be fixed.

ASSEMBLYMAN DeCROCE: We'll look into it.

MR. SEREDOCHA: And I'm hearing here that the IT department is staffed with people out of the country and not with people who are qualified here in the State of New Jersey. I'm qualified in the State of New Jersey. I've been in the business for 38 years. I don't see an opportunity coming my way, or any other citizen in the State of New Jersey.

The other thing is about taxes. When I first moved into Cream Ridge, my taxes were relatively low. Then I received a notice that the State mandated a reappraisal of all the homes. Well, that was done at a time when the housing market was at its peak. And now, when it's at its bottom, I'm paying a higher tax rather than a lower tax. Perhaps the State could mandate, again, a reassessment of all properties of the State of New Jersey at the lower levels to help out the people of the State of New Jersey.

ASSEMBLYMAN DeCROCE: If you leave us your material, Mr. Seredocha, we'll take a look at it, and we'll make recommendations.

MR. SEREDOCHA: Thank you.

ASSEMBLYMAN DeCROCE: Thank you.

Ms. Brown will pick it up.

Ladies and gentlemen, we're going to take about a 15-minute recess. We expect to go back into session shortly. And there are a number of people yet to speak. So we'll be coming back in about 15 minutes. Right now it's 6:05.

(RECESS)

AFTER RECESS:

SPEAKER OLIVER: Ladies and gentlemen, we're going to convene. We'll begin with Valerie Bivins, from JJC. And Virgil Bivins.

V A L E R I E B I V I N S: Yes, I'm Valerie, and this is my husband Virgil.

SPEAKER OLIVER: Valerie Bivins and Virgil Bivins.

MS. BIVINS: Excuse the surprise on my face. I've never attended anything like this before.

SPEAKER OLIVER: That's wonderful. We're very happy that you are here.

MS. BIVINS: Right. And I more or less came-- I found out about this meeting yesterday in someone else's conversation. I was eavesdropping. I more or less came out to hear what was going to be going on and topics that were going to be discussed, just to get information for myself. And then I had a concern also, because I'm a State worker. And after reviewing online the things that the Governor had proposed, I'm somewhat concerned about that. I work for the Juvenile Justice

Commission as a teacher. And I know that teachers were on the roster as far as cutbacks were concerned with the Commission.

SPEAKER OLIVER: Excuse me, Valerie. Let me explain to you what this is designed to do.

MS. BIVINS: Okay.

SPEAKER OLIVER: This is basically not where we are reviewing bills or anything like that.

MS. BIVINS: Okay.

SPEAKER OLIVER: We have a tremendous transition going on in the State House. We have new leadership in the Senate, we have a new Governor, we have new leadership in the Assembly. And we wanted to start this session of the Legislature off, first of all, working in a bipartisan manner to address some of the monumental problems we're going to be confronted with this year. And we thought that it was incumbent upon us to create an opportunity for residents of New Jersey to come speak to their legislators in terms of ideas they have, problems they have identified, and potential solutions they could possibly share with us based on their perspective from where they live -- problem solving in our state. So this is basically the forum that's created here -- not so much to deal with any issue that the Legislature is going to deal with -- the budget. I heard you make reference to things you've seen on the Web, etc. That's not really what this forum is about. It's for people to identify issues to us, as legislators, that may make us more informed legislators as we begin to do the problem solving we're going to be confronted with in the next couple of months.

MS. BIVINS: Okay. And how often do you have these meetings?

SPEAKER OLIVER: Well, this is the first time we have done this. But we are seeking to do this several more times during the course of this legislative session.

MS. BIVINS: Okay. Because I can come back again, and I'll be more prepared, because I do have some issues from my community that I would like to share with you. But I don't have it all planned out.

SPEAKER OLIVER: We would welcome that. And stay in touch with our respective offices, and you'll be informed of when we plan to do this again.

MS. BIVINS: Thank you so very much.

SPEAKER OLIVER: Thank you for taking the time to be here.

We will now hear from Mary Grace Hix.

MARY GRACE HIX: Hi, thank you. Happy Groundhog's Day.
(laughter)

SPEAKER OLIVER: He saw his shadow.

MS. HIX: Oh, he did? I feel like I've been in here all day.

My issue is the same that four or five other people have addressed, and that's the issue of homeowners associations and boards. I live in a small one. Our dues are only \$100. There's a lot of apathy. But there are issues that I think affect the homeowners, and that is the issue of insurance for our common property. We have an area that's flooded each year for an ice skating rink. There's no fence on it -- around it. And I bring up every year, all the time, "Is our policy going to cover us if something happens to a child there?" And I don't get any answers.

To speak of, I have called the insurance company directly. I called the president. She did put something in my mailbox about the

policy. But I still -- by reading the policy, I do not understand if we're covered.

I did seek legal counsel, and he told me if something did happen and the homeowner association was sued, any amount over what our policy was would go to -- be billed to the homeowners. And so I did call my insurance man and talk to him, and he said yes, and that he had a policy. And it's very inexpensive. It was only like \$10 a month or something like that. I can't remember what it is. But that policy will only go into effect if it's over \$20,000. So say there was -- each homeowner was being sued, and they had to pay \$30,000 after the insurance, then my insurance would come in.

I tell other homeowners this, and they are just stunned because they're unaware of this. I think we need something that will educate homeowners to the fact that they need special insurance to cover any act of the board.

Other issues that I had with the association-- I was on the board. I volunteered. I had been in residential property management 12 years, so I've always been watching out to be sure that we were not liable. And I found out we had not been registered with the State. And I questioned if the homeowners insurance would even cover us as officers on the board.

There was another board member who also pushed on some of these issues. And we were both fired from the board illegally.

SPEAKER OLIVER: So if I could rephrase what your issue is -- and we've heard from other people regarding these issues -- you're raising

issues regarding laws and regulations governing the operation of homeowners associations and condominium associations.

MS. HIX: Right. And the homeowners need to be educated, the board members need to be educated. Because there's been, like, a turnover, constantly, of all but two of the members. And people on the board need to realize that they can call the attorney, if there is an attorney for the board, for their protection. I mean, there has to be some way that people can protect themselves -- their assets and their home. Because not all boards care about that.

SPEAKER OLIVER: Understood.

ASSEMBLYMAN DeCROCE: Let us assure you that this is an issue we've heard several times this evening. I'm sure we're going to be taking it up in the future on a bipartisan basis.

MS. HIX: I would be happy to help in any way I could. I just think--

ASSEMBLYMAN DeCROCE: Any material you leave with Ms. Brown, she'll be glad to take.

Thank you.

MS. HIX: Thank you, and good luck. I think this is a great--

SPEAKER OLIVER: Wait a second. Assemblywoman Handlin has a question for you.

ASSEMBLYWOMAN HANDLIN: Thank you, Speaker.

Ma'am, I just had a-- I wanted to just follow up on one of the comments you made. You had indicated that you had volunteered for a board and that you were fired. And I can't imagine how a volunteer could be fired.

MS. HIX: I know. I did volunteer. That's how I got on the board the first time, because there's a continuous recycling of new members. And then I was on the ballot and elected the next time they went in -- each January to elect new board members. So I was elected. And then they fired -- they called a meeting 30 minutes in advance. I figured that's what it was, because I raised a lot of issues. My house was toilet papered.

ASSEMBLYMAN DeCROCE: Wait a minute. Are you are you saying you were fired after you were elected or prior to you being elected?

MS. HIX: After I was elected.

ASSEMBLYMAN DeCROCE: After you were elected?

MS. HIX: Yes.

ASSEMBLYWOMAN HANDLIN: How can they do that?

MS. HIX: I know. And I've sent tons of paper to the DCA, and they can't handle that there -- as well as the other gentlemen that was fired. They did--

SPEAKER OLIVER: So what happened was the board may have voted on some new bylaws which allowed them to remove you from office.

MS. HIX: No, no, they never voted on any bylaws. But they have done some other voting that I have listed in here that has not been-- They went around to neighborhoods. And as long as they got enough votes, then that was okay. They didn't bother with the rest of the homeowners.

SPEAKER OLIVER: Okay. We're going to take a look at that. If you would, give that information to Ms. Brown.

MS. HIX: Thank you very much. Good luck. This is a great forum.

SPEAKER OLIVER: Thank you, Ms. Hix.

Bob Barush.

B O B B A R U S H: Bob Barush.

SPEAKER OLIVER: Barush, Bob Barush.

MR. BARUSH: B-A-R-U-S-H.

SPEAKER OLIVER: Good evening, Mr. Barush.

MR. BARUSH: Good evening.

First, I'd like to say thank you for giving us this opportunity, as someone who doesn't get a chance to do this very often. Thanks for giving us the ability to say what's on our minds.

I want to talk a little bit about gun legislation and how--

SPEAKER OLIVER: Before you get started, I don't know if you were here earlier. We're going to kind of measure your time, because we want to make sure everyone has an opportunity.

MR. BARUSH: I'll go as quickly as possible.

SPEAKER OLIVER: Okay.

MR. BARUSH: But just to give you a real quick background of myself: I grew up in Farmingdale, New York; went to West Point. I was on the Army rifle team at West Point. My sister was on the Army rifle team at West Point. I grew up in a shooting family. I've been shooting my whole life. My father has an NRA record for the past three decades, my sister has an NRA record for the past three decades, when she was 13 years old. So I come from this shooting family who loves shooting. Not that I know

everything -- I don't. For example, I've never been hunting. But I know a lot.

And when I moved to New Jersey seven years ago, I began to look at New Jersey's gun laws so that I wouldn't do anything wrong. And I was shocked by what I found, because I've lived -- being in the Army for five years, I've lived in a lot of different places.

And so when I heard this was coming up, I wanted to bring up something that I don't hear anybody talking about, which is *McDonald v. Chicago*. Is everybody familiar with that Supreme Court case that is going to be heard very soon?

SPEAKER OLIVER: I am not.

MR. BARUSH: *McDonald v. Chicago* is gun related. And just to-- The short of it is, the Supreme Court is about to decide whether the Second Amendment is going to be incorporated against the states through the 14th Amendment, either through privileges and immunities or due process. It's expected to happen. If you look at Eugene Volokh's Web site, he says it's going to happen.

So when that happens, a lot of New Jersey's gun legislation is going to be very problematic. And so what I'm asking is-- Oral arguments are on March 2, so the opinion is going to come out in probably June or July.

So what I'm asking is that if the Legislature can get ahead of this thing and fix some of the more problematic laws. There's already legislation proposed by Michael Doherty, Michael Patrick Carroll, Alison McHose, John DiMaio, and a few others that covers some of the more

egregious ones. And if that can be taken care of beforehand, you'll head off a whole bunch of lawsuits that are sure to come after.

So that's what I wanted to suggest. I'm happy to answer any questions if anyone has any.

SPEAKER OLIVER: Does anyone have any questions? (no response)

I think I received some correspondence. I don't know if it was from you or residents of your area. But I do remember, as you have now described, that I did receive correspondence related to this.

ASSEMBLYMAN CRYAN: Bill 1384 -- is that the bill?

MR. BARUSH: Yes, 1384. That's what would make New Jersey (indiscernible) issue.

ASSEMBLYMAN CRYAN: In the other room we heard about this.

SPEAKER OLIVER: Oh, you heard it in the other room.

MR. BARUSH: It would put us in line with 40 other states.

ASSEMBLYMAN CRYAN: So there are others who have echoed your sentiments.

MR. BARUSH: There's 1384, which would be (indiscernible) issue. There's A-754 which -- all that does is reclassify bb guns to not be firearms, which really puts some people in peril, because there are mandatory sentences for possession of a firearm.

ASSEMBLYMAN CRYAN: A gentleman named Chris in the other room was very articulate about this as well.

MR. BARUSH: Thank you very much.

SPEAKER OLIVER: Thank you, Mr. Barush.

ASSEMBLYMAN DeCROCE: Thank you.

SPEAKER OLIVER: Nancy Henry.

NANCY HENRY: Good evening.

SPEAKER OLIVER: Good evening, Ms. Henry.

MS. HENRY: Thank you very much for listening to me.

My name is Nancy Henry. I'm a former mayor. I served on the township council for eight years, deputy mayor also. I now live in Burlington County. I came from Somerset County. And I own Ms. Nancy's Bail Bonds Company.

I'm here tonight because I feel that the State of New Jersey is aiding and abetting drug dealers. My reason for that is very simple. Today I had the opportunity to buy four food stamp cards -- the debit cards. I didn't, because it's just not my nature, and it's something I'm against. My question is: Just like my picture is on my driver's license, why can't a picture of that individual with the food stamps be put on that card? I think we need to make it a misdemeanor if anyone goes out there and buys those food stamps. I have children in my office every day who come in who are not eating because their mothers are on drugs and have sold the card.

I think any mother who sells her food stamp card should be taken off, and someone else in the family responsible. But I think when she goes into a store to purchase, they have security. And security ought to know if someone is with her that has purchased that card. I'm not saying a felony; a misdemeanor.

Second -- and I'm talking fast -- abortions in the State of New Jersey have become birth control. I've been there twice now in a month to take girls in there having two and three abortions, and Welfare is paying for

them. That's ridiculous. I'd rather teach them about birth control than to have them use abortions as birth control.

Second: second chance program. Michael Vick got a second chance. Why is it that individuals who have a felony on their record and have kept themselves clean for three years can't have that felony exonerated and be able to get a job? I think that's something we have to look into.

I have good guys. I got them jobs at Sears. They worked for 61 days. Their records came back, and all of them had to leave. But Bob told me -- the personnel director -- they were the best workers he ever had. They showed up on time and accepted all the overtime.

Thirdly: county jails. I think it's time that we stop babying individuals who go to county jails. Why should people sit in a jail for 24 hours a day, or whatever, and get three meals a day, a snack at night, and not learn anything about hard work? Every municipality out here today is hurting. We need numbers put on our curbs to show where people live when an ambulance goes to their streets. We have all kinds of guardrails that need to be painted. I think it's time. If their parents don't want to take the responsibility, I want to take it. "Get off your rump, get ready, you're going out from 7:00 to 3:30, and you're going to work." I'm telling you, jails are not the answer here. They love coming back. I own a bail bonds company. I get the regular people back each and every month. I'm sick of it. I don't know what's happening in our state, but I take great pride in this state, and I don't want the women thinking abortion is the way to go; I don't want young men thinking, "I don't care about going to jail, it's a vacation for me." We have to do something. Food stamps, Welfare, and jobs.

SPEAKER OLIVER: I recorded it all, Ms. Henry.

MS. HENRY: Oh good.

I have to tell you something. I didn't write anything down, because I'm a senior and I have to keep this (indicating) alert. (laughter) So I had to do it from memory.

But thank you ever so much.

SPEAKER OLIVER: Thank you.

MS. HENRY: You're welcome.

SPEAKER OLIVER: I just have one comment. You know that the Legislature has focused a great deal of attention on this concept of reentry and second chance. So that is not something that the Legislature has not focused attention on. I just wanted to let you know that.

And then the issue of county jails-- I have visited programs that are in existence where people are being engaged in productive work.

MS. HENRY: County jails?

SPEAKER OLIVER: Yes, ma'am. So there are-- I note that you are from Burlington. Maybe they're not doing that currently in that county, but there are programs across the state.

MS. HENRY: May I just say this?

SPEAKER OLIVER: Yes, ma'am.

MS. HENRY: I deal with Somerset, Burlington, Gloucester, Atlantic City, Ocean County, and Burlington. No programs, all right? I talk to these guys every day. They come in begging me for work. I'm now putting them in jobs in Philadelphia.

SPEAKER OLIVER: I understand you.

MS. HENRY: We have a lot of work to do in the state.

SPEAKER OLIVER: We do.

MS. HENRY: And it needs to start as soon as possible. That's all I'm saying. We're wasting a lot of money.

SPEAKER OLIVER: Thank you. I appreciate you taking the time to come here this evening.

MS. HENRY: It's my pleasure. Thank you for listening.

SPEAKER OLIVER: Thank you, Ms. Henry.

Mary Alicia Devine.

MARY ALICIA DEVINE: Good evening.

SPEAKER OLIVER: Good evening.

MS. DEVINE: My name is Mary Alicia Devine. I live at 6 Forest Hedge Drive, in Titusville.

I just wanted to write some prepared remarks.

I want to bring your attention to a community effort that I've become involved in since early last year with respect to preserving Washington's Victory Trail and the rehabilitation of Jacob's Creek Bridge.

In fact, you may have come across a front-page story about Jacob's Creek Bridge that appeared in last week's *Star-Ledger*. This past Friday, Mercer County Executive Hughes posted a press release on the Mercer County Web site announcing the receipt of the Phase 1A archeological survey of the area surrounding the Jacob's Creek Bridge. The purpose of the survey was to determine the impact of the County's proposed realignment at Bear Tavern Road and construction of an unlimited weight highway bridge to replace the current historic truss bridge.

Prior to the start of this analysis, the County administration agreed that area residents would be allowed to comment on the report

before putting it on record. But the County administration went back on their word and posted the press release and report to their Web site without residents' knowledge. In addition, the County administration said at a freeholder meeting in December that the archeological firm awarded the contract would speak to residents who border the site to obtain the research and knowledge they have related to the history of the area around the bridge. These discussions never took place.

The release suggests that because the site was disturbed by a sewer easement back in the 1980s, that alone justifies the destruction of this nationally historic area. Yet, the County Executive overlooked several key points made in the 66-page report that the archeological firm wrote that support the importance of preserving this site. And here are just a few direct quotes I want to state.

"The proposed removal of the Bridge from its present site would constitute an adverse affect." "Evidence from the 1882 road return and a comparison of the modern topography and the topography shown on Erskine's 1779 map indicates that the crossing of the creek was in the same or very close to the same location as the current bridge." As noted in the historic overview, the Bear Tavern--

SPEAKER OLIVER: Excuse me, Ms. Devine.

MS. DEVINE: Yes.

SPEAKER OLIVER: I don't want you to use up all of your time reading the article.

MS. DEVINE: I got it.

SPEAKER OLIVER: I think the members have an understanding.

MS. DEVINE: You're familiar with it. Understood. I'll move on.

Regardless of exactly where Washington's Crossing actually took place, the County's plan would clearly have a significant, adverse affect on -- impact on, if not completely destroy this historic area. Moreover, the fact that the crossing was most likely west of the current bridge makes the County's plan with the proposed bypass even more damaging to the historic site.

The right solution would be for Mercer County to rehab the current Bridge in place, similar to what was done in Califon. Initially, this option was rejected by SHPO when the primary historical issue was the Bridge itself. But there is every reason to believe the SHPO and other historic groups, including Hopewell Township Historical Preservation Commission, would now embrace this alternative given the historical focus has broadened to include Washington's Victory Trail.

SPEAKER OLIVER: Excuse me, Ms. Devine. May I interject here and ask if you or other interested residents have gone to the Mercer County Board of Freeholders to address this issue?

MS. DEVINE: Yes, we actually-- At that meeting was when it was agreed upon that the County administration would allow us to have input in review and so forth. Yes, we've brought it to the Freeholders' attention.

SPEAKER OLIVER: Because this is typically not an issue that you would necessarily bring to us.

MS. DEVINE: Well, I'm going to actually close with what I think will be something that's more pertinent.

In addition to-- Let me just--

In closing, a rehabbed bridge would permit the safe crossing of vehicles up to four tons, which will soon be the posted weight limit for Bear Tavern Road. Moreover, a rehabbed bridge will save taxpayers over \$5 million that our government can't afford, and would be the most expedient way to reopen this road and eliminate a very dangerous detour. The new bridge is neither needed nor wanted. And so I implore you to become more involved in this issue.

We've done quite a bit on www.savethevictorytrail.com. And it's been an education, but there have been very involved parties. The Freeholders, certainly, and the Township-- But there's just a done-deal overtone that I think-- It's just nails to a chalkboard to me. It's sort of like we keep having circular conversations, and you're sort of like looking for somebody to kind of -- who is a bit higher up. If you think of this as sort of a purchase funnel, you're kind of like looking -- and we're sort of at the bottleneck. And so we implore you, the State -- that's sort of above, overseeing the County -- to take more of an interest than assuming that things are just--

SPEAKER OLIVER: What I would recommend to you as a first step is if you outreached to the two Assembly members and the State Senator who represent this district.

MS. DEVINE: We've been keeping them informed.

SPEAKER OLIVER: Because I would recommend that you seek facilitation of some local decision making.

MS. DEVINE: Oh, I know. But when the County administrator is making promises and not following up on them, you sort of

kind of raise your hands and say, "All right, let me go above that." But we'll continue.

SPEAKER OLIVER: That's why I'm advising you to let your legislators maybe intervene and facilitate a discussion, so that you can basically bring some closure so you will know if this is a "done" deal.

MS. DEVINE: Well, maybe they have open mike night too. It's hard to get on the roster.

Thank you for your time.

SPEAKER OLIVER: Thank you, Ms. Devine.

Voltaire Pinili.

V O L T A I R E P I N I L I: Hi.

SPEAKER OLIVER: Good evening.

MR. PINILI: Good evening.

I just saw this in the newspaper yesterday. And I have an idea that maybe could help create jobs. I work at an auto glass company, and every day I see broken windshields in the trash. At other auto glass places, there are always broken windshields.

So I was thinking that maybe we could make a factory over here that would recycle these windshields. While it's being built, we could be collecting these broken windshields. And when that factory has been created, we can use them. It would create a lot of jobs. I don't know. But you guys could work out the particulars. It's just an idea to recycle, and to make jobs, and to make money, and eventually -- however much the factory costs -- I guess it will even out however much it costs and whatever it's doing.

That's my--

SPEAKER OLIVER: So what you are identifying is, as a result of you being in this business, you see a lot of windshields that aren't totally destroyed but have a sustainable use. That's what you're saying. They have a potential use if they can be remanufactured. You're raising the issue that we are wasting, for lack of a better term, windshields.

MR. PINILI: Yes.

SPEAKER OLIVER: And that if we could salvage these windshields, remanufacture them, they could be sold and used again. Is that the issue you're raising?

MR. PINILI: Yes, more jobs for people, because there are a lot of people who don't have jobs. And I heard somewhere in Texas that some guy made a factory where he does that same exact thing. So if there was a factory like that here, we could get windshields from New Jersey, Philadelphia, New York. From my shop alone, we have at least 6,000 windshield replacements, so that's about 6,000 broken windshields. And from the whole State of New Jersey, we get about 50,000 windshields. So we can recycle all this, and remake all of them. We could have deals with these auto glass companies, and everyone would be happy.

I know it's going to cost a lot of money, and I don't know anyone with that much money to make this factory. But I just wanted to let you guys know.

SPEAKER OLIVER: Thank you.

ASSEMBLYMAN CRYAN: What town?

ASSEMBLYMAN MALONE: Do you know the name of the company that basically recycles the glass and makes new windshields out of them?

MR. PINILI: I did not have enough time to research it because I just found out about this yesterday.

SPEAKER OLIVER: Assemblyman Cryan has a question.

ASSEMBLYMAN CRYAN: What town is your business in?

MR. PINILI: It's in Flemington.

ASSEMBLYMAN CRYAN: Flemington, okay. That's nice.

SPEAKER OLIVER: That's certainly the kind of thing we want to learn about. We're very interested in supporting the creation of small and medium-sized businesses.

MR. PINILI: Actually, the company I work for is all over the United States. And then there's a lot of other smaller companies. So it could help everyone.

SPEAKER OLIVER: Sounds to me like you could be a budding entrepreneur.

MR. PINILI: I hope you guys decide to do something. I don't really know what to do. It's just an idea.

SPEAKER OLIVER: Thank you very much, Mr. Pinilli.

Dan Fabrizio.

DAN FABRIZIO: Good evening. Thank you for having me.

SPEAKER OLIVER: Thank you.

MR. FABRIZIO: I've come here to just name a couple of suggestions.

I think the Legislature should go back to the 100 or so original pieces of legislation from the special summer session of four years ago and enact those bills in their original versions. Don't change them to create loopholes like some did. You have to make some tough decisions and some

tough choices. And I think that should be a good starting point instead of reinventing the wheel.

You can review the *Asbury Park Press's* "Fighting New Jersey's Tax Crush" report on their Web site. There is a 21-point plan to ease the tax burden of New Jersey residents. I have a copy for the record. We are really serious about making -- accepting reform.

The Joint Legislative Committee made 21 recommendations on pension reform in December of 2006, and only a handful of the recommendations were adopted in full. And I think you should revisit the remaining recommendations.

And my last item is: lead by example. Creating legislation to ban double dipping for the new hires and grandfathering those currently with multiple jobs is really poor. It creates two levels: us and them. So lead by example. Eliminate yourselves from double dipping -- everyone who is working in a public job, from the State Legislature, county, municipal.

And those are my suggestions.

SPEAKER OLIVER: Thank you very much.

ASSEMBLYMAN DeCROCE: Thank you very much.

MR. FABRIZIO: You're welcome.

SPEAKER OLIVER: Al J. Stankevich.

A L J. S T A N K E V I C H: Good evening, ladies and gentlemen.

Thank you very much for this forum.

It was kind of timely for me. I have an issue, and I wasn't quite sure how to address it.

My name is Al Stankevich. I'm a resident and voter in Hunterdon County.

New Jersey's medical community is soon facing a crisis: brains. We have too much of them and no place to put them. It would appear their previous occupancy has been eliminated and may need to seek occupancy elsewhere. Such is the state of affairs of clinical research in New Jersey.

Previously, many have had occupation in New Jersey's small biomedical research firms. As is painfully obvious to those who follow New Jersey's news in the past few years, these firms are being gobbled up by large pharma for its intellectual properties and pipelines. Large pharma, in turn, is in a state of constant mergence. The process then becomes one of slash and burn tactics as research and development, sales, creative geniuses, and other intelligent, well-paid college workforce of New Jersey is cut. These people are the brains of New Jersey's medical research economy.

As it stands, where our brains previously had several offers a month when job seeking, there are now probably about 100 applicants per job. They're being offered 20 percent to 30 percent less than they had in the past. And to many people, that decrease means foreclosure on their homes.

Small pharma benefits New Jersey directly with jobs and income. Large pharma's actions, which are often incorporated outside New Jersey, have increased profits they see, but that's distributed throughout the country and worldwide. These job cuts are not a matter of maintaining solvency for these companies but for maximizing revenue. So that costs New Jersey and benefits everybody but New Jersey. The last thing we need is this in our present state of economic affairs.

So what are these leftover brains to do? Like salt following water, brains will follow the jobs, perhaps to Tennessee, or Arizona, California. And like water following salt, so will their per capita income, and the taxes they pay, and the portion of our state's aching budget that they represent.

SPEAKER OLIVER: Excuse me, Mr. Stankevich. We've attempted to limit people's testimony to give everyone a chance to participate. So I am going to try to facilitate recording what you're putting on the record. And what you're basically saying to the Legislature and to your State government is that we need to focus on future, cutting-edge employment. You're talking about the biomedical field. And you're saying that because we haven't created an environment to support biomedical research and development, we are, in essence, driving those who have interest in that industry out of the state, thus losing another opportunity to generate good employment, good jobs, and sustainability. Is that what you're--

MR. STANKEVICH: You're a very astute moderator. That's, in essence, exactly what I'm trying to say. New Jersey needs to keep small pharma alive and well.

SPEAKER OLIVER: Thank you, Mr. Stankevich.

That sums up--

And we would like to have a copy of your presentation if you'd give it to Ms. Brown.

Thank you very much.

And I hope your brain does not leave New Jersey, Mr. Stankevich. We need you.

MR. STANKEVICH: I too. I kind of like it here.

SPEAKER OLIVER: We need you here in New Jersey.

We have no other forms where people signed up.

If we have others who are here who wish to speak, just let the staff know, and we'll accommodate you.

That's Marie Tasy.

M A R I E T A S Y: My name is Marie Tasy. I'm the Executive Director for New Jersey Right to Life. And I did sign up ahead of time, and I think I was on the list. So I don't know what happened.

I have concerns today, and suggestions from a fiscal and health perspective.

I'm the Executive Director for New Jersey Right to Life. My concern is that New Jersey is failing our teenagers, because the most recent statistics from the Alan Guttmacher Institute, which were released last week, show that New Jersey has the second highest rate of teen abortions in the nation.

We should not be rewarding failure. Last year, family planning groups received \$7.6 million in the State budget. These groups refer and promote abortion. They are part of the problem, not the solution. For the last 10 years, the Legislature has refused to schedule legislation that would allow parents to decide -- to be informed before a minor child has an abortion.

We ask that you schedule this legislation so that the people of New Jersey can decide, and also that you please consider making sure that the groups that perform and promote abortions no longer receive funding in the State budget.

Thank you very much.

SPEAKER OLIVER: Thank you, Ms. Tasy.

Ray Farruggia.

RAY FARRUGGIA: Thank you, everybody, for having this forum. It's really interesting being here, listening to the concerns of my fellow citizens here. I thank you and staff for being here this late.

The economic times we live in-- The government, I know, has been asked to reduce their spending. And I know many agencies and departments of the State have been asked to do more with less. Townships have been asked to merge services -- and even the townships themselves -- in an effort to save money.

One place where I haven't heard of efforts to cut expenditures of the State has been with this body. What I propose -- don't know how feasible it is -- is that New Jersey attempt to emulate the reforms that Governor (*sic*) Norris did in Nebraska in 1934; in essence, eliminate the Senate and become a unicameral body.

ASSEMBLYMAN CRYAN: I'm for that. (laughter)

SPEAKER OLIVER: That works for us. (laughter)

MR. FARRUGGIA: The Legislature -- or the Federal government -- the Senate is elected by the state; the Assembly -- or the House -- through population.

The legislative districts here in New Jersey -- for the Assembly -- are coterminous. By eliminating the Senate, it would not reduce representation proportionately to anybody in the state. It would quite possibly reduce the costs of operating the Legislature greatly. It would

facilitate a more expedient legislature where we don't have redundant committees looking at the same thing twice from the get go.

We live in a time where expediency in legislative matters would be really quite beneficial. The pressing needs that we have of this body would be better addressed in a more concise, more expedient measure. Now, I know that if such a thing was to happen, a lot of the senators who wouldn't exist anymore would vie for the seats that you guys are now occupying. I know that wouldn't be popular for anybody, but it would be a great way to reduce the burden that we as taxpayers are asked to support for -- asked to spend to support this body.

Again, I think that the Senate and the Assembly, as it is constituted here in New Jersey, are redundant bodies, and that could be better addressed in a unicameral situation.

SPEAKER OLIVER: That's a very intriguing idea. (laughter)

MR. FARRUGGIA: Now, it's not unique. This has been done before in, of course, Nebraska. They moved from a bicameral to a unicameral system under Governor Norris. Many countries, and even (indiscernible) -- New South Wales and Australia; and, of course, we all know the unicameral systems elsewhere. It's an effective way to legislate and doesn't diminish the power of the legislative branch at all.

SPEAKER OLIVER: Thank you.

You know, you are the first person I have ever-- I mean, most of us have, as legislators, engaged in discussion and visited other states. And we often compare our structure and how we work to other states. I know I am intrigued by legislatures that meet once a year or 20 days out of the year.

MR. FARRUGGIA: Well, that would not be feasible in this state. And a unicameral legislature wouldn't be appropriate in many, many states. But New Jersey, like Nebraska, has a more or less homogeneous society. We are a suburban society; they are a rural society. We don't have-- Well, of course, we have our population centers. We have more urban districts, we have more rural districts. But essentially they're urban-suburban -- rural-suburban. And it could possibly work here.

Now, I don't know if that's something that would start from a constitutional convention or is something that could be brought up in this body that could potentially get quashed in the Senate. (laughter)

ASSEMBLYMAN DeCROCE: It can work if the Legislature wants it to work. Frankly, that could happen. I'm not sure, despite the fact you see a lot of support around this table-- (laughter) I'm not so sure how the House of Lords would feel in New Jersey. (laughter)

UNIDENTIFIED MEMBER OF COMMITTEE: We can start moving that furniture right now.

SPEAKER OLIVER: Thank you.

MR. FARRUGGIA: Thank you very much for your attention.

SPEAKER OLIVER: Thank you so much.

If there is nothing--

Yes, Assemblyman Bramnick.

ASSEMBLYMAN BRAMNICK: I want to thank the Speaker and Leader DeCroce for giving an opportunity for the people of the State of New Jersey to voice their concerns and suggestions. I think the civility shown by those who have testified -- at least in our room with Assemblyman Cryan, and myself, and Assemblymen Rumana and Green --

that people were very articulate, very well-prepared. And I thought it showcased our citizens in New Jersey as, really, people who had civility, concern, and intelligence. And I was proud to be part of that panel.

I want to thank the Speaker and Leader DeCroce, again, for their willingness to hear from the public.

ASSEMBLYMAN DeCROCE: Thank you.

SPEAKER OLIVER: And I would like to take the opportunity to thank the legislator who had this as a brain child. And that would be Assemblyman Joe Cryan who, as we began to prepare for a transition in government with two houses of the Legislature controlled by one particular party and the Governor's Office occupied by an executive from another party-- And we made a commitment during that transition period that we all had the opportunity to do government differently. And Assemblyman Cryan felt if we're going to do government differently, then let us begin by reaching out to constituents and residents in New Jersey.

So I'd like to thank Assemblyman Cryan. Not all of his ideas are necessarily good. (laughter) But this was a good idea.

ASSEMBLYMAN CRYAN: A rare jewel. (laughter)

SPEAKER OLIVER: This was a good idea.

ASSEMBLYMAN CRYAN: It's because I stole it from Bramnick. That's why. (laughter)

SPEAKER OLIVER: And I certainly want to take this opportunity to thank all of our legislators who are here: Assemblyman Quigley, Assemblyman Malone, Assemblyman Greenwald, Assemblyman Bramnick, Assemblyman Rumana, Assemblywoman Nellie Pou, Minority Leader DeCroce, and Assemblywoman Handlin, Assemblyman Cryan, and

Speaker Pro Tempore Assemblyman Jerry Green, and Assemblyman Dave Rible. They responded immediately when we brought this idea to Minority Leader DeCroce. I think it's been a phenomenal experience for all of us. And it will not be the last.

I would like to thank all of you for taking the time to be here.

ASSEMBLYMAN DeCROCE: Thank you.

(HEARING CONCLUDED)