

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 13-106**

**A RESOLUTION OPPOSING S-2/A-1171, A SHARED SERVICES BILL THAT THREATENS
TO PENALIZE TAXPAYERS AND WEAKEN MANAGEMENT REFORMS**

Mr. Zipprich offered the following resolution and moved its adoption:

WHEREAS, S-2/A-1171 are meant to promote the more effective operation of local government and sharing of services among local units and

WHEREAS, initially S-2 removed or reduced many of the roadblocks that increase the costs of shared services – things like terminal leave, pay, civil service mandates, employee tenure requirements – many of the original provisions in the bill could reduce the costs and hurdles to shared services and consolidations, produce municipal savings and promote relief for our taxpayers; and

WHEREAS, the recent amendments to S-2 removed many of the labor provisions that would have given municipalities tools to implement a shared service without the time consuming hurdles that diminished the savings and will now discourage shared services from a municipalities' perspective by continuing the hindrances imposed by Civil Service; and

WHEREAS, the amendments removed not only the preamble language that the bill would "supersedes existing Civil Service and tenure provisions" but also removed the suspension of Civil Service rules regarding layoff, transfer, seniority, testing, bumping rights and tenure; and

WHEREAS, the amendments would now require that any non civil service municipality who has a shared service agreement with civil service municipality serving as the Lead Agency be brought into the civil service system, thus expanding the civil service system; and

WHEREAS, the amendments would require that municipalities entering into the shared service agreement be subject to civil service rules and collective bargaining agreements for determining which employee stays, protects the seniority provisions removing management prerogative on retaining the best qualified and most efficient work force; and

WHEREAS, the amendments would require that any contractual provision dispute be settled by mediation, or if necessary, arbitration which will impede the process from moving expeditiously and will not result in cost savings, which will likely result in mediation and arbitration becoming the norm thus leading to delays and additional cost; and

WHEREAS, S-2 would, on the one hand, allow the voters to express their will; but on the other hand, inform those voters that they will lose their State Aid if their will does not comport with that of a majority of the appointed members of the Local Unit, Realignment and Consolidation Commissioner, (LUARCC); and

WHEREAS, while we appreciate the consideration and acceptance of the amendments that would clarify the process, on balance, the benefits of those amendments are outweighed by the loss of the suspension of the Civil Service rules and regulations; and

WHEREAS, S-2/A-1171 is based on the misconception that municipalities do not share services when in fact shared Services are not a new concept to municipalities, dating back well before the Interlocal Services Act of 1973; and

WHEREAS, S-2/A-1171 is also based on the misconception that smaller governments are less efficient and effective than larger ones, an assumption that is not necessarily the case

and contrary to lessons learned from recent events in which the municipal elected officials and professionals were very effective in pooling their resources and responding quickly; and

WHEREAS, there is no overnight cure to our property tax crisis and Shared services, consolidation or other cost saving measures are long-term actions where benefits/savings may not be seen for a number of years down the road;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Red Bank, Monmouth County, strongly opposes S-2/A-1171 not only on the issue of the voter penalty but on the lose of the Civil Service reform; and

BE IT FURTHER RESOLVED that S-2/A-1171 be reviewed by the Red Tape Review Commission, which has tirelessly worked to remove government hurdles, and the Civil Service Commission before the bill proceeds to ensure that the proposed amendments do not create additional Civil Service burdens and hurdles that further impede shared services and drive up cost; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

Seconded by Ms. Horgan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. Murphy	(x)	()	()	()

Dated: April 24, 2013