

As I See It

Top Ten Reasons Why Everyone Should Stop Trying to Merge Towns



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Our two municipalities, the Borough of Fanwood and the Township of Scotch Plains, have engaged Dan Mason and Jersey Professional Management (JPM) as our Shared Services Consultant and Facilitator since 2000. During these 10 years we have created many successful Shared Services, some involving our combined Scotch Plains—Fanwood Board of Education.

Recently, JPM submitted a 350 page report after a six month full Shared Services Feasibility Study. This comprehensive study looked at 11 areas of Shared Services and made recommendations for more significant shared opportunities than ever, between our towns. Of interest were recommendations by JPM that we share a police department and also create a shared public works department. In a climate marked by severe economic and financial challenges the time is now to seek innovative and creative ways to provide municipal services.

The following essay was included as an attachment to the executive summary of this Feasibility Study report. We both believe this opinion piece has significant value and should be "shared" with all mayors and elected officials throughout New Jersey as well as all municipal officials working with shared services. It explains why everyone should stop trying to merge towns.

1. Experience dictates that it does not work. The citizens and taxpayers are highly unlikely to approve it. In fact, no municipal merger has been approved in over 50 years.
2. The only reason, I repeat, the only reason why anyone discusses merging of towns is to save money. Therefore, if it can be demonstrated that you can save as much, or almost as much money through significant shared services, there would be no need to consider merging towns.
3. Almost everyone loves their hometown and wants to retain their own hometown and the small town environment that goes with it. Especially in New Jersey, small towns are a significant part of everyone's identity and no one wants to give up that identity or dismantle their hometown.
4. The real significant savings come from new, key, higher levels of shared services, such as shared police services or public works services. These shared services and the

related savings can occur without merging towns, and in fact, are more likely to occur if the possibility of merging towns is eliminated and taken off of the table. Just by talking about the possibility of merging towns creates major tension and detracts from the likelihood of approving new Shared Services.

5. The obstacle to merging towns relates to the inability to adequately address all of the complaints and concerns about the "what ifs" that are largely unanswerable during any study.

And, even more important to consider is the inability to "undo" the decision to merge towns, especially if any of those negative "what ifs" come true.

6. These "what ifs" are expressed by sincere local opponents of merging towns and are usually expressed in the form of concerns related to one of the two following issues:

A. A concern of the larger town believing that they will be paying for or taking on problems of the smaller town.

"As a citizen and taxpayer of one of the towns, I fear that my town and our taxpayers are just taking on the problems and related costs for the citizens and taxpayers of the other town." (Usually the smaller town)

Example: The parks in the small town are not well maintained, and accordingly, the larger town's parks department will be compelled to bring them up to standards and then properly maintain them in the future. This can lead to a concern over the costs involved and the possibility that the care and maintenance of the larger town's parks will suffer.

B. As a citizen and taxpayer of one of the towns (usually the smaller town) I fear not receiving the same high level of service as I am used to because the resources available will first be used to serve the citizens and taxpayers of the other town (usually the larger town).

Example 1: During winter snow storms, will the streets be plowed as well in the larger town, as in the smaller town?

Example 2: Will police officers that formerly patrolled my neighborhood now be diverted to patrol the other town?

7. Numerous other concerns are raised, such as how to handle past debt service obligations, how to combine voluntary services and boards, how to use existing facilities, all leading to:

The impossibility of properly or thoroughly answering these concerns and "what ifs" prior to the decision to merge, with any certainty or accuracy because it is like predicting the future.

On that basis, citizens and taxpayers have been unwilling to approve a merger that leaves them without any remedy if their concerns are realized. Specifically, by merging the towns, the two different governing bodies that have been representing their respective constituencies for their towns will be eliminated, and the citizens and taxpayers of those two different, former towns will no longer have an advocate who has the ability, responsibility, authority and power to vote to end the relationship that may turn out not to be in the best interest of its citizens and taxpayers.

8. Shared Services do not have the flaw of being irrevocable.

No one likes to make any decision that cannot easily be undone unilaterally. Certainly, with any big decision we make, we are frequently willing to make it in the first place because we know if something goes wrong, we can reverse that decision.

Examples:

A. When you decide to purchase a house, you have the attorney review time to change your mind, and even after a purchase, you have the ability to subsequently sell the house.

B. When buying a car, the law provides for a 72-hour return policy.

C. One of the biggest decisions anyone makes is to get married, and even with that big decision, you retain the unilateral right and ability get out of that marriage by obtaining a divorce.

If two towns merge into one town, neither one of the former towns or their citizens or taxpayers, have the right or ability to undo that merger. And, more importantly, their designated agent and advocate, their elected Mayor and Council Members (known collectively as their governing

body) no longer exist and, therefore, cannot represent their interests.

9. Even if the most significant shared service is created, such as a shared police department or shared public works department, with the properly worded contract that includes a sunset clause and opt-out clause, the governing bodies of either of the participating towns can unilaterally vote to undo the shared service if it is no longer in the best interest of their respective constituencies. With a town

merger, there is no guarantee of success and there is no recourse if it fails.

10. With significant shared services there may also be no guarantee of success, but at least exposure of the parties is limited, and there is an ability to assess the merits of the shared service once implemented. Furthermore, one is able to undo that initiative if it does not meet the expectations of both parties, or is not as mutually beneficial as originally envisioned. ▲

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- Dan Mason
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