

Courage to  
ConnectNJ™

# GUIDEBOOK

the tools for  
**municipal consolidation**  
in new jersey



**Andrew Bruck ■ Gina Genovese ■ Jonathan Jaffe**

Courage to Connect NJ ■ A Non-Profit 501(c)(3) Organization

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COURAGE TO CONNECT NJ GUIDEBOOK

The Tools For Municipal Consolidation in New Jersey

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## How to Use This GUIDEBOOK

**This guidebook** provides an overview of the consolidation process. It translates a complicated piece of state legislation into six easy “steps.” Read the guidebook and you’ll understand the basics of consolidation in New Jersey.

If you want to do more, Courage to Connect NJ can help you start a local “citizens group” to advocate for municipal reform in your own town. At that point, we will provide you with two additional documents, which are only available to CTC-NJ members:

■ **THE GUIDEBOOK TEMPLATES**, which gives you the nuts and bolts for organizing a consolidation campaign. It has everything you need, including sample press releases, talking points, draft op-eds, and much more.

■ **MEDIA TRAINING GUIDE**, which offers strategies and suggestions for creating a clear and consistent message about your consolidation efforts.

All materials produced by CTC-NJ are available in hard copy and electronic formats.

## NOTES

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## Letter from Executive Director GINA GENOVESE

Dear Fellow New Jerseyan,

I love New Jersey. Yes, we have our problems. But our state is great because of our strong sense of community in our rural areas, our cities, at the shore, and in the suburbs.

I wanted to bring new ideas to my community so I ran for public office and in 2006 became Mayor of Long Hill Township. While in office I started to ask some questions: How could we provide services more efficiently? Can we really cut property taxes? How can small towns survive with rising costs and less aid from Trenton? Is there a better way to structure New Jersey?

Our current economic circumstances and our rising property taxes are forcing all of us to rethink how we deliver our local services. The 566 redundant local governments have become too costly to maintain. This structure, created long ago, has not adapted to the changing economy and rising costs of delivering services. Since our local governments provide eighty percent of the same services we must eliminate these redundancies for our communities to survive. The status quo is not working.

I founded Courage to Connect NJ to create a public dialogue about the future of our state and figure out ways to consolidate government structures. CTC-NJ is a non-partisan, non-profit 501(c)(3) organization that educates residents statewide about how each of us must participate in eliminating local redundancy and making our towns stronger and sustainable for our children. We provide venues for public engagement and present a model for connecting communities’ administrative structures. We help residents recognize that their local government is not the sole creator of their sense of community, so we can begin to connect communities through petitions and referendums.

This guidebook takes both residents and local officials step-by-step through procedures to move their communities toward consolidation. Together we can create a sustainable local government structure in New Jersey. Connected communities with one government will be more efficient, more affordable and more professional.

Be a part of the change. Be a part of the solution.

Now is the time. We can’t afford to wait.



Gina Genovese  
EXECUTIVE DIRECTOR, COURAGE TO CONNECT NJ



Gina stands beside a 11.5 foot stack of placards representing each one of the 566 municipalities in the state.

## About The AUTHORS



**Andrew Bruck** is a member of the board of directors of CTC-NJ. He is a former law clerk to Chief Justice Stuart Rabner of the New Jersey Supreme Court and the co-author of “Overruled by Home Rule,” a historical and legal overview of municipal consolidation in New Jersey. He graduated from Princeton University and Stanford Law School, where he was editor-in-chief of the *Stanford Law & Policy Review*. Andrew’s writing has appeared in the *Harvard Law & Policy Review*, *Stanford Law Review*, and the *California Daily Journal*.



**Gina Genovese** is the founder and executive director of CTC-NJ. She served as mayor of Long Hill Township (population 9,000), during which time she realized the burden carried by 3,100 households was too great to support an entire administrative structure. Gina now tours the state educating residents about New Jersey’s fractured system of municipal government and assuaging concerns that consolidation will destroy local identity. As part of her work with CTC-NJ, Mayor Genovese has appeared in the *New York Times*, *Star-Ledger*, *New Jersey Monthly*, and *Philadelphia Inquirer* and on CNBC, FOX, WNYC, NPR, and NJ101.5.



**Jonathan Jaffe** serves as a media advisor to CTC-NJ. He spent nearly a decade as a reporter for the *Star-Ledger*, where he covered municipal and state affairs and was twice awarded by the Society of Professional Journalists. He is now a principal at Jaffe Communications, Inc., where he advises clients on public relations, government affairs, and social media, and serves as an adjunct faculty member in journalism at Rutgers University.

## About CTC-NJ

**Courage To Connect NJ** seeks to educate the public about the redundancies and inefficiencies created by New Jersey’s 566 municipalities. The independent, non-partisan organization works with taxpayers and lawmakers to reform the state’s fractured system of local government, with a specific focus on municipal consolidation. CTC-NJ advocates connecting five to ten municipalities under a single administrative structure, creating more efficient, streamlined towns of 30,000 to 100,000 residents while preserving the individuality and character of existing communities. CTC-NJ was founded in 2009 and is a registered 501(c)(3) organization. All donations to the organization are tax-exempt.

## Overview of CURRENT CONSOLIDATION LAWS

**Although** New Jersey law allows at least four different ways to consolidate municipalities, this guidebook focuses on what’s called “Local Option Municipal Consolidation,” a new form created by the state legislature in 2007. Before diving into the specifics of that law, it’s useful to understand the consolidation process generally.

In New Jersey, a municipal consolidation typically involves two stages: first, a committee studies a merger proposal and issues a recommendation; then, the towns vote on whether to merge. The four types of consolidation are all variations on this basic theme, with slight differences regarding the type of “study” required, the means of creating the study commission, and the method for obtaining local approval:

**Local Option Municipal Consolidation. (N.J.S.A. 40A:65-25 et seq.)** This is the focus of our guidebook. Under Local Option Municipal Consolidation, the study is conducted by a “Municipal Consolidation Study Commission,” which can be created either by voter petitions or municipal resolutions. If the commission recommends consolidation, then the participating towns can approve the merger by voter referenda and/or municipal resolutions. The process will be explained in the Six Steps to Consolidation on the following pages.

**1977 Municipal Consolidation. (N.J.S.A. 40:43-63.35 et seq.)** Although this form of consolidation is still on the books, it is widely considered cumbersome and time-consuming, and Local Option Municipal Consolidation (described above) was created to simplify the process. The basic structure is the same as Local Option, but with substantially less flexibility in creating a Study Commission.

**Sparsely Populated Municipal Consolidation. (N.J.S.A. 40:43-66.78 et seq.)** This form only applies to consolidations where one of the municipalities contains fewer than 500 residents. The requirement for an expert study is waived. The larger town can absorb the smaller one through voter referenda or municipal resolutions.

**“LUARCC” Consolidation. (N.J.S.A. 52:27D-501 et seq.)** Created in 2007, this form of consolidation involves a state entity called the Local Unit Alignment, Reorganization, and Consolidation Commission (“LUARCC”). Rather than having local towns initiate their own study commissions, the LUARCC studies consolidation on a statewide level and identifies municipalities that would make logical merger candidates. LUARCC then submits the list of identified towns to the state legislature. Upon approval, the municipalities are required to hold consolidation referenda.

# 6 Steps to CONSOLIDATION

**Convincing towns** to merge is easier than most people believe. As described on the previous page, every consolidation involves two general stages: a study committee examines the feasibility of a merger and, if it recommends consolidation, the towns vote on whether to merge. This guidebook focuses on Local Option Municipal Consolidation and the creation of a “Municipal Consolidation Study Commission.” The procedure is best understood as a six-step process:

## STEP 1 Organize.

Organize supporters in your own town, then work with CTC-NJ to identify consolidation supporters in neighboring towns.

## STEP 2 Prepare Application to Create Study Commission.

Work with CTC-NJ and the New Jersey Department of Community Affairs (“DCA”) to prepare an application to create a Municipal Consolidation Study Commission. The application must be approved by the participating towns (Step 3) and by the state (Step 4).

## STEP 3 Obtain Local Approval for Study Commission.

Obtain approval from each of the participating towns, then hold public hearings. There are two ways to do this: (1) by voter petitions (signed by ten percent of the voters in each town), or (2) by municipal resolutions.

## STEP 4 Obtain State Approval for Study Commission.

Obtain approval from the Local Finance Board, which is an independent state agency located in the DCA.

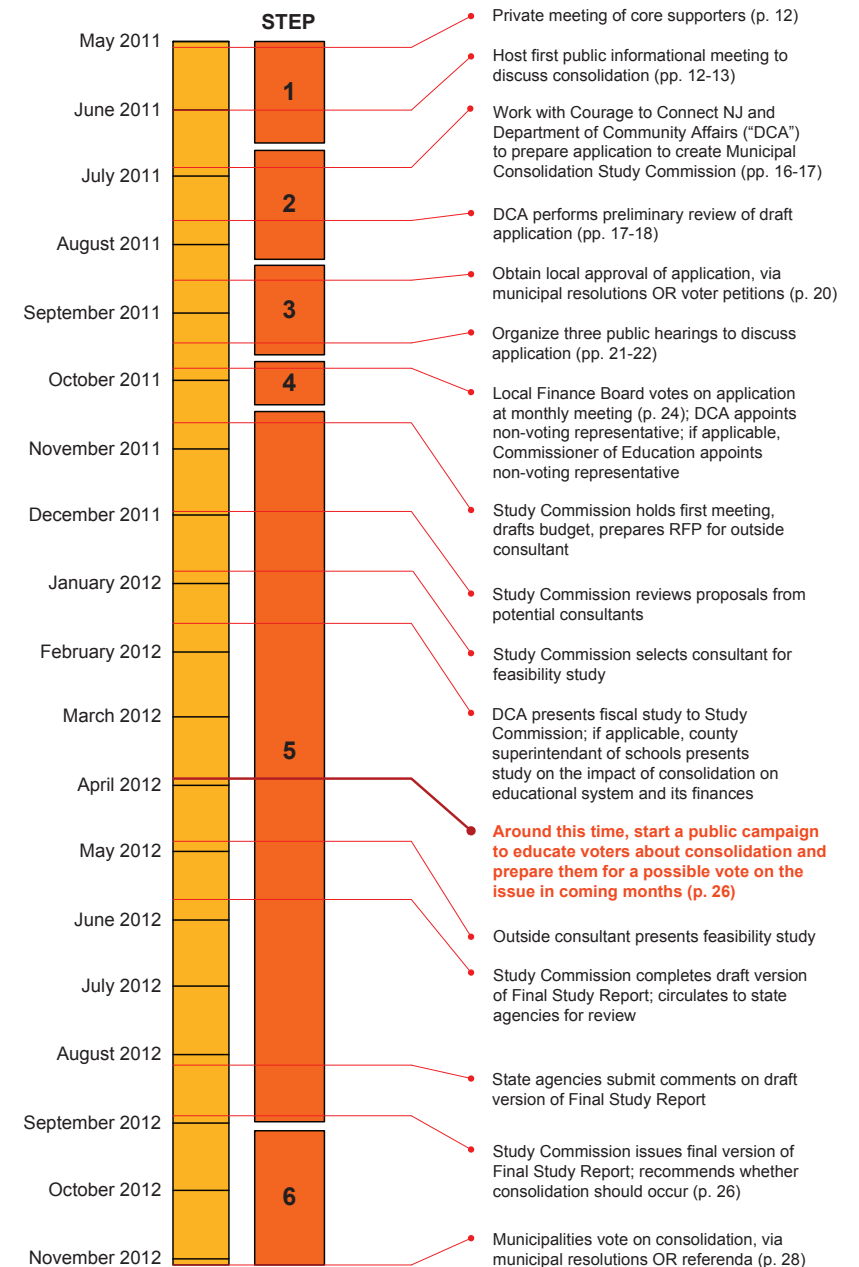
## STEP 5 Study Commission Recommends Consolidation.

Once the state has signed off on the application, the Municipal Consolidation Study Commission is formed. The Study Commission considers whether the participating towns should merge and then issues a final report and recommendation.

## STEP 6 Obtain Local Approval for Consolidation.

If the Study Commission recommends consolidation, each town must approve the merger. There are three ways to do this: (1) by voter referenda, (2) by municipal resolutions, or (3) both.

## MUNICIPAL CONSOLIDATION IN SIX STEPS Sample Timeline: Eighteen Months



# STEP 1

## ORGANIZE

**The first step** is to organize a group of local residents interested in learning the benefits of consolidation.

Start by talking to people you already know: friends, family, neighbors, and acquaintances from local organizations. It's not difficult to find others who are frustrated with high property taxes and local government redundancy.

Once you have identified a group of possible supporters, contact CTC-NJ at [info@CourageToConnectNJ.org](mailto:info@CourageToConnectNJ.org). We will provide you with an overview of the consolidation process and help you organize two initial meetings:

**1. Private meeting of core supporters** This will be your group's introduction to CTC-NJ. We will discuss this "Consolidation Guidebook," as well as our work in similar communities. We will help you with the logistics of creating a local advocacy organization, including launching a website and identifying pro-consolidation supporters in neighboring towns. In addition, we will provide you with two documents:

- **THE GUIDEBOOK TEMPLATES.** Gives you the nuts and bolts for organizing a consolidation campaign. It has everything you need, including sample press releases, talking points, draft op-eds, and much more.
- **MEDIA TRAINING GUIDE.** Offers strategies and suggestions for creating a clear and consistent message about your consolidation efforts.

**2. Public information Meeting** Next your group will sponsor a public presentation. This will be your organization's first community event and your first opportunity to introduce residents to the benefits of consolidation. CTC-NJ will provide a synopsis of New Jersey's fractured system of local government and then discuss solutions and concerns.

This informational meeting should be widely publicized, partly to raise awareness about the issue of municipal consolidation and partly to help you identify additional supporters for your organization. The Guidebook Templates provides information on publicizing the event, including templates for:

- Drafting and distributing a media alert
- Issuing a press release
- Writing a letter to your local elected officials and relevant community organizations

## RELEVANT DOCUMENTS FOR STEP 1

**You can find the relevant documents for Step 1:**

- In The Guidebook Templates at Chapter 1
- Online at [www.couragetconnectnj.org/templates](http://www.couragetconnectnj.org/templates)

**The relevant documents for Step 1 are:**

1. Press Release Announcing Introductory Meeting
2. Letter to Local Officials and/or Community Groups
3. Opinion Piece for Local Newspaper
4. Sample Poster
5. Instructions on Creating a Facebook Group

- Writing and submitting an op-ed to your local newspaper
- Posting fliers around town
- Creating Facebook, Twitter, and other social media pages

**Organizational Roles** As your group expands, assign specific roles and engage as many people as possible in leadership positions. Here are two critical roles:

- **The Organizer** Every group needs a leader to organize the membership, serve as a primary contact, and act as a media spokesperson.
- **The Manager** You also need someone who can work behind the scenes and focus on the details. The manager collects names of potential supporters, distributes minutes and agendas, and keeps track of important deadlines.

**Naming Your Organization** Your local advocacy group will need a name. Some names currently in use by local groups working with CTC-NJ are: *Reconnect [Town #1 & Town #2]*, and *[Town] Connecting for the Future*.

**Funding** At this point, you need very little money to run your organization. Your publicity shouldn't cost more than the price of printing fliers and press releases on your home computer. You can host your group's website for free at [www.CourageToConnectNJ.org/\[town\]](http://www.CourageToConnectNJ.org/[town]).

**Consolidation Partners** New Jersey law places few limits on your town's potential consolidation partners. You may connect with any number of towns so long as they are all in the same county and each municipality borders at



# STEP 2

## PREPARE APPLICATION TO CREATE STUDY COMMISSION

The next step involves preparing an application to create a **Municipal Consolidation Study Commission**. The application must be approved by the participating towns (see **Step 3**) and by the state (see **Step 4**). Once created, the Study Commission will examine the proposed merger and issue a recommendation regarding consolidation.

It's a fairly straightforward application. You will be asked to include contact information, a summary of the proposed consolidation, and basic information about how you wish to structure the Study Commission. CTC-NJ has prepared a "tip sheet" that goes through the application question-by-question and provides advice. The **tip sheet for application** can be found in Chapter 2 of The Guidebook Templates.

The application requires you to make several strategic decisions about the consolidation process. We strongly encourage you to speak with CTC-NJ as you complete the application, as your decisions can have far-reaching implications on the success of your consolidation campaign. (In addition, you will need to schedule a meeting with the New Jersey Department of Community Affairs. CTC-NJ can help you with this, as discussed below.)

The most important decisions you must make in the application are:

■ **How will your group obtain local approval for the creation of the Study Commission?** As explained in Step 3, there are two ways for the participating towns to authorize the creation of the Study Commission: voter petitions or municipal resolutions. (If you decision to seek authorization by voter petitions, you will need to append to your application a short document, called a "Justification of Standing," that describes your local advocacy group. A sample can be found in The Guidebook Templates.)

■ **How will members of the Study Commission be selected?** You have several options. You could give the mayor or governing body of each town the authority to choose members, or you could specify the members in the application itself. Either way, it is important to have a diverse range of Commission members, including some members with experience in government.

■ **What is the timeframe for the Study Commission's work?** See the timeline on page 11 of this guidebook. Your timeline will depend on whether

## RELEVANT DOCUMENTS FOR STEP 2

You can find the relevant documents for Step 2:

- In The Guidebook Templates at Chapter 2
- Online at [www.couragetconnectnj.org/templates](http://www.couragetconnectnj.org/templates)

The relevant documents for Step 2 are:

1. Sample Application to Create Municipal Consolidation Study Commission
2. Tip Sheet for Application

you want the Study Commission to prepare two documents (in addition to its final report and recommendation): (1) a "preliminary report" and (2) a "consolidation implementation plan." CTC-NJ can guide you in making the decision whether to require the Study Commission to issue those documents.

■ **If the Study Commission recommends consolidation, how will the towns approve the proposal?** As explained in Step 6, there are three ways to do this: by voter referenda, municipal resolutions, or both. It is not necessary that each town approve the proposed consolidation using the same method.

Once the application is finished, CTC-NJ recommends posting it on your group's website and social media pages so that others can review it.

**Contact with State Officials** During the consolidation process, you will have extensive contact with two entities within the Department of Community Affairs ("DCA"):

■ **Division of Local Government Services ("DLGS")** The Division offers advice and support to towns considering a municipal consolidation, and its staff will perform a preliminary review of your application before you seek local and state approval (See **Steps 3 and 4**).

■ **Local Finance Board** The Board is the state agency that must formally approve your application (See **Step 4**). The Chairman of the Board is also the Director of DLGS, and the two entities work closely together.

You are welcome to contact these agencies on your own, although CTC-NJ is more than happy to help set up initial meetings. In our experience with

the DCA, we have found the staff to be extremely knowledgeable about the merger process and quite eager to assist those considering consolidation.

**Contact with Local Elected Officials** As you prepare your application, you will also have to decide how to engage the elected officials in your town. This can be a sensitive issue. On one hand, many local officials recognize the severity of the state’s fiscal crisis and the need to streamline municipal government. On the other hand, some officials feel a strong emotional connection to their community and may be reluctant to relinquish their town positions if consolidation occurs.

CTC-NJ encourages you to develop a good working relationship with your local officials. In some cases, they will support your effort to consolidate, and may be willing to help you pass a resolution authorizing a Study Commission application. **(See Step 3, Option #1.)** But remember, even if local officials oppose consolidation, the law allows you to seek approval for a Study Commission by voter petition—with or without support from local politicians. **(See Step 3, Option #2.)**

## NOTES

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## NOTES

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# STEP 3

## OBTAIN LOCAL APPROVAL FOR STUDY COMMISSION

Once the application has been completed, you need to obtain “local approval” from each participating town. There are two ways to do this: by (1) **municipal resolutions** or (2) **voter petitions**. Once you have obtained local approval, you will need to host three public hearings.

### OPTION #1: Municipal Resolution

The first option involves municipal resolutions. If local elected officials support your consolidation proposal, this is usually the easier route. The governing body of each municipality will need to pass a short resolution endorsing the application to create a Study Commission. A sample resolution has been included in The Guidebook Templates.

### OPTION #2: Voter Petition

If local officials oppose consolidation and are unwilling to pass a resolution, you can seek approval directly from the voters. The petitioning process is relatively straightforward. Copies of all the relevant documents are available in The Guidebook Templates.

Before circulating the petition, you will need to identify three sets of supporters:

- **Committee of Petitioners** These five individuals will serve as the contact people during the petition process and ensure that the circulators comply with the law. Their names will appear on the top of each page of the petition.
- **Circulators** These individuals will collect signatures for the petition. After completing a page of signatures, the Circulator must sign the document in the presence of a notary public, who also must sign and the document.
- **Notary Public** The notary will certify the signature of the Circulators on each page of petitions. (**Note: The notary does NOT need to be present when voters’ signatures are collected, just when Circulators signs the document.**) The notary does not need to be a state or municipal official.

Once the petition is ready, you can begin collecting signatures. Remember, the only valid signatures are those from registered voters who reside in your town. All others will be rejected.

The total number of signatures required will vary by town. You are required to collect a number equal to ten percent of the people in your town who

## RELEVANT DOCUMENTS FOR STEP 3

You can find the relevant documents for Step 3:

- In The Guidebook Templates at Chapter 3
- Online at [www.couragetconnectnj.org/templates](http://www.couragetconnectnj.org/templates)

The documents you use will depend on which option you pursue.

### If Option #1: Municipal Resolution:

1. Draft Council Resolution Supporting Creation of Municipal Consolidation Study Commission
2. Press Release Announcing Resolution
3. Op-Ed Encouraging Governing Body to Approve Resolution

### If Option #2: Voter Petition:

1. Petition Supporting Creation of Municipal Consolidation Study Commission
2. Press Release Announcing Petition Drive
3. Op-Ed Encouraging Voters to Sign Petition

voted in the last General Assembly election. (General Assembly elections occur in odd-numbered years, so as of today, the most recent election occurred in November 2009.) To determine this number, follow these steps:

- Visit: [http://www.state.nj.us/state/elections/2009\\_general\\_election.html](http://www.state.nj.us/state/elections/2009_general_election.html)
- Under the header “Official General Election Results by Municipality,” click on the name of your county. A .pdf document will pop up.
- The relevant number is in the fifth column from the right (“Number of Ballots Cast”). You need ten percent of this number.

In addition, if you are seeking approval by petitions, you will need to include a “Justification of Standing” with the application. This is a short document explaining how your organization is representative of the community. Additional details can be found in The Guidebook Templates.

### FOR OPTION #1 and OPTION #2: Public Hearings

Regardless of whether you obtain approval by resolutions or petitions, the Local

Option Municipal Consolidation law requires that you host at least three public hearings: one in each participating municipality, as well as a “joint hearing” in a location convenient to residents of all the participating towns. These meetings will take place after your group has obtained local approval but before you submit your application to the Local Finance Board for final approval (**Step 4**).

You will need to coordinate exact meeting times and locations with the DCA. CTC-NJ can help you publicize the event.

**Mixing-and-Matching** The DCA has recently ruled towns may not submit “hybrid” or “mix-and-match” applications. In other words, all of the towns participating in a single application must obtain local approval exclusively by municipal resolutions or exclusively by voter petitions. Different towns cannot use different forms of approval. CTC-NJ is currently challenging this decision. Check our website for updates.

## NOTES

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# STEP 4

## OBTAIN STATE APPROVAL FOR STUDY COMMISSION

**Once all of** the participating municipalities have signed off on the proposal, you will send a single package to the Local Finance Board that contains the joint application. The Board meets monthly to review such applications. The DCA will inform you what date your application will be considered.

If you have been following the process described in Steps 1-3, the Local Finance Board meeting should be relatively straightforward. If the Board approves the application, then the Municipal Consolidation Study Commission must be formally established within fourteen days. If the Local Finance Board asks for modifications to the application, you will be able to amend your proposal and re-submit at a later date.

**Multiple Applications** Under state law, municipalities cannot participate in more than one Municipal Consolidation Study Commission at a time. If multiple applications are pending before the Local Finance Board simultaneously, the Board has the power to join these applications and create a Study Commission that incorporates some or all of the proposed options.

**Re-Applying** If all goes well, the Local Finance Board will approve your application. If it does not, then under state law you cannot submit an application involving the same combination of towns for five years. (You can, however, apply to create a Study Commission involving a different set of towns.) To minimize the risk of rejection, we strongly recommend that you confer with CTC-NJ and the DCA before submitting the application to the Board.

**Funding the Commission** A Study Commission can be expensive. In theory, the DCA can help pay for the Commission under the Interlocal Services Aid Act of 1973, although some costs may be borne by the municipalities. The largest expense of a Study Commission involves hiring a consultant to perform a “feasibility study” of the proposed consolidation. To reduce costs, you might consider asking a nearby university, research facility, non-profit organization, or philanthropic foundation to provide funding or conduct some of the research. In addition, the Commission may also receive in-kind support from towns and outside groups, such as staff assistance or office space, that should be factored into the budget.

## RELEVANT DOCUMENTS FOR STEP 4

**There are no required documents for Step 4.**

## NOTES

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# STEP 5

## STUDY COMMISSION RECOMMENDS CONSOLIDATION

**Once approved**, the Municipal Consolidation Study Commission will begin reviewing the proposed merger. This process can take one to three years, depending in part on whether the Study Commission is required to produce either a preliminary report or a consolidation implementation plan. (See **Step 2**.) The Study Commission will most likely delegate some of its work to an outside consultancy, which will prepare a feasibility study regarding the proposed consolidation.

Unless you are serving as a member of the Study Commission, you will not need to be involved in the day-to-day operations of the Commission. Use this time to educate the public about the benefits of consolidation—so that more residents are knowledgeable about the issue by the time the Commission issues its formal recommendation. It is important to stay on message. CTC-NJ can help you along the way by providing:

- **Talking points**
- **Sample op-eds discussing the benefits of consolidation**
- **Help in organizing community presentations to promote consolidation**
- **Help in locating experts to testify before the Study Commission**

At the end of the study period, the Study Commission will issue a final report, which will include a recommendation about whether the participating towns should consolidate. If the Study Commission recommends consolidation, you will proceed to a final round of approval in each town (**Step 6**).

**Final Report** If the Study Commission’s final report recommends consolidation, the report will contain a variety of details about the merger, including: (1) the proposed name of the new town; (2) the method for electing members of the town’s governing body; (3) the transfer of assets and debts from the existing municipalities to the new town; and (4) how redundant municipal positions and offices will be restructured in the new town.

## RELEVANT DOCUMENTS FOR STEP 5

**You can find the relevant documents for Step 5:**

- In The Guidebook Templates at Chapter 5
- Online at [www.couragetconnectnj.org/templates](http://www.couragetconnectnj.org/templates)

**The relevant documents for Step 5 are:**

1. Talking Points in Support of Consolidation
2. Op-Ed Encouraging Commission to Recommend Consolidation

## NOTES

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## GLOSSARY

**Census-designated place (CDP)** is an unincorporated community identified by the United States Census Bureau for statistical purposes. CDPs are populated areas that retain their own name and identity. CDPs are within an incorporated municipality which serves as their municipal government. There are currently 144 CDPs in New Jersey. Example: Lincroft is a CDP affiliated with the incorporated Middletown Township in Monmouth County.

**Circulator** is an individual who collects signatures for a voter petition. After completing a page of signatures, the Circulator must sign the document in the presence of a notary public. (See Step 3.)

**Commissioner** is an individual selected to serve on the Municipal Consolidation Study Commission.

**Committee of Petitioners** is a group of five individuals who ensure compliance with state law regarding voter petitions. (See Step 3.)

**Consolidation plan** is a plan for implementing a municipal consolidation. Under the Local Option Municipal Consolidation process, municipalities may ask the Local Finance Board to approve a consolidation plan without the study process required by the Municipal Consolidation Study Commission. This plan can be initiated directly by the governing bodies or as part of the Study Commission Report.

**Department of Community Affairs (“DCA”)** is a New Jersey state agency created to provide administrative guidance, financial support and technical assistance to local governments, community development organizations, businesses and individuals.

**Division of Local Government Services (“DLGS”)** is a division within the Department of Community Affairs that works with local governments to ensure their financial integrity and solvency, and to support their efforts to comply with state laws and regulations.

**Final report** is the final document prepared by a Municipal Consolidation

Study Commission. It provides an overview of the Study Commission’s research and includes a recommendation of whether participating municipalities should merge.

**General Assembly election** is an election in which all members of the lower house of the New Jersey State Legislature are up for election. It occurs in November on odd-numbered years. As part of Step 3’s petition process, you will need to know how many residents in your town voted in the most recent General Assembly election.

**Governing body** is the entity that governs a municipality. The entity’s name will depend on the municipality’s form of government; common names include “borough council,” “township council,” and “city council.”

**Home rule** describes a political structure in which individual municipalities exercise substantial control over their own affairs. The term is also used generally to describe a philosophy that state government may not interfere with local issues. Home rule is often invoked as a reason to oppose consolidation; however, the two concepts are not necessarily incompatible.

**Hybrid application** (see “mixing-and-matching”).

**Joint Municipal Consolidation Study Commission** (see “Municipal Consolidation Study Commission”).

**Local Finance Board** is an eight-member board that is located “in but not of” the Department of Community Affairs. Among other responsibilities, it reviews and approves applications to create Municipal Consolidation Study Commissions. The Chairman of the Local Finance Board is the director of the DCA’s Division of Local Government Services.

**Local Option Municipal Consolidation** is a form of municipal consolidation created by the state legislature in 2007. It is the focus of this Handbook. The statutory language can be found at N.J.S.A. 40A:65-25 et seq.

**Local unit** is any local government entity that can contract for services, including municipalities and utilities commissions.

**LUARRC** stands for Local Unit Alignment, Reorganization, and Consolidation Commission. It is a state entity that studies consolidation on a statewide

level and identifies municipalities that would make logical merger candidates. **Mixing-and-matching** is a term to describe a specific method for obtaining local approval for a Municipal Consolidation Study Commission. Under “mixing-and-matching,” one town obtains approval by voter petition, while another obtains approval by municipal resolution. (See Step 3.) The DCA has recently ruled that mixing-and-matching is not permitted. At the time of publication, CTC-NJ is challenging this decision and is seeking to overturn the ruling by legal and/or legislative action.

**Municipal Consolidation Study Commission** is an ad hoc commission designed to study the costs and benefits of municipal consolidation. Depending on the method of creation, the Commission will contain five or some other number of residents of each participating municipality. In addition, every Commission includes a representative of the DCA and, if the merger proposal involves consolidation of school districts, a representative of the state Commissioner of Education. After examining the proposed merger, the Commission issues a final report and recommendation regarding consolidation.

**Municipal resolution** is a legal document approved by a majority of the members of a municipality’s governing body.

**Municipality** is an administrative entity of local government composed of a clearly defined area and its population. It is commonly known as a city, borough, township, town or village. A municipality is incorporated to be self-governing under the laws of New Jersey. A municipality is typically governed by a mayor and a council, committee, commission or board of trustees. There are currently 566 municipalities in New Jersey.

**Participating municipality** is a town that is participating in a Municipal Consolidation Study Commission.

**Petition** is a legal document signed by registered voters indicating support for a specific action by the government.

**Preliminary report** is a document prepared by a Municipal Consolidation Study Commission prior to issuing its final report and recommendation. Under the Local Option form of consolidation, applicants can decide whether or not to require the Study Commission to prepare a preliminary report.

**Shared service** is any service provided on a regional or joint basis between municipalities and/or other local units.

**Uniform Shared Services and Consolidation Act of 2007** is the law that created Local Option Municipal Consolidation.

**Unincorporated community** is an area that does not have its own municipal government. Such areas are within the political and administrative jurisdiction of a city, borough, township, town or village. There are currently 184 unincorporated communities in New Jersey. Examples: Basking Ridge is within the incorporated Township of Bernards, Short Hills is within the incorporated Township of Millburn.

## NOTES

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# COMMON QUESTIONS

## Why consolidate now?

New Jersey is verging on bankruptcy. Municipal staffs have been reduced to bare bones to adapt to the reduced state funding and mandated budget caps. Additional cuts to local state aid will tighten revenue streams. Municipalities will need to further reduce services, cut staff and hours of operation. They are resorting to borrowing to finance operating costs but the bond ratings of municipalities have been lowered creating increased costs for borrowing funds. The redundancy of municipal structures is costly and inefficient. The pension costs alone are growing exponentially. The results are a 250 percent property tax increase over the past ten years. When will we be proactive about addressing the state and local distress? Consolidation allows New Jersey to create stronger, less redundant municipalities.

## What would a consolidated, or “connected,” municipality look like?

Woodbridge Township (population 98,000) is the model of a successful municipality. There are ten distinct “communities” in Woodbridge – Avenel, Colonia, Fords, Hopelawn, Iselin, Keasbey, Menlo Park Terrace, Port Reading, Sewaren, and downtown Woodbridge – but all are governed by a single municipal structure. Unlike most other communities in New Jersey, which incorporated as their own towns in the eighteenth and nineteenth centuries, these ten places remained a single township. As a result, today Woodbridge is able to provide superior services to its residents at a lower cost than smaller, surrounding municipalities.

## Will my town lose its name or identity?

No. The Woodbridge model shows how each community still retains its own name and identity although there is one government. Another example is Short Hills, with a distinct residential and business community but it is governed through Millburn. There are over 300 identifiable “towns” in the state that are known by a name different than that of their government.

## How much money will I save?

The cost of running a municipality will be spread out across a larger tax base and services will be delivered more efficiently through economies of scale. Larger municipalities have better leverage in contract negotiations and pur-

chasing. They will have the ability to eliminate many contracted services and bring them in house for reduced cost. The sale of unneeded properties will result in lower operating costs, shifting properties to the tax base and generating funds for debt reduction or capital expenditures.

A recent study done by Summit Collaborative Advisors, LLC, determined that it costs forty percent less to run the Township of Woodbridge than the cost to operate ten separate towns equal in size to the communities in Woodbridge. Another study determined that the school system also costs forty percent less per student than a smaller school system. Woodbridge Township provides professional administration and superior services for this reduced cost. They have in-house special education, a municipal ice rink, local garbage collection, detectives on duty 24/7, an Information Technology staff that saves millions in IT costs, a full-time grant writer that brings in federal dollars, an economic development director that encourages job growth and smart development in the town, and a full-time mayor.

## Mayors and Councils don’t cost any real money, yet you want to get rid of these hard-working public servants. Where are the real savings?

The real savings come from the elimination of redundant positions that are required for each town. This includes township administrators, clerks, tax assessors, CFOs, inspectors, attorneys, and DPW management. For example, one administrator can just as easily serve a community of 4,000 or 40,000 but, in the larger town, the cost is covered by ten times the number of residents. Mayors and councils/committees would come from a larger pool of qualified people. Dual office holding would be impossible to justify. Mayors for all communities would be elected rather than appointed by their committee providing better representation and accountability to the public. The new model also gives Mayors and councils/committees more leverage with the state and contract negotiations.

## Won’t your plan reduce municipal services?

By consolidating municipalities, there will be more funds available to continue municipal services that are now being eliminated due to the current economic conditions.

## Haven’t mergers been unsuccessful in the past?

Yes. Every time a merger has been proposed, the experts talk amongst themselves and never present to the public from their place of understanding. When the public gets involved they only see the loss of community and are swayed by the nay-sayers and rumor mongers. No one has ever listened to



**1998** Alan J. Karcher, former Speaker of General Assembly and author of *New Jersey's Multiple Municipal Madness*

“Consolidation of municipalities appears to be an attractive possibility for transcending the unproductive debate in which we have been enmeshed for the past thirty years. The restructuring of the system with its promised reduction of overall costs of government should be a solution that is hard to resist.”

**2006** Joint Legislative Committee on Government Consolidation and Shared Services

“The conundrum that New Jersey State government faces vis-à-vis its multiple units of municipal government is not unlike that faced by the federal government with respect to military bases. . . . Whether it is a military base that was established after the War of 1812 or a municipality created around a railroad station, times have changed, and what made sense more than a century ago often bears no rational relationship to current development patterns, population growth, [or] a global economy.”

**2009** Governor Chris Christie, at town hall meeting

“My wife and I think this is crazy... Mendham Township has 5,200 people, Mendham Borough has 5,000 people. Now I have no idea why it can't just be 'Mendham' with 10,200 people. But we have two school boards, we have two police departments, we have two volunteer fire departments, we have two public libraries. Crazy.”

## FURTHER READING

In 1999, Alan Karcher, the former speaker of the State Assembly, published *New Jersey's Multiple Municipal Madness*, which catalogues the many – and often trivial – reasons why the Garden State has so many towns. It remains the most influential and comprehensive book on the subject.

To learn more, we encourage you to read the following articles and reports. Links can be found on CTC-NJ's website.

Richard Pérez-Peña, “New Jersey’s Tiniest Towns Fight Push to Merge,” *New York Times*, November 26, 2010.

Andrew Bruck & H. Joseph Pinto III, “Overruled by Home Rule: The Problems with New Jersey’s Latest Effort to Consolidate Municipalities,” *Seton Hall Legislative Journal*, Volume 32, No. 3 (2008).

Joint Legislative Committee on Government Consolidation and Shared Services, “Final Report,” December 1, 2006.

Robert Strauss, “Municipal Madness or ‘Creative Localism,’” *New York Times*, January 4, 2004.

New Jersey County and Municipal Government Study Commission, “Consolidation: Prospects and Problems,” February 1972.

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# NOTES

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