

**Supplemental Information to the Minutes of the Meeting of the Municipal Consolidation
Subcommittee on 9 & 10 Feb 2011**

The following notes are intended to respond to questions that were raised by members of the public at the Shared services and Consolidation Study Commission meeting on 23 Mar 2011 and at a subsequent meeting of Princeton Future on 26 Mar 2011. This information was verbally presented at the public meeting of the Shared services and Consolidation Study Commission by the Chair of the Municipal Consolidation Subcommittee (Subcommittee) on 13 April 2011.

At its meeting on 9 and 10 Feb 2011 the Subcommittee discussed the forms of government available to the municipalities should the citizens of both Princetons vote by referendum in favor of consolidation. Eight possible forms of government were presented by CGR as follows:

- Borough
- Township
- Optional Municipal Charter Law (OMCL) Council-Manager (different than the 1923 version)
- OMCL Mayor-Council
- OMCL Mayor-Council Administrator
- Commission
- Municipal Manager
- Special Charter

At the outset the Subcommittee focused on the criteria that the members of the Subcommittee considered to be of prime importance in the selection of the form of government. These were:

1. A directly elected mayor
2. Access to the professional staff by all of the elected officials.

Applying the directly elected mayor screen to the eight possible forms of government led to the discarding of the following forms of government from further consideration as the mayor in these forms of government is not directly elected, but is elected by the members of the governing body:

Forms of Government Discarded Because Mayor Is Not Directly Elected

- Township
- Commission
- Municipal Manager

Applying the second screen, access to the professional staff by all of the elected officials, led to the

discarding of the three OMCL forms of government, as under these three forms of government the members of the Council are prohibited by NJ Administrative Code from contact with the professional staff. In these forms of government, only the mayor, or the administrator is permitted contact with the professional staff. The inability of the elected officials to interface directly with the professional staff is a concept that is foreign to the Princeton community, as both the Borough and the Township forms of government allow the Borough Council and Township Committee members to interface directly with the professional staff as Commissioners, liaison to departments, advisory committees and commissions. The OMCL Council-Manager and OMCL Mayor-Council forms permit the use of wards, and all three OMCL forms permit the use of initiatives and referendums. However, in a meeting on 8 April 2011 with Dominic Magnolo, a member of the Mercer County Board of Elections, it was determined that, if a ward form of government was recommended by the Shared Services and Consolidation Study Commission (SSCC), that recommendation must appear in the referendum. However, the wards will not be drawn until after the passage of the referendum by the electorate, and will not be drawn by the consolidate municipality but by Ward Commission of the Mercer County Board of Elections. Mr Magnolo explained the Ward Commission would hold public meetings and seek public input on the boundaries of the wards, and that the SSCC would have standing as a member of the public to suggest ward boundaries; however, the final decision on the ward boundaries would be made by the Ward Commission. Mr Magnolo commented that Trenton is the only municipality in Mercer County that uses wards. After further consideration, the Subcommittee concluded that a recommendation for the use of wards in the consolidated Princeton community without the ability to specify the ward boundaries to the electorate was tantamount to putting an inadequately defined question on the form of government before the electorate, and the three ward forms of government were removed from further consideration.

Forms of Government Discarded Because Council members Are Not Permitted Contact With Professional Staff

- OMCL Mayor-Council Form
- OMCL Council-Manager Form
- OMCL Mayor-Council-Administrator

The Subcommittee also considered the possibility of requesting a Special Charter form of government that could combine the desirable features of a elected mayor, access to the professional staff by elected council members along with the possibility of wards, initiative and recall. The Subcommittee did not reach consensus on the desirability of wards, initiative and recall. Those supporting a ward form of government suggested that wards might generate neighborhood cohesiveness and a sense on the part of the ward residents that they are “closer” to their elected official. Those opposing wards suggested that they would be divisive to the consolidated community and that officials elected from a ward would tend to see issues on the basis of impact on their ward as opposed to impact on the entire community. Neither did the Subcommittee reach a consensus on the desirability of initiatives and recall. Those in favor cited the opportunity for greater citizen participation, while those opposed cited the State of California as an example of how initiatives and recalls can disrupt the operations of the government.

However, the Subcommittee found that the most significant disadvantage of the Special Charter form of government was that it would be necessary for the SSCC to place a request for the Special Charter form of government on the referendum. Only after the referendum was approved by the citizens of both municipalities could the SSCC request legislative action by the NJ Assembly and Senate on the desired parameters of the Special Charter. This led to the Subcommittee discarding the Special Charter form for two reasons. Firstly, the citizens of the Borough and the Township would be asked to approve a request for a Special Charter form of government without the parameters of the form being defined in the referendum question. A second concern was that other issues in the legislature might lead to delays in action on the request.

As a result of the review of the eight forms of government described by CGR as possible for the consolidated municipality, the Subcommittee voted unanimously in its meeting on 10 Feb 2011 that the Borough form of government be recommended to the SSCC. This recommendation was unanimously adopted by the SSCC in its meeting on 23 Feb 2011.
