

## Why the Time is Ripe for Reform in New York State

Remarks presented by  
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Let me first express my appreciation to my former colleagues at City Hall, Dave Keefe and Ed Doherty, and their colleagues in the Public Administration Department at SUNY-Brockport for the planning and execution of today’s symposium on a subject which has been near and dear to my heart for the past decade. The words of Abraham Lincoln, immortalized after his two minute speech at the dedication of the Gettysburg National Cemetery on November 19, 1863, bear paraphrasing as a charge for this occasion:

**The world will little note, nor long remember what we say here, but it can never forget what we will do after leaving here. It is for us, who live in these troubled times, to be dedicated to the unfinished work of those who have labored unsuccessfully to reform local government throughout New York State. We here highly resolve that their efforts have not been in vain. Starting here in Monroe County, this state shall have a new birth of freedom, and that government, of the people, by the people and for the people will finally work for, rather than against, their interests.**

Seven years ago, in this very meeting facility, a series of discussions were launched regarding the need to reform local government in Monroe County. Those sessions were designed to provide a better understanding of city-county consolidation; and to determine whether a model that had been successfully implemented in communities like Indianapolis, Jacksonville, Louisville, Nashville, Virginia Beach and 34 other communities could work in Rochester. At that same time, our western neighbor, Buffalo, seemed to be quickly moving in a similar direction. The next speaker following me, my friend and fellow regionalist traveler Professor Bruce Fisher, will most certainly speak about that effort and the factors that derailed it, from his experience as the Deputy County Executive for Erie County during the Giambra era.

In 2002, despite mounting financial difficulties, the Monroe County Republican machine was in no mood to consider reform measures that might have greatly alleviated the

county's fiscal plight. Rather than joining with the city in partnership to facilitate a conversation that would produce positive benefits for both parties, they settled instead on a strategy of polarization, confrontation and exacerbation of the suburbs' innate fear of the city. Every effort to initiate thoughtful discussion was frustrated by political antics. Many efforts to jumpstart bi-partisan and bi-lateral programs that would benefit our economically declining region were intentionally sabotaged. These efforts carried through to the 2003 County Executive's race, where proposals like government consolidation and regional cooperation were dredged up as weapons of mass destruction, rather than a starting point for community revitalization.

The cruelest irony of this entire debacle is that Monroe County, under Republican leadership dating back to the early 1950's, had achieved a remarkable track record for metropolitan government. One of Kent Gardner's CGR predecessors, Fritz Grasberger, speaking at the Eastman Symposium on April 2, 1990, recounted the long positive history of innovative leadership that would support his contention that "Monroe County today is more of a metropolitan government than some so-called metros that continue to have services of area-wide importance under the jurisdiction of sub-county municipalities." (Grasberger, p.2)

City Historian, Dr. Blake McKelvey, widely acclaimed for his penetrating analyses of 20<sup>th</sup> century urban development, further documented this record of collaboration unparalleled in upstate New York, in a 1971 essay entitled, "Rochester and Monroe County: An Historic Partnership". So, why this strategy of purposeful opposition was embraced so vigorously remained a matter of speculation and a defiance of logic.

At this point you may be asking, "what's the point of dredging up this old history?" Well, there are two reasons: to remind folks that Monroe County has a very progressive history in the matter of local government reform, and much of this was led by the Republicans. More importantly, I needed to recount a recent experience that may provide a contemporary opportunity to return to that legacy.

During the Christmas holidays, I struck up an unintended long conversation with Steve Minarik, the deposed county Republican chairman, at the home of a mutual acquaintance. I say unintended because Minarik was the grand architect of much of this mayhem, and a person with whom I previously had only a couple of fleeting conversations. At the urging of our host, who believed that both Steve and I had mellowed since our retirement from combat politics, he and I had two more productive meetings that revealed that there were some things that we could agree upon, including the belief that local government in this state had become too bloated and inefficient. On our last meeting on April 10<sup>th</sup>, one day before his sudden death, he had tentatively agreed that we would continue to refine our areas of common ground into a strategic plan that we both would be willing to publicly lobby for. I suggested that the inaugural roll-out the “Steve and Bill” show would be here, today, and the thought intrigued him...especially our plan to keep it a secret until the moment he joined me at the podium.

As you know, Providence intervened, and we will never know whether he would have followed through on this plan. I did learn from his widow that it was an idea that greatly intrigued him. He also shared with me that some of his most partisan pals were shocked to learn that he was consorting with the likes of me and [former school board member] Jim Bowers, and he seemed genuinely determined to follow his own conscience on this, regardless of how much it rankled his erstwhile colleagues.

One of Steve’s admissions to me, and it was stated rather matter-of-factly rather than as a *mea culpa*, was that his opposition to our ideas at the time was strictly political, not substantive. He said that his job was to elect Republicans, and to defeat Democrats. He did his job –rather efficiently, as we well know – without regard for the issues and their impact on the community’s progress. In fact, it is fair to conclude that he believed that Republicans were always right on the issues, and everyone else was wrong. So, in that extremely narrow provincial sense, he thought he was performing a “public service”.

Those brief and unfortunately terminated discussions were one of the reasons I decided to entitle these brief remarks, “Why The Time Is Ripe For Reform In New York State.” If a

person as fierce in his beliefs as Steve Minarik was willing to engage in public introspection, and a possible epiphany, then there is hope for long overdue repositioning of local government into instruments of efficiency, effectiveness and efficacy. If people as intense as Minarik and me were willing to move away from some of our more extreme positions to a place of consensus, in the cause of the common good, then perhaps there is reason to be hopeful about our state's chances rebound from the brink of economic disaster.

Despite Steve's untimely death, I believe that the simple concept that he seemed willing to embrace --that former combatants should retire their swords in the pursuit of noble ideas -- should still be pursued. I will indicate a strategy at the end of these remarks for making that happen.

There is a book that I am trying to make my way through, entitled "**The Tyranny of Dead Ideas: Letting Go Of The Old Ways Of Thinking To Unleash A New Prosperity**" by Matt Miller. Published just shortly before the last election, Miller's premise is that there are a host of ideas whose enduring legacy has trapped us into behaviors that prevent us from adapting to "new circumstances." He argues that too much of society is retarded by "intellectual and emotional inertia [that] traps people in antiquated ways of thinking even though circumstances radically change." (Miller, p.10). Thus, he concludes that "People like to leave things the way they are. Our fear of losing what we have often outweighs our desire to gain from changes we could rationally pursue....[T]his instinct leads us to spend time and effort cataloguing the risks of trying new things while remaining blind to the risks of staying the current course." (Miller p. 233).

The point is that there are many ideas which once made a lot of sense that are no longer relevant in today's world.

In my opinion there is no "deader" idea in this rapidly declining state than the notion that the current array of local governments is better than any other rational alternative. People

like their small urban villages inside of urban towns. They like their school districts, regardless of the expense, as long as long-held rivalries and traditions can be maintained. They will not even consider the possibility of relieving the stress of urban poverty if it means violating their own comfort zones of homogeneity and predictability. Nobody should be able to get away with the argument that it is ok to have five fire districts and two school districts within the boundaries of one town that is slowly suffocating from higher taxes and diminished services. That makes no more sense than a compact urban county of less than ¾ million people maintaining 30 local governments, 18 school districts, and 39 fire departments, as well as nearly 600 special districts, causing these citizens to be taxed on several different levels.

Fritz Grasberger observed nearly 20 years ago that

**A key phrase, endowed with an almost sacred aura, has emerged to excuse, indeed make a virtue of, inertia and lack of courage to undertake needed change. This phrase, “If it ain’t broke, don’t fix it,” became the slogan for the anti-police consolidation forces here, a few years ago. Well, buggy whips weren’t broke either when we replaced them with the steering wheels.**

**The unholy implication of hiding behind this phrase is that nothing needs change until it breaks, i.e., a serious crisis arises. The fact that other [communities] are doing a better job of governing is either not known or rejected on the grounds that nothing can possibly be better than the way we are doing things here. In the typical community it seems to require a major disaster to elicit major remedial action. (Grasberger, p. 1).**

Fritz’s observations came during a period when Rochester and Monroe County were still enjoying relative prosperity, in the recent aftermath of the Morin-Ryan plan whose equitable tax-sharing provisions to this day has not been replicated by other urban counties in the Upstate region; and during an era when the business, educational and civic leaders were deeply involved in the common good to ensure that the city’s financial needs were attended to. With the support and active participation of these important constituencies in such “community good” activities as the GRIP-NAPA intergovernmental studies project (1970’s), the Urbanarium Project underwritten by the Rochester Area Colleges (1970’s and 1980’s), the Call to Action spearheaded by the

Urban League (1980's), and Goals for Greater Rochester (late 1980's), there were many substantive programs to bring about positive and sustainable reforms.

But, as we now know in retrospect, it was also the beginning of the era of brazen partisanship and parochialism, where an entire class of suburban politicians was persuaded that there was no shame or penalty for turning their backs on constructive solutions for increasing urban problems. Only recently has some of this retrenched resistance begun to subside, as economic and socio-economic problems once concentrated in the city have leached into the suburbs.

It was also the beginning of an era when state government was required to increase its various aid programs to keep local governments solvent.

In the 12 years I served in City Hall, the structural deficits that the city faced at the beginning of each budget cycle became increasingly difficult to close. The tax base shrunk relentlessly, shedding more than \$1.4 billion in my first nine years in office before making a modest rebound in the last three years. The demands of our school district were insatiable, as it faced the unenviable challenge of educating an increasingly impoverished clientele. Without state aid, which became an annual exercise in beggary, each of us would have been forced into insolvency.

State government, the savior for so many for so long, is now confronting its own deep deficits, and its ability to fill the financial breach is seriously challenged. In fact, without the infusion of federal stimulus funds, many localities would have had to deal with catastrophic cutbacks this year.

If the only thing that genuinely motivates Americans is crisis, then the condition of our current local government structures finally presents the platform for change. Here are three suggestions for taking advantage of these conditions:

1) State government, from Governor Patterson, Speaker Silver and Senate Leader Smith, must enthusiastically and publicly embrace the recommendations of the Local Government Efficiency and Competitiveness Commission (LGEC), which submitted its final findings to the Governor thirteen months ago. Since then very little executive and legislative action have been taken. I don't say this just because I served on this commission, but it was a well-thought out and pragmatic set of recommendations, which built on the work of previous commissions from the Cuomo and Pataki eras. Our report evolved from a process of consciously seeking input from the local communities – the ground roots – for what was both desirable and doable. When you read the report, whose main body consists of only 57 pages, you will find that we rejected a one-size fits all, top-down approach in favor of a variety of approaches that best suit the purposes of local communities. As a result of our recommendations, financial incentive programs were enhanced and created that provided a mechanism for facilitating the development of consolidated and shared services. One of these programs, the 21<sup>st</sup> Century Demonstration Projects, encourages the development of programs that have a “transformative effect” on local government services.

As a result of these new tools, there have been significant amounts of innovative ideas under serious consideration around the state. The LGEC Commission staff, until it was implausibly disbanded by the Governor two months ago, provided weekly updates of these discussions, and it has been encouraging to learn of earnest consideration of two or more municipalities or special districts considering merged or shared services, the creation of regional planning and operational entities, villages considering merging with neighboring towns or dissolving, legislative bodies considering downsizing, and certain elected officials reverting to appointive status. These examples are becoming more frequent, and more dictated by rational discussion rather than crisis. You will hear more of this activity from Charlie Zettick.

While this activity is very encouraging, it is happening with little encouragement or support from state government. It is fair to say that Governor Patterson does not have

the same enthusiasm for this work as did Governor Spitzer. This is clearly an arena which would thrive under gubernatorial leadership. Attorney General Cuomo has shown some willingness to take up this issue with a proposal that would give local communities the option of voluntarily downsizing, but as of this moment, his proposed legislative agenda has not been rolled out. While Cuomo's advocacy is welcomed, it is more appropriate for the Governor to resume his rightful position as the chief promoter of these proposals.

The Governor, and the leaders of the legislature, must be vigorously lobbied to embrace this key reform agenda during the coming year, leading up to the 2010 elections. The ball must be placed squarely in Governor Patterson's course. Despite his promise to do so, he has inexplicably failed to follow through on even the non-controversial elements of the LGEC recommendations. If there was ever a moment for a "Profile in Courage", this is it.

If the public is indignant about the outrageous escalation of the costs of funding government (in this state, we spend more than \$300 billion annually on government), then we must be willing to substantially reduce the number of government entities that we support. In many situations, consolidations are more sensible, from a view of operational and fiscal efficiency. We must begin to quantify the costs of redundancies and inefficiencies, of so many levels of government overseeing the same turf, with the only rationale that this is the way that we have always done it.

2) There is an emerging role for the federal government in this discussion. President Obama campaigned on goals to "to stimulate urban prosperity" and to deploy federal resources in ways to produce more transformative urban policy results. One way of doing this is to fund federal programs on a regional, rather than a local, basis. In his earlier Urban Policy issues brief, President Obama called for the creation of "Regional Innovation Clusters" that would form "regional centers of innovation" that will engage "regional business, government and university leaders to collaborate on leveraging a region's existing assets...to enhance long-

term regional growth.” In establishing the new White House Office of Urban Affairs, the administration declared as a major objective the need to break the federal government from “the siloed approach to urban policy development”, and the imperative of establishing a “regional approach that disregards traditional jurisdictional boundaries, setting policy that takes into account how cities, suburbs, and exurbs interact” (White House/ Issues) .

Already there has been some thinking in the new administration around this point. Bruce Fisher and I participated in a process to advise the new HUD secretary about how HUD could become more broadly focused in designing and implementing new urban policies, rather than maintaining its focus primarily on housing policies and programs. This will require some very hard work and a shift away from a half century of place-based policies, but if the federal government can take an aggressive activist role in forcing the “Big 3 automakers” into the 21<sup>st</sup> century, then it can apply the same approach to reforming local government.

I do not under-estimate the difficulty in implementing such a paradigm shift, but this is an approach that is not only long overdue, but also one which can maximize scarce fiscal resources while reinventing government in a transformative way.

- 3) There needs to be more grassroots involvement in these issues. To expect elected officials to embrace and implement reform on their own initiative is both naïve and foolhardy. Going back to the administration of Governor Theodore Roosevelt at the turn of the 20<sup>th</sup> century, there have been urgent calls to restructure and modernize the structures of local government in this state. The last three elected Governors of this state have established study commissions which have thoroughly documented the need for a more efficient and effective system of local governance. Each time our political leadership, at the state and local levels, have been presented with irrefutable evidence of long overdue reform and a solid plan

for action, they have consciously resisted the “call to action”. To wait on them any longer is not an option.

At the time this conference was planned, some of us urged that immediately following this meeting, a group of activists and concerned citizens be convened to plan a course of action. Such action should be two-pronged: employing both civic engagement and political activism strategies. On the civic engagement piece, we must mobilize broadly-based constituent groups that can educate citizens about proposals, such as the LGEC report, as well as similar initiatives that are being advanced in other communities. In neighboring Syracuse, groups like the Onondaga Citizens League and F.O.C.U.S. Greater Syracuse have successfully collaborated to encourage local communities in the region to promote sharing of services and consolidations. The recent merger of the Town of Clay Police Department with the Onondaga Sheriff’s department is one example of this activity. In Buffalo, the League of Women Voters and other civic groups and leaders have long led the community dialogue around these types of issues.

There has long been a history of such civic leadership in the greater Rochester area, which has waned in recent years. The Stewardship Council of the Rochester 2010 plan, Goals for Greater Rochester and the Call to Action are examples of past collaborations that enjoyed widespread community support. It is time to create a new civic engagement entity that is primarily devoted to the cause of local government reform.

Such civic participation must be joined with political engagement. The 2010 state elections will be the most important in our immediate future. If our current state leaders are not willing to advance local government reform, then there must be a statewide effort to recruit candidates who are willing to campaign on this important issue. While this may seem like an improbable task, we need only to recall the statewide campaign just a few years ago to force the Governor and Legislature to adopt “on-time budgets”. Most of the news media vigorously

embraced this goal, and for the past three years, budgets have been passed within one or two days of the constitutional deadline. In September 2007, many newspapers jointly editorialized on the need for local government reform. I do not believe that it will be difficult to mount such a campaign again.

The time is ripe to work for such long overdue change in this state. People are fed up with the increasing costs of government at all levels, as well as the blatant indifference which most of our elected officials have shown on this issue. If we cannot mobilize the forces of change in this environment, then we never will. The time is ripe for reform of local government in the state of New York.

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