



**COUNTY OF OSWEGO  
OFFICE OF THE COUNTY ADMINISTRATOR**

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Phone 315-349-8235 Fax 315-349-8237  
Philip R. Church, County Administrator

## County-wide Shared Services Panel Report 2018

### Panel Members:

#### City Mayors

Oswego William Barlow  
Fulton Ronald Woodward

#### Town Supervisors

Albion Aaron Walter  
Amboy Kathleen Wilkinson  
Boylston Ann Stacy  
Constantia Ken Mosley  
Granby John Snow  
Hannibal Virginia Wilbur  
Hastings Tony Bush  
Mexico David Anderson  
Minetto David Domicolo  
New Haven Timothy Teifke  
Orwell William Potter  
Oswego Richard Kaulfuss  
Palermo Patricia Redhead  
Parish Mary Ann Phillips  
Redfield Tanya Yerdon  
Richland Daniel Krupke  
Sandy Creek Nancy Ridgeway  
Schroepfel Lynett Greco  
Scriba Robert Ramsey  
Volney Dennis Lockwood  
West Monroe Vern Sundet  
Williamstown John Hamblin

#### Village Mayors

Central Square Kenneth Sherman  
Cleveland Laureen Tackman  
Hannibal Ronald Greenleaf  
Lacona Peggy Manchester  
Mexico Terry Grimshaw  
Parish Kathryn Perkins  
Phoenix Ryan Wood  
Pulaski Angel Rodriguez  
Sandy Creek Grant Rohrmoser

#### School Districts

Central Square Thomas Colabufo  
Fulton Brian Pulvino  
Mexico Sean Bruno  
Pulaski Brian Hartwell

#### **2017 Panel Members**

##### Town Supervisors

Granby Ed Williamson  
Hannibal Ronald Greenleaf  
Parish Stephen Stelmashuck  
Richland Kern Yerdon (Dep.)  
Scriba Jim Sheldon (Dep.)

##### Village Mayors

Hannibal Fred Kent  
Pulaski Karl Hax

**Chair:** Philip Church, County Administrator

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## Executive Summary

Oswego County and its municipal officials, in compliance with New York State Revenue Budget Bill S2009-C/A3009-C Part BBB “County-wide shared services property tax savings plan,” began meeting in May 2017 to research and discuss the development of a county-wide shared services plan. The Panel met five times and in sub-groups, collected information on current shared services, and discussed ideas for additional shared services and their feasibility and potential impact.



The Panel recognized that Oswego County and its municipalities have a long and successful history of sharing many services, going back decades. The Panel learned that some significant shared services cannot be implemented until legal barriers are removed by the State. The Panel determined that given the very short timeframe delineated by the State mandate, and given the time-consuming legal and operational complexities involved in creating new shared services, that only minimal shared service projects could be fully planned by August 1, and would not be

impactful to the tax levies. The Panel decided to target the 2018 deadlines outlined within the law in order to create enough time for: 1) the Panel to focus its efforts on developing a meaningful shared services property tax savings plan; 2) the State to remove legal barriers to certain shared services; and 3) the State to reform State mandates that cause high local property taxes.

While the latter two items did not occur, the Panel reconvened in April 2018 to continue its work. The Panel met monthly and in subgroups through August and developed this plan, which includes 19 shared service ideas and goals. Savings cannot be estimated for some at this

point. For those that can be estimated, the potential savings and cost avoidance is \$6,241,650 (includes one-time construction costs), with annual savings of \$1,534,122.

## **Background**

The 2017-18 adopted New York State Budget included a new mandate for all counties, cities, towns and villages, with voluntary participation by school districts, if invited. The mandate required that the chief executive officer (CEO) of each county develop a “county-wide shared services property tax savings plan” by forming and chairing a “shared services Panel.” It also mandated that the CEO of every city, town, and village within the county serve on the Panel. In Oswego County’s case, the CEOs are the county administrator, every town supervisor and the mayors of every city and village. Participating school districts designated a representative from their governing board to be a member of the Panel. The mandate requires that a shared services plan be drafted by August 1, 2018 and amended and adopted by September 15, 2018.

## **Panel Activities**

In 2017 the Panel chair invited all town supervisors, village and city mayors, and all school districts to participate in the Panel. (Four of 10 school districts eventually joined.) The Panel met at CITI/BOCES, 179 County Route 64, Mexico at 6 pm on May 4, June 1, July 6, July 27, and Sept. 7, of 2017, and reconvened in 2018 on March 7, April 5, May 3, July 25, and August 30 to discuss possible options for shared services that could potentially lead to property tax reductions. Minutes were kept.

During full Panel meetings, members heard presentations from County Clerk Michael Backus on the potential for shared records management; from Patrick Cowburn, Vice-President of KBM Management and Don Barber, executive director of the Greater Tompkins County Municipal Health Insurance Consortium, regarding health insurance consortiums; Andrew Trombley, Director of the Onondaga County Division of Purchase regarding cooperative procurement; Undersheriff Eugene Sullivan regarding active shooter training; and Barbara Blanchard, Customer Relations Manager, Municipal Electric and Gas Alliance, Inc.

The Panel also discussed legal barriers to shared services, County studies that may generate data useful to shared services development, and the root causes of high property taxes (such as mandates and tax exemptions).

All public unions were invited to comment, but submitted none. The draft plan was presented to the Oswego County Legislature for comment on August 1, 2018. Public hearings were held August 8, 9 and 11 in 2017 and August 13, 14, and 15 in 2018. Two written statements were submitted and are attached.

At the August 30, 2018 meeting, the panel voted to approve the Plan and to continue working on the topics in this Plan, and to attach to it an updated Appendix B from the 2017 report, and Appendix C – updated current shared services within Oswego County, and Appendix D – public hearing statements.

Some of the topics discussed in this plan will save forecastable tax levy dollars. For others, savings cannot be predicted, and some will generate none, but are included here because they present opportunities for improved public services and efficiencies.

# Shared Service Plans & Projects

Implementation of the projects and goals within this plan are subject to the approval of each individual government's elected body.

## **SPECIAL OPERATIONS – Oswego County, City of Oswego and City of Fulton.**

This project will encompass Special Operations Teams within the entire county: Hazardous Materials Response, Rope Rescue (High & Low Angle), Water Rescue, Swift Water Rescue, Dive Rescue and Recovery, Confined Space Rescue, and Trench Rescue. Our overall goal is a long-range commitment to ensure timely response at a higher quality than individual agencies could provide, while saving costs in training and equipment.



Our concept is to form agreements to support each other in all aspects of special operations, including development of policies and procedures, initial training and recertification, equipment purchase and maintenance and event response.

Each agency will become the lead in specific areas. Firefighters would be trained to the technician level, others would be support and trained to operation level. This will allow for initial response of crews at the operation level to assess a situation and be followed by technician level people as needed.

Long range training schedules, working with NYS DHSES OFPC on a two-year commitment, are being developed, but most important is long range commitments and agreements.

SAVINGS: This will provide a higher quality team response while saving the cost of training everyone to the technician level. It will also save the cost of equipment by utilizing the same brands of equipment and sharing items such as calibration stations for gas detection meters. Between \$50,000 and \$100,000 will be saved by each government.

## **ACTIVE SHOOTER TRAINING – All municipalities.**



The Oswego County Sheriff's Department will coordinate with each municipality to provide active shooter training to local government employees at their place of employment. This new initiative will include initial training for all current employees, and regular updated training annually for new employees.

The County Sheriff's Department has internal expertise to train municipal employees how to handle and behave during an emergency event, such as a violent intruder.

This service enhances safety at government buildings for employees and the general public who visit those buildings to conduct business.

*SAVINGS:* The cost for each municipality to contract for private sector security experts to provide active shooter/emergency situation training is \$15,000 to \$20,000 each. Taxpayers already fund the Sheriff's Department, which has the expertise internally to provide the training. By sharing this expertise with the municipalities, each will save the cost of contracting for the service. With 32 municipalities, that is a potential savings of \$640,000.

### **LAW ENFORCEMENT REPORTING SYSTEM – Oswego County and the Villages of Pulaski, Central Square, and Phoenix.**

Police agencies must have a law enforcement reporting software system to generate investigation reports, crime statistics, FBI uniform crime reports, arrest records, etc. New York State previously supplied a system to local law enforcement and the State Police through Spectrum Justice Services, but has now abandoned that system, requiring local law enforcement to acquire new systems on their own.

Oswego County will acquire a new law enforcement reporting system, in conjunction with the village police departments of Pulaski, Central Square, and Phoenix. The new system also integrates with the County's E-911 CAD system.

*SAVINGS:* Due to multi-municipality involvement, the vendor has reduced the purchase cost in 2019 by \$60,000 and reduced annual maintenance costs by \$2,700 over a 10-year agreement.

### **WASTEWATER PROJECTS**

#### **1. VOLNEY SEWER DISTRICT – Oswego County, Town of Volney and City of Fulton.**

The County, Town and City will collaborate on the development of a sewer districts that will provide commercial and residential wastewater service from the County Airport and at the airport and throughout corridor and reduce the number of individual septic systems which can affect groundwater quality Industrial Park down the Route 176 corridor through Volney into Fulton to the city's wastewater plant. Volney will own and operate the district. The project will spur economic development at.

By referendum, the Town of Volney has formed a sewer district. The City of Fulton owns and operates a wastewater treatment plan with excess capacity. The County of Oswego has committed funds to undertake engineering studies and a map plan, and is attempting to secure funding from other sources. Unfunded balances of this \$2.5 million project will be paid by the County or through grants.



*Volney Sewer District - This project is for the northern branch only, running from the airport down Route 176.*

Oswego County will pay all direct costs for the map plan, engineering and the turnkey construction of the sewer district. The construction and engineering of the district will be publicly bid and awarded by the County. The County will perform any necessary legal work once the district is created at no expense to the district, town or city for the land acquisition, condemnation, closings, etc. necessary for the acquisition of district property. The County will connect its facilities to the district at no cost to the town or city. While the county will be performing work for the benefit of the district, at no time will the County of Oswego own or operate the sewer district.

The Town of Volney will permit the County of Oswego to connect any of its facilities to the sewer district lines once the district is constructed. The Town will obtain and maintain any necessary permits and approvals for the sewer district as may be necessary for the town to own and operate the district. The Town will defend and indemnify the sewer district if the district or town or district is sued in an Article 78 proceeding or in any other action or proceeding. As a partial inducement for the County's construction and assistance in the formation of the district, the Town of Volney will not assess any unit charges to the County for the district.

Prior to the district becoming operational, the city agrees to obtain and maintain permits and approvals as may be necessary for the city to accommodate the additional sewage from the district at its own cost and expense. Once constructed, the city will cooperate with the town regarding sewer district maintenance-related issues necessary for the proper operation of the district, at the Town's request.

**SAVINGS:** The lack of wastewater service at the County Airport and its Industrial park is the single remaining infrastructure limitation preventing economic development at the property. Although it cannot be estimated at this time, new development occurring as a result of this investment and upcoming construction of a new terminal and commercial hangers will increase sales tax revenues for the County and the Town, which is a direct offset on property taxes. Additionally, the increased property values of improved developed properties around the airport and through the 176 corridor will reduce tax rates for county and town taxpayers. By coordinating and acquiring \$1.9 million in grant funding for the project on the Town's behalf, the County is eliminating the construction cost of the district on taxpayers – up to \$2.9 million. Any portion not funded by grants will be funded by the county with previously committed funds. A 5% 20-year bond would have cost taxpayers an estimated \$232,700 annually.

## **2. CONSTANTIA – CLEVELAND SEWER PROJECT – Town of Constantia and Village of Cleveland**

Currently, the Town has no wastewater infrastructure and the Village's 1991 plant is due for upgrades. The two municipalities are entering into an agreement whereby the Town will pay for the plant upgrades build out the sewage line infrastructure.

*SAVINGS:* Rather than paying for new lines, an upgraded plant, and a second plant for the Town, taxpayers can eliminate the cost of the second plant's construction and operation by the two municipalities sharing the project. The Village saves the cost of their plant upgrade and the Town saves the cost of plant construction and operation. The estimated saving for town and village taxpayers totals \$2.5 million.

## **WATER SERVICES**

### **1. MEXICO – PALERMO WATER SERVICE – Town of Mexico, Village of Mexico and Town of Palermo**

Currently, the Town of Palermo has little or no public water service. The Town and Village of Mexico will work with the Town of Palermo to commission a study to examine the public interest in a municipal water supply for Palermo from the Town and Village of Mexico Water District. (School may be involved, too)

### **2. STORAGE TANK - Villages of Lacona and Sandy Creek**

The villages of Lacona and Sandy Creek are the joint owners of a water supply and distribution system. The 300,000-gallon elevated water storage tank needs to be demolished and replaced. The villages are entering into an intermunicipal agreement to finance the demolition, engineering and design, and construction of a new tank.

*SAVINGS:* The cost of the shared project is \$750,000. If the villages pursued construction of new storage tanks separately, each would pay \$750,000. By sharing costs on a single shared water storage tank, the net savings to taxpayers is \$750,000.

### **3. WATER SERVICE PROJECT – Towns of Parish and Hastings and Village of Parish**

This project involves completion of water service to Hastings via Rt. 11 and implementation of public water lines into the Village of Parish and Town of Parish. Currently, neither the village or town of Parish have any public water service. There is no adequate existing water supply available. All homes are served by wells of varying quality.

The project is subject to a public referendum. For the Village to obtain public water service by means of this anticipated project, voter approval is necessary. To reach the Village, a line must traverse a section of the Town. To do this, the Village and Town must enter into an inter-municipal agreement to allow for the project to proceed. The Village of Parish will be placed within the Town of Parish Water District No.1.

This project will connect to a public water service from the Town of Hastings. The Town of Parish would enter into an inter-municipal agreement with Hastings to allow for water service to continue into the Town and Village of Parish, forming a water district.

The proposed project would provide reliable water service and supply to a portion of the Town of Parish and the entire Village of Parish. A transmission main to the Town of Parish boundary will be installed along with a new pump station & water storage tank to service the Town. It is anticipated that future water districts will eventually be added once water is delivered to the southwest side of the Town of Parish and on into the Village.

There is no possibility for the Village to pursue this endeavor without the Town as the Village exists within the Town and water lines would have to pass through the Town from any direction to make a water connection of any kind into the Village.

*SAVINGS:* Financially, the Village could not afford to establish a water district for itself. By working with Hastings and sharing the costs of this project with the Town, the net savings will be substantial. If pursued by the Village on its own, such a project would entail the Village drilling and attempting to establish its own water district - which it could not afford. The cost of bringing water into the village would be beyond the affordability of the predominately senior income residents within the Village of Parish.

The benefits are improved fire protection, quality of water, constant water pressure and the assurance of a water supply, health and safety issues associated with individual wells, and saving the costs of well drilling and pumps,

The cost of this shared project is \$ 9,200,000. Accounting for possible funding resources (\$5,400,000), the project cost is anticipated to be \$3,800,00, for which the residents would be responsible. Projected estimated annual cost to the resident would be \$707.

#### **4. WATER SERVICE AGREEMENT – Town of Mexico, Town of New Haven, and Village of Mexico**

These three municipalities are entering into water service agreement that allows for the Town of New Haven to connect to the water main owned by the Town of Mexico and operated and maintained by the Village of Mexico, in order to access the water supply for its Water District No. 8. The most convenient and efficient manner is to connect the water mains supplying water to the water district over right-of-ways owned by the Town of Mexico located on the Hurlbut Road in the Town of Mexico 2,300 feet east of the intersection of Hurlbut Road with the easterly boundary line of the Town of New Haven and near the intersection of County Route 64 in the Town of Mexico with the easterly boundary of the Town of New Haven.

#### **GIS WEB SERVICES – Village of Lacona and Village of Sandy Creek**

The Village of Lacona currently contracts with the Development Authority of the North Country (DANC) for GIS web based hosting service. The two villages will enter inter a contract to share the GIS system at equal cost to each municipality. (emailing cost)

**SAVINGS:** The GIS service costs Lacona \$700. By sharing the cost and service with Sandy Creek, both municipalities save 50% of the cost of individual service, or \$350.

## **RECORDS CENTER – Oswego County and all municipalities.**

In 2015, Oswego County conducted a records management needs assessment which revealed several areas of potential improvement and efficiencies. The current Records Center is at capacity and departments are storing their own records. These records are taking up valuable office space: the analysis determined stored paper records are consuming 200,000 sq-ft of space in county facilities. Many of these records are unnecessary duplicates, could be kept digitally, disposed of, and stored more securely and with easier access for transparency, if the county had a modern records management system.



In 2018, the County Legislature approved funding a capital project to renovate and expand the Records Center, to include potential electronic record imaging and cataloging capability, and hired a project management consultant to do the following: (1) Work with the architect to design the physical layout of a modern records center that is focused on digitization and (2) Develop a culture-change plan to transition away from paper-dependency across all departments.

Included in the Panel and the County's internal discussions and planning is the potential for the new records center to serve as a regional center that municipalities could use to store records digitally, thereby freeing up facility space for each government that chooses to participate.

## **HEALTH INSURANCE – Oswego County and its municipalities, and possibly other counties.**

Health insurance is one of the highest costs for local governments, and the ability to share health plans would create a potential for significant savings. For example, health insurance costs for the County are 10% of its operating budget, over 12% for the Town of Oswego, and over 18% for the Town of Amboy. However, legal barriers in New York State prevent small local governments from sharing health plans to lower costs, such as the 100-employee minimum required to share health plans, and the 2,000 covered lives minimum to join a health insurance consortium. Although identified as a significant barrier to shared services last year, the State has made no meaningful reform to remove such barriers. **The Panel wishes to re-iterate to the State the imperative need to reform insurance law to remove barriers and allow large and small municipalities to potentially save significant taxpayer dollars.**

Never-the-less, the Panel continues to discuss options, including forming an Article 47 consortium similar to the model in Tompkins County. If the County and two cities formed a

consortium, the 2,000 covered lives threshold would be reached, opening the door for smaller municipalities to join. The CEOs of the County and both cities have expressed interest in examining this option further, and Oswego County will explore options with other counties. Forming a shared plan under Article 5G will also be explored. However, formation of 5G plans and Article 47 consortiums can take more than a year and would not be completed in time to generate any measurable savings during 2019, which is the time limit of the CWSSI mandate.

There is savings potential within the time frame, however, by focusing on singular aspects of health insurance – retirees and stop-loss. Oswego County is self-insured and is currently preparing a request-for-proposals for third-party administration of our health plan. A component of the RFP will explore the possibility of creating a Medicare Advantage plan which could legally be joined by municipalities who provide health coverage to retirees, thereby lowering costs. The RFP will also explore stop-loss consortia for potential savings.

### **ASSESSMENT SERVICES – Oswego County and participating municipalities**

In Oswego County, local governments are the assessment units. A sub-group of the panel including the County, City of Oswego, Town of Oswego and Town of Minetto met to examine the potential for shared assessment services.

In 2008, the County of Oswego commissioned a study of local assessment services to determine the level of shared assessment occurring among municipalities, identify funding opportunities, recommend efficiencies, and describe various forms of shared-assessment models available in New York State. Models ranged from single municipal assessors to sharing municipal assessors under Coordinated Assessment Plans to County-wide assessment.

This year, the County Legislature approved funding to have the study updated by the same firm. That update is currently under review and the results will be shared with the Panel and Legislature for consideration.

**SAVINGS:** Potential 2019 savings are updated and estimated in the savings chart below for each assessment model. Since these figures are from the draft update and no decisions have been made regarding changing assessment models, the estimated savings are not included in the calculations for Appendix A.

The current savings of the current assessment structure over the next least costly alternative is \$78,126 or \$1.31/parcel.

However, if the current assessment structure was adequately funded, the current structure would cost \$572,641 more than the least costly alternative (or \$9.58/parcel).

## **Cost of Current Assessment Structure and Alternative Structures Reviewed**

	<b>Current</b>	<b>Adequate Funded</b>	<b>Countywide CAP</b>	<b>Countywide 1537</b>	<b>Countywide Assessing</b>
Personnel Costs	980,450	1,572,890	980,618	913,736	898,990
Equipment	18,560	47,000	28,000	28,000	28,000
Contractual	215,000	75,000	104,650	104,650	104,650
Bar Payments	10,015	0			
Fringes	321,294	551,529	643,895	599,867	591,805
Revenue	7,000	7,000	7,000	7,000	7,000
Total Cost	1,538,319	2,189,086	1,750,163	1,639,253	1,616,445
\$/Parcel	25.74	36.62	29.28	27.42	27.04
Consolidation			\$418,411	\$59,773	\$59,773

### **COUNTY WEB PRESENCE & SERVICES – Oswego County and participating municipalities**

The County of Oswego contracted this year to redesign and overhaul the county’s outdated web site. The fully modernized new web site is being developed by REVIZE to include enhanced online interaction between the County and its constituents, online bill pay, document access, and to promote government transparency and citizen participation.

Each municipality within Oswego County maintains and pays for its own web site. During planning and development of the County’s new web site, the County will explore with the vendor and the municipalities the concept of shared web hosting, whereby the municipalities’ web presence could become part of the overall county web presence, still with their unique identities, but with integrated functionality, thereby providing the municipalities with enhanced web site services at potentially lower cost than going it alone.

The web site may also include internally shared functions, such as heavy equipment database and availability schedule to promote intermunicipal equipment sharing/rental; and easier access to and notification of bid/RFP results to promote more shared purchasing for commodities such as fuel, office supplies, and equipment.

## **PROCUREMENT**

### **1. BID/RFP COORDINATION & SCHEDULING – Oswego County and participating municipalities**

In 2017, Oswego County contracted its procurement functions to Onondaga County. Further, under New York State law municipalities currently can purchase off Oswego County’s and other municipalities’ bids and RFPs. However, a single reference source of all existing municipal and county bid and RFP awards does not exist for governments to examine while considering purchases. Further, there is no unified schedule of upcoming bids and RFPs that

governments plan to let; such a schedule could be used to cooperative procurement planning among governments and acquisition of lower prices through volume purchasing. Using the County's new web site and its relationship with Onondaga County, the Panel will examine the feasibility of developing a bid/RFP award reference and a common procurement schedule to increase cooperative purchasing of commodities and equipment.

## **2. JOINT PURCHASE OF PAVER – Towns of Constantia and West Monroe**

The towns of Constantia and West Monroe are entering into an intermunicipal agreement to share the cost and operation of a new road paver, with a total cost of \$100,456.

*SAVINGS:* The joint purchase and operation will save each town \$50,228, plus 50% ongoing annual operating and maintenance costs.

## **JOINT RECREATION PROGRAM – Towns of Sandy Creek, Orwell, Boylston and the Villages of Sandy Creek and Lacona.**

Under Section 420, Article A of the executive Law, the Towns of Sandy Creek, Orwell, Boylston and the Villages of Sandy Creek and Lacona are entering into an agreement to provide a joint recreation program to constituents.

*SAVINGS:* The total cost of the joint recreation program is \$27,912 annually, to be shared by the participating municipalities. The total cost of each municipality providing its own recreation program would be \$13,956. Sharing this service produces a net savings to taxpayers of \$7,956.

## **SHARED FUELING AGREEMENT – Village of Sandy Creek and the Sandy Creek Central School District. Boylston, Town of Sandy Creek Lacona Orwell**

The Village of Sandy Creek and the Sandy Creek Central School District are entering into an agreement whereby the Village may utilize the school district's bus garage fuel station facilities for the purpose of refueling village trucks. The Village will be billed by the school district for the fuel costs.

*SAVINGS:* The estimated annual savings in fuel costs for the Village are \$416.

## **SHARING HIGHWAY EQUIPMENT – Town of New Haven, Village of Mexico.**

1. Under General Municipal Law Article 5-G, the town and village are entering into an agreement to rent, borrow, exchange, lease and maintain highway machinery and equipment; and to borrow or lend materials and supplies.

*SAVINGS:* This agreement will help the village and the town avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of, or storing of, a large inventory of certain extra materials and supplies.



## County-Wide Shared Services Property Tax Savings Plan Summary

### Appendix A

<b>County of OSWEGO</b>			
<b>County Contact:</b> PHILIP CHURCH, COUNTY ADMINISTRATOR			
<b>Contact Telephone:</b> 315-349-8235			
<b>Contact Email:</b> PHIL.CHURCH@OSWEGOCOUNTY.COM			
<b>Partners</b>			
<b>Row 1 – (total # of) Cities in County</b>			
<b>Participating Cities</b>		<b>Panel Representative</b>	<b>Vote Cast (Yes or No)*</b>
1.	Oswego County	Philip Church, County Administrator	Y
2.	City of Fulton	Mayor Ronald Woodward	Y
3.	City of Oswego	Mayor Billy Barlow	Y
<b>Row 2 – (total # of) Towns in County</b>			
<b>Participating Towns</b>		<b>Panel Representative</b>	<b>Vote Cast (Yes or No)*</b>
1.	Albion	Aaron Walter, Supervisor	A
2.	Amboy	Kathleen Wilkinson, Supervisor	Y
3.	Boylston	Ann Stacy, Supervisor	A
4.	Constantia	Ken Mosley, Supervisor	Y
5.	Granby	John Snow, Supervisor	Y
6.	Hannibal	Virginia Wilbur, Supervisor	Y
7.	Hastings	Tony Bush, Supervisor	A
8.	Mexico	David Anderson, Supervisor	Y
9.	Minetto	David Domicolo, Supervisor	A
10.	New Haven	Timothy Teifke, Supervisor	Y
11.	Orwell	William Potter, Supervisor	Y
12.	Oswego	Richard Kaulfuss, Supervisor	Y
13.	Palermo	Patricia Redhead, Supervisor	A
14.	Parish	Jack Ruczynski, Deputy Supervisor	Y
15.	Redfield	Tanya Yerdon, Supervisor	A
16.	Richland	Daniel Krupke, Supervisor	Y



## County-Wide Shared Services Property Tax Savings Plan Summary

### Appendix A

17.	Sandy Creek	Nancy Ridgeway, Supervisor	Y
18.	Schroepfel	Lynett Greco, Supervisor	A
19.	Scriba	Jim Sheldon, Deputy Supervisor	Y
20.	Volney	Greg Hartranft, Deputy Supervisor	Y
21.	West Monroe	Vern Sundet, Supervisor	A
22.	Williamstown	John Hamblin, Supervisor	Y

Use Additional Sheets if necessary

\*The written justification provided by each Panel Representative in support of his or her vote on the Plan is attached hereto, as Exhibit 1.

#### Row 3 – (total # of) Villages in County

Participating Villages		Panel Representative	Vote Cast (Yes or No)*
1.	Central Square	Kenneth Sherman, Mayor	A
2.	Cleveland	Laureen Tackman, Mayor	Y
3.	Hannibal	Ronald Greenleaf, Mayor	Y
4.	Lacona	Peggy Manchester, Mayor	A
5.	Mexico	Terry Grimshaw, Mayor	Y
6.	Parish	Kathryn Perkins, Mayor	Y
7.	Phoenix	Ryan Wood, Mayor	A
8.	Pulaski	Angel Rodriguez, Mayor	Y
9.	Sandy Creek	Grant Rohmoser, Mayor	Y

Use Additional Sheets if necessary

\*The written justification provided by each Panel Representative in support of his or her vote on the Plan is attached hereto, as Exhibit 1.

#### Row 4 – (total # of) School Districts, BOCES, and Special Improvement Districts in County

Participating School Districts, BOCES, and Special Improvement Districts		Panel Representative	Vote Cast (Yes or No)*
1.	Central Square	Thomas Colabufo	A
2.	Fulton	Brian Pulvino	A
3.	Mexico	Sean Bruno	A
4.	Pulaski	Brian Hartwell	A

Use Additional Sheets if necessary

\*The written justification provided by each Panel Representative in support of his or her vote on the Plan is attached hereto, as Exhibit 1.

#### Row 5

<b>2018 Local Government Property Taxes</b>	<b>The sum total of property taxes levied in the year 2018 by the county, cities, towns, villages, school districts,</b>
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## County-Wide Shared Services Property Tax Savings Plan Summary

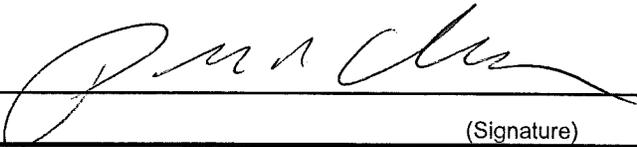
### Appendix A

	<b>BOCES, and special improvement districts within such county.</b>
	\$231,315,770
<b>Row 6</b>	
<b>2018 Participating Entities Property Taxes</b>	<b>The sum total of property taxes levied in the year 2018 by the county, any cities, towns, villages, school districts, BOCES, and special improvements districts identified as participating in the panel in the rows above.</b>
	\$166,067,602
<b>Row 7</b>	
<b>Total Anticipated Savings</b>	<b>The sum total of net savings in such plan certified as being anticipated in calendar year 2019, calendar year 2020, and annually thereafter.</b>
	2019: \$1,534,122, plus one-time construction costs of \$4,707,528.* 2020 and annually thereafter: \$1,534,122 *2019 calculated by including annual savings and one-time construction costs which may be acquired through the levy, bonds or reserves, so the full impact will not be on the levies.
<b>Row 8</b>	
<b>Anticipated Savings as a Percentage of Participating Entities property taxes</b>	<b>The sum total of net savings in such plan certified as being anticipated in calendar year 2019 as a percentage of the sum total in Row 6, calendar year 2020 as a percentage of the sum total in Row 6, and annually thereafter as a percentage of the sum total in Row 6.</b>
	2019: 0.92%.      2020: 0.92%. Thereafter: 0.92%.
<b>Row 9</b>	
<b>Anticipated Savings to the Average Taxpayer</b>	<b>The amount of the savings that the average taxpayer in the county will realize in calendar year 2019, calendar year 2020, and annually thereafter if the net savings certified in the plan are realized.</b>
	2019: \$25.68    2020: \$25.68    Thereafter: \$25.68 Calculated by dividing the annual savings by the number of taxpayers, assuming the number of taxpayers remains the same from year to year.



**County-Wide Shared Services Property Tax Savings Plan Summary**

**Appendix A**

<b>Row 10</b>	
<b>Anticipated Costs/Savings to the Average Homeowner</b>	<b>The percentage amount a homeowner can expect his or her property taxes to increase or decrease in calendar year 2019, calendar year 2020, and annually thereafter if the net savings certified in the plan are realized.</b>
	2019: 0.91%.      2020: 0.89%. Thereafter: 0.87%. Calculated assuming a 2% levy growth in compliance with the NYS Tax Capp each year.
<b>Row 11</b>	
<b>Anticipated Costs/Savings to the Average Business</b>	<b>The percentage amount a business can expect its property taxes to increase or decrease in calendar year 2019, calendar year 2020, and annually thereafter if the net savings certified in the plan are realized.</b>
	2019: 0.91%.      2020: 0.89%. Thereafter: 0.87%. Calculated assuming a 2% levy growth in compliance with the NYS Tax Capp each year.
<b>CERTIFICATION</b>	
I hereby affirm under penalty of perjury that information provided is true to the best of my knowledge and belief. This is the finalized county-wide shared services property tax savings plan. The county-wide shared services property tax savings plan was approved on <u>Aug 30, 2018</u> , and it was disseminated to residents of the county in accordance with the County-wide Shared Services Property Tax Savings Law.	
<u>Philip R Church</u>	<u>County Chief Executive Officer</u>
(Print Name)	
	<u>9.15.18</u>
(Signature)	(Date)

Oswego County Shared Services Panel  
Exhibit 1 - Explanation of Voting

We, the undersigned, as members of the Oswego County Shared Services Panel, have voted in the affirmative to approved the 2018 Shared Services Plan. We will continue to meet to assess the feasibility of the ideas discussed in the Plan and develop implementation strategies for 2019 and beyond.

As local government officials responsible to our constituents for providing public services, and for developing and managing local operating budgets, we are keenly aware of the benefits of sharing services among governments where appropriate. The municipalities of Oswego County have a long history of sharing services that predates this current initiative.

As discussed in Appendix B of the Plan, during its deliberations, the Panel identified legal barriers that prevent governments from entering into certain sharing agreements that could potentially help lower property taxes. The Panel urges the State Legislature and Governor's Office to commit themselves during the coming year to removing legal barriers to shared services, so that our local governments can pursue meaningful initiatives to lower the tax burden.

NAME	TITLE	MUNICIPALITY
<i>[Signature]</i>	MAYOR	Oswego
<i>[Signature]</i>	Mayor	FULTON
<i>[Signature]</i>	MAYOR	VILLAGE OF MEXICO
<i>[Signature]</i>	DEPUTY SUPERVISOR	SCRIBA
<i>[Signature]</i>	Mayor	Kandy Creek
<i>[Signature]</i>	Mayor	Village of Cleveland
<i>[Signature]</i>	SUPERVISOR	TOWN OF CONSTANTIA
<i>[Signature]</i>	Deputy Super	Two Parish
<i>[Signature]</i>	Supervisor	New Haven
<i>[Signature]</i>	Deputy Supervisor	Tn of Volney
<i>[Signature]</i>	MAYOR	PULASKI
<i>[Signature]</i>	Supervisor	Town of Amboy
<i>[Signature]</i>	Supervisor	Town of Williams Town



## APPENDIX B

### STATEMENT REGARDING HIGH PROPERTY TAXES AND BARRIERS TO SHARED SERVICES

The Oswego County Shared Services Panel recognizes that when local governments communicate and share certain functions and services, efficiencies are created and some savings for the taxpayers can be generated. That is why the governments within Oswego County have been sharing services for decades. A six-page list of these formal and informal sharing activities are described in Appendix C.

The fact that so many services in Oswego County are already shared, combined with the existence of legal barriers to certain significant sharing opportunities, makes the development of new shared services less impactful for the taxpayer. Creating more shared services, simply for the sake of saying we created more, doesn't necessarily create efficiencies or reduce tax levies by an appreciable amount.

The Panel shares the State's goal of wanting to solve the problem of the high property tax burden in New York State. However, the Panel knows that no significant progress toward this goal will be made until the State acknowledges its own substantial culpability in creating high local property taxes and commits itself to reform.

Being comprised of local officials directly responsible for the development and daily management of local government budgets, the Panel is fully aware of how State mandates and other State laws drive up local property taxes... and even prevent some opportunities to cut taxes.

The State has attempted some appreciated mandate reform, such as freezing Medicaid costs. However, it has not been enough to lower property taxes because other mandates have been allowed to grow unchecked and the State continues to cost-shift its other responsibilities to local governments. Despite the State's efforts at mandate relief, under-funded and unfunded State mandates increase the tax levies of every city, town, village, county and school district nearly every year, or force those government to cut back or end local services to prevent tax increases.

For example: Oswego County taxpayers send a little under a half-million dollars to New York State, *every week*, to pay for Medicaid, which is a federal mandate on the State. New York is the only state to pass this burden on to local governments. Medicaid is over 55% of Oswego County's property tax levy. Combined with other state mandates such as the jail, probation, child welfare, public assistance, indigent defense, pre-school special education, and dozens more, the cost of State programs consumes *all* of Oswego County's property tax levy and a portion of its sales tax revenue.

Mandates impact municipal governments as well. For example, the Town of Oswego's health insurance is 12.3 percent of the town budget. Attached is a statement from the Honorable William Barlow Jr, Mayor of Oswego, which relates his city's experiences with shared services cost reduction efforts, and the project timeline.

Tax exemption reform is needed in New York State. The intent of exemptions is to recognize special circumstances and support the contributions to society made by certain organizations and people. However, in many communities, the unintended cumulative effect is to shift a considerable portion of the tax burden onto the remaining population of taxpayers. For example, the percent of value exempted is over 20% for the following communities in Oswego County: City of Fulton, 25%; City of Oswego, 36%; Town of Mexico, 22%; Town of Orwell, 23%; Town of Oswego, 44%; Town of Richland, 20%; and Town of Volney, 23%.

During its deliberations, the Panel identified legal barriers that prevent governments from entering into certain sharing agreements that could potentially help lower property taxes. Health insurance is one of the highest costs for local governments, and the ability to share health plans would create a potential for significant savings. However, legal barriers often prevent small local governments from doing this, such as the 100-employee minimum required to join a health consortium.

The Panel also voted to identify as a barrier to shared services in Oswego County the opposing viewpoints on the intent and meaning of State Highway Law §133 and §133-a. The Panel asks the Oswego County Legislature to end its practice of charging municipalities for the use of county-owned equipment on municipal-owned infrastructure. The Panel also asks the State to clarify payment requirement issues surrounding the non-emergency sharing or lending of highway equipment from the County to its municipalities. Specifically, does State Law require counties to charge a fee to municipalities, or other non-monetary form of compensation, for the use of County equipment to make the County Road and Machinery Fund whole, as the State does cities in General City Law §20? Further detailed information and legal citations on both sides of this issue can be found in Appendix D – Public Hearing Statements.

Additional barriers that are within the State's ability to remove or reform are described in "Barriers to Inter-municipal Service Sharing in New York State," published by Cornell University in 2015.

The Oswego County Shared Services Panel will continue to meet, gather data, discuss ideas and recommend implementation of the Plan to its member governments. The Panel urges the State Legislature and Governor's Office to similarly commit themselves during the coming years to lowering the property tax burden by assuming fiscal responsibility for State programs, reforming property tax exemptions, and removing legal barriers to shared services.



WILLIAM J. BARLOW, JR. MAYOR

13 WEST ONEIDA STREET  
OSWEGO, NY 13126  
PHONE: (315) 342-8136  
FAX: (315) 342-8238  
WWW.OSWEGONY.ORG

August 3, 2017

Mr. Philip R. Church  
County Administrator  
46 East Bridge Street  
Oswego, NY 13126

Phil,

I'm writing this letter to provide you with my thoughts, as Mayor of the City of Oswego on the Oswego County Shared Services panel and our options at this point in the process.

First, I believe that consolidation and sharing services with neighboring municipalities and other Governments is appropriate at this time. As an elected official, I have the responsibility to do everything I can to prevent tax increases, maintain quality services and make sure my constituents are well represented at the table. I want you to know that I fully support the shared services panel, the Governor's initiative to push local governments to share services and consolidate and I am open to sharing any service with any other government. However, I do have some reservations about implementing such changes so quickly and I've been a bit uncomfortable with the proposed timeline.

I agree that holding off until 2018 to consolidate or share a service is a wise thing to do for our constituents and tax payers. I believe the initial timeline was too short and any viable plan would've been rushed, thrown together, incomplete and even irresponsible. I believe if we were to complete a true, beneficial shared service program, more time would be needed to ensure it was fully thought out, the consequences were adequately weighed and we were prepared to deal with the repercussions of such changes. I feel that by opting to continue meeting to propose a measure in 2018 allows us the appropriate amount of time to be thoughtful and responsible. Personally, I am in the midst of preparing my second City budget as Mayor. To be frank, I am still learning

more and more about each individual service the City offers and still digging deep into the finances of the City. As you know, I've made some extremely difficult and controversial decisions to mitigate tax increases while not affecting quality City services. I take my time with these decisions and weigh them very carefully before moving forward. I feel in order to make this deadline, I would've been uncomfortable with a significant move to share a service or consolidate with another municipality and may not have been totally prepared to execute the change properly.

I would like to offer my initial thoughts on how to proceed with the panel and where I believe our focus should be. While thinking about sharing services, my focus is to save the taxpayer money, shrink the City operating budget and maintain quality service at the same level City residents currently enjoy. When I think of services like code enforcement, DPW street services, animal control, police and fire, these services are the services people see and feel. They notice the impact these departments have and how well they are served by their services. I am hesitant to touch these services because of the probable chance of these services being negatively affected or diminished by such a change. I'm more attracted to consolidating services the City resident may not actually "see". I am drawn to the idea of consolidating record keeping, purchasing, billing and assessments. These services are an integral part of City government, but not necessarily critical to the taxpayer from a "quality of service" standpoint. They deal with these issues locally, but generally come to City Hall to deal with these issues with a certain expectation.

I have thought in-depth about the idea of consolidating the assessing process and perhaps forming a county wide assessment program. The assessment process is not arbitrary, but is a very strict process that all municipalities must abide and shouldn't display any sort of bias or favoritism. The common argument of "we know our neighbors" or "we understand our community" can not apply to assessing a locality and individual property. The level of service is quite standard as well, as each municipality likely has a set system calling for a consistent re-assessment schedule. I fail to see how any argument can be made as to why a municipality could not implement and manage consolidating such a standard service. I believe allowing the County to

administer assessments would perhaps even add more equity and fairness to the process. The City of Oswego's assessment office in 2017 was budgeted for \$185,000, a considerable amount of money for a City the size of Oswego and would certainly be a worthwhile idea to at least explore.

In conclusion, I'd like to thank you for your leadership and guidance throughout this entire process. I appreciate the effort you have made to get our County leaders in a room to discuss a plan. I stand ready to assist you in any capacity and I am fully prepared to have City government assist in this process with the direction we choose. Please let me know how I can be of assistance to you moving forward in this process.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'William J. Barlow', is written over the typed name and email address.

Mayor William J. Barlow  
[mayor@oswegony.org](mailto:mayor@oswegony.org)

**APPENDIX C**

<b>MUNICIPALITY</b>	<b>SERVICES OR FUNCTION</b>	<b>SHARED WITH</b>
Town of Albion	Highway Services	County of Oswego, T/Amboy, T/Orwell, T/Williamstown
	Ambulance Services	9 towns
Town of Amboy	Dog control kennel	Williamstown
Town of Hannibal	Highway work, village pickup	V/Hannibal
	Highway work manpower	T/Granby, T/Oswego, T/Ira, T/Sterling
	Equipment/Operator	T/Granby, T/Oswego, T/Ira, T/Sterling
	Water Operator/Equipment	City of Fulton, Village of Fair Haven
	Equipment/Manpower	City of Fulton
	Agreement Metropolitan Water/OCWA	OCWA
Town of Hastings	Fuel	Central Square Schools
	Highway Equipment	Multiple municipalities
	Sewer	T/West Monroe, V/Central Square
	Code Enforcement	Reciprocal with municipalities - temp help for vacations, etc.
	Sports fields	Central Square Schools
	Dog control	T/Schroepel
	Snow plowing	Oswego County
Town of Orwell	Highway Intermunicipal Agreement	T/Albion, T/Amboy, T/Boylston, T/Redfield, T/Sandy Creek
	Shared Cost to purchase used pavement roller	T/Boylston, T/Redfield, T/Richland, T/Sandy Creek, T/Williamstown
	Northern Oswego County Ambulance	
Town of Redfield	Snowplowing	Oswego County
	Purchase of Equipment	T/Boylston, T/Orwell, T/Richland, T/Sandy Creek, T/Williamstown
	Justice (waiting for verbage in law to change)	Possibly T/Boylston
	Purchase road salt & materials	T/Osceola
	Fire Department	T/Osceola
	Workers Comp	Oswego County
	Ambulance	7 towns (NOCA)
	Justice Court Clerks & CFO/Supervisor Clerks	Did not fill these positions to cut costs
	Property Revalue	work w/Oswego County to cut cost of appraiser
	Road repair/hauling materials	T/Boylston, T/Orwell, T/Richland, T/Sandy Creek, T/Williamstown

MUNICIPALITY	SERVICES OR FUNCTION	SHARED WITH
	Code Enforcement Officer	7-9 other towns
Town of Richland	Intermunicipal Agreement - Services/Equipment	T/Williamtown, V/Pulaski, Sandy Creek, Redfield, Boylston
	Intermunicipal Agreement - Street Sweeper	T/Redfield, Sandy Creek
	Intermunicipal Agreement - Roller	Sandy Creek, T/Redfield, T/Boylston, T/Orwell, T/Williamstown
	Intermunicipal Agreement - Water Service	Sandy Creek
	Intermunicipal Agreement - Snow Removal	Oswego County, V/Pulaski
Town of Sandy Creek	Judge and court	V/Lacona
	Assessor	V/Lacona
	Summer Recreation	T/Boylston, V/Lacona, T/Orwell, V/Sandy Creek
	Dog Control	V/Lacona
	Fuel Facility	Sandy Creek Central School District
	History Center (supplies)	V/Lacona
	CEO Schooling	V/Lacona, V/Sandy Creek, T/Richland
	Highway Equipment	V/Lacona, V/Sandy Creek, T/Boylston, T/Orwell, T/Redfield, T/Richland
	Workers Comp	Oswego County
	Planning Board	V/Sandy Creek
	Election	V/Sandy Creek
	WD#1	T/Richland
	WD#2	V/Sandy Creek
	NOCA	7 towns
Town of Schroepel	Dog Control	T/Hastings, T/Volney, V/Phoenix
	Water Agreement	OCWA, V/Phoenix
	Workers Comp	Oswego County
	Salt	Phoenix School District, Oswego County
	Highway Services	Oswego County, T/Volney, T/Hastings, T/Palermo V/Phoenix
	Assessor	V/Phoenix
	Highway Equipment	T/Granby, T/Hastings, T/Volney
	IT Services	CiTi, Phoenix School District
	Constables	T/New Haven, T/Parish, T/West Monroe, T/Vienna, T/Richland, T/Volney,
	Judge & Court	V/Pulaski, T/Palermo
	Music in Park	V/Phoenix
		V/Phoenix

MUNICIPALITY	SERVICES OR FUNCTION	SHARED WITH
	Tax Collection	Phoenix School District, Oswego County
	CEO Schooling	T/Volney
	Dog Shelter	T/Hastings
	Historian	V/Phoenix
Town of Volney	Paving & heavy equipment	City of Fulton
	Paving, oil, stone, plowing, dump trucks	T/Scriba, T/New Haven, T/Palermo, T/Schroeppel
	Plow 25 miles	Oswego County
Town of West Monroe	Equipment (share)	T/Constantia
	Paving	T/Constantia
	Equipment (borrow)	T/Hastings
Town of Williamstown	Highway Agreements	T/Albion, T/Amboy, T/Orwell, T/Parish, T/Redfield, T/Richland, T/Sandy Creek
Village of Central Square	Snowplowing	T/Hastings
	Recreation Program (summer)	T/Hastings
	Fuel	Central Square School District
	Highway services	T/Constantia, T/West Monroe
	Security services-special events	Central Square School District
	Workers comp	Oswego County
	Insurance	NYSMIR
Village of Cleveland	Leaf pickup	T/Constantia
	Paving	Oswego County
	Street sweeping	T/Constantia
	Plowing	T/Constantia
Village of Hannibal	Assessor	T/Hannibal
	Tax Collector	T/Hannibal
	Fire Department	T/Hannibal
	Highway Department	T/Hannibal
	Municipal Building	T/Hannibal
	Town Justices	T/Hannibal
	Water Department	T/Hannibal

MUNICIPALITY	SERVICES OR FUNCTION	SHARED WITH
	Housekeeping	T/Hannibal
	Stump grinding	T/Oswego
	Tree cutting	Oswego County
	Animal control	T/Hannibal
Village of Lacona	Water system (including ownership of wells, treatment plant, tower)	V/Sandy Creek
	Office expenses (equipment, supplies, utility bills, cleaning)	V/Sandy Creek
	Accounting software	V/Sandy Creek
	IT	V/Sandy Creek
	Summer Recreation Program	V/Sandy Creek, T/Sandy Creek, T/Orwell, T/Boylston
	Fuel facility	Sandy Creek Central School District
	Justice Court	T/Sandy Creek
	Animal Control	T/Sandy Creek
	Historian & expenses	T/Sandy Creek
	Code Enforcement expenses	T/Sandy Creek
	Workers Comp	Oswego County
	Paving & tree removal	Oswego County
Oswego City	Leachate/sludge exchange	Oswego County
	Collection of delinquent property taxes	Oswego County
	Animal control & shelter services	Sandy Creek, Mexico, Fulton, T/Scriba, T/Minetto, T/Oswego, T/Granby
	Equipment	T/Oswego, T/Minetto, Fulton, Mexico
	Youth Services	Fulton
	Board of Assessment Review Services	Fulton
Village of Parish	Highway Department	T/Parish
	Court System	T/Parish
	Village office building	T/Parish
	Maintenance personnel	T/Parish
	Assessor	T/Parish
	Code Enforcement Officer	T/Parish
	Zoning Board	T/Parish
	Planning Board	T/Parish

MUNICIPALITY	SERVICES OR FUNCTION	SHARED WITH
	Parks/Recreation	T/Parish
	Animal Control	T/Parish
	Equipment	T/Parish
	Annual Community Cleanup	T/Parish
	T/V Register	T/Parish
	Historical Society	T/Parish
Village of Phoenix	Tree service/line setting	T/Schroepel
	Snow removal equipment/attachments	Phoenix Central Schools
	Water meter reading/repairs	T/Schroepel
	Line striping	Phoenix Central Schools
Village of Sandy Creek	Water system (including ownership of wells, treatment plant, tower)	V/Lacona
	Joint Summer Recreation Program	V/Lacona, T/Sandy Creek, T/Boylston, T/Orwell
	Fuel Facility	Sandy Creek Central School District
	Justice Court	T/Sandy Creek
	Assessing	T/Sandy Creek
	Dog Control	T/Sandy Creek
	Village office & expenses	T/Lacona
	Historian & expenses	T/Sandy Creek
	Accounting software	V/Lacona
	IT	V/Lacona
	Code Enforcement expenses	T/Sandy Creek
	Planning Board	T/Sandy Creek
	Workers Comp	T/Sandy Creek
	Election	T/Sandy Creek
	NOCA	Oswego County
Village of Mexico	Salt/sand storage system, loader	T/Mexico
	Exavator/trailer/truck/operator	T/Mexico
	Equipment (plate tamper, stump grinder, brush chipper, mower)	T/Mexico
	Specialty tools	T/Mexico

MUNICIPALITY	SERVICES OR FUNCTION	SHARED WITH
	Drinking water districts (upgrading wells & pump house)	T/Mexico
	Meter reading & billing operations	T/Mexico
	Fire hydrant preventive maintenance/recordkeeping	T/Mexico
	Sewer services - Oswego County BOCES	T/Mexico
	Diesel/gasoline	Mexico Central School District

**APPENDIX D**

**PUBLIC HEARING  
STATEMENTS**

## MEMORANDUM

To: Hon. Daniel Farfaglia, County Legislator

From: Hon. Shane Broadwell, Chairman of the Legislature

Date: July 30, 2018

Re: Highway Equipment Rentals

---

Thank you for your letter. I know this topic has been a concern for your caucus for some time and was also recently discussed at a Shared Services Panel which Legislator Castiglia attended. Enclosed are copies of the statutes which govern rentals at the city, town and county level.

By copy of this memo, I am asking the Highway Department to summarize what the county has earned in rentals per its current rates for the past two years, what the county has paid to rent equipment in the past two years and also to compare same with what the county is charged by towns under snow and ice contracts or otherwise.

By way of background, it is important to note a few things.

1. The county can only rent its highway equipment to other municipalities or public entities and *vice-versa* so state laws talking about rentals of public equipment have to be viewed in that context.
2. The county has separate funds for bridges, roads and machinery under the Highway Law. This construct is also followed by towns whom have elected Highway Superintendents and villages. Cities are a bit different regarding their streets. The purpose of these separate funds are to make improvements, and to buy or rent equipment for the maintenance and improvement of county roads in the county, town roads in the towns and so forth. Cities buy or rent equipment for the maintenance of their own streets and bridges.
3. All towns bill the county for town equipment used in snow and ice control at the NYSDOT rate.
4. The county rents to itself generally on state or federally funded projects or contracts. For example, in the county's contract with NYSDOT for plowing state roads, the

expenses occur in the Highway Fund and revenues are placed in the Road Machinery Fund as the county's equipment is used and the monies booked as a revenue go for replacement. This methodology helps with tracking actual internal project costs for county purposes, state/federal grants and state CHIPS reimbursement. Having different machine rental rates for the same piece of equipment depending on whom is using it could create issues for the county on state or federal audits.

5. The structure of state law is that there be some *quid pro quo* or rent charged for the use of highway machinery. Rentals accelerate depreciation, repairs and the useful life of equipment and may drive up insurance costs if not otherwise covered or there is an insured loss. The county could conceptually lower the rate but it should not be zero either. Even the routine/proper use of some equipment can get quite expensive (e.g. replacing teeth on a road milling machine). The county does not rent out its milling machine because of the costs to operate.
6. You should know the Town of Oswego had highway fund expenditures in excess of budgeted amounts which caught the state's attention. A March 2018 Town of Oswego Audit of Financial Condition by the NYS Comptroller found: "We discussed projected revenues and expenditures through December 31, 2017 with the Highway Superintendent and Supervisor. As a result, we determined **the Town's revenue estimates were not reasonable and have identified that intergovernmental charges and rental equipment revenues were overbudgeted by about \$33,300.** The Highway Superintendent told us that he was conservative when developing the 2017 budget for intergovernmental charges and rental of equipment. However, he realized in March that his estimate was not conservative enough and immediately began limiting spending in personnel and contractual accounts ... Intergovernmental charges and rental of equipment account for personal services and equipment rental for plowing and mowing related to County roads, in addition to personal services for plowing for the Onondaga Water Board Authority." It is safe to say that the State Comptroller also looks at rental revenues to specific funds.
7. Cities cannot rent their equipment to other municipalities *for less than the NYSDOT rate* per the NYS General City Law. So, if Fulton had a road grader or other machine and the county wanted to rent same, they would have to charge the NYSDOT rate per day to the county. How that is paid depends on what the city is looking for and the county is willing to do. It should be reconciled and paid in the same fiscal year though.
8. All of these funds permit rental of equipment from private vendors. Each year the county rents equipment as needed (e.g. 40 ton crane) from private vendors. All municipalities can participate in the county's bid and have had that capability for many years.
9. Because of the structure of the road, bridge and machinery funds, each municipality is required to budget for the maintenance of its own roads and bridges and the cost of machinery/rentals to maintain that municipality's roads. Towns cannot maintain county

roads and vice-versa. The county machinery fund is established for the purchase of machinery to maintain county roads which is a county responsibility.

10. Under a state of emergency, the county has and will continue to make available equipment as may be needed by cities and towns which does not otherwise impair county operations (e.g. dump trucks to haul snow away from a city, a plow if a town plow broke down).

## TOWN RENTALS OF HIGHWAY EQUIPMENT

### McKinney's Highway Law § 142-c

#### § 142-c. Removal of snow and ice from streets and repair of sidewalks in villages

The town board may authorize the town superintendent to

(1) remove snow and ice from streets and sidewalks in any village or portion thereof within the town.

(2) Repair streets and sidewalks within any village or portion thereof within the town.

(3) Permit the use of town highway machinery, snow and ice removal equipment, tools and equipment in or by any village located wholly or partly within the town.

(4) The work authorized by this section shall be performed upon such terms and conditions as may be agreed upon by the town board of the town and board of trustees of the village.

(5) **Moneys received by a town pursuant to the provisions of this section shall be first applied to the credit of the fund authorized by subdivision four of section one hundred forty-one of this chapter to the extent that any expense incurred was originally charged thereto, and the balance of such moneys, if any, shall be credited to the fund authorized by subdivision three of section one hundred forty-one of this chapter.**

### McKinney's Highway Law § 142-d

#### § 142-d. Rental or hiring of town highway machinery, tools or equipment.

Except as otherwise provided in section one hundred forty-two-c of this chapter with respect to the use of town highway machinery, snow and ice removal equipment, tools and equipment by a village located wholly or partly within the town, the town superintendent of highways, with the approval of the town board, may permit the use of any town-owned highway machinery, tools or equipment by a county or any municipality, district, district corporation, school district, community college, and any unit of the state university of New York, upon such terms and conditions as may be agreed upon by the parties involved. **Moneys received by a town pursuant to the provisions of this section shall be applicable for the purposes for which amounts may be raised as provided in subdivision three of section two hundred seventy-one of this chapter.**

Highway Law 271(3) provides in part: *3. a. Unless duly authorized by vote at a special or biennial town election, there shall not be levied and collected in any one year in any town, for the purchase of stone crushers, power rollers, motor trucks, scarifiers, concrete mixers, traction engines or road machines for grading and scraping, equipment, tools and other implements, an amount greater than as hereinafter specified,*

**McKinney's Highway Law § 143**

**§ 143. Town superintendents may hire machinery**

**The town superintendent may rent or hire machinery or equipment at a rate to be approved by the town board. The expense thereof shall be paid out of moneys provided for the repair and improvement of highways.** Rentals paid by the town pursuant to this section shall not be applicable to the purchase of machinery or equipment so rented, except if pursuant to an installment purchase contract entered into pursuant to section one hundred nine-b of the general municipal law.

The town superintendent of highways, unless he is a county employee, may not retain for his own use and benefit moneys paid by the county to the town under an agreement concerning the rental of town highway machinery with operator for his services on county roads. 10 Op.State Compt. 246, 1954.

**CITY RENTALS OF HIGHWAY EQUIPMENT**

**McKinney's General City Law § 20**

**§ 20. Grant of specific powers**

Subject to the constitution and general laws of this state, every city is empowered:

**31. May permit the use of any city-owned street or highway machinery, tools or equipment by a county in which such city is wholly or partly located or by a municipal subdivision, district, district corporation or school district, wholly or partly within such a county, upon such terms as may be agreed upon but with the payment to the city of not less than the hourly rate as fixed by the state commissioner of transportation for the rental or hiring of such machinery, tools or equipment by the city.** Moneys received by a city pursuant to the provisions of this subdivision may be applied to the payment of any existing obligations of the city or transferred to the general fund.

Opns St Comp, 1981 No. 81-185 (N.Y.St.Cptr.), 1981 WL 16758

New York State Comptroller

NYCPTR Opn No. 81-185

June 2, 1981

TO: JOHN BISTRAN, SUPERINTENDENT OF HIGHWAYS  
TOWN OF EAST HAMPTON

Highway Law, § 143

1. STREETS AND HIGHWAYS—HIGHWAY EQUIPMENT—RENTAL OF

Pursuant to the provisions of this section, a town may rent highway equipment from a private concern on an annual basis.

We have received an inquiry asking whether a town may rent from a private concern on

an annual basis two pieces of highway equipment at a cost of approximately \$24,000. **Highway Law, § 143 authorizes a town highway superintendent, with the approval of the county superintendent, to rent or hire machinery or equipment at a rate to be approved by the town board. The expense of the rental would be paid out of moneys provided for the repair and improvement of highways** (item 1). However, no rental moneys may be applied to the purchase price of machinery or equipment so rented.

Accordingly, pursuant to the provisions of section 143, highway equipment may be rented on an annual basis from a private firm at a cost to be approved by the town board. We note that, while no competitive bidding is required for the renting of equipment and machinery, such items cannot be rented in a manner which would circumvent competitive bidding requirements. Thus, machinery and equipment may not be rented with operators to perform what is essentially a public works project where the project is under the complete control and supervision of the contractor. However, where the overall project or work is under the control and supervision of the town, the rental of equipment with operators would not be subject to competitive bidding (27 Opns St Comp, 1971, p 186; 23 Opns St Comp, 1967, p 567; 20 Opns St Comp, 1964, p 368). Opns St Comp, 1981 No. 81-185 (N.Y.St.Cptr.), 1981 WL 16758

## **HIGHWAY LAW - COUNTY RENTALS**

It is important to note that the county cannot rent to private corporations or individuals - only municipalities.

### **McKinney's Highway Law § 117**

#### **§ 117. Construction and reconstruction of county roads**

Construction or reconstruction of such roads, including necessary grade and culvert work, and any plans and specifications therefor, shall conform to an outline or general plan of the work, and such construction or reconstruction must be done under the immediate direct supervision of the county superintendent or a competent foreman designated by him. All or any part of such construction or reconstruction may be done by contract or by direct employment of labor and purchase of material, or both. The machinery needed for work done under this article, unless furnished by the contractor, shall be provided as follows: The county superintendent may rent road machinery from any person, company, corporation, or from any town or towns in the county, or from any other county, **and such rental shall be payable from the county road fund; or he may use road building machinery, equipment, tools and implements purchased with county moneys, and whenever used for the purpose of this article, a charge therefor, in the nature of rental, shall be payable from the county road fund on itemized vouchers certified by the county superintendent showing where the machinery was used, together with the amount chargeable to each appropriation or construction project.** The provisions of subdivision three of section one hundred ninety-five, and of subdivisions four, five and six of section one hundred ninety-four shall apply to work carried on pursuant to the provisions of this article.

**McKinney's Highway Law § 133**

**§ 133. Machinery, tools, equipment, implements, materials and supplies**

1. **There is hereby continued in each county the separate fund, known as the county road machinery fund.** Such fund shall consist of, and there shall be credited to such fund (a) such amounts as the board of supervisors by resolution may, from time to time, appropriate thereto from the general fund, (b) **all rentals received from any source for the use of county owned machinery, equipment, tools and implements, including amounts payable pursuant to section one hundred seventeen of this chapter,** (c) all amounts payable thereto under the provisions of subdivision three of this section, and (d) all other moneys received for such fund from any other source pursuant to law.

2. The board of supervisors may, at any regular or special meeting, **appropriate available moneys in such fund for (a) the purchase and repair of machinery, tools, implements and equipment to be used for highway, snow removal or bridge purposes, (b) the operation of such machinery, tools, implements and equipment and supplies therefor, (c) the operation of necessary shops or garages under the jurisdiction of the county superintendent, (d) the acquisition, construction, reconstruction or repair of buildings, under the direction and supervision of the county superintendent, for the housing or repair of such machinery, tools, implements and equipment, and (e) the purchase of materials and supplies adequate to provide a central stock-pile, on an annual basis for highway, snow removal and bridge purposes.** Should such fund at any time become larger than necessary for the annual requirements, **any excess amount may, upon recommendation of the county superintendent, be transferred to the general fund by resolution** of the board of supervisors.

3. Whenever materials and supplies from a central stock-pile, established pursuant to subdivision two of this section, are used for any highway, snow removal or bridge purpose, the cost of such materials and supplies shall be considered as an expense of such purpose. On or before the tenth day of each month, the county superintendent shall prepare itemized vouchers, properly certified by him, covering the cost of such materials and supplies used during the preceding month and submit the same for audit. Payments therefor shall be made to the county road machinery fund from appropriations provided for the purposes for which the materials and supplies were used.

4. The county superintendent shall make all purchases chargeable to the county road machinery fund. The superintendent may, with the approval of the board of supervisors or of a duly authorized committee thereof, sell any machinery, equipment, tools and implements used for highway, snow removal or bridge purposes no longer needed by the county, or which shall have become worn out or obsolete, or may exchange the same or surrender it to the vendor as part payment for new machinery, equipment, tools and implements. If sold, the proceeds shall be credited to the receipts of such funds and become a part thereof. Any purchase of new machinery, of a value in excess of ten thousand dollars, in order to become effective, shall have the approval of the board of supervisors, or a committee of the board duly authorized and designated by the board for such purpose.

5. No claim chargeable to the county road machinery fund shall be paid by the county treasurer unless such claim has first been approved by the county superintendent of highways and shall have been audited by the board of supervisors or a duly appointed auditing officer in the same manner as other claims against the county; provided, however, that debt service payments may be made without the approval of the county superintendent of highways and without prior audit; and compensation for the services of officers and employees engaged at agreed wages by the hour, day, week, month or year may be paid without prior audit.

#### **McKinney's Highway Law § 133-a**

##### **§ 133-a. Rental or hiring of county highway machinery, tools or equipment**

The board of supervisors or county legislature of any county may, on the recommendation of the county superintendent of highways, **permit the use of any county-owned street or highway machinery, tools or equipment, by any municipal corporation, political subdivision, district, district corporation or school district located within the state, upon such terms and conditions as may be agreed upon by the parties involved. Moneys received by a county pursuant to the provisions of this section shall be paid into the county road machinery fund.**

A county may enter into agreements with towns, pursuant to the provisions of this article, for the processing of gravel in the county's processing plant and the consideration for such an agreement could be for a fixed charge per yard of processed gravel based on the hourly rental rate, the cost of the operator's salary and expense of supplies for running the machinery. 16 Op.State Compt. 205, 1960.

#### **Rental proceeds**

**A board of supervisors may not earmark or freeze moneys received by a county for the rental of county owned highway machinery, equipment, tools and implements for the purpose of redeeming a capital note issued to finance the purchase of highway machinery.** 3 Op.State Compt. 473, 1947.

In a prior informal opinion the Attorney-General (1940 Atty.-Gen. [Inf.] 157, 158) concluded as follows:

“The State Comptroller also rules in a circular addressed to the county superintendents of highways on September 9, 1940, after consultation with this office, that counties and towns may lease highway equipment to county soil conservation districts. This was upon the theory that soil conservation districts are State agencies and that the purpose and result of the operations of the county districts are for the ultimate benefit of the public at large.”

1944 N.Y. Op. Atty. Gen. No. 92 (N.Y.A.G.), 1944 WL 42139  
Office of the Attorney General  
State of New York  
Informal Opinion  
June 5, 1944

NEW YORK STATE CONSTITUTION, ARTICLE 8, SECTION 1; HIGHWAY LAW,  
SECTIONS 141, 142, USE OF TOWN HIGHWAY EQUIPMENT.

\*1 Town highway equipment and men may not be used in private cemeteries because that would be using public property for a private undertaking; nor in local water districts or school districts without compensation to the town.

Leslie L. Blake  
Supervisor  
Williamson

This is in reply to your letter of April 17, 1944. In it you ask three questions:

“Can the highway superintendent use town highway equipment and men to do necessary work for the Williamson or other local water Districts?”

“Can the highway superintendent use highway equipment and men to draw gravel, plow snow or do necessary work for the Williamson Central School district?”

“Can the highway superintendent use highway equipment and men to plow snow or do road work in the cemeteries of our town, other than those that have been abandoned?”

Answering the last question first, my view would be that the highway superintendent may not use highway equipment and men in the cemeteries of your town, other than those that have been abandoned. To do so would be using the property of the town for a private undertaking in contravention of Article 8, Section 1, of the Constitution, which provides:

“No county, city, town, village or school district shall give or loan any money or property to or in aid of any individual or private corporation or association or private undertaking \* \* \*.”

See *Holley v. City of Mt. Vernon*, 141 App. Div. 823, where this provision (then Article 8, Section 10, of the 1894 Constitution) was held to prohibit the employment of a man, by a city, in a cemetery not owned by the city.

The other two questions you ask are to be answered in the negative also, but for other reasons.

The constitutional prohibition does not apply, because to employ the men and equipment in the school district and in the water district, is to employ them for a public purpose (*Union Free School District No. 3, etc., v. Town of Rye*, 280 N. Y. 469, 471). However, the Highway Law clearly indicates that where town equipment is used for other than a town purpose, rental is to be received for such use. **Thus, Section 117 of the Highway Law provides that when the county superintendent rents road machinery from a town, rental is paid therefor. Similarly, Section 142 of the Highway Law provides that town highway machinery may be used by a village “upon such terms as may be agreed upon”. The implication there is plain that some quid pro quo arrangement must be made. This is equitable, since the money paying for the purchase and maintenance of the machinery is “raised by tax in the town” (Highway Law, Sections 141, 142).**

I would conclude that because use of the highway equipment in cemeteries would be using it for a private purpose, and that because the proposed use thereof in water districts and in the school

district would be without compensation to the town, the town highway machinery may not be used in either of the three ways that you propose.

\*2 Since the Attorney-General is authorized to advise only State officials, the within is not to be considered a formal opinion of the Attorney-General, but is an informal and unofficial discussion of the subject matter, in an effort to be of assistance to you.

Nathaniel L. Goldstein

949 N.Y. Op. Atty. Gen. No. 16 (N.Y.A.G.), 1949 WL 49964

Office of the Attorney General

State of New York

Informal Opinion

February 18, 1949

ELECTION LAW, SECTIONS 52(11), 243, 265.

\*1 There appears to be no authority for a village to rent voting machines from a town. In Nassau County a village may rent such machines from its county board of elections.

John W. Whiteley

Village Attorney

Ticonderoga

This will acknowledge receipt of your recent letter in which you ask if a village may rent voting machines from the town wherein they are contained for use at village elections.

The use of voting machines at village elections is optional with the village board (1945 Atty.-Gen. (Inf.) 141) and, in my opinion, such a procedure may be adopted by the trustees even though such village did adopt the use of such machines for use at the general election of 1938, the date by which cities and towns were required to provide such machines under Section 243 of the Election Law.

In this connection the Legislature has authorized the experimental use of machines at a village election (Election Law, Section 244).

I note that there is precise statutory authority for the rental of voting machines by a board of elections in Nassau County (Election Law, Section 52, Subdivision 1). Section 265 of the Election Law deals with the custody of voting machines. That section provides in part that, \* \* \* "The local authorities adopting the machines shall have the custody thereof when not in use at an election, and shall preserve and keep them in repair." \* \* \* "All machines shall be boxed and collected as soon after the close of the election as possible, and the machines, and the boxes for the machines, shall at all times be stored in a suitable place."

I can find no statute empowering a town to rent such voting machines and in the absence thereof, **I doubt the authority of a town to permit the use of its voting machines by a village either with or without rental. In this connection it was deemed necessary for the Legislature to enact specific legislation enabling municipalities to rent highway equipment to other municipalities and districts (eg. Highway Law, Section 142-c, town highway machinery, Section 133-a county highway machinery, Village Law, Section 89, Subdivision 40-a, village highway machinery).**

The Attorney-General is authorized by law to render legal advice to officers and departments of the State government only. Necessarily, therefore, the foregoing must be considered as having been rendered informally and unofficially because of the Attorney-General's desire to be helpful

to you. It is not to be considered a formal opinion of the Attorney-General.  
Nathaniel L. Goldstein  
1949 N.Y. Op. Atty. Gen. No. 16 (N.Y.A.G.), 1949 WL 49964

**64 N.Y. Jur. 2d Highways, Streets, and Bridges § 172**  
**New York Jurisprudence, Second Edition | May 2018 Update**  
**Highways, Streets, and Bridges**

Thomas M. Fleming, J.D., Janice Holben, J.D., Rachel M. Kane, M.A., J.D., Michele Meyer  
McCarthy, J.D., Mary Babb Morris, J.D., of the staff of the National Legal Research Group, Inc.,  
Tom Muskus, J.D., Caralyn M. Ross J.D., Kimberly C. Simmons, J.D., and Judy E. Zelin, J.D.  
V. Construction, Improvement, Maintenance, and Repair  
**D. Labor, Material, Machinery, and Equipment**  
**§ 172. Acquisition, use, and disposition of machinery and equipment**  
**Topic Summary | Correlation Table | References**

The Commissioner of Transportation has the power to purchase equipment and appliances that he or she may deem necessary for the maintenance and repair of state highways in towns and incorporated villages.<sup>1</sup>

Moreover, in connection with the construction or reconstruction of county roads, a county superintendent may rent road machinery from any person, company, corporation, or from any town or towns in the county or from any other county; or he or she may use road building machinery, equipment, tools, and implements purchased with county moneys.<sup>2</sup>

Any county may, by a resolution of its board of supervisors regularly adopted, provide that all or any part or class of supplies, materials, tools, implements, and equipment, including the purchase or rental of road machinery, required for the construction or reconstruction of county roads, must be purchased or contracted for by the county purchasing agent in the manner provided by law.<sup>3</sup>

However, while a county may appoint a county purchasing agent for the purpose of purchasing or renting all highway equipment, the county may not make the purchases requested by the highway superintendent subject to the prior approval of such purchasing agent or a county administrator.<sup>4</sup>

County-owned street or highway machinery, tools, or equipment may be used by any municipal corporation, political subdivision, district, district corporation, or school district located within the state, upon such terms and conditions as may be agreed upon by the parties involved.<sup>5</sup>

Thus, the county superintendent of highways of any county may, with the approval of the board of supervisors, permit the use of county highway machinery, tools, equipment, and implements by the superintendent of public works of any city in such county, upon such terms and conditions as may be agreed upon by the county and the city involved.<sup>6</sup>

Moreover, county-owned snow-removal equipment may be leased to: (1) any town or towns in the county to be used on town highways under the direction of the town superintendent or to (2) the Commissioner of Transportation.

Westlaw. © 2018 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Footnotes

1 High. Law § 12(3).

2 High. Law § 117.

3 High. Law § 134.

4 1985 N.Y. Op. Comp. 85-39 (New York State Chapter).

5 High. Law § 133-a.

6 High. Law § 102(16).

7 High. Law § 135.

There is no provision of law which would authorize the town board to enter into any agreement with a water company whereby each would construct portions of the system, or whereby ownership of the system would be joint, or whereby the system could be sold piecemeal through the giving of refunds by the water company based on the number of consumers.

Sale of district property may be made only where the property sold is not required for the purpose of the district. (Town Law, section 198, subdivision 12).

CONCLUSION

A town board, on behalf of a water district, may not enter into a contract with a water company whereby the water company will install service connections, meters and hydrants, maintain and repair the distribution system, and eventually purchase the system through refunds, the company to have title to the system in proportion to the refunds made.

We suggest the possibility of the formation of a water supply district. Of course, the town would not be authorized to construct any portion of the system. However, it could contract for the purchase of water for fire, sanitary or other public purposes and for the furnishing, erection, maintenance, care and replacement of fire hydrants. (Town Law, section 198, subdivision 8).

October 24, 1947.

File No. 2443

HIGHWAY LAW, SECTIONS 133 AND 133-a.

A board of supervisors may not freeze highway rental to pay capital notes.

INQUIRY

May a board of supervisors earmark or freeze moneys received by a county for the rental of county owned highway machinery, equipment, tools and implements for the purpose of redeeming a capital note issued to finance the purchase of highway machinery?

STATEMENT OF LAW

Moneys received by a county from the rental of county owned highway machinery, equipment, tools and implements, shall be credited to the receipts and become a part of the county road machinery fund. (Highway Law, sections 133 (formerly 126) and 133-a.)

Section 133 (formerly 126) of the Highway Law provides in part as follows:

"Section 126. Machinery, tools, equipment and implements.

\* \* \* \* \*  
 This item shall be known as the county road machinery fund, and carried on the books of the county treasurer as such. All rentals received, for the use of county owned machinery, equipments, tools and implements, from any source, shall be credited to the receipts of this fund and become a part of the

fund. \* \* \* and, should this fund at any time become larger than necessary for the annual requirements, any excess amount may, upon recommendation of the county superintendent, be transferred to the general county fund by resolution of the board of supervisors. The county superintendent shall make all purchases chargeable to this fund. \* \* \* But any purchase of new machinery, of which the value is in excess of five hundred dollars, in order to become effective, must have the approval of the board of supervisors, or a committee of the board duly authorized and designated by the board for such purpose. Payment for items chargeable to this fund shall be made by the county treasurer upon the written order of the county superintendent of highways. \* \* \*"

Pursuant to the above section, the county superintendent of highways shall make all purchases chargeable against the county road machinery fund and the county treasurer makes payment from this fund upon written orders of the county superintendent of highways. However, before purchases of items of the value in excess of \$500 are made, the approval of the board of supervisors is required. If at any time should the county road machinery fund become larger than necessary for the requirements, any excess amount may be transferred to the general fund by resolution of the board of supervisors upon the recommendation of the county superintendent of highways. No authority is given to the board of supervisors to freeze or earmark moneys received by the county for the rental of county road machinery for the purpose of redeeming a capital note.

#### CONCLUSION

A board of supervisors may not earmark or freeze moneys received by a county for the rental of county owned highway machinery, equipment, tools and implements for the purpose of redeeming a capital note issued to finance the purchase of highway machinery.

October 24, 1947.

*File No. 2449*

SOCIAL WELFARE LAW, SECTION 87(1).

Where county commissioner has received an anonymous gift with instructions that same is to be used for case workers of county, the money may be accepted and expended under section 87 of the Social Welfare Law.

#### INQUIRY

Where a county commissioner has received an anonymous gift with instructions that the same is to be used for case workers of his county, under what authority may the money be accepted and expended?

#### STATEMENT OF LAW

Subdivision 1 of section 87 of the Social Welfare Law provides in part as follows:



OSWEGO COUNTY LEGISLATURE

COUNTY OFFICE BUILDING • OSWEGO, NEW YORK 13126

DANIEL T. FARFAGLIA  
Oswego County Legislator  
District 24  
212 PHILLIPS ST.  
FULTON, NY 13069

TELEPHONE (H): (315) 297-4485  
EMAIL: dfarfaglia48@gmail.com

August 9<sup>th</sup>, 2018

Grant Rohrmoser-Mayor  
Village of Sandy Creek  
11 Park Ave  
Lacona, NY 13083

Dear Mayor Rohrmoser:

At this time I am writing to you in regards to the New York State Initiated Countywide Shared Services Plan.

Since you are a member of the team helping to create the savings for the taxpayers in Oswego County, I am bringing to your attention a matter that is relevant to this issue. For more than three years, myself and others, have been trying to eliminate the County Highway Department rental fees to our Local Governments. It is our goal to eventually put in place, intermunicipal shared services agreements between the County and all of the municipalities within our borders.

The Counties around us, Cayuga, Jefferson, Oneida and Lewis have had such agreements in effect for decades. The towns, villages, and cities in those Counties do not pay to use their highway equipment. In return, those Counties also use items from their localities, also at no charge. Arrangements like these are a win-win for all governmental entities and most importantly, the taxpayers.

Towards the end of 2014, the County decided to begin charging fees for use of their highway department equipment. Myself and others at the time didn't realize that our own Local Governments were not exempt from these charges. Had we known, we would have opposed it vehemently. We have been trying to correct this ever since. If successful, this would be a savings for your village.

What is extremely problematic about all this is that as taxpayers of this County, we all have already paid for these Highway Department items. These unnecessary fees make our municipalities pay for them again!

When the Shared Services Panels were created last year, this issue became the perfect topic for Oswego County to help comply with the tax saving goals. But instead, the County administration has been dead set against changing this policy. They even went so far as to claim that these fees are State mandated and that the State also charges Local Governments for use of their equipment. Myself and a reporter from the Oswego County Weeklies have verified that these statements are FALSE! I was shocked to learn this because I was under the impression that all information we were told was accurate, it was not the case.

Recently, my caucus sent a request to change this policy and we also informed the administration that the information that they told us regarding the State has been disproven. Also, it turns out that the State has a Shared Services contract with Oswego County. But the County refuses to initiate similar agreements with our towns, villages and cities. This is wrong!!

In response to our recent request, the administration continues to claim State restrictions prevent them from setting up such agreements with our municipalities, even though their claims are not based in reality. In a face to face conversation, last week, Chairman Broadwell was asked if the Counties around us are in violation of these State Laws and he refused to answer that direct question.

This is not a new issue. I attended a Shared Services Panel meeting last year and spoke about this topic. I also gave input at one of the public hearings last summer. Legislator Castiglia attended the last Shared Services Panel Meeting and also spoke about this matter.

As a member of the Countywide Shared Services Panel, you have the ability to help resolve this matter once and for all. Please help eliminate these fees and initiate Intermunicipal Shared Services Agreements between the County and all of its Local Governments. Any agreement should match the ones already in place for Cayuga, Jefferson, Lewis and Oneida Counties.

I have attached our information which includes the newspaper article from the Oswego County Weeklies. In the interest of fairness, I have also attached the administration's response. Again, their official explanations have already been proven **FALSE** and they are obligated to be truthful with other elected officials and most importantly, our taxpayers.

If you would like to discuss this further, my home number is (315) 297- 4485 and Legislator Castiglia's number is (315) 593-8637.

Sincerely,



Daniel T. Farfaglia  
Oswego County Legislator  
24<sup>th</sup> District