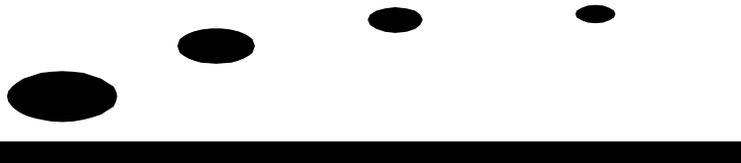




*New York State
Shared Municipal
Services Incentive (SMSI)
Grant Program*

Technical Assistance Manual



**GOVERNMENT LAW CENTER
OF ALBANY LAW SCHOOL**

**SMSI Technical
Assistance Project**



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GOVERNMENT LAW CENTER (GLC)
SMSI Technical Assistance Project

**New York State
Shared Municipal Services
Incentive (SMSI) Grant Program**

**TECHNICAL
ASSISTANCE
MANUAL**

THE GOVERNMENT LAW CENTER
2007

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INTRODUCTION

The Shared Municipal Services Incentive (SMSI) grant program was created with enactment of the 2005-06 New York State budget. The stated purpose of the program is to cover the costs associated with two or more municipalities merging, consolidating, entering into cooperative agreements, dissolving and sharing services. The program was expanded in the 2006-07 New York State budget, and money was allocated to the program for technical assistance. The Department of State contracted with the Government Law Center of Albany Law School to “provide regional technical assistance through academic institutions relating to consolidations, mergers, dissolutions, cooperative agreements and shared services.”

A major component of the contract called for the preparation of a “user-friendly” manual to help those interested in exploring new ways for governments to share, combine or otherwise change the way services are provided.

The resulting Technical Assistance Manual is designed to help municipal officials develop and implement successful shared services agreements. The first chapter describes the resources contained in the Technical Assistance Manual, as well as a step-by-step “blueprint”, that can be used to prepare a shared services agreement. The second chapter outlines the concept of shared services, including a discussion of the need for shared services and the distinction between cooperative and consolidation agreements. The third chapter presents the technical resources available to help guide the creation of shared services agreements, including individual case studies and the legal framework for entering into shared services agreements. The fourth chapter describes in detail the steps that must be taken in the preparation of a shared services agreement. Finally, the fifth chapter provides some useful tips for preparing a successful shared services agreement that were gleaned from the case studies.

This manual was also designed as an electronic resource, and where possible, hot links are provided to referenced case studies, legal citations, forms, and other materials.

Of particular importance are initiatives associated with establishment of a new, information network linking together for the first time academic institutions, planning organizations, government agencies and local government associations to provide and maintain a dynamic, web-based technical assistance capacity. The portal to accessing that network can be found at: www.dos.state.ny.us.

HOW TO USE THIS MANUAL

1. Tool Kit

Eight items which can be viewed as a “tool kit” for successfully completing a shared service project are included in this manual. These items are:

1. A “check list” of ten basic steps that local officials should complete or consider in assessing the viability of the project, which is called **“The Blueprint”**;
2. A listing of available case studies produced by academic institutions, sorted by functional area and shared service considerations, provided in **Table 1 – Summary of Case Studies**;
3. A legal guide to the division of responsibilities for each class of local government for the provision of services, including statutory requirements, case decisions, and opinions, provided in **Table 2 – “Legal Framework for Dissolution, Consolidation and Cooperative Agreements”** and **Appendix 1**;
4. A list of projects that have been funded by the State under the SMSI program, sorted by region and type, contained in **Appendix 2** and by functional area, contained in **Appendix 3**;
5. A list of key academic institutions and a sample of the assistance they can provide, provided in **Appendix 4**;
6. Copies of specific forms for the sharing of services, such as sample resolutions and intermunicipal agreements; which are found in **Appendix 5**;
7. A discussion of common pitfalls to avoid, found in **Appendix 6**; and
8. A list of helpful contacts with links to relevant web sites, found in **Appendix 7**.

2. The Blueprint

The GLC has developed a concise, ten-step approach to developing shared service agreements. This approach was tested as part of the case studies conducted by the academic institutions. There was a positive correlation between the uses of the ten-step approach and successful shared service outcomes.

THE BLUEPRINT

- 1. Define problem and affected parties.** Focus on the problem to be solved, working with experts, constituents and others with knowledge who can help devise options. Check local newspaper stories, editorials, letters to the editor, and other local news organizations. Check also the Department of State's web site for case studies of a similar nature at www.dos.state.ny.us. Review the literature for similar projects — annotated bibliographies are available on the Department of State's web site.
- 2. Identify solutions and potential partners.** Create options that can help solve the problem. Identify the potential partners who can help solve the problem.
- 3. Analyze financial impacts.** Determine cost savings to be generated by shared services or consolidation and calculate potential return on investment (see Section D, Part 2 (Steps 1 & 2)); determine tax and debt limitations; identify methods for financing, including potential federal/state aid; and assess impact on tax rate.
- 4. Confirm legal authority.** Check state statutes, including General Municipal Law articles 5-G and 14-G, as well as Town, Village, County, City and other related laws (e.g. If an education related project consult the Education Law), and seek legislative authority if necessary. Comprehensive charts specific to governmental functions, listing the statutory requirements, case law, and opinions of the State Comptroller and Attorney General are available on the web site of the NYS Assembly at: www.assembly.state.ny [navigate to "Committees, Commissions and Task Forces" then to "Commission on State-Local Relations" then to "News" and then to "Legal Framework"]. Adopt appropriate local authority.
- 5. Plan the project.** Document the need for services, determine costs and financing, prepare impact statements for constituents and on other services, develop plan for implementation and assessment. For highway related projects, review the highway cost template in **Appendix E** of this manual.
- 6. Collaborate with affected parties.** Discuss plans with colleagues, constituents, non-profits, businesses, local organizations such as Chamber of Commerce, other governmental agencies, public sector workforce, and/or unions. Agree on roles of affected parties and how to assess impact, effectiveness and success. Form a "steering committee" to insure regular communication to affected parties and transparency to the public.
- 7. Negotiate the agreement.** Identify necessary terms to be included; identify facilitator to assist negotiations; and finalize terms.
- 8. Prepare agreement.** Whether written or oral, formal or informal, an agreement specifying the terms of agreement should be memorialized in some manner, especially regarding parties, nature of agreement, level of service, limits on service, charges/financing arrangements, organizational control and responsibilities, reporting, personnel matters, duration, termination, amendment, evaluation, and/or continuation. [Note: The law in New York is very broad, and local governments have substantial leeway to exercise creativity in negotiating "win-win" terms in an agreement.]
- 9. Implement the agreement.** Initiate the programmatic elements of the project; communicate as warranted with the town constituents; document all aspects of the project for transparency and assessment.
- 10. Evaluate the project.** Examine the implementation to ensure proper function using objective factors; convene regular meetings to assess and share information; and prepare formal evaluation reports to ensure goals and processes satisfied.

SHARED SERVICES

1. The Need for Shared Services

To varying degrees, many local governments in New York State are experiencing fiscal stress. While some local governments have held steady during this period of economic uncertainty, others are struggling. A variety of pressures affect local government finances, including declining or static tax bases, stagnant levels of state aid, escalating healthcare and employee benefit costs, the lack of mandate relief and the need to support new security measures.

In an attempt to close budget gaps, many local governments have had to consider job cuts, service reductions, property and other tax and fee increases and new borrowing programs. In some cases, a *combination* of these actions has been necessary. The current economic outlook suggests that local government finances will be strained for several years. At the same time, service demands will continue, as will pressures on the local property tax base.

A renewed emphasis on saving money through the notion of “smarter” government is one of the few options available to local officials hoping to achieve long-term structural fiscal relief. In light of this reality, intermunicipal cooperation and consolidation are two areas worthy of consideration - especially since the combined number of counties, cities, towns, villages and school districts in New York State exceeds 2,300. Since many local governments provide similar services to their constituents, these overlapping layers of government can be vulnerable to certain inefficiencies. These inefficiencies can result in higher costs for taxpayers. There is clearly a potential for cost savings through economies of scale and combining functions.

2. Cooperative Agreements

Intermunicipal cooperation can help local governments increase effectiveness and efficiency in the delivery of services and has long been encouraged by the State. The broad statutory authority granted to local governments reflects that support.

Cooperation occurs when two or more local governments work together to provide a service for the benefit of all the municipalities involved. Cooperative agreements generally fall into two categories: service agreements and joint agreements. A town and village working together to operate a sewage treatment plant is an example of a joint agreement, wherein participating local governments share in the provision of a service. A service agreement exists when one local government contracts to provide a service to another local government for an agreed-upon charge—as in the case of Town A providing snow plowing services for Town B.

By maximizing available resources through the use of cooperative agreements, local governments can realize many benefits. A good cooperation plan can help

communities capture economies of scale, gain use of the latest technology and equipment that they (if acting on their own) would otherwise be unable to afford, eliminate duplicative efforts and achieve significant cost savings.

Despite these benefits, there are potential barriers that can challenge a community's ability to embrace intermunicipal cooperation as an achievable and worthwhile means to provide services. Sometimes, a simple lack of trust between the potential partnering communities can stand in the way of cooperation efforts. This may be brought on by a perception that one community will be taken advantage of, or that the plan itself fails to bring about a win/win outcome. Personalities and disputes between local officials in neighboring communities can hamper cooperation efforts as well. A dispute, regardless of its significance, can make it difficult to bring the relevant parties to the negotiating table. Inexperience and a lack of legal knowledge also threaten cooperation by discouraging even an initial exploration of opportunities.

These barriers are not insurmountable and should not deter interest, but acknowledging them can be a first step in working toward a successful partnership agreement.

3. Consolidation Agreements

In some cases the goal of improving local government operations can best be achieved through consolidation—of either services or government entities.

A plan for consolidation can occur on several levels. At the service level, a local government might choose to combine two functional units or departments (e.g., a local government combines the building and code enforcement departments into a single department). Consolidation can also involve two or more local governments merging functions in a particular area (e.g., merging two village public works departments). The ultimate form of consolidation is the merging of entire local government entities into a single entity and the consequent dissolution of one or more of the governments.

Though there may be many specific examples in local government that would demonstrate a need for some level of consolidation, gaining widespread community support is not easily achieved. The lack of support reflects a variety of interests. From the perspective of municipal employees and their union representatives, a chief concern over consolidation is the potential for job elimination, loss of seniority or reclassification. Local officials may resist consolidations if it means giving up their own control. Communities often resist calls for consolidation because they believe it will undermine government responsiveness and accountability—qualities usually associated with smaller, decentralized government. Moreover, some communities may not welcome what they perceive to be the loss of community identity. In fact, a move towards a town/village merger might be stalled just because participants cannot reach agreement over the surviving government's name.

Although large-scale consolidations do not occur frequently, negative perceptions about consolidation can be mitigated if local officials appreciate the value of starting off

small. For instance, in some communities, consolidation at the service level might be more palatable. Implementing small cooperation agreements as a starting point is another strategy, since cooperative efforts that prove successful in one area may stimulate cooperation in other areas. Moreover, by creating an environment of familiarity and trust between communities, sustained cooperation over the long term may eventually lead to consolidation.

Given the myriad issues, concerns and interests, some degree of opposition to a consolidation plan is to be expected—irrespective of the overall efficacy. Because of this, intermunicipal cooperation is often the most politically attractive alternative available. It is more readily embraced, because unlike consolidation, cooperation allows local governments to retain autonomy while still benefiting from cost-saving agreements.

RESOURCES FOR DEVELOPING SHARED SERVICE AGREEMENTS

1. Case Studies

Case studies provide real examples of how communities have identified, analyzed, discussed, and presented for review and approval of elected leaders and residents proposals to change the service delivery structure. They have proven to be one of the most useful forms of technical assistance to inform and guide those considering change. The case studies highlight the experiences of other local governments that tried to initiate changes in the way they provide services. These changes can involve:

- Formalized, cooperative approaches to sharing services, personnel, equipment and/or physical assets, such as through an intermunicipal agreement;
- Changes to the assignment of responsibility for the types of services provided, such as through one government absorbing the responsibility for providing service previously done by a different government;
- Structural change in governance, such as through merger or consolidation of governments or dissolution of governments; or
- Informal arrangements that have become institutionalized through custom or a continued course of dealing.

A total of 15 case studies were conducted using this template and the full set of studies is accessible on the Department of State's web site at: www.dos.state.ny.us.

Table 1 below provides a guide to the content of each of the funded case studies. These are divided into four groups by type of shared service: 1) General shared services, 2) joint municipal facilities, 3) dissolutions and consolidations, and 4) environmental infrastructure.

The communities involved in the case study are shown in the first column. The second column provides a brief description of the case and the academic institution that conducted the study. The third column identifies the functional areas of municipal government that are covered in the case study. The fourth column lists shared service considerations such as the form of agreements utilized and specific issues encountered in each case study.

Table 1

SUMMARY OF CASE STUDIES

General Shared Services			
County / Municipalities	Content of Case Study (Academic Institution)	Functional Areas	Shared Service Considerations
<u>Chemung County</u>	<p>Creation of a new Municipal Highway Services Board of partner municipalities to improve efficiencies in providing inter-municipal road maintenance services.</p> <p>(Binghamton University, College of Community and Public Affairs)</p>	<ul style="list-style-type: none"> • Highways 	<ul style="list-style-type: none"> • Intermunicipal agreements • Changes in personnel and administrative structures to build trust and administrative capacity.
<u>St. Lawrence County</u> Morristown (T) Morristown (V) Morristown (CSD)	<p>Feasibility study to assess options for improving efficiency of delivering local services.</p> <p>(Potsdam Institute for Applied Research, SUNY Potsdam)</p>	<ul style="list-style-type: none"> • General Cooperation • Highways • Public Works • Planning and Zoning • Local Government Structure 	<ul style="list-style-type: none"> • Intermunicipal agreements • Cooperative purchasing arrangements • Municipal mergers and dissolutions
<u>Chautauqua County</u> Portland (T) Brocton (V)	<p>Analysis of opportunities for alternative services delivery approaches in the Town and Village to enhance historical cooperation.</p> <p>(SUNY Fredonia Center for Rural Regional Development and Governance)</p>	<ul style="list-style-type: none"> • General Services (Dog Control) • Highways • Fire Departments • Courts/Justice 	<ul style="list-style-type: none"> • Incompatible organizational structures • Potential loss of jobs and revenues
<u>Dutchess County</u> Rhinebeck (T) Rhinebeck (V) Rhinebeck (CSD)	<p>Feasibility study “to identify and solve common problems, establish cost efficiencies in purchasing and provision of services and governmental operations, and improve policy consistency and implementation” following a failed ad hoc initiative in 1991.</p> <p>(Intergovernmental Solutions Program, Rockefeller College of Public Affairs and Policy)</p>	<ul style="list-style-type: none"> • Shared Facilities • Highways • Fire Departments 	<ul style="list-style-type: none"> • Intermunicipal agreements • Collective bargaining issues • Political and structural differences in municipal operations • Loss of community identity

Joint Municipal Facilities			
County / Municipalities	Content of Case Study (Academic Institution)	Municipal Functions	Shared Service Considerations
<p><u>Steuben County</u></p> <p>Arkport (CSD) Arkport (V) Hornellsville (T)</p>	<p>Proposed construction of a joint bus garage, maintenance and fueling facility. .</p> <p>(College of Community and Public Affairs, Binghamton University)</p>	<ul style="list-style-type: none"> • Shared Facilities 	<ul style="list-style-type: none"> • Unequal benefits to partners • Conflicts of interest
<p><u>Jefferson County</u></p> <p>Philadelphia (T) Indian River (CSD)</p>	<p>Construction and continuing utilization of a transportation center, including vehicle maintenance and fuel depot.</p> <p>(Potsdam Institute for Applied Research, SUNY Potsdam)</p>	<ul style="list-style-type: none"> • Shared Facilities • Shared Services 	<ul style="list-style-type: none"> • Intermunicipal agreements • In-kind service payments
Dissolutions and Consolidations			
County / Municipalities	Content of Case Study (Academic Institution)	Services and Functions	Shared Service Considerations
<p><u>Broome County</u></p> <p>Binghamton (C) Johnson City (V) Vestal (T) Endicott (V) Port Dickinson (V)</p>	<p>Consolidation of local police services and transfer of control to County Sheriff.</p> <p>(The Maxwell School, Syracuse University)</p>	<ul style="list-style-type: none"> • Police Services 	<ul style="list-style-type: none"> • Intermunicipal agreements • Union Issues • Desire for local control and status quo
<p><u>Erie County</u></p> <p>Lancaster (T) Lancaster (V) Depew (V)</p>	<p>Multiple shared service arrangements since the mid-1990s.</p> <p>(The Regional Institute, University at Buffalo)</p>	<ul style="list-style-type: none"> • Records Management • Building Inspectors • Assessors • Animal Control • Police Services • Community Development 	<ul style="list-style-type: none"> • Intermunicipal agreements • Cooperative agreements • Collective bargaining • Personnel • Financial assistance from County
<p><u>Sullivan County</u></p> <p>Liberty (T) Liberty (V)</p>	<p>Feasibility study to explore potential cost reductions through collaboration, consolidation or merger.</p> <p>(SUNY at New Paltz, College of Liberal Arts & Sciences)</p>	<ul style="list-style-type: none"> • Economic development • Village dissolution 	<ul style="list-style-type: none"> • Unequal municipal tax burdens • Mismatch of fiscal conditions/health • Political alignment

<p><u>Essex County</u></p> <p>Moriah (T) Port Henry (V)</p>	<p>Study to explore consolidation of three fire districts.</p> <p>(Economic Development Technical Assistance Center, SUNY Plattsburgh)</p>	<ul style="list-style-type: none"> • Fire Services 	<ul style="list-style-type: none"> • Reduced level of services • Lack of Town authority over fire districts
<p><u>Essex County</u></p> <p>North Elba (T) Lake Placid (V)</p>	<p>Consolidation of highway departments and creation of a joint Department of Public Works.</p> <p>(Economic Development Technical Assistance Center, SUNY Plattsburgh)</p>	<ul style="list-style-type: none"> • Highways • Public Works 	<ul style="list-style-type: none"> • Memorandum of Understanding • Incompatibility between elected and appointed positions in a merger proposal
<p><u>Orleans County</u></p> <p>Ridgeway (T) Shelby (T)</p>	<p>Consolidation of town courts.</p> <p>(SUNY Fredonia Center for Rural Regional Development and Governance)</p>	<ul style="list-style-type: none"> • Courts/Justices 	<ul style="list-style-type: none"> • Public Referendum • Joint Resolution
<p><u>Saratoga County</u></p> <p>Waterford (V)</p>	<p>Dissolution of local police department and contract with the County Sheriff for additional services.</p> <p>(Intergovernmental Solutions Program, Rockefeller College of Public Affairs and Policy)</p>	<ul style="list-style-type: none"> • Police Services 	<ul style="list-style-type: none"> • Permissive referendum (Referendum on petition) • Loss of services
<p>Environmental Infrastructure</p>			
<p>County / Municipalities</p>	<p>Content of Case Study (Academic Institution)</p>	<p>Services and Functions</p>	<p>Shared Service Considerations</p>
<p><u>Westchester County</u></p> <p>Mount Vernon (C) New Rochelle (C) Rye (C) Mamaroneck (T) Harrison (T/V) Scarsdale (T/V) Larchmont (V) Mamaroneck (V) Pelham (V) Pelham Manor (V) Port Chester (V) Rye Brook (V)</p>	<p>Establishment of Long Island Sound Watershed Intermunicipal Council (LISWIC) to explore a regional approach to storm water management</p> <p>(Pace University; Edwin G. Michaelian Municipal Law Resource Center)</p>	<ul style="list-style-type: none"> • Planning and Zoning • Economic development 	<ul style="list-style-type: none"> • Intermunicipal Agreements • Special Utility District (SUD) • Intermunicipal impacts • Regional vs. local interest • Information sharing and cooperation

<p><u>Erie County</u></p> <p>Eden (T) Brant (T) N. Collins (T) Collins (T) Angola (V) N. Collins (V)</p>	<p>Establishment of the Southwest Erie County Regional Water Project, a collaborative approach to addressing challenges in water quality and water supply in a rural area.</p> <p>(The Regional Institute, University at Buffalo)</p>	<ul style="list-style-type: none"> • Water Supply • Other Utilities • Planning and Zoning 	<ul style="list-style-type: none"> • Intermunicipal agreements • Formation of water districts
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* The listing of "Functional Areas" parallels the listing of charts that are being updated and will be available on the New York State Assembly web site.

** The listing of "Shared Service Considerations" parallels the content of the Shared Services User Manual being prepared by the Government Law Center.

2. Legal Framework for Providing Local Government Services

The legal framework within which local governments provide services consists of a complex set of statutes, case decisions, and opinions of both the State Comptroller and the State Attorney General. In May of 1987, the New York State Legislative Commission on State-Local Relations produced a report entitled: *New York's Service Delivery System: Legal Framework and Services Provided*, which contained a series of charts providing detailed legal guidance in over two dozen program areas for counties, cities, towns and villages on the services they are authorized or required to provide. The legal content included statutory citations and applicable cases, and related opinions of the State Comptroller and Attorney General.

That publication is long out of print and the Commission, in collaboration with the Government Law Center, updated and expanded that information in a new report, *The Legal Framework for Providing Local Government Services*. Recognizing the important role played by school districts, fire districts and other special districts in the provision of services, the updated report now includes the activities of these districts. The report will include the same topics of local government structure and services as in the previous reports, from Annexation to Zoning, from the creation, consolidation and dissolution of local governments to the provision of water and wastewater services, to cooperative agreements among local governments. As the research on each topic is completed, the Commission intends to make the report available electronically on the New York State Assembly's web site at: <http://www.assembly.state.ny.us>. The report will be updated regularly in an effort to reflect the most current information available.

Table 2 below shows the legal framework for providing municipalities to enter into dissolution and agreements, including the enabling legislative authority and relevant legal procedures and conditions.

Table 2

LEGAL FRAMEWORK FOR DISSOLUTION, CONSOLIDATION AND COOPERATIVE AGREEMENTS

Dissolution		
Governmental Unit	Legislative Authority	Procedures & Conditions
County	None	N/A
City	None	N/A
Village	Village Law, Article 19	<ul style="list-style-type: none"> • Upon referendum initiated by Village Board or residents • Requires public hearing and majority vote of residents
County District	None	N/A
Town Improvement District	Town Law §§ 79-a, 171, 202-c, 209-r Town Law § 185	<ul style="list-style-type: none"> • Town Law Articles 12 & 12A • Town Law Article 13 (offices of district commissioners) • By resolution of town board or upon petition by property owners
Fire District	Town Law § 185	<ul style="list-style-type: none"> • Upon petition of property owners
Business Improvement District	General Municipal Law § 980-n	<ul style="list-style-type: none"> • Upon motion of local legislative body or petition of property owners
Special District Public Library	Education Law § 268	<ul style="list-style-type: none"> • By majority vote at an election or meeting of electors
School District	Education Law § 1505; § 1516	<ul style="list-style-type: none"> • By district superintendent • Territory must form new district or be united with any adjoining district

Consolidation		
Governmental Unit	Legislative Authority	Procedures & Conditions
Town	Town Law, Article 5-B	<ul style="list-style-type: none"> • By majority vote of residents in each town upon submission of proposition for consolidation to voters • Requires join public hearings with any adjoining towns within same county
Village	Village Law, Article 18 §§ 18-1806 – 1818	<ul style="list-style-type: none"> • By majority vote of residents in each village town upon adoption of a proposition for consolidation
County District	County Law §§ 274a, 274b (Districts created under Article 5-A only; districts created under Article 5-B or 5-D may not be consolidated)	<ul style="list-style-type: none"> • By resolution of town board or upon petition of property owners
Town Improvement District	Town Law, §§ 206, 206a	<ul style="list-style-type: none"> • By resolution of town board or upon petition of property owners
Fire District	Town Law, §§ 172, 174	<ul style="list-style-type: none"> • By town board upon a petition of property owners or majority of members of board of commissioners of each fire district
Business Improvement District	None	N/A
Special District Public Library	None	N/A
School District	Education Law, §§ 1512-1515; §1902	<ul style="list-style-type: none"> • By vote of majority of electors of the consolidating districts
Cooperative Agreements		
Governmental Unit	Legislative Authority	Procedures and Conditions
County City Town Village School District	Constitution, Article VIII § 1; State Finance Law, § 54(10)(H)	<ul style="list-style-type: none"> • To provide any municipal facility, service, activity or undertaking which each has the power to provide separately • May contract joint or several indebtedness

County (excl. New York City) City Town Village Board of Cooperative Educational Services (BOCES) Fire District School District Town Improvement District County District	General Municipal Law, Article 5-G	<ul style="list-style-type: none"> To perform their respective functions on a cooperative or contract basis, or for the provision of a joint service or a joint water, sewage or drainage project
County City Town Village School District Improvement District District Corporation	General Municipal Law, Article 14-G	<ul style="list-style-type: none"> Interlocal agreements with governmental units of other states
County (excl. New York City) City Village School District Board of Cooperative Educational Services (BOCES) Fire District	General Municipal Law, Article 12-C, § 239-n	<ul style="list-style-type: none"> Intergovernmental Relations Councils to promote efficient and economical provision of local government services
Fire District	Village Law § 22-2210; Town Law § 189-a	<ul style="list-style-type: none"> Establish joint fire districts

3. Intermunicipal Agreement Database

An intermunicipal agreement is a written document which details benefits and costs for all parties. These documents not only help to explain and promote the project but protect the parties as the effort progresses. Intermunicipal agreements should be based on negotiations and detailed responsibilities. Lack of bilateral board negotiations and a detailed written scope of responsibilities for the leader of proposed merged departments can jeopardize the success of future mutual intermunicipal agreements.

An inter-municipal agreement may also help to decrease an organization's potential exposure to liability. When municipalities independently are unable to carry out necessary upgrades to meet new regulations, significant legal and economic consequences may ensue. An inter-municipal agreement could be the solution in these circumstances.

A database of intermunicipal agreements used for various shared services agreements can be found in Appendix 5.

STEPS TO DEVELOPING EFFECTIVE SHARED SERVICES AGREEMENTS

1. Identify Opportunities

Performing a “needs assessment” is a practical first step in determining those functions or service areas that can benefit from restructuring based on cooperation. Finding a partner for a cooperation arrangement can be accomplished by contacting neighboring local governments that already provide the needed service or that do not provide the service but wish to do so. Options should be studied thoroughly and officials should focus on realistic programs that show promise from both a policy and financial perspective.

Even those officials or communities that demonstrate hesitation toward the pursuit of cooperative arrangements can find success in small projects that do not involve much financial risk and are likely to succeed. As mentioned before, small cooperation efforts can help build trust between participant local governments, and may even lead to further cooperation in the future.

After finding a partner, the next step is to jointly study whether the cooperative arrangement is feasible.

2. Conduct a Feasibility Analysis

The feasibility study should be viewed as an opportunity for officials to determine whether a proposal “makes sense” economically, operationally, and administratively. After determining a possible service to provide on a cooperative basis and finding a potential partner (or partners), a feasibility analysis should be conducted. While it is important to give much thought and consideration to implementing a cooperative service agreement, the analysis need not overwhelm planners.

A clear goal should be established for the cooperative service provision project. In doing this, the service to be provided should be well described, with the aspects of the service that will remain the individual responsibilities of the participants defined and any particular requirements, which must be addressed by the joint service, clearly stated. Expectations such as cost savings or improved level of service should be clearly detailed. The criteria that will be used to measure the quality or the effectiveness of the cooperative service should be determined as well. In addition:

- a) **In the case of an existing service, a detailed description as to how the service is now being provided by each participant should be clearly documented.** Details should include the departments, divisions and units involved and how the local government is organized to perform the function. The discussion should identify who is responsible for the various aspects of the

service; identify any equipment, vehicles or special material required; and identify the facilities to be used to provide the service.

- b) **The level of service presently being provided by each participant should also be documented, in quantifiable measures.** This process will help determine whether the current level of service is adequate for present needs and forecast the level of service to be required over the next two to five years. The documentation should identify what the total cost would be for each participant, what is needed to meet minimum service levels and what would be the projected service cost over the next two to five years.
- c) **Total costs, as well as participant costs, should be calculated.** An annual cost calculation based on planned service levels for each participant will need to be developed.
- d) **Determine if the proposed cooperative provision of service meets the established goals.** Officials will have to determine whether or not the cooperative provision of the service fulfills the objective of reducing costs, improving levels of service, and/or providing service that would otherwise be unavailable to participants.

3. Negotiate the Agreement

Once it has been determined that the cooperative venture will achieve the desired result for the participant governments, a written service agreement should be negotiated and developed. During this process, several important issues to consider include:

- Revenue and cost allocation;
- Manner of employment and compensation of personnel (union concerns);
- Care, custody and control of equipment and facilities;
- Liability;
- Fiscal officer designee; and
- Frequency and method of financial reporting.

It is strongly recommended that any written agreement be carefully reviewed and approved by the legal counsel of each participating government, prior to governing board approval.

Cost allocation will likely prove one of the more controversial details to be worked out. Individual circumstances will have to dictate the best approach. However, there are a few guiding themes that can assist in accomplishing this task. They include: ease of calculation (focus on direct cost rather than indirect cost), availability of information, fair and equitable results and timeliness.

Participant governments will have to agree, ahead of time, how they will deal with the issue of financial reporting. They will have to determine what information the lead

participant will provide—both internally (to partnering local governments) and externally (as determined by Generally Accepted Accounting Principles).

All cooperation agreements under Article 5-G must be authorized by governing board resolutions. A written, formal agreement is strongly encouraged. There are many instances in which local governments agree to cooperate, but without a formal, written document outlining all of the pertinent details, participants may not fully appreciate their commitments. In addition, a written agreement can prevent simple misunderstandings that can threaten the success of the program.

4. Build and Maintain Support

This may be easily accomplished as long as all the relevant stakeholders are involved in the development process. This might include community groups, elected officials, municipal staff or union representatives. It is especially important to identify and involve those groups or individuals that fear they will “lose out” should the effort move forward. Whether the fear is unfounded or a real possibility, these individuals should be included. Avoiding the issue will only diminish the likelihood of success.

Good communication is an essential element of the process. Keeping the public informed can prevent speculation and assumptions as to what is actually going to transpire as a result of the cooperative effort. Utilizing media and press outlets can help to stimulate grass root support.

TIPS FOR PREPARING SUCCESSFUL SHARED SERVICES AGREEMENTS

1. Pay Attention to Process

The process that is used to develop and implement shared service arrangements has been shown to have an influence on the outcome. This does not mean to imply that there is one process that ought to be followed to the exclusion of all others, but the five ideas presented below can help insure that decisions about shared service proposals will be made on the merits and not on squabbling over process.

- a) ***Make sure there is a problem to be solved and that you are not proposing a solution in search of a problem.*** While it may be true that the underlying impetus for most efforts to share services is concern about the local property tax burden, applying for funding in and of itself is usually counterproductive. Further, many problems that do exist may not lend themselves to a shared solution. Knowing the full history of an issue may help predict the likelihood of a successful outcome.
- b) ***Success breeds success.*** Start by picking the low hanging fruit to provide a strong foundation for more substantial shared service arrangements in the future. The case studies provide many examples where municipalities in New York have built long track records of successful incremental changes in service delivery.
- c) ***Consult with all stakeholders.*** While it should be common sense, too often we found examples of a failed effort because the stakeholders were not consulted. The SMSI application seeks to avoid this by requiring the leadership of communities involved in the proposed shared service to pass resolutions of support. However, there are usually additional affected parties, such as unions, professional associations, and community groups whose support is vital to the success of the proposal. This level of preparation extends beyond the application process. Creation of an advisory group to work with during the implementation phase can be equally important.
- d) ***Get the citizens on board.*** What may be a terrific idea to the elected leadership may not resonate with the public. Use of public opinion surveys can be useful in this regard, especially on the front end to insure there is support for the proposed shared service. In the Brocton/Portland case, for instance, a survey by the Rochester-based Center for Governmental Research helped identify areas for shared service arrangements with strong community support. As the size of the communities and scope of the shared service proposal increases, having the guidance of public opinion becomes almost mandatory.

And providing transparency throughout the negotiation and implementation process helps insure public acceptance achieving of program goals.

- e) **Anticipate and plan for potential “roadblocks”.** Addressing concerns that may compromise the widespread acceptance and the ultimate success of the program may prove challenging. However, not addressing them can prove fatal. Turf issues, personality conflicts and mistrust can all be minimized and possibly resolved with the proper plan in place.
- f) **Be sure to enlist the press.** They are almost always supportive of shared service efforts. In fact, in all 15 case studies completed as part of the GLC’s SMSI technical assistance project, there was no opposition by the press to any shared service proposal.

2. Make Sure the Application Makes Financial Sense

All shared services/consolidation proposals have a core expectation of reducing costs and/or improving services. Inadequate attention to understanding the fiscal consequences or a poorly prepared financial analysis can doom a proposal from the start. There are several steps that can improve the quality of the financial analysis. Below is a simple example of how to calculate the potential return on investment (ROI) and return on an SMSI grant for the consolidation of two municipal office functions into a single, new facility that costs \$400,000 and saves \$30,000 in annual operating costs:

Calculate Return on Investment

Cash Flow Analysis	Year of Program					
	Initial Year	Year 1	Year 2	Year 3	Year 4	Years 5+
Return						
Total Cost Savings		30,000	30,000	30,000	30,000	30,000
Capitalization Rate	10.00%					
Residual Value						300,000
Cash Flow		30,000	30,000	30,000	30,000	330,000
Return	450,000					
Investment						
Applicant Contribution	40,000					
SMSI Grant	360,000					
Total Investment	400,000					
Return on Investment (ROI)	12.5%					
Return on SMSI Grant	25.0%					

Please note that the above example is for representative purposes only. Each application will have different cost parameters and must be analyzed accordingly. Other useful sources of information are as follows:

- a) **Benchmark to state data sources.** If available, utilize supporting statistics and programmatic information that are collected in a uniform manner and support comparative analysis. For instance, both the New York State Department of Transportation and the New York State Department of Motor Vehicles compile municipality-specific data on a wide range of topics that can be useful in justifying specific highway proposals. Some of the State agencies are identified in the section "Helpful Web Sites" in **Appendix 7** of this manual.
- b) **Utilize local planning sources and regional academic institutions.** Local planning agencies and metropolitan planning agencies, such as those identified in the section "Helpful Web Sites" in **Appendix 7** of this manual, can be especially useful in obtaining more specialized, locally-specific data. Often, these agencies also conduct original research on a topic, which can augment the fiscal analysis. Utilize the personnel in these agencies, as well as the academic institutions listed in **Appendix 4** of this manual to help devise the structure of the fiscal analysis and confirm the validity of the overall approach. This also extends to involving the stakeholders as early as possible. The goal is to arrive a set of fiscal implications that are accepted as fact.
- c) **Footnote, footnote.** Finally, footnote everything you can. It is inevitable that unfamiliar information will be used and assumptions will have to be made in tailoring the fiscal analysis to mirror the specifics of the proposal. It is very important to document the sources of statements made and the assumptions used as best you can.
- d) **Check for grants.** An excellent source of information about federal and New York State grant programs is the **Catalog of State and Federal Programs Aiding New York's Local Governments**, published bi-annually by the New York State Legislative Commission on State-Local Relations. Copies of the 2005 edition are available from the Commission at:

Agency Building 4, 14th Floor
Empire State Plaza
Albany, New York 12248
(518) 455-5035
(518) 455-5396 (Fax)

The Catalog is also available on line at the New York State Assembly's web site at: www.assembly.state.ny.us. [From the Assembly's home page, click on "Committees, Commissions & Task Forces," and then click on Commission on State-Local Relations.]

3. Understand the Legal Issues Involved

One key point must be made before discussing specific legal considerations. In every situation, both to protect the municipality and to improve the likelihood of the success of the shared service proposal, the services of the local government's municipal attorney should be fully utilized. It is strongly advised that shortly after initial discussions take place between municipal leaders, the respective municipal attorneys are at least generally informed of the discussions and of the parameters of the proposed shared service arrangement. Even the smallest municipality in New York State has some type of legal relationship with a municipal attorney, most of whom have significant municipal law backgrounds. These legal professionals, even if only tangentially involved early on, should be able to add to the initial process of exploring the proposal. Later, if the process continues to move forward, the municipal attorneys should have a major influence on the final product of the shared service agreement before it is publicly unveiled or brought to a formal vote. "The attorney does not tell the parties what to do. Rather, he tells them how to do it."

- a) ***Create a written document which details benefits and costs for all parties.*** Lack of detailed contractual terms that spell out benefits and costs for all parties involved should be part of any project. These documents not only help to explain and promote the project but protect the parties as the effort progresses. A detailed, written agreement and other written notes or records, even if created in draft form initially, have the added benefit of keeping the elected representatives of the municipality informed of the history and content of the inter-municipal agreement.
- b) ***Agreements should be based on negotiations and detailed responsibilities.*** Lack of bilateral board negotiations and a detailed written scope of responsibilities for the leader of proposed merged departments can jeopardize the success of future mutual intermunicipal agreements. Language detailing which party is responsible for insurance claims is another important part of any inter-municipal agreement. The municipal attorney should be able to draft the appropriate language and may also contact the municipal insurance representatives or guidance.
- c) ***The use of a consultant for a shared services analysis can be very beneficial.*** A professional, experienced consultant can bring a great deal of expertise to the process of investigating shared services. Generally, this third party can more easily avoid conflicts of interest, look at opportunities with an experienced, unbiased view, and more evenly present proposals to the public.
- d) ***Advantages of School Districts as Partners.*** Generally, school districts, in contrast to relatively small general purpose municipalities, have additional administrative or financial capacity that can be made available to the project. Another advantage is that school districts are eligible for state building aid through sections of the New York State Education Law

- e) ***Inter-municipal Snow Plowing Agreements and GASB 45.*** Several legal issues arise when municipalities agree to share snow plowing duties. Detailed written contracts are necessary to delineate liability and quality standards. Compensation must be closely reviewed by fiscal staff so that all employee costs are factored in, including future costs such as those retiree health care costs relating to the General Accounting Standards Board Rule 45. A municipality providing this type of service for another should be assured that the favor does not create an unreasonable burden to their own future taxpayers.
- f) ***Municipal Highway Services Boards, By-Laws and Governing Board Votes.*** Another variation on inter-municipal agreements is a multi-municipality cooperative agreement that creates an entity such as a Municipal Highway Services. Generally, these boards consist of members who are appointed by the member municipalities. To govern these entities, by-laws are usually drafted and agreed upon by all members. These documents should be brought back to each municipality's attorney for a formal legal review and not simply agreed to by the leader of the Public Works/Highway department. A formal resolution vote by each municipality's governing board should be held.
- g) ***Law Enforcement Agreements.*** Standardization of police officer training and equipment is very important in the public safety arena as compared to more general departments or functions. Law enforcement agreements are complex and standardization issues, specifically, can be expensive, and thus special attention must be paid when negotiating or drafting agreements relating to these issues.
- h) ***Be vigilant for actual or potential conflicts of interest.*** Not only are these bad for public relations, but potential conflicts of interest could subject a project to legal challenge or review by several governmental agencies, such as the New York State Attorney General or the New York State Comptroller.
- i) ***Intermunicipal Agreements as a response to potential liability issues.*** An inter-municipal agreement may help to decrease an organization's potential exposure to liability. When municipalities independently are unable to carry out necessary upgrades to meet new regulations, significant legal and economic consequences may ensue. An inter-municipal agreement could be the solution in these circumstances.

4. Beware of Collective Bargaining and Personnel Considerations

A municipal leader must take into consideration that a proposed shared service agreement can have an impact on collective bargaining and personnel issues. A shared service agreement can either resolve outstanding issues or create new

problems. In researching or negotiating a proposal, one must always keep in mind that if a collective bargaining or personnel issue is created it cannot be ignored because, if for no other reason, the parties affected are frequently very influential in the municipality. If a contractual or human resources issue is raised, then the municipal attorney (or special labor counsel, if utilized) must be made aware of the issue. These professionals should be expected to both protect the municipality and to improve the likelihood of success of the proposal.

There are many common subjects in the case studies and the following examples are good starting points for those interested in these issues.

- a) **Safe working conditions.** Generally, under the Occupational Safety and Health Act of 1970, an employer has a duty to provide a place of employment that is free of recognized hazards. Hazardous conditions could easily lead to a formal complaint which would then become a legal matter for a municipality. An intermunicipal agreement that properly eliminates unsafe working conditions can mitigate this risk.
- b) **Contracting out of services.** The leaders of the collective bargaining units for workers in both districts could possibly challenge these arrangements. Questions regarding the “outsourcing” of work that could potentially be done in-house and, conversely, challenges to the additional work for the contractor under the agreement need to be addressed.
- c) **In-kind services.** Using in-kind services instead of cash reimbursement could be another potential area of union concern. This arrangement requires town employees to perform work on the site of another municipality or school district in exchange for another municipal service or in lieu of a cash payment. In these types of situations, municipal leaders should create a written agreement between the parties and discussions should be held with employee representatives to help mitigate any concerns prior to the implementation of any additional work assignments of this nature.
- d) **Police department restructuring feasibility studies.** The most controversial municipal departments to consider restructuring are municipal police departments or other departments that are related to public safety. These departments are generally represented by strong unions that assertively support their membership. Professional third-party review can provide unbiased information to municipal officials making important decisions affecting municipal personnel.

- e) ***The New York State Public Authority Model.*** Under the commonly used public authority model, provisions authorizing the transfer of employees from municipalities to the authority while preserving employee civil service status and benefits are common. Thus, if the intermunicipal agreement includes the creation of a public authority, it is likely that much of the possible opposition from the affected public employee unions can be reduced.

- f) **Multiple Collective Bargaining Agreements.** Coordinating collective bargaining agreements from several different bargaining units or unions is particularly complicated because each group is unlikely to want to accept provisions from other contracts that are seen as inferior to those provisions that are in their current agreement. One solution is to include all new officers in a newly created collective bargaining unit, with the thought that eventually, as retirements occur, all officers will be in the one consolidated unit.

APPENDIXES

1. LEGAL FRAMEWORK FOR PROVIDING MUNICIPAL SERVICES

Creation of Local Government
Constitutional & Statutory Framework
<p>Counties, Cities, Towns, Villages and Special Districts – Prohibits the creation of any municipal corporation (other than a county, city, town, village, school district, fire district or a river improvement district) with the power to contract indebtedness and to levy taxes or benefits assessments. Improvement districts in counties and towns may be created provided the county or town pledges its faith and credit for the payment of all indebtedness. [Constitution, Article VIII, § 3]</p>
<p>Counties – New county may be created by Legislature (only) if the population in the area entitles it to a member in the assembly. [Constitution, Article III, § 5 and Article IX, § 2(a)]</p>
<p>Cities – Created by act of Legislature; no constitutional or statutory criteria. [Constitution, Article IX, § 2(a)]</p>
<p>Towns – Created by Legislature or by division of one or more existing towns by the county legislative body. [County Law, § 229; Town Law, Article 5-B; Constitution, Article IX, § 2(a)]</p>
<p>Villages – Only residents can create a village. Legislature prohibited from passing special law incorporating village. [Constitution, Article III, § 17] Criteria for creation enumerated. [Village Law, Article 2, Reincorporation and Article 16]</p>
<p>Special Districts</p> <p><i>County Districts</i> – Created by a county legislative body upon petition or upon motion of a county legislative body. [County Law, Articles 5-A, 5-B, 5-D]</p> <p><i>Town Improvement Districts</i> – Created by the town board upon petition of property owners [Town Law, Article 12] or resolution of the town board [Town Law, Article 12-A]. Certain older districts were established pursuant to Article 13, Town Law and are governed by an elected board of commissioners as well as the town board.</p> <p><i>Fire, Fire Alarm and Fire Protection Districts</i> – Created by the town board upon petition of property owners or upon motion of the town board in the case of fire and fire protection districts, and only upon petition of property owners in the case of a fire alarm district. [Town Law, Article 11]</p> <p><i>Business Improvement Districts</i> – Created by a local law subject to permissive referendum by a city, town or village. [General Municipal Law, Article 19-A]. The establishment of a business improvement district is based on a district plan prepared in accordance with General Municipal Law, §980-d.</p> <p><i>Special District Public Libraries</i> – Created by Special Act of the State Legislature.</p> <p><i>School Districts</i> - Creation of a school district is a legislative function; school districts are creatures of statute and can only be created in accordance with the provisions of Education Law. [Constitution, Article XI, §1].</p>
Dissolution
Constitutional & Statutory Framework
<p>Counties – May not be dissolved (with possible exception of Hamilton County). [Constitution, Article III, § 5]</p>
<p>Cities – No procedure designated in Constitution or statutes; however, Legislature may have the power.</p>
<p>Towns – Any town having no bonded indebtedness may be dissolved and the territory annexed to one or more adjoining towns in the same county. Requires a majority vote in the town to be dissolved and the annexing town(s). [Town Law, Article 5-A, § 79(a)(1)] A county can dissolve towns. [County Law, § 229]</p>

Villages – Only residents can dissolve a village. Requires public hearing and approval of majority of qualified voters in the village. [Village Law, Article 19]

Special Districts

County Districts – There are no provisions in County Law for the dissolution of county districts.

Town Improvement Districts – Districts created under Town Law, Article 12 and Article 12-A may be dissolved under limited conditions. [Town Law, §§ 79-a, 171, 202-c, 209-r] The offices of district commissioners in districts established under Town Law, Article 13 may be abolished by resolution of the town board or upon petition of property owners. [Town Law, § 206]

Fire, Fire Alarm and Fire Protection Districts – A fire district and fire alarm district may be dissolved upon petition of property owners. A fire protection district may be dissolved upon petition of property owners or by resolution of the town board subject to permissive referendum. [Town Law, § 185]

Business Improvement Districts (BID) – A BID with no outstanding indebtedness may be dissolved upon motion of the local legislative body or upon petition of property owners. [General Municipal Law, § 980-n]

Special District Public Libraries – May be abolished by a majority vote at an election or at a meeting of the electors. [Education Law, § 268]

School Districts - A district superintendent by order may dissolve a school district and may from such territory form a new district or unite such territory or portion thereof to any adjoining school district. The superintendent needs to file "such order with the clerks of the school districts affected and also with the town clerks of the towns in which the districts are located, and a copy with the commissioner of education." [Education Law §1505; §1516]

Consolidation

Statutory Framework

Towns – After a joint public hearing is held by town boards of any affected adjoining towns (within the same county), a proposition for consolidation may be submitted to the voters. A majority of the voters in each town proposed to be consolidated is required for approval. [Town Law, Article 5-B]

Villages – Residents of two or more adjoining villages may form a new village through the adoption of a consolidation proposition. [Village Law, Article 18, §§ 18-1806 through 18-1818 describes appropriate procedures, which include requirement of a majority vote in each village]

Special Districts

County Districts – Districts created under Article 5-A, County Law may be consolidated by resolution of the town board or upon petition of property owners. [County Law, §§ 274-a, 274-b] There are no provisions for consolidation of districts created under County Law, Article 5-B or Article 5-D.

Town Improvement Districts – Districts created under Town Law, Article 12, Article 12-A and Article 13 may be consolidated by resolution of the town board or upon petition of property owners. [Town Law, §§ 206, 206-a]

Fire, Fire Alarm and Fire Protection Districts – The town board may consolidate two or more adjoining fire districts upon petition of property owners or upon petition of a majority of the members of the board of commissioners of each fire district. [Town Law, §§ 172, 174] There are no provisions in the Town Law for the consolidation of fire alarm or fire protection districts.

Business Improvement Districts – There are no provisions in statute for the consolidation of BIDs.

Special District Public Libraries – There are no provisions in statute for the consolidation of special district public libraries.

<p><i>School Districts</i> - School districts can consolidate based on a meeting to adopt a resolution to consolidate such districts, "if two-thirds of the qualified electors of each district having less than fifteen of such electors are present, or in case of districts having fifteen or more qualified electors if ten or more are present." If the majority of the electors vote in favor of such resolution, it shall be declared adopted. [Education Law §1512-1515; §1902]</p>
<p>Transfer of Functions</p>
<p>Constitutional & Statutory Framework</p>
<p>Counties – Alternative forms of county government may transfer functions from one unit of local government to another or, when authorized by the Legislature, to the State. Transfers require referenda approval. [Constitution, Article IX, § 1(h)(1)]</p> <p>The board of supervisors may, by local law, transfer functions of the county or of the cities, towns, villages, districts or other units of government in the county to each other [MHRL Article 4, Part 1]</p> <p>Cities – Transfer of functions from cities under alternative county government requires majority approval in the cities and in the county outside the cities. [Constitution, Article IX, § 1(h)(1) and (2)]</p> <p>Towns – Transfer of functions from towns requires majority approval in the towns and in the towns outside of villages. [Constitution, Article IX, § 1(h)(1) and (2)]</p> <p>Villages – Transfer from village under alternative county government requires majority vote in: 1) all affected villages; 2) all cities; and 3) the area of the county outside the cities. [Constitution, Article IX, § 1(d) and (h)1]</p> <p>Special Districts – See counties.</p>
<p>Annexation of Territory</p>
<p>Constitutional & Statutory Framework</p>
<p>Counties – Authorized. Requires the filing of a petition by at least 20 percent of the qualified voters or by the owners of a majority of the assessed value of real estate within the territory to be annexed. The annexing municipality must have a public hearing to determine whether annexation is in the overall public interest. The boards of each affected local government must approve annexation by a majority. If one board fails to approve, there is a procedure for judicial review. Once approved by the boards, the proposition must be submitted for election by the voters in the territory to be annexed. [General Municipal Law, §§ 702, 703(1); Constitution, Article IX, § 1(d)]</p>
<p>Legislature may divide county or alter its boundaries. [County Law, § 50]</p> <p>Cities – See counties.</p> <p>Towns – See counties. [see also General Municipal Law, § 716(8) and (9)]</p> <p>Villages – See counties. Authorized to consolidate two or more adjoining villages. [Village Law, § 18-1806]</p>
<p>Cooperative Agreements</p>
<p>Constitutional & Statutory Framework</p>
<p>Counties, Cities, Towns, Villages and School Districts – "...two or more such units may join together pursuant to law in providing any municipal facility, service, activity, or undertaking which each of the units has the power to provide separately." May contract joint or several indebtedness. [Constitution, Article VIII, § 1; State Finance Law, § 54(10)(H)]</p> <p>A County outside New York City, City, Town, Village, Board of Cooperative Educational Services, Fire District, School District, Town Improvement District or County District may enter into agreements to perform among themselves or for one of the other of their respective functions on a cooperative or contract basis, or for the provision of a joint service or a joint water, sewage or drainage project. [General Municipal Law, Article 5-G]</p> <p>Counties, Cities, Towns, Villages, School District, Improvement Districts and District Corporations are authorized to make interlocal agreements with governmental units of other states. [General Municipal Law, Article 14-G]</p>

<p>Any County outside New York City, City, Town, Village, School District, Board of Cooperative Educational Services or Fire District is authorized to form Intergovernmental Relations Councils "...to strengthen local governments and to promote efficient and economical provision of local governmental services within or by such participating municipalities." [General Municipal Law, Article 12-C, § 239-n]</p>
<p>Towns – See also town-village cooperation. [Town Law, § 56]</p>
<p>Special Districts</p> <p><i>Joint Fire Districts</i> – A Town Board and the Village Board of Trustees may establish a Joint Fire District. [Village Law §22-2210; Town Law §189-a]</p>
<p style="text-align: center;">Contracting for Public Services</p> <p style="text-align: center;"><i>See generally, Municipal Home Rule Law, § 10(1)(ii)(a)(3); General Municipal Law, Article 5-A</i></p>
<p style="text-align: center;">Statutory Framework</p>
<p>Counties – May contract with nonprofit organizations and other corporations, associations, and agencies for certain objects and purposes. [County Law, § 224]</p> <p>Counties may not enter into a contract unless an amount has been appropriated and is available or has been authorized to be borrowed pursuant to the Local Finance Law. [County Law, §362(3)]</p>
<p>Cities – Every city may contract and be contracted with, and institute, maintain and defend any action or proceeding in any court. [General City Law, § 20(1)]</p> <p>Every city is granted power to manage and control its property over local affairs, and is granted all the rights, privileges and jurisdiction necessary and proper for carrying such power into execution. [General City Law, § 19]</p>
<p>Towns – Town boards may award contracts for any of the purposes authorized by law; contracts shall be executed by supervisor with approval of town board. [Town Law, § 64(6)]</p> <p>Towns may only enter into a contract if provision has been made for the amount in the annual budget or a supplemental appropriation has been made; except contracts for a term exceeding one year. [Town Law, §§ 112, 117]</p>
<p>Villages – Generally, the village may take all measures and do all acts, by local law, not inconsistent with the Constitution, which shall be deemed expedient or desirable for the good government of the village. [Village Law, § 4-412(1)]</p>
<p>Special Districts</p> <p><i>County Districts</i> – The administrative head or body may contract for certain purposes related to a particular kind of district. [County Law, §§ 263, 265, 273, 279-b, 279-c, 299-p]</p> <p><i>Town Improvement Districts</i> – A town board may contract for certain purposes related to a particular kind of district. [Town Law, § 198]</p> <p><i>Fire, Fire Alarm and Fire Protection Districts</i> – The board of fire commissioners has general authority to contract for fire district purposes [§ 176, Town Law] The town board may contract for a fire alarm system and must contract for fire protection in a fire alarm district. [§ 183, Town Law] The town board may contract with a city, village, fire district or incorporated fire company for fire protection in a fire protection district. [Town Law, § 184]</p> <p><i>Business Improvement Districts</i> – The local legislative body has authority to provide for the construction, operation and maintenance of district improvements. [General Municipal Law, § 980-c]</p> <p><i>Special District Public Libraries</i> – Any body authorized to levy and collect taxes may contract with the trustees of a public library to furnish library services. [Education Law, § 256]</p>

Selected Court Cases

City of Utica v. Town of Frankfort, 2006, 34 A.D.3d 1323, 824 N.Y.S.2d 852. City's annexation of property from town and county was warranted, where annexation was in the public interest. The annexation would give property owner full-time police and fire protection, and would improve the owner's ability to update healthcare services.

Town of Niagara v. City of Niagara Falls, 2005, 19 A.D.3d 1076, 797 N.Y.S.2d 207. Annexation of city territory by adjacent town did not benefit public interest. The city already provided better police and fire than would be provided by the town, water and sewer connections would have to be duplicated if there was an annexation, and city would lose almost \$500,000 in tax revenue.

American Ref-Fuel Co. of Niagara, L.P. v. Northeast Southtowns Solid Waste Management Bd., 2002, 291 A.D.2d 861, 737 N.Y.S.2d 494. Intermunicipal solid waste management board lacked authority to act on behalf of all of its members in awarding solid waste disposal contract; although board purported to act on behalf of its 36 participating municipalities pursuant to an agreement authorizing the board to coordinate the solicitation of bids, that agreement was signed by only 13 members and approved by the majority vote of only six of the governing bodies of those 13 members.

Incorporated Village of Ilion v. Town Bd. Of Frankfort, 1999, 261 A.D.2d 952, 690 N.Y.S.2d 350. Village's proposed annexation of residential area of town was in overall public interest; even though annexation would result in increased property taxes for residents of annexed area, annexation would eliminate fees paid for water, fire protection and garbage collection, and would result in expanded fire protection, improved water service, and better police protection and loss to town of less than \$1,000 in tax revenue.

Brittain v. Village of Liverpool, 1997, 172 Misc.2d 201, 657 N.Y.S.2d 298, appeal dismissed 248 A.D.2d 1031, 679 N.Y.S.2d 784. Municipal Home Rule Law requiring that local law be subject to mandatory referendums if it abolishes, transfers or curtails power of elected officer was not applicable where village police force was subsumed into neighboring city's police force through contractual merger as only specific action taken by village board was to pass a motion authorizing mayor to enter into contract with neighboring city for police services and did not constitute a "local law."

South Orangetown Kitchen Workers Association v. South Orangetown Central School District, 1979, 422 N.Y.S.2d 597. Municipal subdivisions of State are free to contract in good faith with private parties for provision of services which might otherwise be performed by public employees and public employer may not surrender those powers in collective bargaining agreement, unless they constitute terms and conditions of employment.

Westchester Co. CSEA v. Cimino, 1977, 58 A.D.2d 869 affirmed 44 N.Y.S.2d 985. Municipal subdivisions are free to contract with private industry for rendition of work and services; Constitution and Civil Service Law do not bar an attempt to have municipal services provided by an independent contractor in a more cost-efficient manner than is possible by the governmental unit hiring the workers.

Marcus v. Baron, 84 A.D.2d 118, 135, 445 N.Y.S. A town local law was held to be invalid on the ground that there was "nothing either in the Constitution or in [the Municipal Home Rule Law] which expressly [gave] the power to a town to adopt a local law which adds to the conditions enacted by the Legislature for the creation of a village."

Town of Lansing v. Village of Lansing, 80 A.D.2d 942, 438 N.Y.S.2d 29. It is well settled that the burden of proof that annexation is in the overall public interest [General Municipal Law, § 705], is on the municipality seeking the annexation.

Village of Skaneateles v. Town of Skaneateles, N.Y.S.2d 185, 115 A.D.2d 282. Annexation by village of property in town would not be in overall public interest where sole reason for annexation was to avoid restrictive effect of town zoning ordinance on landowner.

Connel v. Town Bd. of Town of Wilmington, 482 N.Y.S.2d 964, 126 Misc.2d 474. Annexation of over 5,000 acres in one town by another town invoked compliance with the requirements of the State Environmental Quality Review Act. [Environmental Conservation Law, § 8-0101 et seq.]

Opinions of the Comptroller and Attorney General

Attorney General Informal Opinion No. 2006-11. General Municipal Law article 5-G, not Municipal Home Rule Law §10, authorizes the consolidation of the police services of two towns in contiguous counties.

Comptroller Opinion No. 2005-3. There is nothing in the Education Law or any other statute that would authorize a school district to construct, or enter into a lease for the construction of, a parking garage to be used primarily by the public at large for purposes unrelated to school district activities.

Attorney General Informal Opinion No. 2004-6, May 18, 2004. Because the statutory scheme governing joint fire districts gives the town and village boards substantial power to affect the existence and structure of a joint fire district, the positions of village mayor and fire commissioner of a joint fire district established by that village are incompatible. Therefore, the village mayor may not be a commissioner of a joint fire district established by the village.

Comptroller Opinion No. 2003-2. Town Law §189-a(2)(a) provides that "whenever it shall appear to participating municipalities that a joint fire district is in the public interest, the town and village boards of trustees shall hold a joint meeting at one location within the proposed joint fire district to vote and establish a joint public hearing."

Comptroller Opinion 2002-12. Pursuant to a municipal cooperation agreement, two villages may combine their water, sewer and street departments under the supervision of a single superintendent of public works. All officers and employees performing services for the combined department, including the superintendent, may be designated as officers and employees of one of the villages.

Comptroller Opinion 2001-14. General Municipal Law, §§ 800(2), (3), 801, 803. An intermunicipal agreement does not constitute a "contract" within the meaning of General Municipal Law, § 800; therefore, a member of a town board, who is also employed by a village located partially within the town, does not have a prohibited interest in an agreement between the town and the village for the provision of services by the village that are related to his or her village employment. Although the disclosure requirements of General Municipal Law, § 803, are not applicable, the town board member, to avoid even the appearance of divided loyalties, should disclose his or her relationship as a village employee and refrain from participation in town board discussions and decisions regarding town agreements with the village that pertain to matters relating to his or her village employment.

Comptroller Opinion 2000-24. General Municipal Law, §§ 119-n(c), 119-o. Two non-contiguous villages may enter into a municipal cooperation agreement pursuant to General Municipal Law, Article 5-G, for the provision of police protection as a joint service.

Comptroller Opinion No. 2000-21. Explains the procedure for providing a joint fire district.

Comptroller Opinion 2000-17. If a town, on behalf of a water district, contracts with a water authority for the construction of a water system by a contractor engaged by the authority, the authority must solicit bids in accordance with Town Law §197 for the construction of the town's particular water system as a discrete project. The authority may not solicit bids for individual categories of estimated construction work to be performed in the aggregate for districts in several towns.

Attorney General Informal Opinion No. 98-46. The town board of each town planning to consolidate must act to present a proposition to consolidate to the electors of the town. The electors have no authority to petition to submit a proposition for consolidation of the electors of the town for approval.

Comptroller Opinion 98-21. Article 5-G does not provide authority for town and fire district to jointly contract with private ambulance company.

Comptroller Opinion 98-1. General Municipal Law, §§ 99-r, 103; Social Services Law, § 365-a. Pursuant to General Municipal Law, § 99-r, a county, by direct negotiation and without competitive bidding, may contract with a public authority for transportation services, which the county provides pursuant to the Social Services Law and regulations, for Medicaid clients.

Comptroller Opinion 97-2. Insurance Law, Article 47; General Municipal Law, §§ 92-a, 119-o. A school district may not reimburse a former school board member who participates in a municipal cooperative health benefit plan for Part B Medicare premiums paid by the former school board member. 1985, Opinion of the State Comptroller 85-3, p. 3, superseded to the extent inconsistent.

Comptroller Opinion 96-18. Village Law, §§ 1-102, 4-412, 9-912. Absent an act of the State Legislature, a village may not conduct an advisory referendum on the question of whether the village should become a city.

Comptroller Opinion 96-19. Joint construction by fire district and town of building to be used as fire station and town hall is authorized.

Comptroller Opinion 96-7. Fire districts may enter into a cooperation agreement to implement an advertising campaign for the purpose of recruiting volunteer firefighters for the fire companies of the fire departments of the districts. The costs of the campaign may be apportioned by property valuations, population or any other equitable method or formula as agreed to by the parties to the agreement.

Comptroller Opinion 94-10. General Municipal Law, §§ 119-o, 239-o. A town human rights commission must be established and operated on a townwide basis. A town and one or more villages may establish a joint townwide-village human rights commission.

Attorney General Opinion No. 93-18. A petition of the village electors to adopt a resolution submitting a proposition for dissolution of the village must include the signatures of at least one-third of the qualified resident electors of the village.

Comptroller Opinion 93-6. In order for a town to enter into a municipal cooperation agreement, it must have the authority to perform separately the function which would be the subject of the agreement.

Attorney General Informal Opinion No. 92-11. Town territory intended to be annexed which is separated from the annexing village by a town highway does not "adjoin" the village within the meaning of General Municipal Law §703 (Municipal Annexation Law) and therefore, is not subject to annexation.

Comptroller Opinion 88-46. Education Law, §§ 1604-a, 1723-a; General Municipal Law, §§ 11, 119-o. Pursuant to a cooperative investment agreement, school districts and municipalities may, on a cooperative basis, temporarily invest unneeded funds in instruments and obligations in which all the participants are authorized to invest. The fiscal officer of a participating school district or municipality may be given custody of the funds and the authority to invest those funds. Authority over the investment of funds may not be delegated to an advisory board. Prior opinions relative to cooperative investment agreements superseded to the extent inconsistent.

Comptroller Opinion 88-64. Public Housing Law, §§ 32(1), 37(1)(aa), 99; General Municipal Law, § 119-o. A municipal housing authority may provide its employees with health and dental benefits, but may not do so jointly with the municipality for which the authority was established.

Comptroller Opinion 85-23. When several municipalities are party to agreement to acquire real property, there must be a joint pledge of full faith and credit for joint indebtedness.

Comptroller Opinion 84-50. A town and a village may jointly engage a building inspector to enforce zoning ordinances of both municipalities and to issue building permits.

Comptroller Opinion 84-63. County sewer or water district may enter into a joint agreement or water project agreement with another municipality or district and thereby assist in providing sewer or water improvements.

Comptroller Opinion 83-205. Village may contract with an outside security force to provide a “patrol service” and may establish a benefit assessment area to cover the cost.

Comptroller Opinion 82-73. Town may not sell its gasoline to private volunteer ambulance corps, but may provide gasoline at cost in context of the contract for ambulance service.

Comptroller Opinion 82-123. Snow removal services may be contractually provided by village to volunteer ambulance corps as part consideration for the ambulance services.

Comptroller Opinion 82-182. A city may not enter into a multi-year contract for ambulance services when such contract will bind future boards.

Comptroller Opinion 82-290. Contract with private corporation to operate public sewer system, without competitive bidding, may be made under the provisions governing professional services contracts.

Comptroller Opinion 81-214. General Municipal Law, §§ 52, 119-o; Village Law, § 4-41(1). A private civic association may not be included as an additional named insured in a general liability policy purchased by a village, even if association bears the additional cost.

Comptroller Opinion 81-215. General Municipal Law, § 119-o; Municipal Home Rule Law, § 10(1)(i); State Constitution, Article VIII, § 1, Article IX, § 1(c). There is no statutory authority for a village and a private firm to jointly contract with a third party for waste removal. A village may not enact a local law authorizing such a joint contract.

Comptroller Opinion 81-262. A municipality may withdraw from a joint activity in which two or more municipalities participate by amendment of the ordinance, local law or resolution which authorized such joint participation, with the approval of all other participants. Upon such approval and amendment, the municipality may then contract for services with the joint enterprise.

Comptroller Opinion 81-390. State Constitution, Article VIII, § 1; General Municipal Law, § 119-o(1). A town may not enter into an agreement with a private college to install lights on an athletic field owned by the college in exchange for use of the field at certain times.

Comptroller Opinion 80-210. County-owned hospital may enter into contract with a private management firm.

Comptroller Opinion 80-672. A municipality may contract with a private corporation for operation and maintenance of a municipal wastewater treatment plant.

Attorney General Informal Opinion 94-5. Municipalities may not enter into agreement whereby the taxing power is delegated to an administrative agency.

Attorney General Informal Opinion 85-73. Municipal Home Rule Law, § 23(2)(f). A local law transferring a power of an elective official is subject to mandatory referendum. This requirement, however, does not apply to the transfer by a local legislative body of a ministerial responsibility.

Attorney General Informal Opinion 81-8. A town may enter into a contract with a private developer to build a sewer line which will allow the town and the developer to hook up to an existing sewer system as long as contract is supported by fair and adequate consideration. Since sewer line is also for public purpose, it avoids the constitutional prohibition of town aiding a private undertaking.

Attorney General Informal Opinion 75-195. Town Law, Article 5. Where it is wished to have a new town created, to be coterminous with boundaries of an existing village, the procedure set forth in this article still survives partial repealer contained in General Municipal Law, § 700 et seq. as the partial repealer applied only to change of boundaries of existing towns, not to creation of new ones.

Chart 2

HIGHWAYS AND BRIDGES

Statutory Framework <i>See generally, Municipal Home Rule Law, § 10(1)(ii)(a)(6)</i>
<p>Counties, Cities, Towns and Villages – Maintenance of improved county roads is responsibility of the county under the jurisdiction of the county superintendent of highways, the cost of such maintenance may be paid by the county or apportioned between the county and the local municipality in which such road or highway is located. [Highway Law, § 129]</p> <p>Authorized to petition the Commissioner of Transportation to provide additional width or improvement to State highway at expense of county or joint expense of county and any city, village or town. [Highway Law, §§ 49, 59]</p> <p>Counties – County superintendent appointment and general duties delineated. [Highway Law, § 100, § 102; County Law, Article 19, § 725]</p> <p>Superintendent required to prepare map showing proposed county road system. No road may be constructed or maintained with county funds unless it appears on the map (with certain exceptions). [Highway Law, § 115]</p> <p>Authorized to layout, construct, open, alter, abandon or discontinue a county highway and to acquire necessary land. [Highway Law, §§ 115-a, 115-b, 118-120, 131-b]</p> <p>County may provide for the construction or improvement of town highways, or highways along the boundary between a city or village and a town at the joint expense of the town and county. [Highway Law, §§ 194, 195]</p> <p>Authorized to provide aid to towns for the construction or improvement of town highways. [Highway Law, § 195]</p> <p>Cities – See individual city charters.</p> <p>Authorized to layout, construct, and discontinue city streets and lighting systems for lighting streets. [General City Law, § 20(7)]</p> <p>Towns and Villages – Village and town may enter into a municipal cooperation agreement whereby the town will repair and maintain village streets with the town being reimbursed by the village. [Town Law § 56]</p> <p>Towns – Superintendent required, [Town Law, §§ 20(1) and 32] unless town has a contract in force and effect with another municipality for provision of highway, road and street maintenance and repair for a period of not less than five years (contract subject to permissive referendum in some cases) and has adopted a law to abolish the office of the town of superintendent. [Town Law, §§ 20(1)(k)(n.3)]</p> <p>Town Superintendent has care of all town highways and must keep them in good repair and free from obstructions due to snow and ice. [Highway Law, § 140]</p>

Superintendent required to sufficiently describe and record highways in town clerk's office. [Highway Law, § 140(8)]

Town board is authorized to approve petition for improvement of a street or highway. [Town Law, § 200]

Authorized to petition the Department of Transportation to provide additional width or improvement to State highways situated in the town, the cost to be borne wholly by the town. [Highway Law, §§ 48, 59]

Villages – Streets under the exclusive control of the board of trustees. [Village Law, § 6-602]

Authorized to layout, alter, widen, narrow, discontinue or dedicate streets in village. [Village Law, § 6-612]

Authorized to petition the Commissioner of Transportation to provide additional width or improvement to State highways situated in the village, the cost to be borne by the village. [Highway Law, §§ 46, 59]

Board of trustees of any village may cause any highway improvement to be made on its own motion with costs borne by the village and/or lands benefited thereby. [Village Law, § 6-630]

Authorized to petition Commissioner of Transportation for construction or improvement of a highway to connect streets within village, with costs to be borne by county. [Highway Law, §§ 47, 261 [264]]

Authorized under certain circumstances to pay for the improvement of village roads connecting State highways. [Highway Law, § 47]

Village board of light commissioners may contract for lighting village streets. Contract may be for a maximum of 10 years. [Village Law, Article 12]

Special Districts

Transportation Development Districts - Between the years 1984-1997, ten transportation development districts were established by Special Act.

Bridges

Statutory Framework

Counties – Authorized to construct, repair, maintain or abandon county bridges. [Highway Law, § 131-b]

Authorized to take over a bridge 25 feet or longer on a town highway or any town bridge over 25 feet located in an incorporated village. [Highway Law, § 234(10)]

Authorized to fund reconstruction of town bridge destroyed by the elements. [Highway Law, § 131-d]

Authorized to construct and improve bridges in one or more towns at joint expense of the county and town. Maintenance is town expense unless county chooses to share. [Highway Law, §§ 237, 238]

Commissioner required to inspect bridges not on State highway system or under jurisdiction of a public authority to and to close unsafe bridges. [Highway Law, §§ 231(1) to (7)]

County superintendent has responsibility for maintaining all county roads, town highways and bridges within his county. [Highway Law, § 102(1); County Law, § 725]

Inspections by county of city, town and/or village highway or bridge at the written request of town superintendent and city and village mayor. [Highway Law, § 102(2)]

Cities – Authorized to establish, construct, maintain, operate, alter and discontinue bridges. [General City

Law, § 20(9)]

Towns – Commissioner authorized to promulgate a uniform code of bridge inspection. [Highway Law, § 232]

Town required to maintain all bridges having a span of less than 25 feet within its borders. [Highway Law, § 234(8)]

Authorized to assume maintenance of bridges in villages previously maintained by village. [Village Law, § 6-608]

Superintendent required to inspect bridges within the town during April – October of each year. [Highway Law, § 140(2)]

Town superintendent has responsibility for the care and maintenance of town highways, board walks and bridges less than two rods in width. [Highway Law, § 140(1)]

Authorized to contract for the lighting of improved State highways, county roads and bridges on such highways in the area of the town outside of villages. [Town Law, § 64(19)]

Villages – Authorized to construct and maintain bridges. [Village Law, § 6-606]

Authorized to maintain certain bridges. May assume or relinquish control of all bridges wholly within its boundaries. [Village Law, §§ 6-604 to 6-608; Highway Law, § 231]

Highway Equipment

Statutory Framework

Counties – County road machinery fund required. Board of supervisors may authorize expenditures for machinery. [Highway Law, § 133]

Authorized to rent county-owned equipment to any municipality or district within the county. [Highway Law, §§ 133-a]

Authorized, with approval of board of supervisors, to sell equipment if no longer needed. [Highway Law, § 133]

Authorized to permit use by any county association, of any street or highway machinery, tools or equipment owned by the county. [County Law, § 224(8)(f)]

Cities – Authorized to rent city-owned equipment to the county within which the city is wholly or partially located, or to any governmental unit in such county. Fee may not be less than the hourly rate fixed by State Commissioner of Transportation. [General City Law, § 20(31)]

Towns – Town superintendent, with approval of town board, is authorized to purchase or hire equipment. [Highway Law, §§ 142(1-a), 143]

Town authorized to permit use of town equipment by other municipalities. [Highway Law, §§ 142-b, 142-d]

Town superintendent, with approval of town board, authorized to sell such equipment if no longer needed. [Highway Law, § 142(5)]

Snow Removal
Statutory Framework
<p>Counties, Cities, Towns and Villages – Authorized to request emergency aid for control of snow and ice from State during emergency. [Highway Law, § 55]</p> <p>Authorized to provide funds for snow removal and snow fences. [Highway Law, § 274-a]</p> <p>Counties – Authorized to remove snow from county roads, to treat roads to remove danger, and to erect snow fences. [Highway Law, §§ 135, 274-a]</p> <p>May contract with other municipalities for snow removal on county roads. [Highway Law, § 135-a]</p> <p>Towns – Authorized to remove snow on village streets. [Highway Law, § 142-c]</p> <p>Town Superintendent has care of all town highways and must keep them in good repair and free from obstructions due to snow and ice. [Highway Law, § 140]</p> <p>Villages – May contract with town for snow removal. [Highway Law, § 142-c]</p>
<p>Special Districts</p> <p><i>Snow Removal District</i> – Town board may establish snow removal districts. [Town Law, § 190 and Article 12-A]</p>
Selected Court Cases
<p><i>Drake v. County of Herkimer, 2005, 15 A.D.3d 834, 788 N.Y.S.2d 770.</i> Municipality's duty to maintain roads is measured by courts with consideration given <u>to the</u> proper limits on intrusion into municipality's planning and decision-making functions.</p> <p><i>Hill v. Town of Reading, 2005, 18 A.D.3d 913, 795 N.Y.S.2d 126.</i> Since town was not responsible for maintenance of county road, town owed no legal duty to motorists with respect to adjacent drainage ditch; that duty rested solely with county.</p> <p><i>Winney v. County of Saratoga, 2004, 8 A.D.3d 944, 779 N.Y.S.2d 605.</i> Municipality is accorded a qualified immunity from liability arising out of a highway planning decision, but may be held liable when its study of a traffic condition is plainly inadequate or there is no reasonable basis for its traffic plan.</p> <p><i>Evans v. Stranger, 2003, 307 A.D.2d 439, 762 N.Y.S.2d 678.</i> A municipality has a continuing duty to review a roadway design plan in light of its actual implementation, but has no obligation to undertake expensive reconstruction of older roads solely based on updated highway safety standards.</p> <p><i>Hilliard v. Town of Greenburgh, 2003, 301 A.D.2d 572, 754 N.Y.S.2d 29.</i> The duty of a municipality to maintain its roadways in a reasonably safe condition extends to trees that are adjacent to the road and which could reasonably be expected to pose a danger to travelers; however, liability does not attach unless the municipality had actual or constructive notice of the dangerous condition.</p> <p><i>Quigley v. Goldfine, 2000, 276 A.D.2d 681, 714 N.Y.S.2d 733, leave to appeal denied 2001 WL 309016, leave to appeal denied 96 N.Y.S.2d 706, 725 N.Y.S.2d 278, 748 N.E.2d 1074.</i> Village was immune from liability in connection with a traffic accident at an intersection where the village was in the process of conducting a study and devising a traffic control plan for the intersection at the time of the accident, and no question was raised regarding the adequacy of the plan or the timeliness of its implementation.</p>

Amato v. County of Erie, 1998, 247 A.D.2d 846, 669 N.Y.S.2d 104. Counties are responsible for traffic control at intersections of county and town roads.

Ledet v. Battle, 1996, 231 A.D.2d 884, 647 N.Y.S.2d 601. Town did not have duty to maintain or sign intersection of town road with state highway, even though town requested State to take safety measures with regard to intersection, since under statute State had jurisdiction over intersection.

O'Brien v. City of New York, 1996, 231 A.D.2d 698, 647 N.Y.S.2d 561, *leave to appeal dismissed in part, denied in part* 89 N.Y.S.2d 1026, 658 N.Y.S.2d 241, 680 N.E.2d 614. City was not liable for motorist's injuries in intersectional collision, despite lack of traffic control device; decision to install device was "discretionary governmental function" and, while city undertook study of intersection, it had not completed study at time of accident.

Village of Port Chester v. City of Rye, 1996, 234 A.D.2d 453, 651 N.Y.S.2d 146. Village lacked standing to challenge neighboring city's traffic ordinance, even though ordinance allegedly deprived heavy truck traffic from one of the possible means of access to village streets.

Opinions of the Comptroller and Attorney General

Comptroller Opinion 2001-13. Town Law, § 130(7)(a); Municipal Home Rule Law, § 10; State Constitution, Article IX, § 2; Vehicle and Traffic Law, §§ 1600, 1604. Absent a State statute providing express authority, a town may not install a tollbooth and charge a fee to certain users of a town highway.

Comptroller Opinion 85-39. County Law, § 362(3); Highway Law, §§ 127(1), 133(4) and (5), 134; Municipal Home Rule Law, § 10(1)(ii)(a)(1). A county may appoint a county purchasing agent for the purpose of purchasing or renting all highway equipment, but 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.

Comptroller Opinion 83-58: Highway Law, §§ 142(1)(a), 266. Normally, the purchase of highway equipment is initiated by a recommendation by the highway superintendent to the town board and, subject to board approval, the purchase is executed by the superintendent; however, in certain situations where an impasse exists between the board and the superintendent, the board may direct the town supervisor to complete an approved purchase.

Comptroller Opinion 83-172. Highway Law, §§ 141(1), 142-c (2) and (4), 277. A town may contract with a village for the repair and maintenance of village streets and the town may perform such services upon terms and conditions as may be agreed upon by the town board and village trustees.

Comptroller Opinion 83-240. Highway Law, § 142(2); Town Law, § 64(3). Town highway equipment is under the management and control of the town highway superintendent and the town board may not impose restrictions on its use so long as it is being used for town highway purposes. This rule applies even where the superintendent is traveling outside the limits of the town if such travel is related to his official duties.

Comptroller Opinion 82-340. Town Law, § 32(1); Highway Law, § 142-b. A town board may enter into an agreement with a school board for the town to plow snow on school district property located within the town and the town board may direct that the town superintendent of highways perform such plowing.

Comptroller Opinion 81-162. Highway Law, § 231(1); L. 1980, Chapter 54. Where the State Commissioner of Transportation causes inspection of bridges to be made, a percentage of the cost of such inspection is charged back to the municipality.

Comptroller Opinion 81-290. Highway Law, § 231(2) and (6). When a county superintendent inspects and

condemns a bridge having a span of 25 feet or more located on a town highway, the town has the responsibility to repair or rebuild the bridge within a reasonable time, unless the county has taken over the bridge.

Comptroller Opinion 80-251. Town Law, § 32(1); Municipal Home Rule Law, § 10(l)(ii)(a)(1). A town board may, by local law, establish a department of public works to be headed by the town superintendent of highways, and assign him the responsibility of supervising the town dump, town highways, and town water and sewer districts, provided that there is no impairment of, or interference with, his statutory duties as superintendent.

Attorney General Informal Opinion 2005-3. Local governments with authority to regulate parking may permit parking closer to intersections than otherwise permitted under Vehicle and Traffic Law, § 1202(a)(2)(b) and (c).

Attorney General Informal Opinion 2003-2. Highway Law, §§ 114, 115, 115-a; Village Law, § 6-602. The proper method of transferring control and supervision of a village road to the county within which the village is located is by adding the village road to the county road system map pursuant to Highway Law, § 115. Upon such transfer, the county is responsible for maintaining the road.

Attorney General Informal Opinion 95-1. Highway Law, §§ 115, 115-b, 115-c, 130, 234. A county may provide for the reversion of a bridge, which is part of the county road system, to a town in accordance with the procedures set forth in Highway Law, §§ 115-b and 115-c.

Attorney General Opinion 82-59. Highway Law, §§ 2(4), 140(1), (2) and (5), 147, 189. The width of a town highway by use includes the shoulders of the road and whatever land is necessary for the safety of the traveling public. A town superintendent of highways is authorized to make repairs, erect safety barriers and remove obstructions to drainage within the boundaries of such highways.

Attorney General Opinion 81-78. Highway Law, §§ 327, 328; Town Law, § 64(19) and (22), Articles 12, 12-A. A county may terminate the lighting of public highways without advance notice to towns. Towns may provide lighting on public highways as a general town charge. There is no duty for a town or county to provide lighting on public highways.

Attorney General Informal Opinion 81-34. Highway Law, § 231. Where a bridge is located on a private road that has become a "highway by use," the town must accept responsibility for the bridge and provide repairs and maintenance.

Attorney General Informal Opinion 80-263. Highway Law, §§ 140(2), 231, 232; Village Law, § 6-604. A town in which an incorporated village is located is responsible for repair and maintenance of a bridge located on a street in that village, unless the village has assumed responsibility for the bridge.

2. SMSI GRANT PROGRAM APPLICATIONS AND AWARDS

	<u>SMSI Grant Cycle</u>	
	<i>2005-2006</i>	<i>2006-2007</i>
Applications Received	266	246
Grants Requested (\$M)	\$35.6	\$52.3
Grants Awarded	22	64
<u>Region of Award:</u>		
<i>Western</i>	5	16
<i>Finger Lakes</i>	2	12
<i>Southern Tier</i>	1	9
<i>Central</i>	0	2
<i>North Country</i>	6	6
<i>Mohawk Valley</i>	2	2
<i>Capital Region</i>	3	7
<i>Mid-Hudson</i>	2	4
<i>Long Island</i>	1	6
<i>New York City</i>	0	0
<u>Program Area of Award:</u>		
<i>Shared Services</i>	16	45
<i>Highways</i>	5	15
<i>Insurance</i>	0	2
<i>Countywide</i>	1	2
<u>Uses of Grant</u>		
<i>Feasibility Study</i>	12	26
<i>Equipment Purchase</i>	0	12
<i>Shared Services</i>	17	42
<i>Consolidation or Dissolution</i>	7	17
Grants Awarded (\$M)	\$2.5	\$12.4*

*\$7.9 Shared Services; \$3.8 Highway Services; \$0.3 Health Insurance; \$0.4 Countywide

3. Lists of SMSI Awardees By Functional Area* 2005-2006 and 2006-2007¹

Functional Area	Lead Municipality	Project Description
Structure of Local Government	Village of Allegany, Cattaraugus County	Study of efficiencies created by possible dissolution and merger of the village
	Town of Chester, Orange County	Study to identify areas where town and village could combine space, services, departments, or employees and achieve cost savings
	Village of Albion, Orleans County	In cooperation with the towns of Albion and Gaines, examining the potential for cost savings, efficiency, improved service, and possible merging of three municipalities into one
Required or Authorized Offices or Officers	Village of Cambridge, Washington County	Creating the position of Administrator for Planning, Zoning and DPW to serve the village of Cambridge and the village of Greenwich jointly
	Town of Ulysses, Tompkins County	With the towns of Caroline and Newfield, establishing a shared full-time staff position to enforce state and local storm water regulations
Financial Management Powers	City of Niagara Falls, Niagara County	An assessment services project to allow the City Assessor to inventory and revalue properties

* The listing of "Functional Areas parallels the listing of charts that are being updated and will be available on the New York State Assembly web site.

Public Safety: Law Enforcement	Town of Hamburg, Erie County	Cooperative services agreement between four towns and 2 villages to upgrade police dispatch infrastructure and services
	Onondaga County	Development of the Central New York Law Enforcement Analysis and Database System (CNYLEADS) to share between all County law enforcement agencies
	Yates County	Feasibility Study of coordinated police and court services with the village of Penn Yan
	Massapequa Union Free School District, Nassau County	Shared use of unoccupied school building as Police Academy, Police Activity League Unit, Juvenile Aid Bureau, Asset Forfeiture Bureau, and alternative school option for “at risk” students
	Town of Saugerties, Ulster County	Studying the financial benefits of merging town and village public works and police departments
Public Safety: Fire and Other Hazards Prevention and Control	Town of Newcomb, Essex County	Cooperative agreement with Newcomb Central School District to develop joint emergency program using school as primary shelter and support facility
	Niagara County	Along with Erie County, creating a shared Geographic Information System (GIS) network and providing connectivity to E911 backup centers in both counties

	Village of Owego, Tioga County	Studying the consolidation of town and village Fire Departments and Emergency Management Systems
	Village of East Hills, Nassau County	With the Villages of Roslyn Estates and Roslyn Harbor, exploring the savings that could be obtained by consolidating two overlapping Volunteer Fire Departments
Health and Mental Health	Warren County	In cooperation with Washington County, constructing a jointly operated Emergency Training Center to service both counties
	Town of North Hempstead, Nassau County	Studying the consolidation of Ambulance and EMS services within seven town-run fire districts
Waste Water	Town of Ticonderoga, Essex County	Construction of a new sewer system on the shore of Lake George to convey wastewater from failing sewer systems along the lake to the existing Ticonderoga plant
	City of Troy, Rensselaer County	Putting in place a six-municipality cost-sharing agreement to create an intermunicipal long term control plan for the communities' combined sewer overflows
	Erie County	With the City of Lackawanna, studying the potential redirection of wastewater flows to the Buffalo Sewer Authority for treatment

	City of Lockport, Niagara County	Studying the feasibility of consolidating water and wastewater services in the Cities of Lockport and North Tonawanda
	Town of Hanover, Chautauqua County	Exploring a project that would abandon the Village of Silver Creek's wastewater treatment and upgrade the Town of Hanover's plant to accommodate it
	Town of Ripley, Chautauqua County	Acquisition of a sewer vacuum/pump and jet cleaning equipment to be shared by six municipalities and special districts
	Town of Hume, Allegany County	Studying the connection of sewer infrastructure and consolidation of operations with the Town of Caneadea
	City of Cohoes, Albany County	Continuing development of the Albany Pool Combined Sewer Overflow Long Term Control Plan for six different municipalities
	Town of Ticonderoga, Essex County	Continuing construction of a sewer system to be jointly operated with the Town of Putnam that will convey wastewater from failing septic systems to an existing collection system and treatment plant
	Town of Plattsburgh, Clinton County	Providing new uniform metering devices to monitor and capture accurate flow data, resulting in shared cost savings to Town and City of Plattsburgh

Sanitation	Erie County	Conducting a Sanitary Sewer Rate Comparison Analysis and Merger Feasibility Study
	Town of Eastchester, Westchester County	Shared purchase of sanitary sewer televising equipment with Villages of Bronxville and Tuckahoe to identify and address problem areas
Water Supply	Town of Eden, Erie County	Development of the Southwest Erie County Regional Water Project to provide an affordable supply of potable water to four towns and two villages
	Town of Webb, Herkimer County	In conjunction with the Union Free School District, providing long-term savings to water customers by merging the Thendara and Old Forge water districts
	City of Canandaigua, Ontario County	Implementing a watershed protection plan focusing on reducing lake pollution and protecting a drinking water supply for 60,000 people in Ontario and Yates Counties
	Town of Alden, Erie County	Development of the Alden-Marilla Regional Water Supply Project to bring a safe, reliable source of drinking water to Alden and Marilla residents
	Town of Cape Vincent, Jefferson County	Joint water services project between the Town and Village of Cape Vincent to purchase water infrastructure and eliminate duplicative spending

(continued) Water Supply	Village of Champlain, Clinton County	Development of a public drinking water and sewer infrastructure management plan with the Town of Champlain and Village of Rouses Point
Other Utilities	Erie County	Combining electric, natural gas, and fuel oil accounts from participating municipalities into pools and procuring these commodities through bulk competitive purchases
	Village of Lakewood, Chautauqua County	Examining the financial and engineering feasibility of creating a municipal electric system with the City of Jamestown and the Towns of Ellicott and Busti
Highways	Town of Newstead, Erie County	Conducting a study to determine the feasibility of constructing a shared village/town highway garage and the possible consolidation of the Akron Public Works Dept. and the Town Highway Dept.
	Town of North Elba, Essex County	With the Village of Lake Placid, examining a possible consolidation of highway departments, parks departments, and a water department into a joint department of public works
	Town of Morristown, St. Lawrence County	Study of cooperation of school district, township, and village functions such as maintenance of vehicles, roads, public works, and a common fuel depot

	Village of Fort Edward, Washington County	Merging two separate public works departments in the Town and Village of Fort Edward into a single Fort Edward Highway Department
	Town of Cobleskill	Design and construction of a salt storage facility to be used jointly by The Town and Village of Cobleskill
	Steuben County	Joint purchase and operation of a paint striping truck and accessory equipment for pavement striping between Steuben, Schuyler and Yates Counties
	Chautauqua County	With the Town of Ellicott, purchasing a self-propelled chip spreader and roller to provide new highway surface treatment options for the County and Town
	Village of Fair Haven	With the Town of Sterling, joint purchase of an excavator that will enable both communities to undertake complex public works projects that have previously required extensive time and resources
	Town of Chenango	Construction of an environmentally safe salt storage facility that will house snow/ice/winter salt supplies to share with Broome County

	Town of Montague	The towns of Montague, Harrisburg and Pinckney will jointly purchase a tractor with a boom mower, a rotary mower, and a front mount broom attachment for the mutual benefit of their respective town highway departments
	Town of Peru	The Towns of Peru, Black Brook, Ausable and Jay will jointly purchase a road widener to improve service delivery, road safety, and the efficiency of municipal road crews
	Albany County	Combining the Department of Public Works Berne Field Office with the Town of Berne Highway Department and sharing an office, garage, fueling station, and salt storage facility
	Village of Deposit	The Village of Deposit and the Town of Deposit are conducting a study to explore the feasibility of a joint highway garage and consolidation of the Village and Town highway departments
	Village of Fort Edward	The Village and the Town of Fort Edward will complete their shared highway facility project to expand the Town's modern highway garage to accommodate the Village's vehicles and equipment

	Livingston County	Along with 17 towns in the County, purchase and jointly use a recycling and milling equipment that will provide a cost effective, energy efficient and environmentally sensitive method to repair county and town highways
	Town of New Paltz	Cooperating with the Town of Lloyd in the acquisition of advanced, proprietary technology, equipment, and services to improve the planning, design, construction and safety of their highway systems
	City of Schenectady	Construction of a new jointly-used municipal salt storage facility to be shared by highway departments in the City of Schenectady, Towns of Niskayuna, Princetown, Glenville and Duaneburg, and the Village of Scotia
	Town of Rose	The Town of Rose in Wayne County, will cooperate with the Towns of Huron, Lyons and Galan on the joint purchase of an excavating machine and an asphalt compactor to maintain and resurface the local roads

	Town of Leicester	The Town of Leicester and the Towns of Avon, Caledonia, Mount Morris and York will jointly purchase a self-propelled road widener and shoulder machine, and a steel drum vibrating roller to improve maintenance and repair of the municipal roads
Public Transportation	Harrisville School District, Lewis County	Consolidating the current Harrisville Central School and the Village of Harrisville vehicle fueling stations into one safe computer controlled fuel station and allowing for the aggregation of fuel purchasing
	Arkport Central School, Steuben County	Construction of a new bus facility to share with the Village of Arkport, the Town of Hornellsville, the NYSP, the Steuben County Sheriff's Office, and several other agencies
	Town of Southampton, Suffolk County	Creation of a coordinated rail and bus network on the East End of Long Island to replace existing transit services for five towns
	Alexander Central School District, Genesee County	Feasibility Study of a shared fuel depot, shared vehicle maintenance facility and shared equipment in collaboration with the Village of Alexander and the Town of Alexander

Social Services	Town of Adams, Jefferson County	Construction of a jointly-owned municipal building for the Village and Town of Adams
	Town of Aurora	Consolidation of the Town and Village administrative offices into a single facility in cooperation with the Aurora Town Public Library
	Town of Franklinville, Chautauqua County	Investigating the relocation of the village administrative office into the larger, more accessible town administrative office and sharing a single municipal building
	Town of Avon, Livingston County	Completing renovations of the new joint court facility for the Town and Village of Avon
	Schuyler County	Creation of a shared central repository for records management and retention for the Towns of Dix, Hector and Watkins Glen and the Watkins Glen School District
Recreation	LeRoy Central School District, Genesee County	Construction of athletic facilities for community and scholastic use, to be shared with the Village and Town of LeRoy and the Town of Stafford
	Town of Trenton, Oneida County	Feasibility Study and Implementation Plan for a Community Recreation Center to be shared by the Towns of Trenton, Floyd and Remsen

Education	Brocton School District, Chautauqua County	Creating a consolidated business office and new personnel positions to be shared with Westfield Academy and Central School, Ribley Central School District, and Chautauqua Lake Central School District
	Tonawanda City School District, Erie County	Exploring potential cost savings associated with shared maintenance, purchasing, and technology services with the City of Tonawanda
	Center Moriches School District, Suffolk County	Studying the possible consolidation of the Center Moriches School District and the East Moriches School District
	North Colonie Central School District, Albany County	Studying the feasibility of the annexation of the Maplewood-Colonie Common School District
Planning and Zoning	Town of Union, Broome County	Development of the Union Unified Zoning Ordinance with the Village of Endicott and Johnson City to create a shared Planning Department and Building Permit and Code Enforcement Department
	Nassau County	Working with the City of Long Beach on the development of a real-time web-based municipal GIS data sharing portal to share assessment related data currently in the Nassau County Land Records Viewer

Community Development	Village of Seneca Falls, Seneca County	Creation of a unified economic development and commercial revitalization plan and possible consolidation of government facilities and services between the Village and Town of Seneca Falls
Economic Opportunity and Development	Town of Evans, Erie County	Working with the Towns of Eden, Brandt, and North Collins and the Villages of Angola, North Collins, and Farnham to develop the Southtown's Community Enhancement Coalition Corporation to function as the economic development arm for these seven municipalities
Natural Resources	Town of Brookhaven, Suffolk County	Development of a Shared Clean Fuels Transportation Program to advance the use of clean burning, compressed natural gas school buses on Long Island
	Town of Fishkill, Dutchess County	With the Town of East Fishkill, constructing a new artificial wetland treatment system to allow on-site leachate treatment at their joint landfill

Alternatives for Municipal Change	Village of Allegany, Cattaraugus County	Along with the Town of Allegany, studying the potential dissolution and merger of the village into the Town
	Village of Cobleskill, Schoharie County	Studying options for shared services, cooperative agreements, and the merger or dissolution of jurisdictions between the Village and Town of Cobleskill
	Town of Liberty, Sullivan County	With the Village of Liberty, exploring shared services, consolidation, merger and possible dissolution of the village
	Village of Pike, Wyoming County	Working with the Town of Pike and the Pike Fire Department to examine the potential dissolution of the Village of Pike and prepare the Town to perform activities previously conducted by the village
	Village of Macedon, Wayne County	With the Town of Macedon, studying the potential economic impacts and the extent of efficiencies created by a dissolution of the village
	Village of Cherry Valley, Otsego County	Working with the Town of Cherry Valley to identify issues, costs, and benefits of dissolution of village government and consolidation of services with town government

	Village of Pike, Wyoming County	Working with the Town of Pike and the Pike Fire Department to examine the potential dissolution of the Village of Pike and prepare the Town to perform activities previously conducted by the village
	Village of Macedon, Wayne County	With the Town of Macedon, studying the potential economic impacts and the extent of efficiencies created by a dissolution of the village
	Village of Cherry Valley, Otsego County	Working with the Town of Cherry Valley to identify issues, costs, and benefits of dissolution of village government and consolidation of services with town government

4. List of SMS Information Network Academic Institutions

Institution	Address	Phone	Fax
Albany Law School	80 New Scotland Avenue Albany, NY 12208 http://www.albanylaw.edu/glc	(518) 445-2351	(518) 445-2303
SUNY Binghamton Department of Public Administration	SUNY Binghamton Department of Public Administration P.O. Box 6000 Binghamton, NY 13902-6000	(607) 777-2719	(607) 777-2414
Pace University; Edwin G. Michaelian Municipal Law Resource Center	1 Martine Avenue, Room 304 White Plains, New York 10606 http://www.pace.edu/page.cfm?doc_id=18501	(914) 422-4276	(914) 989-8351
Rockefeller College	135 Western Avenue Milne 122 A Albany, NY 12222	(518) 442-5293	(518) 442-5298
Rockefeller Institute of Government	411 State Street Albany, NY 12203-1003	(518) 443-5831	(518) 443-5788
SUNY at New Paltz	College of Liberal Arts and Sciences JFT 614 1 Hawk Drive New Paltz, NY 12561	(845) 257-3520	(845) 257-3517
SUNY Fredonia	Center for Rural Regional Development and Governance 338 Central Avenue, Suite 340 Dunkirk, NY 14048 http://www.fredonia.edu/crrdg/rims.asp	(716) 363-6353	(716) 363-6354
Potsdam Institute for Applied Research	313 Satterlee Hall Potsdam, NY 13676	(315) 267-2567	(315) 267-2097
Syracuse University, Maxwell School	215 Eggers Hall Syracuse, NY 13244	(315) 243-2530	(315) 443-9721
Technical Assistance Center at SUNY Plattsburgh	213 Redcay Hall SUNY Plattsburgh 101 Broad Street Plattsburgh, NY 12901-2681	(518) 564-3224	(518) 564-3220

<p>University at Buffalo Regional Institute</p>	<p>Beck Hall University at Buffalo The State University of New York 3435 Main Street Buffalo, NY 14214-3004 http://www.regional- institute.buffalo.edu/projects/project s.cfm?ID=96</p>	<p>(716) 829-3777</p>	<p>(716) 829-3776</p>
<p>SUNY Stony Brook Department of Political Science</p>	<p>Social and Behavioral Sciences Building, 7th Floor Stony Brook University Stony Brook, NY 11794-4392</p>	<p>(631) 632-7672</p>	<p>(631) 632-4116</p>

5. Shared Municipal Services Intermunicipal Agreements

Type of Agreement Form/Functional Area	Communities Involved	Case Study Identification/Location
Bylaws for a multi-municipality council	LI Sound Watershed Intermunicipal Council	Long island Watershed case study , Appendix B-2
Bylaws for a multi-municipality highway services board	Chemung County	Available Fall 2007 from Deputy Chemung County Executive Michael Krusen at mkrusen@co-chemung.ny.us
Grant application for a successful multi-municipality shared services research project	Town of Morristown	Morristown case study , Appendix 1
Inter-municipal agreement for joint archiving facility	Town of Lancaster and Village of Lancaster	Lancaster case study , Appendix I
Inter-municipal agreement for assessing services	Towns of Lancaster and Cheektowaga and Village of Depew	Lancaster case study , Appendix 1
Inter-municipal agreement merging building inspector's office	Town of Lancaster and Village of Lancaster	Lancaster case study , Appendix 2
Inter-municipal agreement creating a multi-municipal council	LI Sound Watershed Intermunicipal Council	Long Island Watershed case study , Appendix B-1
Inter-municipal agreement for dog control services	Town of Lancaster and Village of Lancaster	Lancaster case study , Appendix 8
Inter-municipal agreement for dog control services	Town of Portland and Village of Brockton	Portland/Brockton case study , Appendix 2
Inter-municipal agreement for lease of fueling facility	Indian River School District and Town of Philadelphia	Indian River case study , Appendix 3

Inter-municipal agreement for shared fueling facility	Town of Portland, Brockton School District and Village of Brockton	Portland/Brockton case study , Appendix 9
Inter-municipal agreement for sub-lease of garage facilities	Town of Philadelphia and Jefferson County	Indian River case study , Appendix 4
Inter-municipal agreement entering into a Multi-Municipality Highway Services Board	Chemung County	Chemung County case study , page 13
Inter-municipal agreement for police functions	Town of Lancaster and Village of Lancaster	Lancaster case study , Appendix 12
Inter-municipal agreement establishing single town court	Towns of Ridgeway and Shelby	Ridgeway and Shelby case study , Appendix 6
Inter-municipal agreements for various functions from numerous New York municipalities	New York State Department of State	Available from Joann Ryan, AICP at: jryan2@dos.state.ny.us ; or at the NYS Department of State, Division of Local Government, 41 State Street, Albany, NY 12231-0001
Inter-municipal agreement for lease of vehicle storage and maintenance facility	Indian River School District and Town of Philadelphia	Indian River case study , Appendix 2
Job description of a county public works coordinator	Chemung County	Chemung County case study , page 14
Local law for building inspector/storm water discharge compliance	Town of Mamaroneck	Long Island Watershed case study , Appendix B-6
Memorandum of understanding for multi-municipality regional water project	Erie County	Erie County case study , Appendix 4
Memorandum of understanding for shared service agreements	Town of North Elba and Village of Lake Placid	North Elba/Lake Placid case study , page 19

Resolution reducing number of town judges	Towns of Ridgeway and Shelby	Ridgeway and Shelby case study , Appendix 2
Resolution establishing single town court	Towns of Ridgeway and Shelby	Ridgeway and Shelby case study , Appendix 5
Solicitation for professional services for shared service analysis	Town of North Elba and Village of Lake Placid	North Elba/Lake Placid case study , page 21

6.Keys to Success and Pitfalls to Avoid – Lessons Learned from Case Studies

The Process

Local Leadership: As might be expected, problems in operating the government were at first defined by elected officials. For them that the omnipresent concern about the property tax was a clear driver in seeking cost reduction or displacement. Leadership for collaboration in general purpose governments must come from elected officials in all the jurisdictions involved, usually mayors or town supervisors, or in special purpose governments from well situated appointed leaders with special legitimacy in the community (e.g. a school superintendent, or key county department head).

Linkage of Action to the Problem: But the actions proposed to provide relief did not directly address taxation; they were not tax cuts, nor were they changes in assessment practices. Moreover the specific proposals in these cases were only tangentially responsive a focused demand or broadly understood need for change in the community.

Be Ready for the "Solution Without a Problem" Argument: This created the prospect, especially where change was proposed in areas of service directly delivered and consumed individually by citizens and in which, therefore, mobilization against the proposed reform was likely, that one argument made would be that governmental leaders were presenting a solution where there was no a problem. Moreover, it invited an arguments that the economies achieved were overestimated, or that they would come at an unacceptable cost in the extent and quality of service provided in the community.

Encouraging Engagement: It is essential to engage the community and create a dynamic through which the need for change is embraced by and ideas for change are rooted in the community or communities considering collaboration or consolidation.

Create a Venue Where Collaboration is the Core Focus: Communities that might wish to collaborate are well advised to create a structure for consultation even if the likelihood of particular action is not immediate. In this way, a venue is available, and the groundwork is laid when the opportunity arises.

Experts: Third-party experts are important in pursuing intergovernmental collaboration. Using them avoids the actual, perceived or potential conflict in roles that arise from the involvement of experts employed in state agencies seeking to encourage reform. In a number of the cases, universities, think tanks or private consultants were dispassionate sources of information, analysis and options. In performing this function, they disarmed the argument that one or another of the officials involved in seeking

change is pursuing a personal agenda (or vendetta). But in using consultants, it is important to insist on their reporting in a manner that is not preemptive of local decision.

It's About Collaboration, Not Control: Larger jurisdictions have the resources to lead. But disparities in size and capacity may raise fears about being subordinated.

Failure to Prepare and to Consult is Fatal: The need for such preparation, and buy-in, however, may be a barrier to exploiting opportunities quickly when they arise.

Make Time Your Friend: Failed attempts to act fast, with limited preparation, assume that time is an enemy: if you don't act fast, you will be unable to act at all. Instead, reformers must make time their friend. Use time to prepare. Plan for change over time. Mitigate potential opposition to change from those most affected—for example, public employees, or incumbent elected department heads or officials in jobs targeted for elimination or combination—by using attrition rather than firing to reach goals.

Actions Speak: Formal Involvement of the Entire Governing Body is Symbolically Important: Change advanced by the most visible officials in local government (e.g. the mayor, the supervisor, the superintendent of schools) is bolstered when formal action by governing boards legitimizes the change process.

There Are Natural Constituencies for Change: External Support Also Legitimizes: Collaboration is further legitimized through expressions of support by key players in the community. Chambers of Commerce and local media, for example, are usually enthusiasts of consolidation or collaboration because of what they regard as its self-evident economic logic. There is no instance reported in the cases under review of media opposition to the consideration of consolidation or collaboration.

Be Aware of and Call upon Other Potential Beneficiaries for Support: The positive effects of a collaborative effort may reach far beyond the jurisdictions actually entering into formal agreement.

Pick the Low Hanging Fruit: A small but symbolically important agreement on sharing between municipalities can lay the groundwork for further steps.

Get Started - Avoid Veto Situations: Requiring all potential partners to sign on before collaboration begins gives any municipality a veto. If the most committed jurisdictions get started, others may join later. Two party agreements are most common; multiparty actions are most difficult. The creation of the Hudson River Valley Greenway, one of the most successful intergovernmental collaborative activities in the state, did not require that all potential entities sign on before the project got under way. Initial successes attracted others.

Barriers and Overcoming Them

Behave Ethically: Self-interested behavior by decision makers, or even its appearance, will likely sink collaborative efforts.

"I Am From the State and I Am Here to Help": State agencies encouraging cooperation and consolidation are headed by appointees of the governor, or statewide elected officials. Partisan differences between them and the local officials between or among whom they seek to encourage collaborative efforts may raise barriers. Moreover, state agencies often have conflicting roles. The State Comptroller, for example, seeks to encourage intergovernmental consolidation and collaboration but also oversees and regulates local operations.

Referendum Requirements in State Constitution or Law: State law requires a referendum to shift an office from elective to appointed.

Non Co-terminality of Local Boundaries: School district boundaries are not coterminous with those of general purpose municipalities. Village boundaries may cross county or town lines. Collaboration with a few municipalities within a school district might be seen as undertaken without benefiting other parts of the district, but calling upon them to share costs.

Those Potentially Disadvantaged Will Resist: In the cases under study the most vigorous resistance came from leaders and employees who feared the loss of their jobs—and organizations that represented them (e.g. employee unions). This opposition must be anticipated, and a plan developed to address concerns and minimize the often short-term costs of change to achieve the longer-term benefits. (See the above discussion of *Make Time Your Friend*.) In particular, remember that local employees find protections in Civil Service law and collective bargaining agreements.

Local History and Experience Counts Heavily: Proposals for collaboration or consolidation occur in historic context; they do not arise in a vacuum. Many local leaders are long serving, and/from families that have been in their communities for generations. They know local history; many have made it. Moreover, local experience is the experience most important to them.

Respect the Community and the Idea of Community: Moreover, governance structures whose overt purpose is to deliver public service also may be at the center of the social and cultural life of a place, at the core for many of its very identity as a community. Faced with the economy/community tradeoff, people will rarely opt for the former over the latter. That is why proponents for change are wise to clearly distinguish an idea of collaborating on delivery of a service or consolidating a single function from a threat to the continued existence of a general purpose government or school district, and—most often—to disavow the later.

7. Helpful Contacts List

<u>Area/Organization</u>	<u>URL</u>	<u>Description</u>
<i>New York State Agencies</i>		
Department of Civil Service	NYS Department of Civil Service Alfred E. Smith State Office Building Albany, N.Y. 12239 Phone: 518-457-2487 http://www.cs.state.ny.us/	Resources and information on civil service for individuals who are employed by a county, city, town, village, school district, BOCES or special districts within New York State
Department of State, Division of Local Government Services	New York State Department of State Division of Local Government Services 41 State Street Albany, N.Y. 12231-0001 Phone: 518-473-3355 Fax: 518-474-6572 http://www.dos.state.ny.us/lgss/smsi/index.html	Overview of SMSI Program, description of categories, downloadable application, Resolution Tips, "How to Complete a Good Application"
Department of Transportation	NYS Department of Transportation 50 Wolf Road Albany, N.Y. 12205 Phone: 518-457-6195 https://www.nysdot.gov/portal/page/portal/index	Various information on the State's transportation system, state and local government highway cooperation, current and past department projects
Office of the State Comptroller	Office of the State Comptroller 110 State Street Albany, N.Y. 12236 Phone: 518-474-4044 www.osc.state.ny.us/localgov/index.htm	Audited data for every unit of local government; Special reports of interest; cost saving ideas.
Legislative Commission on Rural Resources	http://www.senate.state.ny.us/SenateReports.nsf/Public_ViewReports?OpenForm , http://www.nyssenate53.com/senate_update.asp?id=743	Links to various Commission newsletters and Reports Page of Senator George H. Winner Jr., Chairman of Commission
Legislative Commission on State-Local Relations	http://assembly.state.ny.us/ Then click on Committees, Commissions and Task Forces; then "State-Local Relations" under Legislative Commissions	At Assembly web site; search and find bills and resolutions of the current session, full-text legislative memoranda, actions (current status), and record of roll call votes, assembly calendar, and hearing schedules. At State-Local Relations; find Catalog of State and Federal Programs Aiding New York's Local Governments .

New York State Senate, Local Government Committee	http://www.senate.state.ny.us/sws/SD45/report%20final.pdf	"Sharing Services and Saving Tax Dollars"- a Senate Report on Intermunicipal Agreements
New York State Department of Budget	New York State Division of the Budget State Capitol Albany, N.Y. 12224 http://www.budget.state.ny.us/localities/local/aim.html	Information on available State Aid and local Shared Services and Consolidation Incentives
New York State Division of Housing and Community Renewal	New York State Division of Housing and Community Renewal Hampton Plaza 38-40 State Street Albany, N.Y. 12207 Phone: 518-473-2526 http://www.dhcr.state.ny.us/ocd/ocd.htm	Information on available housing programs in NYS; funding opportunities; including descriptions, forms and notices of availability; and other housing information.
New York State Dept. of Environmental Conservation	New York State Department of Environmental Conservation 625 Broadway Albany, N.Y. 12233-4500 Phone: 518-402-8013 http://www.dec.state.ny.us/website/dec/bfield/	Resources to help local government officials conserve, improve, and protect natural resources and the environment
NYS DEC - SEQRA	NYS DEC Division of Environmental Permits 4 th Floor 625 Broadway Albany, N.Y. 12233-1750 Phone: 518-402-9167 http://www.dec.state.ny.us/website/dcs/seqr/	Important information on SEQRA and Environmental Impact Assessments in New York State
New York State Commission on Local Government Efficiency and Competitiveness	New York State Commission on Local Government Efficiency and Competitiveness 30 South Pearl Street Albany, N.Y. 12245 Phone: 518-292-5139 http://www.nyslocalgov.org/	The Commission provides information for state and local government on issues regarding mergers, consolidations, regionalized government, shared services, and smart growth. The Commission will make recommendations on how to improve the effectiveness and efficiency of local governments in New York. Commission will report its recommendations by April 15, 2008.
<i>New York State Associations</i>		
Association of Fire Districts of the State of New York	Phone: 516-799-8575 OR 800-520-9594 Fax: 516-799-2516 AFDSNY Secretary: 800-520-9594 www.firedistnys.com	General information concerning administration of fire districts in New York.

<p>Greater Binghamton Council of Governments</p> <p>Greater Binghamton Council of Governments (continued)</p>	<p>Rita M. Petkash, Commissioner Fifth Floor Broome County Office Building 46 Hawley Street P.O. Box 1766 Binghamton, N.Y. 13902-1766 Phone: 607-778-2114 Fax: 607-778-6051 http://www.gobroomecounty.com/planning/PlanningCOG.php</p>	<p>The Greater Binghamton Council of Governments is an association of municipal governments organized to provide a forum for discussion and negotiation leading to agreement for more efficient and fiscally responsible delivery of government services, and consolidation of local governments in Broome County, New York.</p>
<p>New York State Association of Counties</p>	<p>NYSAC 111 Pine Street Albany, NY 12207 Phone: (518) 465-1473 Fax: (518) 465-0506 http://www.nysac.org</p>	<p>Various information for County officials and officers, including link to NYSAC SMSI Policy Primer</p>
<p>Association of Towns of the State of New York</p>	<p>Association of Towns of the State of New York 150 State Street Albany, N.Y. 12207 Phone: 518-465-7933 http://www.nytowns.org</p>	<p>Provides services, training, publications and representation for the 932 towns of the State of New York to help them obtain greater economy and efficiency.</p>
<p>New York State Conference of Mayors and Other Municipal Officials</p>	<p>New York State Conference of Mayors 119 Washington Avenue Second Floor Albany, N.Y. 12210 Phone: 518-463-1185 Fax: 518-463-1190 http://www.nycom.org</p>	<p>NYCOM provides valuable workshops, training, and programs to local government and municipal officials.</p>
<p><i>New York State Academic Institutions</i></p>		
<p>Cornell University, Restructuring Local Government Program</p>	<p>Mildred E. Warner, Associate Professor Department of City and Regional Planning, 215 W. Sibley Hall Cornell University Ithaca, N.Y. 14852-6701 Phone: 607-255-6816 Fax: 607-255-1971 Department of City and Regional Planning 106B West Sibley Hall Cornell University Ithaca, NY 14853-6701 607-254-5378 Fax: 607-255-1971 http://government.cce.cornell.edu/default.asp</p>	<p>This web site, a project of Professor Mildred Warner in the Department of City and Regional Planning and the Cornell Cooperative Extension at Cornell University, is designed to provide local governments with information on restructuring trends and innovations in public sector service provision, public-private partnerships, privatization, inter-municipal cooperation and contracting back-in.</p>

Rural New York Initiative	http://hosts.cce.cornell.edu/rnyi/004_rvp_summary_report	Downloadable highlights of "Rural Vision" report
Academic Institutions – Other States		
University of Georgia, Carl Vinson Institute of Local Government	Carl Vinson Institute University of Georgia 201 North Milledge Ave. Athens, GA 30602-5482 Phone: 706-542-2736 Fax: 706-542-9301 http://www.cviog.uga.edu/index.php	A center of education, research, technical assistance, and policy analysis to help build better governments and communities
University of Minnesota, Extension Service	University of Minnesota Extension Service Office of the Director 240 Coffey Hall 1420 Eckles Ave. St. Paul, MN 55108-6068 Phone: 612-624-1222 http://www.extension.umn.edu/index.html	<u>A Community Development and Vitality</u> program created to enhance the economic strength, civic empowerment, technological literacy and social capital of Minnesota's communities
New York State – Regional Planning Agencies		
Southern Tier West	Center for Regional Excellence Southern Tier West 4039 Route 219 Suite 200 Salamanca, N.Y. 14779 Phone: 716-945-5301 Fax: 716-945-5550 http://www.southerntierwest.org/default.htm	An organization founded to help coordinate and enhance planning and development activities in Allegany, Cattaraugus, and Chautauqua Counties
Capital District Regional Planning Commission	Capital District Regional Planning Commission One Park Place Albany, N.Y. 12205 Phone: 518-453-0850 Fax: 518-453-0856 http://cdrpc.org	A regional planning and resource center serving Albany, Rensselaer, Saratoga, and Schenectady counties and providing objective analysis of data, trends, opportunities, and challenges relevant to the Region's economic development and planning communities
Central New York Regional Planning and Development Board	Central New York Regional Planning and Development Board 126 North Salina St., 100 Clinton Square Suite 200 Syracuse, NY 13202 Phone: 315-422-8276 Fax: 315-422-9051 http://www.cnyrpdb.org	Consisting of Cayuga, Cortland, Madison, Onondaga, and Oswego Counties, the CNY RPDB provides a comprehensive range of services associated with the growth and development of communities in Central New York
Genesee Finger Lakes Regional Planning Council	Genesee Finger Lakes Regional Planning Council 50 West Main Street, Suite 8107	Identifies, defines, and informs its member counties (Orleans, Genesee, Wyoming, Monroe, Livingston, Wayne,

	Rochester, N.Y. 14614 Phone: 585-454-0190 Fax: 585-454-0191 http://www.gflrpc.org	Ontario, Yates, and Seneca) of issues and opportunities critical to the physical, economic, and social health of the region
<i>New York State – Metropolitan Planning Organizations</i>		
Adirondack Glens Falls Transportation Council	Adirondack/Glens Falls Transportation Council Washington County Municipal Center, A-231 383 Upper Broadway Fort Edward, NY 12828 Phone: 518-746-2199 Fax: 518-746-2441 http://www.agftc.org/about.htm	Warren County, Washington County, and the Town of Moreau in Saratoga County created this MPO to facilitate a cooperative transportation planning and decision making process between area municipalities and state and federal agencies
Binghamton Metropolitan Transportation Study	Binghamton Metropolitan Transportation Study Fifth Floor Broome County Office Building 44 Hawley Street PO Box 1766 Binghamton, NY 13902-1766 Phone: 607.778.2443 Fax: 607.778.6051 http://www.gobroomecounty.com/bmts	A regional transportation planning agency responsible for developing transportation plans and programs in Broome County
Elmira-Chemung Transportation Council	Elmira-Chemung Transportation Council 400 East Church Street Elmira, NY 14901 Phone: 607-735-5510 Fax: 607-737-5512 http://www.elmirampo.org	ECTC seeks to build regional agreement on transportation investments and to better balance highway, mass transit and other needs, leading to more cost effective solutions to transportation problems in the Elmira urbanized area
Capital District Transportation Committee	Capital District Transportation Committee One Park Place Albany, N.Y. 12205-2676 Phone: 518-458-2161 Fax: 518-459-2155 http://www.cdcmpo.org	The Metropolitan Planning Organization of New York's Capital Region provides various resources on local studies, workshops, plans and programs
New York Metropolitan Transportation Council	New York Metropolitan Transportation Council 199 Water Street 22nd Floor New York, NY 10038-3534 Phone: 212-383-7200 Fax: 212-383-2418 http://www.nymtc.org	An association of governments, transportation providers and environmental agencies that serves as the metropolitan planning organization for New York City, Long Island and the lower Hudson Valley

<p>Poughkeepsie-Dutchess County Transportation Council</p>	<p>Poughkeepsie-Dutchess County Transportation Council 27 High Street, 2nd Floor Poughkeepsie, NY 12601 Phone: 845-486-3600 Fax: 845-486-3610 http://www.dutchessny.gov/CountyGov/Departments/Planning/PLPDCTCIndex.htm</p>	<p>The designated MPO for Dutchess County responsible for ensuring that Federal transportation dollars (highway and transit) are committed through a locally driven, comprehensive planning process</p>
<p>Syracuse Metropolitan Transportation Council</p>	<p>Syracuse Metropolitan Transportation Council 126 North Salina St., 100 Clinton Square Suite 100 Syracuse, NY 13202 Phone: 315-422-5716 Fax: 315-422-7753 http://www.smtcmppo.org</p>	<p>This MPO is responsible for administering the continuous and comprehensive transportation planning process in Onondaga County, and small portions of Madison and Oswego Counties</p>
<p>Greater Buffalo-Niagara Regional Transportation Council</p>	<p>Greater Buffalo-Niagara Regional Transportation Council 438 Main Street Suite 503 Buffalo, N.Y. 14202 Phone: 716-856-2026 Fax: 716-856-3203 http://www.gbnrtc.org</p>	<p>Responsible for transportation planning in Erie and Niagara Counties, this organization provides a regional decision-making forum for the development of a system that best fits the Niagara Frontier</p>
<p>Genesee Transportation Council</p>	<p>Genesee Transportation Council 50 West Main Street Suite 8112 Rochester, N.Y. 14614 Phone: 585-232-6240 Fax: 585-262-3106 http://www.gtcmpo.org/</p>	<p>This MPO is responsible for transportation planning in the Genesee-Finger Lakes Region, which includes Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates Counties with a primary focus in the developed area surrounding the City of Rochester</p>
<p>Orange County Transportation Council</p>	<p>Orange County Transportation Council 124 Main Street Goshen, N.Y. 10924 Phone: 845-291-2318 Fax: 845-291-2533 http://www.orangecountygov.com/orgMain.asp?orgid=53&storyTypeID=&sid=&</p>	<p>This MPO is engaged in issues of land use planning, transportation, agriculture, training, resource management, open space, and economic issues that affect Orange County</p>
<p>Herkimer-Oneida Counties Transportation Study</p>	<p>Herkimer-Oneida Counties Transportation Study Union Station 321 Main Street Utica, N.Y. 13501 Phone: 315-798-5710 http://www.ocgov.net/HOCTSMPO/transportation.html</p>	<p>The Herkimer-Oneida Counties Transportation Study shares responsibility with the state to develop cooperative transportation and programs for the Herkimer and Oneida County area</p>

Ulster County Transportation Council	Ulster County Transportation Council 244 Fair Street P.O. Box 1800 Kingston, N.Y. 12402 Phone: 845-340-3340 Fax: 845-340-3429 http://www.co.ulster.ny.us/planning/tra.html	This MPO is responsible for making final decisions concerning transportation planning and programming of Federal aid projects in Ulster County as well as a portion of the Poughkeepsie-Newburgh Urbanized Transportation Management Area
Ithaca-Tompkins County Transportation Council	Ithaca-Tompkins County Transportation Council 121 East Court Street Ithaca, N.Y. 14850 Phone: 607-274-5570 Fax: 607-274-5578 http://www.tompkins-co.org/itctc/	This MPO is charge with facilitating county-wide transportation planning and is responsible for working jointly and cooperatively with all transportation related agencies in Tompkins County as well as providing transportation related information and analyses
New York State Metropolitan Planning Organizations	http://www.nysmpos.org	A coalition of the thirteen MPOs in New York State committed to working together toward common goals such as planning and research initiatives
Commercial Sites		
LOGIN	http://services.login-inc.com/LOGIN/index.asp	LOGIN is a subscription service providing online information resources designed especially for local government professionals. It provides LOGIN databases of community programs, a private search engine connecting strictly to local government sites exclusively for LOGIN members, access to over 39,000 management systems, evaluations tools, and other public works solutions, and weekly updated grant information.
National Groups		
National Conference of State Legislatures (NCSL)	National Conference of State Legislatures 444 North Capitol Street, N.W. Suite 515 Washington, D.C. 20001 Phone: 202-624-5400 Fax: 202-737-1069 http://www.ncsl.org	NCSL serves the legislatures and staffs of the nation's 50 states, providing research, technical assistance, and opportunities for policymakers to exchange ideas
United States Department of Transportation, Bureau of Transportation Statistics	United States Department of Transportation, Bureau of Transportation Statistics 1200 New Jersey Avenue, S.E. Washington, D.C. 20590 Phone: 800-853-1351 http://www.bts.gov/external_links/government/metropolitan_planning_organizations.html	This page provides a state-by-state list of all Metropolitan Planning Organizations in the country and provides links to those with their own websites

National Association of Counties (NACO)	National Association of Counties 25 Massachusetts Avenue, N.W. Washington, D.C. 20001 Phone: 202-393-6226 http://www.naco.org	NACO provides various services to the nation's counties and helps to find and share innovative solutions through education and research
National Association of Towns and Townships (NATaT)	National Association of Towns and Townships 1130 Connecticut Avenue, NW, Suite 300 Washington, DC 20036 Phone: 202-454-3954 Toll Free: 866-830-0008 Fax: 202-331-1598 http://www.natat.org/index.html	Organization dedicated to promoting legislative and regulatory policies designed to strengthen grassroots local governments including towns and townships
International City/County Management Association (ICMA)	International City/County Management Association 777 North Capitol Street, NE Suite 500 Washington, DC 20002-4201 Telephone: 202-289-4262 Fax: 202-962-3500 http://www.icma.org/main/sc.asp	Professional and educational organization for chief appointed managers, administrators, and assistants in cities, towns, counties, and regional entities throughout the world
The Council of State Governments (CSG)	Headquarters: The Council of State Governments 2760 Research Park Drive Lexington, KY 40511 Phone: 859.244.8000 Fax: 859.244-8001 Eastern Region: The Council of State Governments 100 Wall Street 20th Floor New York, NY 10005 212.482.2320 212.482.2344 fax http://www.csg.org/default.aspx	Information regarding the sharing of resources, strategies, and ideas among State governments
Non-Profit Guides	http://www.npguides.org	Free web-based grant-writing tools for non-profit organizations, charitable, educational, public organizations, and other community-minded groups.
Code of Federal Regulations (CFR)	U.S. Government Printing Office Mail Stop: IDCC 732 N. Capitol Street, NW Washington, DC 20401 Toll Free: 866-512-1800 DC Area: 202-512-1800	The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government

	<p>Fax: 202-512-2104 http://www.gpoaccess.gov/cfr/index.html</p>	
Federal Register (FR)	<p>U.S. Government Printing Office Mail Stop: IDCC 732 N. Capitol Street, NW Washington, DC 20401 Toll Free: 866-512-1800 DC Area: 202-512-1800 Fax: 202-512-2104 http://www.gpoaccess.gov/fr/index.html</p>	<p>Published by the Office of the Federal Register, National Archives and Records Administration (NARA), the Federal Register is the official daily publication for rules, proposed rules, and notices of Federal agencies and organizations, as well as executive orders and other presidential documents.</p>
Government Grants	<p>U.S. Department of Health and Human Services Office of Grants 200 Independence Avenue, S.W. HHH Building Washington, DC 20201 Phone: 1-800-518-4726 http://www.grants.gov</p>	<p>A valuable source to find and apply for Federal government grants. There are over 1,000 grant programs offered by all Federal grant making agencies.</p>
U.S. Census Bureau	<p>U.S. Census Bureau 4600 Silver Hill Road Washington DC 20233 Phone: 301-763-INFO (4636) http://www.census.gov</p>	<p>Vast source of data on the nation's people and economy</p>
U.S.A. Government	<p>USA.gov U.S. General Services Administration Office of Citizen Services and Communications Suite G-142 1800 F Street, NW Washington, DC 20405 Phone: 1-800-333-4636 http://www.usa.gov/Government/State_Local.shtml</p>	<p>Government Resources for State and Local Government Employees</p>
The Public Technology Institute	<p>The Public Technology Institute 1301 Pennsylvania Avenue, N.W. Suite 830 Washington, D.C. 20004 Phone: 866-664-6368 http://pti.nw.dc.us</p>	<p>PTI offers a variety of technology products and services to assist local governments in addressing their technology needs</p>
The American Planning Association	<p>The American Planning Association American Planning Association 1776 Massachusetts Ave., NW Washington, DC 20036-1904 Phone: 202-872-0611 Fax: 202-872-0643 http://www.planning.org</p>	<p>The APA is a nonprofit public interest and research organization committed to urban, suburban, regional, and rural planning</p>