

New York State Commission on Local Government Efficiency and Competitiveness	Type of Action Needed			
	Administrative	Legislative	Constitutional	Study
<b>Comprehensive List of Recommendations</b>				
An "E" indicates legislation has been enacted.				
1. Following this final report, the Commission's mission should be sustained through an Executive-level <b>Center for Local Government Efficiency</b> that will provide a gateway to state government for citizens and local officials pursuing this goal. It will extend the local initiatives process and work of the Interagency Task Force currently coordinated under the Commission. It will facilitate coordination of state agencies and resources supporting shared services and consolidation. Technical assistance for local governments would be provided with information on best practices, how-to manuals, agency referrals, and a website directing local officials and citizens to resources. This Center would also lead continuing research and policy development relating to local governments and the services they provide.	x			
2. Significantly increase funding for consolidated and shared services provided through an enhanced, redirected and re-branded program of <b>Local Government Efficiency Grants</b> . This would include an evaluation component, improved technical assistance to local governments, new state agency services for local governments, enhancements to prior consolidation incentives, and a new component promoting transformative 21 <sup>st</sup> Century Demonstration Projects.	x	E		
<b>Municipal Structures and Intermunicipal Cooperation</b>				
3. Allow any two or group of local governments to <b>share a function</b> if at least one of the governments has the power to perform it.			x	
4. Provide that when municipalities consolidate operations <b>collective bargaining agreements</b> shall be subject to renegotiation with the newly created entity taking over the consolidated function.		x		
5. Establish a clear <b>process</b> for towns to consolidate with each other or with their villages.		x		
6. Develop a simple <b>petition</b> process and petition form for use by citizens wishing to dissolve or consolidate towns, villages, fire districts, or special districts.		x		
7. <b>New villages</b> should be created through a referendum of the entire town (or towns) affected, rather than only by the area to be incorporated		x		
8. Where a village's population as of the last census is below 500, require an affirmative referendum to be held on the general election date in November for the area to <b>continue as a village</b> . In villages where a simple majority of those voting do not affirm continuance of the village government, a plan for dissolution would be created.		x		
9. Ease procedures for creation of a <b>coterminous town-village</b> that would be a unified entity under one governing board. For existing villages, a townwide referendum would be required rather than the more cumbersome annexation procedures currently needed when expanding village borders to match those of the town.		x		

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<b>Elections and Elective Positions</b>				
10. The following administrative positions should be <b>converted from elected to appointive</b> offices by statute: town highway superintendent; town clerk; assessor; town tax receiver and collector; and county coroners. In the case of a county coroner, county legislative bodies should be given the option to convert the appointed office of coroner to a medical examiner, with provisions to allow for them to serve multiple counties.		x		
11. Allow county legislative bodies to convert the office of elected <b>county treasurer</b> to appointive commissioner of finance without a referendum.		x		
12. Counties should be allowed to convert the offices of county <b>sheriff</b> and <b>county clerk</b> from elected to appointed, or abolish the positions.			x	
13. When technically feasible, all city, town, village, school district, fire district, special district, and library district elections should take place on one of two dates -- the general <b>election date</b> in November or a spring date.		x		
14. <b>County boards of elections</b> should administer all general elections.		x		
15. The role of boards of elections in administering state and local elections should be eliminated from the State Constitution, which would allow the system to be <b>modernized</b> through legislative amendment to existing statutory provisions addressing <b>boards of elections</b> .			x	
<b>Jails</b>				
16. To ensure adequate care of inmates in a cost-effective manner, provide the State Commission of Correction (SCOC) with the authority and obligation to facilitate <b>transfer of inmates</b> between county jails.		x		
17. Allow multiple counties to jointly provide for care and housing of their inmates in a <b>regional jail</b> instead of requiring each to maintain a jail.		x		
18. Clarify statutory provisions to indicate that the State Commission of Correction (SCOC) shall have authority to approve <b>jail plans</b> and specifications based upon current population capacity needs and not projected higher future needs.		x		
19. Eliminate all mandated <b>classifications in county jails</b> , except male/female and minor/adult, to allow facility administrators to separate inmates based on the threat they present to safety and security.		x		
20. Move toward a single <b>statewide jail system</b> , managed by the Department of Corrections, which would be phased in pursuant to a long-range plan.				x
<b>Employee Benefits</b>				
21. The State should convene a study of <b>public employee pension</b> benefit options, including evaluation of a potential Tier 5, which would reinstate lifetime employee contributions, and possibly either convert to a defined contribution system or provide for employee option. The provisions for benefit determination under all three systems should also be reviewed.				x

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22. Ease provisions relating to <b>municipal cooperative health benefit plans</b> to base reserve requirements upon actuarial assessments and to allow for a transition period to build up reserves; to reduce the required number of participating municipal corporations from five to three; and to require insurers to provide specific claims experience to municipalities analyzing the feasibility of forming a cooperative.		X		
23. The Insurance Superintendent should be granted authority to make exceptions to community rating requirements which would allow municipalities with 50 or fewer employees to join multiple employer trusts that are <b>experience-rated</b> .		X		
24. Require local government and school district employees to contribute, at a minimum, 10% (for individual coverage) and 25% (for dependent coverage) toward the <b>cost of health insurance</b> . Local governments would be free to negotiate higher employee contributions. This change would be phased in over five years as collective bargaining agreements expire.		X		
<b>Local Service Delivery Structures</b>				
25. Require a state study of how the current system of <b>health districts</b> , health directors, health boards, local health officers, and other related entities may more efficiently provide local public health services; including an examination of whether such services should be consolidated at the county or multi-county level.				X
26. Amend Public Health Law to allow counties to jointly employ a single <b>public health director</b> who would supervise separate county health districts and a joint board of health for the combined district.		X		
27. <b>Vital records</b> registration districts should be consolidated at the county level.		X		
28. Allow for <b>multi-county weights and measures</b> operations by allowing multiple counties to employ the same person as the "Director of Weights and Measures" under an agreement provided that person is a resident of one of the participating counties.		X		
29. Provide the State Comptroller with statutory authority to audit <b>Local Development Corporations</b> affiliated with, sponsored by, or created by a county, city, town or village government.		X		
<b>Regionalizing Functions</b>				
30. Consolidate the State's 116 <b>industrial development agencies (IDAs)</b> into a smaller number of regional or county-level entities with accountability and transparency reforms, as well as additional state oversight to ensure economic development incentives are consistent with state goals such as promoting smart growth.		X		
31. Dissolve municipal <b>civil service commissions</b> (or functions) in cities or towns with populations under 100,000. <ul style="list-style-type: none"> <li>▪ A city or town greater than 100,000 in population would be permitted to maintain an existing civil service function if so desired, but an affirmative referendum would be required.</li> </ul>		X		

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<ul style="list-style-type: none"> <li>In counties with a municipality over 100,000 in population that dissolves its civil service function, a consolidated regional civil service commission would be created, including two members appointed by the county and one appointed by the municipality.</li> </ul>				
32. To facilitate local ability to consolidate or dissolve smaller <b>justice courts</b> , the State should eliminate statutory barriers, provide funding for studies and consider other incentives. Town and village boards should be allowed to merge two or more justice courts in a contiguous geographic area. In addition, the Office of Court Administration should establish triggers for a required consolidation review when the size or activity of a particular justice court falls below set thresholds. The current statutory fee and fine distribution system should also be examined to eliminate disincentives to consolidating justice courts.		X		X
<b>Local Government Powers</b>				
33. Strengthen and clarify home rule by prohibiting the judicial application of <b>implied preemption</b> . An amendment to prevent such interpretations from being made in the future would allow local governments to act except where state law has expressly declared state authority in the area to be exclusive or has specifically limited local governments' ability to act in that area or field.			X	
34. The <b>current municipal classifications</b> of cities, towns and villages, and the general differentiation in powers among these classes of local government are substantially out-of-date and in need of major restructuring. However, a complete review of these issues, including the volumes of state law on local powers, could not be carried out within our reporting timeframe. We recommend that the state carry out a series of studies analyzing the potential for efficiencies through reclassification or consolidation of various local governments. We also recommend that the comparative powers available to classes of municipalities be reviewed intensively, leading to comprehensive re-codification of powers, and development of best practices and models of city and county charters.				X
35. The State should study rationalizing the <b>tax and debt limits</b> that currently apply differentially to counties, cities, villages, towns, and school districts.			X	X
36. Provide statutory authorization for municipalities to enter into a <b>property tax base sharing agreement</b> wherein they will share a portion of the property tax revenues from future economic growth in a defined area.		X		
<b>Fire Protection and Emergency Services</b>				
37. Require all E-911 calls and police, fire and emergency medical services <b>dispatch</b> to be done at the county level.		X		

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38. The potential for moving to <b>countywide management for fire protection</b> and/or emergency medical services (EMS) should be reviewed in each county, with the goals of improving efficiency and service as well as preserving the volunteer system. If, after a fact-finding and public discussion period, county leaders decide that some level of management for fire protection, EMS, or both would be appropriate at the county level, they may promulgate a plan which would be subject to voter approval through referendum prior to implementation. If approved by the voters, the county would have broad powers to coordinate services and review equipment and coverage decisions made by local service providers. If desired, and approved by the voters, the county plan may include transfer of paid (career) fire or EMS employees to the county at the option of the municipalities with the paid or mostly paid staff.		X		
39. Allow towns to directly provide fire protection through the creation of a <b>town-run fire department</b> .		X		
40. Require that contracts with <b>fire protection districts</b> list categories of expenses so that officials and the public will have a better understanding of the costs for fire protection.		X		
41. Require local governments to annually disseminate information on the <b>costs for local fire protection</b> , including the names and locations of fire districts and fire companies, their annual budget, and debt.		X		
42. Require each fire district to mail cards indicating the <b>proper polling place</b> for each voter to persons in the district who have registered with the board of elections.		X		
43. Address <b>volunteer recruitment</b> and retention by providing new incentives more likely to appeal to young firefighters, such as college loan reimbursement, community college tuition assistance, or vocational training reimbursement.		X		
44. Require a state study of <b>how fire protection is provided</b> , including the numbers and types of entities providing protection, the geographic size and demography of service areas, response rates, costs, numbers of volunteer and career firefighters, and training received.	X			X
<b>Special Districts</b>				
45. Require an affirmative referendum to continue <b>commissioner-run special districts</b> (other than fire districts and police districts). If the referendum fails, responsibility for maintaining the district would be assumed by the town (for special districts completely within a town); special provisions would have to address districts crossing town or other borders. To provide time for local efforts to restructure these districts, the referendum will be required within five years		X		
46. In conformance with rules for school board members and fire district commissioners, <b>eliminate compensation</b> , benefits and perquisites for special district commissioners.		X		

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47. Provide towns with the responsibility for managing <b>sanitary collection services</b> currently organized under independent special districts, with the service provided by the town either directly or through a contract.		X		
48. Require special districts to report <b>unit cost data</b> to the State Comptroller.		X		
<b>School Districts and BOCES</b>				
49. Give the Commissioner of Education discretionary authority to order <b>consolidation of school districts</b> based on reviews triggered by objective standards, including but not limited to size in pupils and geography, declining enrollment, limited educational programs or poor academic performance, ability to achieve fiscal savings, and high tax burden. The Commissioner's order in each case would require a thorough review, the approval of the Board of Regents, and a public hearing in the area affected by the consolidation.		X		
50. In each BOCES region convene a committee representing parents, school administrators, school board members, teachers and other citizens to review current school district boundaries, enrollment, and financial circumstances and to evaluate potential <b>restructuring opportunities</b> , including consolidation and other options.		X		
51. For school districts identified for potential reorganization, either by a BOCES school district restructuring committee or by the Commissioner of Education, <b>school building aid</b> for new projects should be temporarily suspended.		X		
52. Provide for a <b>regional collective bargaining contract</b> negotiated by BOCES, to which school districts could opt in. These regional contracts would be phased in as current contracts expire and would initially apply only to new hires, with existing employees "grandfathered" for some term.		X		
53. To encourage the use of BOCES for <b>back-office school district operations</b> like payroll and purchasing, the state should facilitate a demonstration project that will serve as a model for school districts in other BOCES regions.				X
54. To reduce the cost of <b>transporting non-public school students</b> within a BOCES region, school districts could jointly provide transportation for students crossing district lines. The State should facilitate a demonstration project or projects to determine the effectiveness of this approach and whether it should be adopted for statewide use.				X
55. Cities with populations over 125,000 should be eligible for <b>membership in BOCES</b> (New York City excepted).		X		
56. Amend state law to allow for the creation of <b>central high schools</b> or regional high school districts containing more than one high school. These high schools could be managed by BOCES, and funded on a regional basis.		X		
57. Amend state law to conform treatment and remove <b>anachronistic</b> distinctions between union free, central and city school districts.		X		

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58. State school aid should include a significant <b>incentive</b> to encourage school districts <b>to consolidate</b> . This should include reevaluation of the current formula for reorganization incentive aid, as well as more dramatic changes.		X		X
<b>Local Government Finances</b>				
59. Improve state requirements for <b>local government financial reporting</b> to facilitate local studies, benchmarking and comparison of costs for services such as police, fire and highway operations.		X		
60. Require villages, with assistance from the State, to conform their <b>fiscal year</b> to the calendar year, as town governments do. This should include financial assistance where necessary to cover reasonable costs of conversion.		X		
61. The State should eliminate the <b>Wicks Law</b> or, in the absence of that, dramatically increase its thresholds.		E		
62. Facilitate cost-effective local <b>purchasing</b> by increasing <b>thresholds</b> for competitive bid requirements.		X		
63. Moving certain functions to the county level should be encouraged by strong <b>aid incentives</b> .	X	X		
64. The following principles should be applied in making recommendations for <b>aid to local governments</b> : <ul style="list-style-type: none"> <li>▪ Provide positive aid incentives for consolidation of services or local government entities.</li> <li>▪ Consolidation of local services should not result in a reduction in state aid streams.</li> <li>▪ Where appropriate, state funding should be distributed to groups of municipalities who will design regional solutions to providing services, using the federal transportation funding practices as a model.</li> <li>▪ Aid formulas for cities, towns and villages should be class-neutral, not based on a designation as a city, town or village. (Size and density, among other characteristics, may be suitable substitutes.) Full transformation away from municipal class as an aid determinant will take some time, and should proceed in coordination with statutory changes in the treatment of municipalities. For counties, different funding approaches may reasonably be applied in relation to the services they perform.</li> </ul>	X	X		X
<b>Highway Services</b>				
65. Study ways to base <b>highway funding</b> on factors that reflect local conditions, support sound maintenance practices and smart growth.	X			X
66. Remove disincentives to <b>consolidated maintenance</b> , and provide transitional aid for major county-level functional consolidation.		X		

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67. Permit <b>greater cooperation</b> between the state and localities for routine <b>highway maintenance</b> , snow & ice conditions, and under emergency conditions.		X		
<b>Property Tax Assessing and Collection</b>				
68. Move <b>property tax assessing and collection</b> to counties for administration, providing reasonable phase-in provisions.		X		
69. Eliminate state statutory requirements for <b>school district collections</b> that prevent functional consolidation.		X		
70. Fund studies of <b>consolidated or coordinated property tax assessing and collection</b> .	X			
71. Increase <b>state aid for assessment</b> above certain efficiency standards for areas that assess uniformly countywide using acceptable professional standards including periodic revaluation.		X		
72. Alter state-funded <b>training for assessment</b> to ensure that consolidated assessing offices do not receive less training as a result of consolidation.		X		
73. End duplicative <b>city and village assessing</b> .		X		