

# Town of Portland-Village of Brocton Shared Services Case Study

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**1. Municipal Characteristics**

<b>Indicators</b>	<b>Portland (T)*</b>	<b>Brocton (V)**</b>
2000 Population	3,955	1,547
Land Area (sq. mi.)	34.26	1.73
Assessed Value Fully Taxable	113,777,625	27,107,331
Full Valuation Taxable Real Property	140,466,203	33,465,840
Total Tax Levy	699,891.00	279,127
Total Debt Outstanding	9,742,970	1,291,200
Total State Aid Revenue	1,771,350	2,013,284
State Aid	287,306	51,420
Debt Service	74,621	938,868
Total Expenditures w/ Debt Service	1,794,429	2,717,980
Expenditures:		
General Government	257,930	180,136
Education	0	0
Police	0	29,323
Fire	151,282	50,612
Other Public Safety	26,815	13,119
Health	502	27
Transportation	731,797	288,601
Economic Assistance	0	594
Culture-Recreation	99,601	32,469
Utilities	428,675	1,087,062
Home and Community Svs	23,206	97,169

\*2004 data \*\*2005 data

## **2. Project Description & Impetus**

In 1991, a Preliminary Report of the Governor's Blue Ribbon Commission on Consolidation of Local Governments was published (May 19) to encourage local governments to consolidate their services and to recommend additional tools to help them use their resources more efficiently. As a result of this report and at the request of the Brocton/Portland Development Corporation (an organization of local business leaders), the SUNY College at Fredonia Rural Services Institute began an analysis of municipal services in the Town of Portland and Village of Brocton in 1992. The overall purpose of the analysis was to determine if "any opportunities exist for delivering current services in a more cost efficient manner without jeopardizing effectiveness of these services" (*Analyzing Service Delivery Options, 1999*).

As of 1992, the following Inter-municipal cooperation practices existed between both governments:

- Joint recreational programs
- Sharing of HWY Equipment & expertise
- Participation in County Self-insurance program
- Use of County Sheriff for Law Enforcement
- Water and sewer
- Use of Town office for Village Justice Court
- One Assessor for Town & Village
- One Library
- Mutual Aid by Fire Departments
- Joint Tree Planting, splitting Legal Fees

In 1998, along with the support of the Center for the Development of Rural Regionalism and Governance at SUNY Fredonia, the Town of Portland and the Village of Brocton sought to continue the process of identifying alternative service delivery options. The Brocton-Portland Shared Services Committee was formed to facilitate this process.

In addition, Southern Tier West Planning and Development Board's Municipal Assistance Project and the Chautauqua Chamber of Commerce assisted the Brocton-Portland Shared Services Committee in developing a detailed list of governmental areas to be examined for possible shared services or consolidation. The SUNY Fredonia Center for Rural Regional Development and Governance hired the Center for Governmental Research, Inc. (CGR) to explore alternative service delivery options for the various governmental service areas identified by the Brocton-Portland Shared Services Committee. As a part of this study ([http://www.fredonia.edu/CRRDG/portland\\_brocton.asp](http://www.fredonia.edu/CRRDG/portland_brocton.asp)), CGR conducted 32 interviews with elected officials and public-sector employees, and over 700 residents from Portland and Brocton completed a public opinion survey. The survey of residents revealed that "31 percent of Town and Village residents thought shared services would improve service quality, and 38 percent believed the cost to taxpayers would decrease if more services were shared. Only 14 percent thought that service quality would worsen and 28 percent thought service costs would increase as a result of shared services. More than half of the property owners surveyed supported consolidation of the Town and Village into a single political unit, with 54 percent of Town residents and 50 percent of Village residents supporting such a measure. The survey indicated that residents indeed do support shared services and municipal consolidation as strategies to achieve better service delivery and cost effectiveness".

CGR recommended "that community leaders and residents in the Portland-Brocton community consider consolidation as a primary strategy to improve public services in the most cost effective manner". As an alternative to consolidation, CGR made specific suggestions in their report that could be used as a framework for initiating or furthering the formal sharing of services between the Town of Portland and Village of Brocton. CGR made the following recommendations to help guide these governments in sharing more services. Recommendations were made in the following areas:

- E. General Services
- F. Public Safety

- G. Highway and Streets
- H. Utilities

A. The following General Services recommendations were made to both governments:

1. Facilities: To create a joint Municipal Building by relocating Village offices to new Town Hall
2. Dog Control: Merge Town and Village offices into a single function. Apportion costs on the basis of previous year's incidents in Town and Village
3. Zoning: have Town contract with a zoning officer in a fashion similar to the Village. Encourage coordination between Town and Village zoning plans

B. The following Public Safety recommendations were made to both governments:

1. Courts

- a. Consolidate Town and Village courts into a single court at the Town level
- b. Leave citation intake at Town level to cover the additional cost of the combined court, with the Village neither increasing its costs or losing its citation revenue
- c. Maintain two elected (town wide) justices for the consolidated court, with no increase in salary

2. Police Protection

- a. Add Town to current Village contract with County Sheriff's Department to spread both, cost and benefits (1 year trial basis)

3. Fire Protection

- a. Dual membership of volunteers in both Town and Village companies
- b. Joint response to fire calls within town or Village
- c. Joint capital planning strategy
- d. Identify further options to consolidate

C. The following Highway and streets related recommendations were made to Portland and Brocton's governments:

1. To consolidate Town Highway Department and Village Department of Public Works
2. To move current DPW head into Deputy Superintendent role in joint department
3. To begin single capital planning strategy
4. To eliminate positions through attrition

D. The following recommendations were made in the area of Utilities (water, electric, and sewer)

1. Establish Village utilities office to handle all billing, administration, and service of water provision in Village and two Town water districts
2. Select a senior utility employee to oversee utility administration at the Village level with nominal salary increase.

After the recommendations were presented to both governments, the Town and the Village announced a Town wide and Village wide meeting. The advertisement inviting local residents to the meeting was placed in the local newspaper, *Dunkirk Observer*. During the meeting the recommendations that were made by the CGR study were announced and discussed.

#### **Summary of Town and Village Boards Discussion of the Recommendations:**

A.1. Create a joint municipal building by relocating Village offices to the new town hall

The town had a new modern building that was built in 1997. It was apparent that the building was not used to its full capacity by the town and it was spacious enough to accommodate the Village's governmental offices. However, the Village did not see any advantage in moving to the Town Hall. The Village reasoned that its current building was rent-free as it was owned by a church. The Village would not be saving money by moving and sharing the costs of the Town Hall. The recommendation was not pursued further as the Village did not see any advantages to making this move. No proposals were made.

A.2. Merge town and Village dog control offices into a single one.

Village never had its own facilities for the dog control. Village always used town's animal Control facilities. It was decided during the meeting that this recommendation will be further investigated.

A3. Have Town contract with a zoning officer in a fashion similar to the Village. Encourage coordination between Town and Village zoning plans.

The Town and the Village had different zoning officers at the time. This recommendation was not looked at closely as the zoning laws are different in the Town and the Village. To make them similar was a time and money consuming task and it was decided to leave this for future consideration.

B1. Consolidation of Courts, etc.

During the meeting it was decided that the Consolidation of both courts was possible and that this recommendation should be closely looked at.

B2. Police Protection: to add Town to the Village contract as an enhanced contract with County Sheriff Department in order to spread both, cost and benefits.

The Town officials felt that the coverage that they had been getting was enough and that the town did not need enhanced coverage. It was decided to not look further into this recommendation.

B3. Fire Protection: The need for having two fire departments in Portland and Brocton was questioned and it was decided to research further the possible options for merging the two fire districts into one Fire Department.

C. Highway and Streets. The Consolidation of the Town Highway Department and the Village Department of Public Works was viewed as difficult to accomplish and could end up not saving any money. Although the recommendation was not agreed on for further discussions, it was decided that researching more shared services between the both departments was a possibility and that both Departments would continue to share manpower and equipment as necessary.

D. Utilities. No decision was made regarding the recommendations in the area of utilities. The Village had its own electric and wastewater plants, while the Town was in charge of the water plant. No proposals were discussed at that time. However, just recently, the governments began a joint discussion of the possible relocation of the Village utility billing officer into the modern town hall building, next to a Water Billing officer of the town. This will better serve the residents of the Village and the Town, and allow them a one stop utility payment location. In addition, sharing an office space would mean sharing office equipment that could result in possible future savings for both.

**Committees are formed:**

During the meeting it was decided that both governments needed to have more information regarding some of the issues that they agreed to look further into. It was thus decided to form Shared Services Committees that would be composed of local residents, local officials, and government employees who would volunteer their time to research each of the proposed changes and present recommendations to the Town and Village Boards for their review and action.

As a result, the following committees were organized:

- Dog Control Committee
- Highway and Streets Committee
- Fire Protection Committee
- Court/Justice Committee

The responsibilities of these committees were to investigate the best ways to combine and/or share more services between the Town and the Village. These responsibilities included:

1. Research the proposed recommendations in depth
2. Collect examples from neighboring communities
3. Calculate the costs of the changes proposed
4. Calculate the cost/benefit to each of the governments if the changes were implemented
5. Present the findings to the Village and Town Boards for further consideration

**Findings of the Shared Services Committees:**

**1. Dog Control Committee**

The Dog Control Committee worked in conjunction with the Town and Village Boards to take quick action to merge the Dog Control functions. The Committee along with the Boards looked into the legal foundation of merging both departments.

It was then found that according to the General Municipal Law, since the Village of Brocton is incorporated, the Town of Portland is the governing body for Dog Control. In addition, since the Village did not have its own dog control facilities, they were already using the Town's facilities. The Village had been employing its own dog control officer, but their current officer had just resigned from this position and the Village was struggling to find a qualified candidate to replace its Dog Control Officer.

After deliberation, the Committee decided to officially propose to the Boards that they should join both Dog Control functions into a single one under the auspices of the Town of Portland.

**2. Highway and Streets Committee**

The committee recommended to the boards the consolidation of the Town Highway Department and the Village Department of Public Works. The Town and the Village boards, as well as the department employees felt that immediate consolidation was impossible. They needed more information. They felt that a feasibility study would be helpful. Both of the departments had the largest appropriations among all service areas in the Town and Village. In addition, the organizational structure of each department was different. For example, the Village's Department of Public Works had a superintendent—the highest paid official in the government who was the head of every department in the Village. The Town Highway Department on the other hand, had a Highway Superintendent, who was only responsible for this department.

The decision was made not to consider consolidation of the departments at this time but to develop strategies to reduce costs of operation and to engage in more shared services.

This was the situation until a devastating fire in January 2006. As a result of this fire, the village lost its Department of Public Works highway maintenance facility. Since that fire, the village has been storing its vehicles and equipment both out-of-doors and in temporary quarters. The village has a critical need for a new maintenance facility. The Town of Portland's Highway facilities are outdated and insufficient for their own needs. In summer of 2006 discussions of the possible sharing of a new highway maintenance facility were started. As a result, the Town and the Village jointly applied for a N.Y.S. Shared Municipal Services Incentive Grant to build a highway garage/maintenance facility for a shared use by both governments.

**3. Fire Protection Committee**

The Committee was composed of community persons as well as volunteer firemen. The Committee discussed both the pros and the cons of combining the two fire districts that were made up of all volunteer fire fighters. On the pro side, the Committee noted the following conditions that supported merged fire districts:

- The area to cover for the fire protection was not overly large
- The population in Brocton and Portland was shrinking
- The cost of the equipment was very high and difficult for a single department to purchase
- Recruitment of fireman volunteers was down with the average age of the volunteer fireman over 50 years old

On the con side, the structures of the two fire districts were different. The Town of Portland Fire Department was governed by a fire commissioner. The Village's Fire Department, on the other hand, is governed by the Village Board. An additional complication was that the Village Fire Department was financed from the Village's

general fund which was not the case with the Town. The committee suggested that future joint capital planning would be impossible unless the Village Board isolated the fire department budget within the general budget of the Village so that the spending on fire fighting could be identified.

The Committee was also informed that dual membership of volunteers in both the Town and Village fire companies (a shared services recommendation of the 1999 CGR study) was not legal.

The Committee ended up not recommending a consolidation of the fire districts, but urged the fire districts to promote joint emergency response within the Town and the Village.

#### 4. Court/Justice Committee

Both the Town and the Village have their own courts. The Town of Portland has two Town Justices and the Village of Brocton has a Village Justice, and an Acting Justice. The Village Justice's office is located in the Portland Town Hall and the Village Court is sharing the Town's courtroom facilities.

The shared services committee completed extensive research—i.e., collected data on caseloads and salaries of justices for other municipalities from neighboring towns and cities. Data on the number of cases and salaries were collected and compared between the Town of Portland, Village of Brocton, the Town and Village of Westfield, and the Towns of Ripley, Pomfret, Dunkirk, and Sheridan. The results revealed that the Village of Brocton had the smallest number of cases per year. In addition, according to NYS Office of Court Administration (1995-1996 caseload information), the Village of Brocton was paying the highest salaries to its Justices when considering the number of cases reviewed.

The Court/Justice Committee decided to support the recommendations of the 1999 study and advocated the consolidation of both courts into a single one at the town level. This recommendation was opposed by the Village Justice, who would have lost his job under this consolidation. The Village also opposed consolidation reasoning that under this plan the Village would lose its revenues from court charges and fees.

#### **Request Smart Review for inter-municipal cooperation and cost strategy benefits:**

After the shared services committees presented and reviewed their recommendations, The Town of Portland, Village of Brocton and the Brocton Central School District made a request to the state Comptroller's municipal advisory review team to analyze their inter-municipal cooperation, cash management and purchasing procedures. The purpose of the Smart Review was to make recommendations to the local officials in order to enhance revenues and reduce expenditures.

The Comptroller's Municipal Advisory Review Team outlined the following opportunities in their report:

##### Inter-municipal Cooperation

- 1) Joint Construction and Use of a Central Fueling Facility
- 2) Cooperative Purchase of Natural Gas – to reduce energy costs

##### Cash Management

- 1) Enhance Interest Earnings: invest available money into the higher interest bearing investments

##### Purchasing

- 1) Purchase Telephone Services under New York State contracts – to reduce telephone cost by purchasing the service using the contracts awarded by the State of New York Office of General Services
- 2) Purchase commodities under New York State contracts

##### Other

- 1) Reduce vehicle insurance premiums – for some vehicles
- 2) Offer employees a payment in lieu of health insurance benefits

### **3. Proposal(s) and Proposed Funding**

Proposal #1: Combine the Dog Control Departments for Village of Brocton and Town of Portland

The implementation of the proposal did not require extra financial resources. However, the Village was asked to pay to the Town of Portland an extra fee for the implementation of its Leash Law.

Proposal #2: To combine the Village and Town Courts into a single Town level Court.  
 Funding information not provided

Proposal #3: Joint construction and use of Central Fuel Facility

Joint funding by the Town, Village, and School District. The Smart Review Team recommended calculating the construction and operational costs based on information of the percent of fuel purchased or actually used (1997-1998 fiscal years). According to these calculations, the percentage of total usage for each of the interested parties are as follows:

Locality	% of total usage
Town of Portland	37%
Village of Brocton	16%
Brocton Central School Dist.	47%
<b>Total</b>	<b>100%</b>

After these calculations were made available to the parties involved, a joint application for financial assistance from the Quality Communities Demonstration Program was completed. As a result, they were awarded \$118,822 for building a Central Fueling Facility through inter-municipal cooperation.

Proposal #4: Jointly (Village and Town) apply for a Shared Municipal Services Incentive grant to assist in the planning and development of a Shared Highway Maintenance Facility.  
 Jointly by Town and Village

**4. Legal Foundation and Legal Checklist**

Two intergovernmental agreements, dog control and fire protection, were implemented after the recommendations were made.

According to the Town Attorney, during the drafting of the documents described above regarding the shared municipal services, they had to follow the same process of contract also known as the Whereas Clause. This process consists of: identifying the parties of interest, identifying the reason why a contract needs to be created, what is the need for it, whether the law authorizes it or not, recitation of legal authority, and the conditions the parties agree on. This includes:

- what needs to be done
- who is responsible for it
- Who is liable for it: insurance coverage, etc. if an employee ends up to be sued, who is going to defend him/her.
- Who is providing working materials? If a personal vehicle to be used, how much is going to be the reimbursement for the mileage, etc.

The way the process was followed in the two cases of the shared services agreements between Portland and Brocton is similar to the general process of the Whereas Clause. When Portland needed to create an agreement, the town government, supervisor and board members asked the town attorney for assistance. The attorney responded by giving them a rough outline for the town government to discuss with another municipality/party (Brocton). The boards come to agreement during meetings and then they present their terms to the attorney. Usually, an attorney is not required to attend the town meeting; however, according to the Town of Portland attorney, it is very helpful because it speeds up the process.



The attorney does not tell the parties what to do. Rather, he tells them how to do it. He knows the right questions to ask. For example, for permits and equipment, who pays for the repairs of the equipment if it breaks? If it is a building, who owns it? Who pays for utilities and maintenance? All these questions are discussed by the boards.

## **5. Views on the Issue**

Rather than focus on the more contentious issue of consolidating the Town and the Village, the strategy taken was to look for shared services or consolidations of Town and Village Departments. The arguments for and against shared services or consolidations of departments can be summarized as follows.

Arguments pro:

- The Village was already incorporated in the Town
- Town has a modern municipal building whereas the Village does not
- The population of both Brocton and Portland is decreasing

Arguments con:

- Job loss (consolidation equated with elimination of jobs)
- Village would lose revenue
- Village would lose its autonomy and identity
- Uncertain of actual savings as a result of consolidation and shared service

### **Pros – Those in Favor**

#### **Proposal #1: Merging Dog Control Departments**

The Town and Village boards were in favor of consolidating Dog Control departments. At the time when the proposal was brought up, the Village government was informed that their Dog Control officer was preparing to resign. The Village was unable to find a qualified professional for this position. In addition, the Village did not have its own dog control facilities and had already been using the Town's facility.

#### **Proposal #2: Merge Town and Village Courts**

The Town of Portland board as well as the Shared Services committee members supported this proposal. According to the committee's research, the Brocton Court had comparatively a very small number of cases, and yet, its Justice had one of the highest salaries. It was reasoned that the Town Justices could easily accommodate Brocton's cases if they were to consolidate both courts.

#### **Proposal #3: Joint Fuel Facility**

All parties were in favor of the proposal. The new central fuel facility would result in lower fuel prices for all, better control over expenses and accountability for fuel usage.

#### **Proposal #4: Application for a Shared Highway Maintenance Facility**

Both the Village of Brocton and the Town of Portland were in favor of applying for the SMSI grant. Construction of a joint facility could bring both governments closer together and possibly bring them to an agreement on consolidation of the two Highway and Streets departments.

### **Cons – Those Opposed**

#### **Proposal #1: Joint Dog Control Department**

There was no organized opposition. The Village did oppose paying a fee charged by the town to implement the Village's Leash Law.

Proposal #2: Merging of Courts. Brocton Board of Trustees, the Village justices, and many community residents were opposed to a court merger. They felt that the Village would lose its revenues from the court system and that the Village Justice positions would be eliminated.

Proposal #3: Joint Fuel Facility  
No organized opposition.

Proposal #4: Application for a Shared Highway Maintenance Facility  
No organized opposition.

#### Local News Media Positions

The regional newspaper is the Dunkirk Observer. The Observer did editorially support consolidation or enhanced shared services between the Town of Portland and the Village of Brocton as a way to decrease layers of government, create efficiencies and reduce local taxes.

### **6. Results**

Proposal #1: Combine the Dog Control Departments for Village of Brocton and Town of Portland  
The Dog Control Departments for Village and Town were merged. The proposal was modified/amended prior to adoption because the Village of Brocton has a Leash Law (Law #2 of 1986) whereas the Town does not. The Town of Portland was accepted as the governing body for the consolidated Dog Control department and responsible for its implementation, e.g., hiring and paying for a Dog Control officer.

Proposal #2: To combine the Village and Town Courts into a single Town level Court.  
The proposal was not adopted. The proposal was rejected by the Village board. The stumbling blocks were the elimination of the Village Justice position and the decrease in Village revenue caused by removal of Village Court and the collection of Court fees. The referendum process necessary to merge the courts takes time to implement and the consensus for the merger diminished during this time delay.

Proposal #3: Joint construction and use of Central Fuel Facility (Brocton School District, Town, and Village Governments)  
The proposal was adopted. The Brocton School District became the centralized location for the fuel usage and billing.

Proposal #4: Jointly apply for a Shared Municipal Services Incentive grant to assist in the planning and development of a Shared Highway Maintenance Facility.  
The proposal was adopted. The Town of Portland took the initiative in contracting with a company to prepare a grant application. The application was not funded, but the Village and the Town are continuing to work on the development of a shared highway maintenance facility. Both governments would have been responsible for the construction of the facility if the money had been awarded.

### **7. Implementation**

Legal: local general municipal laws were looked at and analyzed.  
The preferences of both governments were discussed regarding how consolidation should be approached.  
Fees associated with implementation were discussed and agreed upon.

Proposal #1. Joint Dog Control Department

There were some disagreements regarding the implementation of this proposal. These details included the implementation of the Village's Leash Law on its territory and the fee associated with its implementation. The

Village had a Leash Law (Law #2 of 1986) whereas the Town did not. The Village wanted to keep the law and wanted it implemented on its territory. On the other hand, the Town government felt that since implementing a Leash law only on the Village's territory would be extra responsibility for the Town's Dog Control Officer, the Village would have to pay the Town for its implementation. The discussions went back and forth; finally, the Village agreed to pay the extra amount to the Town to implement the Leash Law on its territory. The amount was also a topic for several discussions. When it was finally settled, the Village of Brocton agreed to pay the Town of Portland \$2,400 annually for the Leash Law.

#### Proposal #2: Merging of Courts

Although the proposal was not adopted, the Village agreed to look into the issue. One of the major steps for the Village was to look into the salaries of the court employees to consider where actual reductions could be made.

#### Proposal #3: Joint Fuel Facility

The joint fuel facility was constructed jointly by the town, village, and school district. The school district is responsible for the centralized accounting and billing for which the Town and Village pay a fee.

### **8. Expectations vs. Results**

#### Proposal #1: Combine the Dog Control Departments for Village of Brocton and Town of Portland

The expectation of consolidation was the ability to provide the quality of service in both municipalities which was successfully accomplished. The merged Dog Control Departments immediately solved the Village's problem of recruiting a suitable dog control employee as the Town had a trained dog control person. It's been several years since consolidation of the Dog Control Department occurred. Both sides seem to be satisfied with its outcome and implementation. In addition, both governments were able to save a little money as a result.

#### Proposal #3: Joint Fuel Facility

The Joint Fuel facility was built and has been in operation since 2002. The Joint Fuel Depot produced immediate results sought by the Smart Review including:

1. Eliminating hazards: separate free standing fuel tanks for all parties
2. Better usage control established with cards for tolls and a better recording system
3. Centralized billing by the Brocton school district
4. Bulk fuel purchase

The Town of Portland and the Village of Brocton seem to be fully satisfied with the outcome of the proposal. Although it was mentioned that the new facility does not save any money, they are happy with an updated control system and accounting services that Brocton School district provides them with.

#### Proposal #4: Application for a Shared Highway Maintenance Facility

The SMSI application was not funded but by working together on the grant application, the Town and the Village were able to consider the future option of the consolidation of the Departments. In general, the town government was openly in favor of consolidation, where the village government was not sure if that outcome should be pursued. Discussions on a Shared Highway Maintenance Facility continue.

### **9. Factors contributing to success/failure**

The factors contributing to the success were the work of shared service committees composed of local citizens, technical service assistance provided by SUNY Fredonia, Southern Tier West and the Comptroller's Office, and state grants.

Factors contributing to failure of most of the proposed shared services or mergers were fear of losing autonomy, identity, and job elimination. Also, many of the governmental employees mentioned in the

interviews that there were no available resources for conducting feasibility studies in areas recommended for shared services or consolidations. Without detailed analyses, discussions on recommended shared services/consolidations stalled. Another factor contributing to failure was the significant turnover of elected officials. It was difficult to follow-up on the shared services/consolidation recommendations with this high turnover of elected officials on the governing boards.

**Proposal #1: Joint Dog Control Department**

According to the interviews with the local officials in both governments, any consolidation, no matter how small, is met with the fear that the municipality will lose a part of its identity and control over a service. In this instance, the fact that the Village was struggling to find a suitable employee for their Dog Control Department mitigated the tendency to resist a merger. There were savings due to the merger, but they were small.

Proposal #2: Merging of Courts was not adopted. In order for a court merger to move forward, the Village needed to hold a referendum in order to take the Justice off the ballot of the next election. With opposition to the court merger growing in the Village, the Village Board decided not to schedule a referendum – thus, ending the process for a possible court merger.

**10. The 10 Step Program**

Both the Town and Village were able to set the stage for identifying shared services opportunities and how to address their needs through the establishment of shared services committees. Because these shared services committees involved the Town and Village Boards and community residents, they were able to outline clear expectations and address the implications both positive and negative of the shared services recommendations.

Furthermore, they were able to effectively address the costs and obligations for each partner in terms of human resources, financial responsibility, material, and equipment involved. The main reason for their success can be attributed to their request for outside technical assistance and guidance.

As a result of having input from the State Comptroller's Municipal Advisory Team, they were able to effectively communicate and negotiate each other's interests which led the Town and Village to engage in a mutually beneficial decision-making process. Consequently, they were able to form shared agreements and also, take advantage of important financial resources such as grant funds.

However, efforts to consolidate and to further pursue the shared services recommendations dissipated over time. Shared services committees organized in 1998 that involved community residents and government officials were no longer meeting after 2001. After 2001 some limited discussion took place among elected officials until 2006 when focused discussions emerged after the destruction by fire of the Village Highway Barn.

In addition, consolidation and shared service recommendations may have been more successful if the first step of "defining the problem" was done differently. The policy solutions, financial impacts and plans for shared services or consolidation prepared by CRG and recommended by the Shared Services Committees were very well done, but the unresolved issue remained -- what was the "problem" that was to be solved. The critical stakeholders involved – the Town and Village Boards and community residents had different perceptions of what the "problems" were. The business and citizen-based Shared Services Committee felt that there was unnecessary duplication and excessive costs with the current structure of separated services in the Town and the Village. However, some elected officials and government employees in the Town and the Village did not agree that there was a problem of too costly services or duplication. There may have been some consensus between elected officials, government employees, and citizens that the community suffered from a lack of population growth and a stagnant economy, but there was no real agreement that these problems could be solved by streamlining local government through mergers or shared services. Without a consensus on the

definition of what the problem was, it was difficult to forge an agreement on shared services/consolidation policy options.

It should also be pointed out that higher level political jurisdictions, such as the County and the State, need to be involved in the definition of the governance problems to be addressed at the local level. Counties and particularly the State have great interest in, if not responsibility for, the fiscal health and positive community and economic development of their municipal governments. Movement toward beneficial shared services and consolidations at the inter-municipal level can be fast-tracked with the focused involvement, shared services and consolidation goal setting, enabling legislation, and targeted assistance or financial incentives by county and state governments.

### **11. Technical Assistance**

In both proposals, technical assistance was the key to the success of each proposal. The Dog Control Proposal was a result of the recommendation made by the Shared Services Research Study that was completed in 1999 through the SUNY Fredonia Center for Rural Development & Governance by the Center for Governmental Research. In the case of the Centralized Fuel Depot there were: 1) the SMART Review completed by the State Comptroller's Municipal Advisory Review Team and 2) a grant that was received from the Quality Communities Demonstration Program.

Technical Assistance was provided by:

- SUNY Fredonia Center for Rural Regional Development and Governance
- State of New York Office of the State Comptroller: State Comptroller's Municipal Advisory Review Team
- The Shared Municipal Services Incentive Grants
- Appalachian Regional Commission of the Southern Tier Planning Board
- Eric Bridges – Southern Tier West Regional Planning & Development Board (Discussion of Collaboration: Village of Brocton and Town of Portland)
- Northern Chautauqua Chamber of Commerce
- Portland/Brocton Development Corporation

### **12. List of Documents**

1. Mutual aid program for highway projects and maintenance agreement between village of Brocton and town of Portland.
2. Municipal Cooperation Agreement. Dog Control and a Leash Law.
3. Fire protection, emergency rescue, and general ambulance shared services agreement; town of Portland and village of Brocton.
4. Town of Portland. SMART Opportunities Review by State Comptroller's Municipal Advisory Review Team. Office of the State Comptroller, NY.
5. Complete "Town of Portland/Village of Brocton Shared Municipal Highway Building" grant application. October 23, 2006.
6. Analyzing Service Delivery Options: Town of Portland and Village of Brocton, New York [http://www.fredonia.edu/CRRDG/portland\\_brocton.asp](http://www.fredonia.edu/CRRDG/portland_brocton.asp)
7. Interim Report of the Governor's Blue Ribbon Commission on Consolidation of Local Government: Executive Summary, January 7, 1992
8. "A Discussion of Collaboration: Village of Brocton and Town of Portland" by Eric Bridges, Community Advisor, Southern Tier West Regional Planning and Development Board, June 30, 1997.
9. Municipal Cooperation Agreement. Central Fuel Facility for Town of Portland, Village of Brocton and Brocton Central School, November 1, 2001.

## 10. Newspaper articles on Brocton/Portland Shared Services Activities

### **13. Additional comments/suggestions/helpful hints**

In order to successfully share or consolidate services, continuous discussion between the two governments must exist. This could be accomplished by scheduling regular Town/Village governance meetings. Both municipalities need to be equally engaged in the process of implementing shared services recommendations. It is a hindrance to successful decision-making if one of the municipalities takes on significantly more responsibility than the other in either defining the problem or looking for resolutions to address the problem.

Citizen driven Shared Services Committees proved to be very helpful as well. A successful committee must have representatives from both municipalities, business, nonprofits, and community organizations. The Shared Services Committees that were created in this case were very influential and helpful. These committees were formed during a joint municipal meeting to address several possible areas for shared services. These committees were composed of community members, business owners, local officials, and governmental workers who attending the initial meetings and who agreed to volunteer their time to research specific share service or consolidation issues. Average size of a committee was 3 to 4 people, who worked together and divided the work up between them. Their goals were to research alternatives for sharing services/consolidation, calculate costs and benefits for each of the parties involved, investigate share services/consolidation best practices in other communities, and submit proposed changes to the elected boards. Their work served as a jump start for the elected officials who would then have to review their recommendations and consider legislative actions. Shared Services Committees are run in a very informal manner, but they are able to make substantial contributions due to their dedication to making positive governance changes.

Look for the technical assistance that is available through the state and university-based local government centers. Ask that research to be done to look at project alternatives and cost/benefit analyses. The results of these types of analyses are usually detailed and very informative to anyone in the community who is uncertain about consolidation outcomes.

We found that high turn over rates of elected board members, particularly for the Village, may have put these new board members at a disadvantage in knowing the history and context of shared service studies and recommendations thus limiting their ability to take action on these recommendations. As new members of the government come into office, they find very little information on issues left behind by their predecessors. Present government officials should try to keep a record of actions, shared services committee meeting notes and discussions to turn over to their successors.

On January 25, 2007 a meeting was held at the Portland Town Hall to restart Brocton-Portland Shared Services efforts that had first started in 1998. An announcement about the meeting was placed in the local newspaper (Dunkirk Observer). The meeting was directed by the Town supervisor, during which he proposed that those gathered look once more into the development of additional shared services between Brocton and Portland. The recommendations of the earlier research by CGR were reviewed again. It was proposed that several service areas should be studied and the following committees were formed to study these potential shared services areas:

- Justice sub-committee (Eliminating Village justice position)
- Fire Protection (Capital planning strategy, Joint Grant Application/equipment purchasing))
- Zoning and Code Enforcement (Joint Planning Board, Joint Zoning Board, one zoning codebook)
- Highway and Streets (Capital planning strategy, equipment, services)
- Water Utility (one billing department Town & Village, water departments)

The Town supervisor announced that he would keep a copy of all recommendations made for Brocton-Portland

Shared Services on hand so that they could be referred to from time to time. The above committees continue to meet and new recommendations should be forthcoming sometime in 2007. This latest resurgence of interest in shared services/consolidation in Portland/Brocton does show that previous shared services/consolidation efforts were not wasted. Over time these communities have been educated to the likely benefits of shared services/consolidations, so that the concept of taking shared service/consolidation actions becomes more plausible. With patience, persistence, "right" timing, and extra help from the county and state government, additional movement toward shared services/consolidation in these communities is very likely to occur.

**14. Contacts**

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