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REFORM HOLDS A PROMISE
FOR A NEW PARADIGM**

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Task Force on Local Government Reform Holds a Promise for a New Paradigm

Patricia E. Salkin

In July 2002, Governor Pataki issued a forward thinking executive order establishing a task force on local government reform. The task force is charged with recommending to the Governor innovative new reforms aimed at making government more effective and efficient at the village, town, city and county levels. With a laundry list of factors to consider including regional planning, transportation and energy needs, economic development, environmental and open space protection, historic preservation, farmland protection, education, affordable housing and public health and safety, the task force has been busy at work. An ambitious series of roundtables across the State in the Fall provided task force members with a good snapshot of the needs of local governments and also offered many examples of innovative intermunicipal cooperation and regionalism already taking place at the grassroots. Implementation of at least some of the recommendations that will be presented by the Task Force will be a critical piece in New York's Quality Communities initiative.

The Government Law Center had the opportunity to appear before the Task Force in late November in part to set forth the existing legal framework in New York for regionalism and local governance, and to share lessons learned from the Center's decade-long research on regionalism in New York and across the United States. In addition, the Center presented more than a dozen options for the task force to consider as they prepare reports and offer their recommendations.

One recommended guiding principle is to consider and acknowledge the strong historical culture of home rule control in our State. While some may view this as a barrier to regionalism, it is not. It is how local government

developed in New York and it is not going to change anytime soon. Therefore, for recommendations to succeed upon implementation, the goal must not be making New York function like some other jurisdiction, but rather acknowledging our long historical culture and moving us forward with new opportunities for experimentation within that culture. There is little doubt that, from a fiscal perspective, municipal officials can use whatever assistance for self-help they can get from the State.

Through the existing powers granted to local governments in the General Municipal Law and elsewhere, municipalities have broad authority to engage in a healthy spectrum of activities cooperatively through the use of intergovernmental agreements. The fact remains, however, that the opportunity is underutilized. A number of strategies could be implemented by the State to emphasize the importance of fully considering the delivery of a litany of services through the joint efforts of two or more municipalities rather than each entity needlessly "reinventing the wheel." For example, "no cost" financial incentives could be established. This can be accomplished by inventorying existing agency competitive grant programs targeted to local governments and, for appropriate programs, providing additional points to the applications submitted by two or more local governments proposing to act cooperatively.

The Executive Branch could consider encouraging cooperation by prioritizing this vision in the proposed State budget, renaming the office of local government services to the office for intergovernmental affairs, and recognizing the efforts and accomplishments of voluntary shared municipal governance through an awards pro-

gram. An executive branch agency and/or the State Comptroller's office could work to encourage regional outcomes through performance based incentives and conduct studies to report on measurable outcomes to demonstrate real cost savings and enhanced efficiencies while maintaining the same or increased level of services. The Legislature could take a closer look at simplifying a number of the laws governing local government reorganization, and can support initiatives designed to provide technical assistance to municipalities in furtherance of these challenges. Lastly, the Judicial Branch could continue to send messages to the Legislature as it has been doing for at least 30 years in dictum in its cases, that New York State must find ways to consider the regional implications and find regional solutions to many of our most pressing sustainable development issues.

Establishing an Academy for Local Governance to include a curriculum for local government officials and for municipal attorneys who desire a better understanding of how to make effective changes within the existing legal framework will help advance the agenda. The development of an effective statewide program on public policy dispute resolution to assist in bringing local governments together through the use of neutrals (mediators and/or facilitators) is another effective tool. These are just some options for investing in a new paradigm for the business of local governance that are certain to yield measurable results.

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