



Countywide Shared Services Property Tax Savings Plan Overview

Association of Towns

Background

- Originally included in Governor Cuomo's 2017 Executive State Budget proposal as part of his Middle Class Taxpayer Relief Act
 - Tied to AIM funding
 - County had unilateral authority
 - Plan was subject to countywide referendum
 - No matching state funds
- The mandate included in the adopted budget is different than governor's proposal.

(Chapter 59 of the Laws of 2017 Part BBB – Effective April 10, 2017).

What does it do?

Requires the county chief executive officer, after convening and consulting with a shared services panel, to develop a plan to reduce real property taxes through *new, recurring* shared services.



What does it do?

- By **August 1, 2017** the county CEO must deliver a draft plan to the county legislative body for review.
- By **September 15, 2017** the Panel must vote on plan and the county CEO must transmit the approved plan to the state Division of the Budget, along with a certification of savings.
- If a plan fails to be adopted, the process must be repeated in 2018 and a public report issued explaining the failure to adopt.



Who is involved?

County CEO

Shared Services Panel

- Mandatory members (city mayors, town supervisors, and village mayors)
- Invited members (school districts, BOCES, special improvement districts)

County legislative body

Public

Collective bargaining units

Department of State

Division of Budget



County CEO Functions

County CEO (county executive, manager, administrator or chair of the legislative body):

- acts as chair of shared services panel,
- invites optional panel participants,
- develops plan and savings certifications,
- “consults with” and takes recommendations from panel members, public and collective bargaining units, and
- coordinates required public hearings and panel meetings.

(continued)



County CEO Functions

County CEO :

- delivers plan and savings certification to county legislative body for review by August 1, 2017 and may modify plan based on recommendations;
- delivers plan and savings certification to Shared Services Panel by September 15, 2017;
- delivers approved plan and certifies anticipated tax savings to the state Division of the Budget by September 15, 2017; and
- if approved, makes a public presentation on the plan by October 15, 2017.



Panel Member Functions

Panel members:

- attend panel meetings and public hearings;
- consult with county CEO and offer recommendations on what to include in plan;
- if desired and via written notice prior to the vote, may remove items from plan that affect the panel member's municipality or district; and
- votes on plan by **September 15, 2017.**



County Legislature/Board of Supervisors Function

County legislative body:

- accepts public comments;
- receives draft plan from county CEO by **August 1, 2017**;
- reviews the plan and may, by majority vote, issue an “advisory report” making recommendations.

The county CEO can modify the plan based on the county legislative body’s recommendations prior to the shared service panel vote. If the county CEO modifies the plan then an updated savings certification must be provided to the state Division of the Budget.



Public Function

The public:

- includes civic, business, labor, community leaders;
- may provide input on the plan to the county CEO, panel members, and/or the county legislature/board of supervisors;
- must be given at least 3 public hearings arranged for by the county CEO before September 15, 2017; and
- must be provided the opportunity to provide testimony and make comments.



Collective Bargaining Unit Function

Collective bargaining units:

- must be allowed to make recommendations to the county CEO;
- representatives from each bargaining unit within every panel member's municipality or district must be consulted by the county CEO. However, such representatives are not panel members and do not have a vote on the plan.



What is included in plan?

- Shared and coordinated actions that can be implemented during the next calendar year.
- **New, recurring** property tax savings through:
 - elimination of duplicative services;
 - shared services;
 - reduction of back-office administrative overhead;
and/or
 - improved coordination of services.



What is included in plan?

“Opt Out” Provision

- The supervisor can remove the town from any proposal in the plan that affects his or her municipality.
- This “opt out” provision must be made in writing and given to the county CEO before the panel votes on the plan.



When are the deadlines?

- By August 1, 2017, the draft plan must be delivered to the county legislative body for review.
- By September 15, 2017, three public hearings must be held, the panel vote conducted, and the approved plan certified and delivered to the state Division of the Budget.
- By October 15, 2017, the county CEO must deliver a public presentation of plan, if such a plan is approved.



How to implement approved plans?

- Adopting the shared services plan does not implement the proposals.
- Implementation requires compliance with state law and the state constitution.
- Shared services agreements struck under this mandate still require an approved contract by the cooperating governing boards in accordance with Article 5-G of the General Municipal Law.
- Transfer of functions undertaken through this mandate still require a county local law or charter amendment subject to dual or triple referendum under Article 4 of the Municipal Home Rule Law and Article 9 of the State Constitution.



Matching State Funds

- One time state grant match the eligible property tax savings attributable to each participating municipality that implements a shared service proposals the year after the plan is approved.
- Department of State will provide an application.
- Grants are based upon eligible savings that are actually and demonstrably realized by the participating municipalities.
- 2017 Plan: Funds available for actions implemented between January 1, - December 31, 2018
- 2018 Plan: Funds available for actions implemented between January 1, - December 31, 2019
- The funds are subject to state budget appropriation.



FAQ's

- Is participation in the panel optional?
 - No. All town supervisors must participate.
- Who represents the town on the panel?
 - Only the town supervisor, or the deputy supervisor if the supervisor cannot.
- Does the county CEO have to include panel member recommendations?
 - No.

FAQ's

- Do panel members have to justify how they voted?
 - Despite what the guidance documentation from the Department of State may say, you do not have to justify your vote. However, if a plan fails to be approved by the panel, you must provide a written statement of why you voted against the plan, which can be as brief as “The plan was not in the interest of my constituents” or as long as you like.
- Are there any penalties for not participating?
 - The penalty for not participating is that the town loses the ability to “opt out” of something in the plan that impacts the town.
- Can we include shared services already in place?
 - No. Already implemented shared services are ineligible.
- What if plan is approved but tax levy still goes up?

FAQ's

- Can we include shared services already in place?
 - No. Already implemented shared services are ineligible. However, if you have a shared service plan that has been in the works prior, but you can implement it during 2018, it can be included (Or if the first plan fails, during 2019, it can be included).
- What if plan is approved but tax levy still goes up?
 - Your property tax levy is not related to this mandate. Your levy can go up or down; the grant program only evaluates eligible tax savings attributable to new, recurring savings from actions undertaken by two or more plan participants.

State Resources

The New York State Department of State

- https://www.dos.ny.gov/lg/countywide_services.html
 - Guidance Document
 - Legislation
 - FAQs
 - Matching Funds Application

