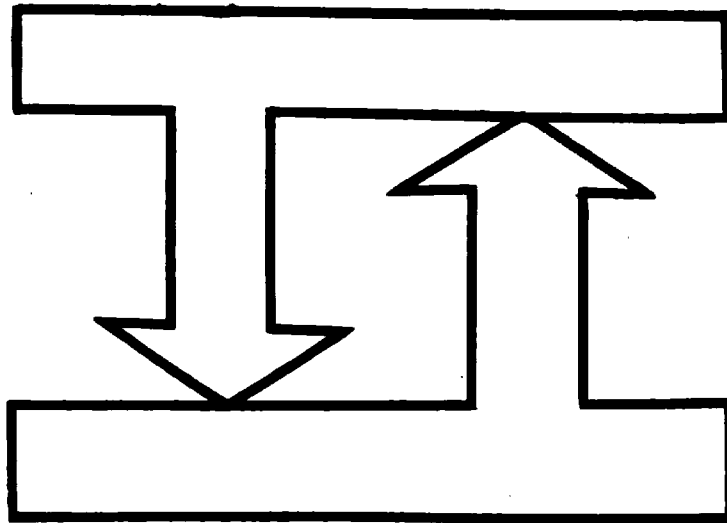


**TWO-TIERED GOVERNMENT
IN MONROE COUNTY, NEW YORK**



**REPORT OF THE
GREATER ROCHESTER INTERGOVERNMENTAL PANEL**

TWO-TIERED GOVERNMENT
IN MONROE COUNTY, NEW YORK

A Report of
THE GREATER ROCHESTER INTERGOVERNMENTAL PANEL

Submitted to

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1225 Connecticut Avenue, N.W.
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and

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June 30, 1975

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 1. Report of the Greater Rochester Intergovernmental Panel (Nov. 15, 1974; Prepared by: Alexander J. DiPasquale, Executive Director and Jean Bub, Editorial Consultant).
 2. Two Tiered Government in Monroe County, New York (Draft Document) (January, 1975; Prepared by Saphar and Associates, in conjunction with GRIP Staff, Jean Bub, Editorial Consultant).
 3. HUD Contract H-1785 "Neighborhood-Oriented Metropolitan Government Interim Report" (April 1, 1974; Charles R. Warren, NAPA Project Director).
 4. Reshaping Government in Metropolitan Areas (February, 1970; Report of the Committee for Economic Development, Alan K. Campbell, Project Director).
 5. Developing Action Models for Neighborhood Oriented Government (January 23, 1973; Charles R. Warren, NAPA Project Director).
 6. Focus From the Future (November 30, 1972; Urban Policy Conference, conducted by the Brookings Institution).
- * As of May 15, 1975, all GRIP records and resource materials were transferred to the Rochester Public Library (Central Branch) 115 South Avenue. GRIP acknowledges the assistance of the Rochester Public Library and the Monroe County Library System, Harold S. Hacker, Director.

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FOREWORD

George Eastman, the founder of our largest industry, who may, forty years ago, have started the contagious habit of Rochesterians and Monroe Countians to analyze, criticize and make recommendations concerning their governmental structures, would be mighty proud of GRIP and this report and the National Academy of Public Administration which sponsored it. For surely, this must uniquely be the most comprehensive analysis of government ever undertaken by a group of local people. It purports to and actually does study every governmental unit within the irregular boundaries of Monroe County, except school districts, and makes recommendations concerning them: how the governmental services should be delivered and who should deliver them; how the representative bodies should be structured; how the financial impact should fall upon people; and how all of this can be implemented.

No one of us on the local panel believes that everything within the pages of this report and our companion report of November 15, 1974 will be completely implemented. We are certain, however, that some of these suggestions will be accepted by our County, City, Town and Village governments and that, as a result, government here will be better.

No one should infer, however, from the volume and scope of the report or from even the vehemence with which its views are expressed that government is bad in Monroe County. Government here, like our industries, labor unions and other civic activities, has a standard and history of excellence. GRIP has operated on the theory that better can be even better and perhaps even best.

Another thing we do in this report is study and make recommendations about the role of the citizen in the governmental process to make representative government more so: to make government credible and to make government a friend and not an alien. GRIP admits in this report that the process of popular govern-

ment may be less efficient than one run solely by professionals. Nevertheless, we recommend to our community that there be enough legislators to be representative and that they conduct their business in the open; that department heads and executives take the time and have the tolerance to permit the existence of meaningful citizens' boards and panels; that legislative bodies use appropriate methods for citizen participation in governmental policy-making and service delivery.

This document, then, should be read with one dominant idea in mind: not only does GRIP want government to be efficient, economical and equitable (the three E's) but most of all, it wants it to be a government belonging and responsive to the people within Monroe County. This document legitimizes and reinforces the desire, sometimes non-specific and unspoken, of all of us, to make government our government. In that sense, this report is not a document for governmental experts or professional department heads or even elected public officials. It belongs to all of us.

May 15, 1975

Respectfully submitted,

Henry W. Williams, Jr.
Chairman

PART I

THE HISTORY, OBJECTIVES AND PROCESS OF
THE GREATER ROCHESTER INTERGOVERNMENTAL PANEL

The historical debate over the "best form of government" dates back to our country's constitutional beginnings. For almost two hundred years our form of government has reflected a balance of two fundamental political philosophies: Hamiltonian, which calls for a concentration of leadership at a central level and Jeffersonian, which calls for the dispersion of control to the "grass roots" level. The ramifications of these theories have been compounded in our post World War II society with the emergence of social, political and economic trends which challenge existing governmental structures.

During the past two decades, urban America has been characterized by: a rapid expansion of unplanned suburban growth; a corresponding weakening of our cities' tax bases, due to the shift of industry and business, and the movement of much of the middle class out of our cities; expansion of multiple, overlapping governmental jurisdictions and special districts within metropolitan areas; and demands for "neighborhood-level" recognition and community control. The impact of these and other trends have fostered a search for improved, alternative forms of government. This search, although taking place in a contemporary, urbanized context, has often repeated elements of the historical debate between centralization and decentralization of authority and responsibility.

The two-tiered model

Over the past two decades a number of models for governmental reorganization have emerged: 1) The Urban County (Miami-Dade, Florida), 2) Multipurpose Authority (Boston), 3) Metropolitan Council (Minneapolis/St. Paul), 4) Traditional Federation (Toronto), 5) Consolidation-Decentralization (Indianapolis). The rationale behind these models is the need for an areawide approach to metropolitan problems, but with attention directed to the individual character and requirements of local communities.

The Committee for Economic Development's 1970 report, Reshaping Government in Metropolitan Areas, was the first major proposal calling for a system

of government combining the seemingly contradictory elements of centralization and decentralization. The CED report concluded that the philosophies of centralization and decentralization should not be examined in isolation, but rather combined in an overall governmental system design:

All of the metropolitan areas are affected to a greater or lesser extent by the conflicting forces of centralization and decentralization. The interdependence of activities within metropolitan areas requires areawide institutions for some functions or parts of functions of government. Just as clear is the need for units of government small enough to enable the recipients of government services to have some voice and control over their quality and quantity.¹

The CED report proposed a two-tier system, consisting of an areawide level and a local level of government, with neither level supreme or subordinate to the other. The heart of the two-tiered government theory rests upon a genuine sharing of power over functions between a larger and a smaller unit. The larger unit serves to effect economies of scale, areawide planning, and equities in finance and taxation. The smaller unit permits the exercise of local authority, accessibility and responsibility for local concerns. It should be noted, however, that the advantages connected with a larger and smaller unit of government are by no means mutually exclusive. For example, a larger, areawide unit of government can enable citizen access by establishing advisory boards as integrated parts of area-wide service programs. And a smaller, local unit of government may achieve certain economies of scale through basic functional organization, and by specific, contractual service agreements with other local units. The Greater Rochester Intergovernmental Panel (GRIP) adopted this broad perspective, highlighting the often overlapping benefits of a two-tier system of government in its plan for improved government in Rochester and Monroe County.

The Academy's Project

On May 26, 1972, the National Academy of Public Administration, under a three year contract with the United States Department of Housing and Urban

Development, initiated a project entitled "Neighborhood-Oriented Metropolitan Government". The purpose of the project is to develop actionable plans for the establishment of governmental arrangements which would balance the centralization of certain services and functions with decentralization to recognize neighborhood needs and citizen participation. The Academy based its project on the two-tier concept which was enunciated in the 1970 CED report.

The first two formal tasks of the Academy consisted of the appointment of a National Panel and the commissioning of four papers on metropolitan reform. The third task was the development of an action model for the implementation of a neighborhood-oriented metropolitan government. The two primary components of this action model were: identifying basic values for consideration in the analysis of public services and governmental structure, and designing an approach to studying local governmental systems.

The three basic values which would later serve as a framework for "measuring" governmental structure, were:

- 1) equity, in terms of distribution of finances, services, and influence to be achieved through redistribution of incomes, resources and decision-making authority;
- 2) economy/efficiency, in terms of vesting functions and activities in appropriate sized (population and area) units to achieve economies of scale, avoid negative externalities, and permit specialization of skills and technology; and,
- 3) citizen access and control, to provide vehicles for citizen input into public decision-making at levels consistent with the problem; to build upon the values of the community and reduce the citizens' sense of alienation from government; to place those functions and policies which affect the life style of citizens at a level close to the consumer and thus provide a vehicle for the expression of consumer preferences and demand articulation (i.e., service delivery).²

The central concern of the action model was the design of an approach to test the concept of two-tiered government as a viable alternative to existing governmental structures. Functional analysis was the approach chosen for this

attempt to relate the two-tier concept of government to selected metropolitan areas.

Functional analysis begins with an examination of the performance of public services, including examination of the subfunctions involved in delivery of services. For example, fire protection includes such subfunctions as suppression, prevention, arson investigation and training. Subfunctions are then analyzed by examining the activities that are common to a variety of functions: planning, funding, delivery and regulation. Each function and its associated subfunctions must then be measured against the values of equity, economy and efficiency, and citizen access and control. The three values form the basis for analyzing current power relationships and responsibilities between the levels of a metropolitan system of government. If it is determined that the values are not being achieved under the present governmental structure, then a determination must be made to reallocate the particular function and/or subfunctions to the appropriate level of governmental jurisdiction--areawide, local, or shared between the two levels.

The selection of Rochester/Monroe County

A number of metropolitan areas were identified and explored as possible sites for the testing of the concept of two-tiered government and the functional analysis approach. In November, 1972, the Academy selected Rochester/Monroe County as one of two metropolitan areas for the testing of the two-tier model. (The other site chosen was the Tampa/St. Petersburg area of Florida). The Academy was to be responsible for providing national leadership, including counsel and guidance, technical advice, and limited financial support. A local panel, consisting of community officials and citizens in each metropolitan area, was to be responsible for the actual planning and the implementation of a reorganization plan.

Factors influencing the selection of Rochester/Monroe County included: local receptivity and interest in the national project, the presence of a serious commitment to change on a metropolitan basis, the existence of a potential for eventual adoption of a reorganization plan, and a willingness on the part of local individuals and groups to assume a leadership role in the project.

The Urban Policy Conference, conducted by the Brookings Institution, formed the nucleus from which local interest and involvement was stimulated and panelists chosen. The Urban Policy Conference involved 100 community leaders from the Greater Rochester area in a year-long series of seminars and work sessions. The Conference identified a number of critical urban problems and concluded in November, 1972, with a series of policy plans for government, education, people distribution, economic growth, and science and technology. One of the recommendations from the Conference's policy plan on government provided an impetus for NAPA's selection of Rochester/Monroe County and the initiation of a study of two-tier government:

Implementation of two-tiered, neighborhood-oriented metropolitan government in Monroe County--which will serve as a model for future government restructuring throughout the Greater Rochester Community.³

Prior to the mailing of the November 29, 1972, letters, announcing the selection of Rochester/Monroe County as one of two project areas, the Mayor of Rochester and the County Manager of Monroe County were informed of the selection by telephone. On November 30, 1972, Dean Alan K. Campbell, a member of the Academy Panel which is responsible for the overall project, attended the final session of the Rochester Urban Policy Conference and announced the selection of Rochester/Monroe County.

Establishing GRIP

During that meeting, a steering group consisting of civic leaders and representatives of City and County government was formed to decide on the

formation of the local panel. The steering group met early in December, deciding only that the local panel should consist of 30 members with half of the membership drawn from the participants of the Brookings Urban Policy Conference. The steering group questioned its right to select the local panel members. Equitable, bipartisan representation became a key prerequisite to the successful initiation of the study. Delicate negotiations with leaders of both the Democratic and Republican parties formed a central aspect of the overall panel selection process.

A steering group of senior local officials met on January 27, 1973, to decide upon the composition of the local panel. Their decision was to comprise the panel of three primary groups: elected officials from the County, City, Towns and Villages; City and County appointed officials; and community-at-large representatives.

Names of the members of the Rochester panel were sent to the Academy in late February, and a letter of appointment was prepared. The letter of appointment was signed by the Chairman of the National Academy of Public Administration, the President of the Monroe County Legislature, and the Mayor of Rochester. Of the 30 panelists who initially agreed to serve, 26 persisted through the two year GRIP study. Eight members joined the panel during the course of the project. In addition to diverse demographic representation, the panel members have reflected a variety of social and political philosophies. The panel consisted of County, City, Town, and Village officials; representatives of education, business, industry, labor, the legal profession; and community organizations and agencies--professional men and women with an active interest in community affairs.

The two Chairmen and Vice Chairmen who have served the GRIP Project are: Thomas Laverne (March, 1973 to June, 1974, Chairman) and Erwin Witt (March, 1973 to June, 1974, Vice Chairman); Henry Williams, Jr. (July, 1974 to May, 1975,

Chairman) and Robert A. Feldman (July, 1974 to May, 1975, Vice Chairman). The list of persons who have served as GRIP panel members is included in appendix T.

Launching the study

GRIP was to conduct a study of governmental structure and functions in Rochester/Monroe County. Specifically, it was charged with the following:

- 1) examining in detail the services provided within each functional area in the County of Monroe;
- 2) examining in detail the interrelations between all the local governmental jurisdictions within Monroe County;
- 3) applying the concept of tiered, two-way movement of functions-centralization and decentralization;
- 4) developing a proposal for a neighborhood-oriented metropolitan government; and,
- 5) preparing a plan that could implement that proposal.

The GRIP project formally got underway on March 26, 1973, when a joint meeting of the Academy panel and GRIP was held in Rochester, New York. The early months of the project focused on panel education and organizational matters. Seminar presentations formed the basis for panel education activities. Resource persons for these seminars included representatives from various universities, city and state officials, professional people from the Rochester community, and the Academy project director.

Important organizational matters during the early months of the project included the hiring of a full time staff, the placement of a project office, and the establishment of a consulting relationship between the Center for Governmental Research, Inc. (Rochester, New York) and the GRIP panel. On a contractual basis, under GRIP staff supervision, research support was provided to the panel's task forces by staff members of the Center. The Center staff was responsible for providing extensive data collection and drafting of reports on each functional area.

The GRIP process

Although the panel, as a whole, recognized from the start the need for improvements in local government, the diversity of its membership guaranteed strongly divided opinions on the direction those improvements should take. Dissent from the majority decision was expressed on several vital issues, including the form of the lower-tier unit of government, the term of office for County legislators, and whether the chief executive of the County should be appointed or elected. In addition dissent was expressed on the functional recommendations made by the task forces. The GRIP process, provided a forum for debate and exploration of controversial issues that greatly enriched the outcome of the project.

Since its inception two years ago, the GRIP project has demanded a heavy investment of time and energy from panel members. For extended periods, panel members attended weekly task force meetings, monthly panel meetings, and various subcommittee meetings. The comprehensive analysis undertaken by the panel and the policy recommendations produced during the two year study are a tribute to the dedication of the panel members.

GRIP's work has been, throughout the two year study, an entirely open process. All meetings were open to the public and the press, and all working documents and other printed materials were available to the public. The panel sought information and advice from government administrators, recipients of government services, and local leaders and citizens at each phase of its activity. In order to expand its resources beyond the horizons of its own immediate membership, GRIP encouraged the participation of a large number of observers. Interested citizens, whether representing an organization or expressing a personal interest in local government, were eligible to attend and participate as official observers. The only distinction between observers and panel members was the right to vote

on official proposals. The contribution of time and thought from these observers benefited the project greatly.

Three study phases

The two year GRIP project was designed as a three phase study process. Although each phase focused on a particular aspect of the two-tier study, there was overlap of research on specific issues and continuous refinement of project recommendations throughout the three phases.

The first phase dealt with a functional analysis of all local governmental services currently being provided in Monroe County. In the second phase, GRIP analyzed current governmental structures, and in accordance with the functional analysis recommendations of the first phase, redesigned governmental (structural) organization.

GRIP's third phase involved a dual approach of continued task force and panel research, and a comprehensive public education program. The first phase of the GRIP project was built upon the premise of analyzing local government organization from a functional rather than a structural point of view. In other studies of governmental reorganization, the form of governmental structure was the starting point, with the concern about specific service responsibilities coming later. In GRIP's study of the restructuring of local government, form would follow function. The selection of a functional approach, although logical, was unprecedented; the GRIP study is believed to be the first in the nation to consider total governmental reorganization from a functional approach.

Task force organization and process

At GRIP's May 2, 1973 meeting, a committee headed by Erwin Witt, Vice-Chairman of the panel, was created to develop a list of all functions performed by local government in Monroe County. This list was then categorized into five functional areas: physical services, human services, public safety, taxation,

finance and intergovernmental relations, and education. Because of the vast scope of the education field, it was decided to approach this particular area from a fiscal standpoint and, therefore, to include it in the study of taxation and finance.

Nineteen major governmental functions were thus categorized:

- 1) Public Safety
Police Services
Fire Protection Services
Ambulance Services
Civil Defense
Consumer Protection
Courts and Corrections
Traffic Safety and Engineering
- 2) Human Services
Mental and Public Health
Social Services
Housing
Community Services
- 3) Physical Services
Solid Waste
Land Use
Highways and Bridges
Environmental Management
Transportation
Building and Property Conservation
Water Supply and Distribution
- 4) Taxation, Finance and Intergovernmental Relations
Taxation and Finance

In addition to identifying and grouping governmental functions, the Witt Committee outlined the general approach to be used in evaluating the current delivery of services and in allocating the functions to the appropriate level of local government. This approach was built around the three criteria that had already been agreed upon, that is, equity, economy and efficiency, and citizen access and control.

The functional analysis approach proposed by the Academy and outlined by the Witt Committee suggested that a task force comprised of panel members and observers be created to study each functional area. The task forces were charged

with analyzing functions and subfunctions in each area to determine, in the current performance of the service, by and for whom the service was given, and who paid for it. Each function was to be measured against the criteria, and then allocated to the appropriate level within the context of two-tiered government.

This entire review and analysis of functions was to be conducted in the context of centralization and/or decentralization. Once the optimum government level for a particular function had been identified, the panel was to determine whether restructuring of existing governmental units was implied in its recommendation.

With the ground work thus laid, four task forces were created, each concerned with one of the four functional areas--public safety, human services, physical services, and taxation, finance, and intergovernmental relations. The task forces began meeting in June, 1973, every two weeks at first, then weekly, for an entire year. An executive/steering committee was also created to provide guidance and coordination for the task forces. The full panel continued to meet monthly as a whole in order to provide coordination between the task forces and to receive progress reports.

The Center for Governmental Research provided basic data to the task forces, and resource persons were invited to meetings to describe various functions from the points of view of both the deliverers and recipients of governmental services. The final analyses and recommendations, however, were hammered out by the task forces themselves.

At the GRIP seminar on June 14, 1974, the four task forces presented nineteen separate reports, the fruits of a year's labor. These papers, with their recommended allocation of functional responsibilities, were adopted as GRIP's Interim Report.

For each of the nineteen governmental functions studied, the Interim Report identified major problems found in the present performance of the function, listed proposed recommendations for future performance of the function, and assessed whether the recommendations implied governmental restructuring.

For 16 of the 19 functions, the task forces recommend changes that would involve governmental restructuring. The recommendations in these 16 areas were the basis for the structural design that followed in Phase II of the GRIP project.

GRIP's second phase

In the second phase of the GRIP project, the functional recommendations produced during the first phase were used to design governmental structures capable of performing the functions assigned to them.

The panel reorganized itself and created two new task forces to design structures for the upper and lower-tiers. The taxation and finance task force continued its work, although its membership was redistributed. The three reorganized task forces met weekly for four months. The second phase concluded with detailed reports prepared by the upper-tier and lower-tier task forces and the taxation and finance task force.

In October, 1974, the recommendations of the three task forces were studied and voted on by the panel, and integrated into a comprehensive governmental model. This model became GRIP's proposal for governmental restructuring in Monroe County.

GRIP's third phase

In its third and final phase, GRIP utilized a dual approach in completing the study of two-tiered government for Monroe County. Phase three activities included continued task force and panel research and a comprehensive communications-public education program in which the GRIP project proposals were "surfaced" and presented to the Greater Rochester community.

The four task forces (upper-tier, lower-tier, public safety and taxation/finance) were charged with completing specific assignments during phase three. Two of the task forces filed reports which were adopted by the full panel in February -- the public safety task force report on "Corrections", and the upper-tier task force report on the "County (Community) Service District Model."

The lower-tier and taxation/finance task forces were jointly charged at the outset of the third phase with answering fiscal questions which were raised in the design of lower-tier units. Although efforts were made to reach specific fiscal conclusions during this final phase, this objective was not met, due in part to budgetary limitations.

During Phase Three, the panel worked to design functional and structural "linkages" between the proposed upper and lower-tiers. This required determining specific roles for the upper and lower-tier units of government for each service which the tiers share. It also involved structural linkages for lower-tier participation in the appointment of citizens to serve on (upper-tier) County Service District Boards.

Public relations and education

The objectives of the communications/public education program in GRIP's third phase were: to create general awareness in the community of the existence of GRIP, its proposals and its role in moving toward the objective of "better government" in Rochester and Monroe County; and, to generate awareness and feedback among specific audiences on the GRIP proposals for evaluation in creating the final report.

GRIP initiated its public education phase with a press conference, January 15, 1975, announcing the panel's findings and inviting public reaction and debate of the issues. Excellent press coverage of the conference helped

stimulate public awareness and laid the ground work for GRIP's public education activities. Three television channels used film of the press conference on their evening news broadcasts; news articles appeared in both daily newspapers; and several radio stations carried news stories about GRIP. GRIP project information was also distributed to all area radio and TV outlets, daily and weekly newspapers, and monthly magazines.

Immediately following the press conference, members of GRIP embarked on an extensive schedule of public presentations and speaking engagements with a variety of local civic, political, religious and community organizations. These presentations served a variety of important functions for GRIP's public education program. Most were held in a small group atmosphere enabling informal discussion of GRIP's ideas.

Materials distributed at the meetings included a draft booklet entitled "Two-Tiered Government in Monroe County, New York" which summarized in layman's language some of the major issues of public concern that GRIP had been studying for two years. Participants were offered the opportunity to obtain additional GRIP information and become observers to the Panel. A questionnaire on service satisfaction and the GRIP proposals was also distributed at a number of the meetings.

Additional public education program activities included a number of radio and television appearances and a series of editorial page articles in the Democrat and Chronicle newspaper by GRIP members.

There was wide distribution of the GRIP draft booklet during phase three. Approximately 4,000 copies of this summary report were distributed in the Greater Rochester area to the following:

- federal and state government officials (representing the Rochester/Monroe County area);
- local government officials, including all County Legislators, City Councilman, all area town and village Mayors and Supervisors;

- local educational institutions, including all area colleges, universities, and high schools;
- neighborhood and community organizations, business, religious, civic, and alumni groups;
- the Monroe County Library System; and,
- nearly every central branch of banks in the Greater Rochester area.

The unique logic of GRIP

The GRIP project was initiated and developed upon the premise that a comprehensive plan for better government on all levels is needed in Rochester/ Monroe County. Such need was based on the recognition, and increasing awareness, of current problem issues: the ad hoc, "crisis oriented" transfer of functions to the County government, the inequities of the tax structure, the costly duplication of services provided by overlapping local jurisdictions in Monroe County, and the lack of structured channels and mechanisms for citizen input into the governmental process.

Over the course of the two year project, GRIP panel members addressed these and other related issues. At the conclusion of this intensive and extensive study, GRIP developed a cohesive plan for better government. The plan includes proposals for: equalizing the tax burdens of citizens in Monroe County, insuring more equitable provision of services on a countywide basis, minimizing duplication of services by assigning specific responsibilities to all levels of government, and assuring citizen input through advisory boards, community and neighborhood councils, and more elected representatives per capita.

In completing this plan, GRIP successfully fulfilled its mandate from the Academy. The GRIP Project explored the provision of services for each functional area in Monroe County, examined the relationships between all local governmental jurisdictions in Monroe County, and developed a comprehensive proposal for implementing a workable two-tier system of government.

GRIP has demonstrated that a functional approach to the study of governmental reorganization is sound and viable. Governmental functions were successfully tested against designated values, and functional responsibilities were then reallocated. When completed, the GRIP process had created a comprehensive model for local government. By validating the functional approach, GRIP has reinforced the two-tier concept as a viable alternative for metropolitan government.

Other governmental reorganization projects have looked at isolated elements of the governmental system, GRIP has offered a total package for improvement. Within the conceptual framework of two-tiered organization, GRIP produced a series of specific recommendations for restructuring local government along functional lines. Taken together they provide a planned series of steps toward achieving the long-range objective of neighborhood-oriented metropolitan government in Monroe County.

The accomplishments of the GRIP project are due largely to the involvement and support of the greater Rochester community. The GRIP process has achieved legitimacy and accountability by virtue of the diverse and respected membership of the GRIP panel, the involvement of hundreds of observers, and through the project's extensive public education program. Hundreds of citizens in the community learned of GRIP first-hand through a series of public presentations. Thousands have read about GRIP as a result of the distribution of its draft document. Presentations have been made at County Legislature committee meetings, and GRIP received wide coverage in the media. The extent of community support is illustrated in the amount of local contributions to GRIP. Over a two year period almost \$100,000 was contributed to the GRIP project by local government, business, industry, and private foundations.

The future

The future of the GRIP project should be viewed in terms of local and national value. On the local level, volunteer efforts on behalf of panel members to promote the GRIP recommendations in the Rochester/Monroe County community are continuing. Actual implementation of the GRIP recommendations will depend upon the political process. Two developments are worth noting: first, the demonstrated receptivity of the County Manager and members of the County Legislature toward specific recommendations, i.e., corrections, solid waste, consumer affairs, and police services; and second, the anticipation that a number of political candidates, both Democrat and Republican, city and suburban, will adopt sections of the GRIP report in their campaign platforms.

On a national level, the GRIP project offers long range benefits. Lessons learned from the GRIP project may provide standards for future governmental reorganization efforts. The experience and accomplishments of the GRIP project were key factors in the Department of Housing and Urban Development's willingness to fund additional Academy studies of governmental reorganization in other metropolitan areas.

The GRIP Project began as a forward looking, pragmatic plan for restructuring local government in Monroe County and achieving improved equity, efficiency, economy, and accountability. It is hoped that the implementation of GRIP's recommendations will continue in the same spirit. May 15, 1975, marked the formal conclusion of the GRIP project. Yet this conclusion should signal the beginning of active community effort for a better form of government for Rochester/Monroe County, New York.

PART II

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

FUNCTIONAL ANALYSES AND RECOMMENDATIONS

The Greater Rochester Intergovernmental Panel adopted the functional analysis approach for its study of two-tier government in Monroe County. This chapter presents the findings, conclusions and recommendations which resulted from that analysis.

The vast majority of the panel's time and effort were spent on a critical evaluation of how well the current performance of government met the standards of economy-efficiency, equity, and citizen access and control. Their evaluation was not an exercise in the abstract, rather it was a detailed examination of specific services and functions being provided by the political jurisdictions. This work formed the basis for almost all of the panel's activities. Issues of representation were linked to service delivery. Fiscal analysis was related to service assignments and service clientele. And, finally, the proposed structure and organization of local government was determined by the collective recommendations for the assignment of public functions.

The functional analysis approach followed by GRIP involved essentially a four step process: (a) the identification of public service functions and associated subfunctions; (b) identification of present levels of governmental responsibility for the particular functions and subfunctions; (c) measuring the present system of public service programs against the values of equity, economy and efficiency, and citizen access and control; and, (d) reallocation of public service program responsibilities to "appropriate" levels of government: area-wide, local, or shared.

As described earlier, the panel divided itself into four task forces to accomplish its work. The functional analysis was undertaken by the three task forces of public safety, physical services, and human services, each of which were assigned specific areas of responsibility. The functions and sub-

functions assigned to each task force are listed in Table 1.

GRIP prepared an interim report which listed the problems found to be associated with each of the functions and its recommendations for reallocating responsibilities among the tiers. These recommendations were later refined to include description of how various activities (planning, funding, delivery, and regulation) should be handled with regard to each function. For example, funding of a particular function should be an areawide responsibility, delivery should be local, and planning should be a shared responsibility. In addition, extensive study was made of the specific roles to be exercised by the lower-tier units and the upper-tier units with regard to shared responsibilities. And, finally, the task forces determined what would be required in the way of legal action (e.g., referendum, interlocal agreement, administrative ordinance, county or state legislation) to implement the functional recommendations.

In those cases where functions were recommended as shared responsibilities between the upper and lower-tiers, and where the County was to play a dominant role in terms of staffing, input, and ultimate decision-making, a series of power relationships were developed for each functional area. These power relationships were designed with the need to ensure responsiveness to local citizens and to preserve the autonomy of local units, and, at the same time, provide for effective areawide action and decision-making. Possible roles for local units included a range of involvement extending from the power to veto an areawide action to the power to propose a course of action or decision to the areawide body.

Eight possible roles, or types of power relationships, were identified for the lower-tier unit with respect to those shared responsibilities where the upper-tier would be dominant. These roles included the power to:

1. veto absolutely a plan of action;
2. veto, subject to over-ride by the areawide unit (plurality, two-thirds majority);

3. delay action for a specific period of time (to enable the community to review and comment on the proposed action);
4. review and comment (within a specified period of time prior to legislative action);
5. advise the areawide unit (this could occur formally during the planning process rather than a post review and comment, and could occur when review and comment did not apply);
6. evaluate and recommend (for services being delivered within a local jurisdiction, the lower-tier would have authority to request an evaluation of the sufficiency and effectiveness of these services and to recommend appropriate changes);
7. appeal to a higher level of government, e.g., state, federal; and,
8. propose (the barest level of lower-tier involvement).

These types of power relationships were linked to the functions and sub-functions analyzed and proposed for the lower-tier. A "Shared Services Responsibility Matrix" was prepared to show the conclusions reached by GRIP on the relationships between the upper and lower-tiers. This matrix is presented in Table 5.

To review the analysis which was conducted, the panel allocated functions and subfunctions to the "appropriate" level; determined which level should be responsible for the funding, planning, delivery, and regulation of specific sub-functions; and, with respect to shared responsibilities, suggested which of the eight types of power relationships should be vested in the lower-tier with respect to each subfunction.

The detailed findings, recommendations, proposed functional assignments, and implementation requirements are presented for 18 of the 19 functional areas in the pages which follow. The recommendations in the taxation and finance area are presented in a separate chapter. Tables 2, 3, and 4 provide a summary of the functions and activities assigned to the lower-tier, the upper-tier, and those to be shared between the two tiers.

PUBLIC SAFETY

Police

I. Problem areas

Four major problem areas were identified in the current performance of police services: (a) fragmentation of police services between the City, Town, and village forces, and the Sheriff's patrol; (b) the variable quality and levels of police protection from jurisdiction to jurisdiction; (c) duplication of many specialized and technical police services; and, (d) inequities in the financing of police services, especially in regard to the Sheriff's patrol vis-a-vis jurisdictions with their own police force, and the total financing of City police and traffic patrols by City residents to the benefit of non-resident users.

II. GRIP Recommendations

A countywide police patrol force should be created for localities desiring such service. Local patrols would continue, where desired, thus retaining local autonomy. Technical and support services such as communications, laboratory services, tactical squad and training would be centralized at the County level.

A. Assignment of functional responsibilities

1. Areawide - The upper-tier would be responsible for the delivery and regulation of areawide police patrol services, and the funding, delivery and regulation of police technical services including bookkeeping, special investigations, communications, tactical squad, and planning and research.
2. Local - The lower-tier units would be responsible for the planning, funding, delivery and regulation of local police patrol services.
3. Shared - The upper and lower-tier units would share in the planning and funding of areawide police patrol services. The upper and lower-tier would share in the planning for technical services.

B. Implementation requirements

Implementation of the proposal for county patrol services would require the creation of patrol districts for those areas desiring the service. Such districts could be established in two ways: by general enabling state legislation, or through state legislation pertaining only to Monroe County. The latter would require a home rule message from the County Legislature. State enabling legislation would also be required to authorize the transfer of responsibility for countywide patrol services from the Sheriff's department to a County department of Police Services. An amendment to the County Charter would be required to implement the recommendations for centralized, technical and support services.

Fire Protection

I. Problem areas

The major problems found in fire protection are: (a) inequalities in the levels of service, or service voids, among the fire protection jurisdictions (especially in fire prevention, inspection, enforcement, and investigation), and disparities in the equipment owned district-to-district; (b) while citizen participation in fire protection services is high in the suburban and rural areas through volunteer departments and the budget process, fire services in the City are far removed from active citizen participation; (c) variations in the cost of financing fire protection services among jurisdictions in the County, resulting in financial inequities; and, (d) the lack of coterminality with existing political jurisdictions or with neighborhood communities.

II. GRIP Recommendations

The basic character of the current professional-volunteer system of fire protection should be maintained, however, a number of fire services should be centralized at the County Level. Fire suppression should remain at the local level. The following should be established as areawide responsibilities: fire prevention code setting, enforcement, education, and inspection; and technical services such

as records, communications, dispatching, and arson investigation. In addition, efforts should be made to coordinate fire services with other governmental services, such as building codes and enforcement, land use planning, water supply, etc. A small countywide fire suppression force, located in four stations in quadrants of the County, equipped with specialized fire apparatus, should be created. There also should be a review of existing fire district boundaries throughout the County.

A. Assignment of functional responsibilities

1. Areawide

	Planning	Funding	Delivery	Regulations
fire prevention code		X	X	
fire code enforcement, inspection & education	X	X		
records & analysis	X	X		
communications	X	X		
dispatching	X	X	X	
arson investigation	X	X	X	
special equipment	X	X	X	
mutual aid standards		X	X	

2. Local

fire suppression	X	X	X
mutual aid agreements	X	X	X

3. Shared

The upper and lower-tier units would share in the planning for fire prevention codes and mutual aid standards. The delivery of code enforcement, inspection, and education services, records analysis, and communication would be shared. The planning, funding, and delivery of training, equipment purchase, and maintenance would also be shared.

B. Implementation Requirements

Implementation of an areawide (countywide) fire code could be established by the County under the Municipal Home Rule Law. This would be achieved by the passage of a local law by the County Legislature. This area-wide fire code (as is the case currently with the state fire code) would apply only in those jurisdictions not covered by its own code.

Areawide enforcement of the fire code would require the creation of an office of Fire Marshal by the County Legislature. This office would have the authority to enforce the areawide code.

Implementation of the proposal to have the County provide centralized technical services could be achieved by a vote of the County Legislature to amend the County Charter. The amendment would authorize the County to perform those services. This action would not require a referendum provided that the authority to perform those services is not taken away from the local municipalities. In providing centralized technical services, the County would simply be offering each local municipality the option of dropping the specialized services from its own budget and participating in the County service program. However, each local municipality would still have the authority to perform the services if so desired.

Ambulance Services

I. Problem areas

The major problems found in the performance of ambulance service are:

(a) the lack of a formal County system of mutual aid; (b) commercial ambulance service is regulated, volunteer services are not, thus a variance in the quality of service, due to this lack of uniform regulation, training, etc.; (c) potential inequities in the receipt of ambulance service, both absolutely and qualitatively; and, (d) the lack of planning and coordination of ambulance services in the County.

Courts and Corrections

I. Problem areas

The major problems found in the performance of the courts and corrections function are: (a) gross inequities in the availability of city court services on a countywide basis, inequality of treatment in town justice courts, calendar congestion in town justice courts, and the deliberation of juries far into the night in town justice courts; and, (b) the inability to provide proper correction services in Monroe County currently due to lack of facilities, programs, etc.

II. GRIP Recommendations

A district court system should be established on a countywide basis, but with the option that towns may retain their justices if approved through referenda. Such programs as probation, weekend sentences, release time, and discharge probation should be conducted on a district basis in community centers.

GRIP endorsed the recommendations of the Monroe County Charter Commission on corrections and probation: "Consolidate the Adult and Family Court Probation Departments. A director appointed by the County Manager would oversee the operation of the department. The department would be responsible to the Commissioner of Human Services."⁴ "Create a Department of Correctional Services with a director appointed by the County Manager to manage the County jail and to provide for the care and custody of both sentenced and non-sentenced inmates in secure and non-secure facilities. The director would also be responsible for the planning and development of community-based correctional programs. The department would be responsible to the Commissioner of Human Services."⁵

A. Assignment of functional responsibilities

All functions and activities in the area of courts and corrections are to be the responsibility of the upper-tier, except in those instances where towns decide to retain their justices.

B. Implementation requirements

Establishment of a district court system would require state legislation specifically applicable to Monroe County under a home rule message. The creation of a County department of correctional services would also require state legislation, however, it is possible to eliminate the requirement for a mandatory referendum if the enabling act does not require it.

Traffic Safety and Engineering

I. Problem areas

The major problems found in the performance of the traffic safety and engineering function are: (a) towns and villages are in an inequitable position because they do not receive services for which they pay through their County tax bill; (b) town and village needs are not being met fully; and, (c) there is a lack of direct citizen involvement.

II. GRIP Recommendations

The County currently has responsibility for these services, however, they should be expanded on a more comprehensive and equitable basis to all jurisdictions.

A. Assignment of functional responsibilities

Traffic safety and engineering services are now a County responsibility. The planning and regulation of traffic controls should be shared between the two tiers. Planning for lighting and parking services should be shared also. It should be noted that street lighting and parking on local streets is the sole responsibility of the lower-tier units.

B. Implementation requirements

The County Department of Traffic Engineering presently has the authority to provide a comprehensive range of services to the City of Rochester and all towns and villages in Monroe County.

Consumer Affairs

I. Problem areas

The major problems found in the performance of the consumer affair function are: (a) the current approach to consumer affairs is fragmented, duplicative and overlapping; (b) the questionable effectiveness of consumer services; and, (c) little opportunity for citizen involvement in current consumer affairs services.

II. GRIP Recommendations

The County should have responsibility for coordinating both public and private activities in consumer affairs.

A. Assignment of functional responsibilities

1. Areawide

	Planning	Funding	Delivery	Regulation
complaint and education services		X		
protection and enforcement	X	X	X	X
information	X	X	X	X

2. Shared

complaint and education services	X		X	
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No distinct, exclusive role is suggested for local units. There would continue to be extensive private involvement in this function.

B. Implementation requirements

Improvement of the County-level consumer affairs function would require a strengthening of the Consumer Affairs Council by act of the County Legislature. There is a proposal pending before the County Legislature for the creation of a Department of Consumer Affairs.

PHYSICAL SERVICES

Environmental Management

I. Problem areas

The major problems found in the performance of the environmental management function are: (a) a lack of effectiveness by the Environmental Management Council; (b) the lack of and a need for coordination of environmental services at the County level; and, (c) the need for broadening citizen participation.

II. GRIP Recommendations

A system should be developed to insure coordination of local and areawide efforts for environmental management; this could be accomplished primarily by strengthening the existing Environmental Management Council, an intergovernmental body.

A. Assignment of functional responsibilities

1. Areawide - Funding, delivery and regulation of environmental health services should be a County responsibility. Sewage treatment and disposal should be funded, delivered and regulated by the County.

2. Shared - The upper and lower-tier units would share in the planning for all environmental services. In addition, a development review and environmental index, including an inventory of open space, would be prepared jointly by both tiers.

B. Implementation requirements

A strengthened role for the Environmental Management Council would require state legislation, since it was created by the State Legislature.

Water Supply and Distribution

I. Problem areas

The major problems found in the performance of the water function are:

(a) the current system is fragmented, inefficient and inequitable, while the demand for water is rising rapidly; (b) duplication of services is a major contributor to the high cost of water services; (c) little opportunity for citizen involvement; and, (d) a need for coordination between water services and land use planning.

II. GRIP Recommendations

The County government should have complete responsibility for all water supply and distribution. Planning for water services should be coordinated between the County and local planning agencies. The Monroe County Pure Waters Agency (an independent authority) should be abolished and its responsibilities transferred to the County. Citizen input into this function should be guaranteed through procedural requirements.

A. Assignment of functional responsibilities

1. Areawide - The County should have responsibility for funding and delivery of water supply, treatment and distribution services.

2. Shared - Planning for all aspects of water services should be shared between the upper and lower-tiers.

B. Implementation requirements

The County government has the authority to establish water districts within the County. These would be similar to the sewer districts now in existence. An area would have to petition the County government in order to be designated a water district, and that would be subject to a permissive referendum. Abolition of the Water Authority would require passage of state legislation. Prior to this, the State Legislature would require a Home Rule Message from the County Legislature requesting that such an action be taken. According to the law creating the

Water Authority, upon payment of its bonds, the County of Monroe becomes the owner of all Water Authority property. The County could then operate the system itself or lease back the property to the Authority to operate the system.

Transportation

I. Problem areas

The major problems found in the performance of the transportation function are: (a) lack of equity in the current system of planning and implementation of transportation services; (b) no hierarchy of transportation planning authority, and no clearly defined levels of responsibility; (c) planning is not comprehensive; and, (d) lack of a formal process for input from local governments and citizens in transportation planning and implementation.

II. GRIP Recommendations

A comprehensive planning mechanism should be established which would integrate transportation planning with other functional planning such as land use, environmental management, etc. In addition, a hierarchy of responsibility between local, areawide, regional, and state governments should be developed.

A. Assignment of functional responsibilities

The funding, delivery and regulation of air, rail and water transit should be the responsibility of County government (recognizing the roles of the federal and state governments); the planning of transportation services should be shared between the areawide and local levels.

B. Implementation requirements

Implementation of the above recommendation would require action on the part of the Regional Transportation Authority, the County of Monroe and all local levels of government. Because an Authority is involved, state legislation is required to change the status and role of the Transportation Authority.

Land Use

I. Problem areas

The major problems found in the performance of the land use function are: (a) questionable effectiveness of such land use services as planning, zoning, subdivision regulation and capital improvements programming for the County; (b) the current system permits indifferent, confused and irrational land use decisions; (c) land use decisions impact across jurisdictional lines, but there is no coordination among the jurisdictions or guarantee of proper performance of these services; (d) there are no clearly defined levels of responsibility for performing these services in Monroe County; and, (e) citizen involvement is high, but it is discontinuous, crisis-oriented and confused.

II. GRIP Recommendations

Land use planning for Monroe County should be an areawide responsibility, however, zoning regulations should remain a local function. Subdivision regulations and capital improvements programming should be local responsibilities, with assistance from the County level. In the land use functional area, there should be: (a) minimum performance standards for these services; (b) an integration of areawide and local plans, controls and projects; (c) coordination and centralization of certain staff activities; and, (d) a process for more meaningful citizen participation.

A. Assignment of functional responsibilities

1. Areawide

	Planning	Funding	Delivery	Regulation
countywide land use planning	X	X	X	X
local land use planning		X		
countywide subdivision regulations	X	X	X	X
local subdivision regulations	X	X	X	
countywide capital programming	X	X	X	X

The major problems found in the performance of the building and property conservation function are: (a) no meaningful effort to implement a housing code program in the City is directed at arresting deterioration of single family residences; (b) lack of adoption of building construction and property conservation

codes by towns and villages; (c) lack of manpower for inspection and enforcement of codes in the town and villages; (d) serious problems relating to ongoing existence of high quality building construction and property conservation services to all county residents; (e) lack of efficiency in the current manual system of recordkeeping; (f) lack of training for suburban code inspectors; and, (g) lack of productive and ongoing citizen participation into these services at the local level.

II. GRIP Recommendations

Responsibility for the major function of buildings and property conservations should be centralized at the countywide level.

A. Assignment of functional responsibilities

1. Areawide

	Planning	Funding	Delivery	Regulation
permit issuing services	X	X		X
buildings record services	X	X	X	X
inspection & enforcement		X	X	X

2. Local

permit issuing services			X	
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3. Shared

code inspection and enforcement	X			
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B. Implementation requirements

The recommendation to centralize the building and property conservation function at the County level could be achieved through passage of state legislation amending the General Municipal Law to permit counties to undertake this function. Another means of implementation could be the passage of a specific act of the State Legislature to give the authority for this function to Monroe County. Although the function would be a County level responsibility, options could be created which would provide for the local performance of inspection and enforcement activities.

Highways and Bridges

I. Problem areas

The major problems found in the performance of the highways and bridges function are: (a) the current system is overly complex and coordination is informal; (b) no formal mechanism exists for neighborhood input; (c) there are equity problems concerning highways and bridges services for City and Village residents; (d) the roles and responsibilities of jurisdictions need to be clarified and formalized; and, (e) the need for better coordination of planning for these services.

II. GRIP Recommendations

There should be a classification of the roads in Monroe County, which could then form the basis of determining levels of responsibility for services and aid in reconciling the inequities which exist in the current funding of these services. In addition, the current ad hoc relationships between the various jurisdictions should be formalized to provide better coordination and planning.

A. Assignment of functional responsibilities

1. Areawide

Planning Funding Delivery Regulation

construction, reconstruction & maintenance-county roads

X

X

snow and ice control-county roads

X

X

2. Local

construction, reconstruction & maintenance-local roads

X

X

X

snow and ice control-county roads

X

snow and ice control-local roads

X

X

X

X

Assignment of functional responsibilities (continued)

3. Shared

The planning for all highways and bridges services would be shared, except for snow and ice control for local roads.

B. Implementation requirements

Implementation of the above recommendations would require action from all levels of government (from the state down) through intermunicipal agreement.

HUMAN SERVICES

Public and Mental Health

I. Problem areas

The major problems found in the performance of the public and mental health functions are: (a) while citizen participation has been partially achieved in the provision of these services, there is a need to increase formal input channels for citizens and from locally elected officials; (b) citizen access to mental and public health services needs to be increased; and, (c) there is a lack of formal comprehensive planning for these services.

II. GRIP Recommendations

Public and mental health services should continue to be responsibility of the County government, but with decentralized delivery of these services through neighborhood centers. A countywide comprehensive planning and evaluation process should be established for the delivery of public and mental health services. Formal mechanisms for citizen input into these services should be established at all levels of government.

A. Assignment of functional responsibilities

Public and mental health services are currently a centralized, county-wide responsibility and would continue to be under the GRIP recommendations. These functions should be delivered on an integrated and decentralized basis through "County Service Districts." While responsibility is totally areawide, there is a need for local input into the planning and delivery process for certain services, however, this local role is not necessarily that of local government. Certain services would be delivered on a decentralized basis through contracts with private agencies.

B. Implementation requirements

Since the responsibility already lies with the County, a program

for decentralized service delivery could be established administratively, however, it would require funding and approval of the County legislature. There may be restraints in the design of the decentralized system imposed by federal and state funding requirements.

Social Services

I. Problem areas

The major problems found in the performance of the social services function are the lack of comprehensive planning, the fragmentation and duplication of services, the lack of formal channels for input from citizens and elected officials, and the lack of citizen access to services because of their centralized delivery.

II. GRIP Recommendations

Social services should continue to be the responsibility of the County, but with decentralized delivery of these services through neighborhood centers. A countywide comprehensive planning and evaluation process for the delivery of social services should be developed. There should be formal mechanisms for citizen input at all levels of government. The functions of social services and public and mental health should be coordinated closely, or consolidated to provide comprehensive human services.

A. Assignment of functional responsibilities

Public and mental health services are currently a centralized countywide responsibility and should continue to be. The assignments suggested for the public and mental health functions are identical to those suggested for social services (see the public and mental health section).

B. Implementation requirements

Same as for public and mental health.

The upper and lower-tier units should share in the planning for arts, cultural and recreational services. The County government should play the dominant

role in planning of physical facilities and programs for the area as a whole, with the local units dominant in facility and program planning on a community basis.

B. Implementation requirements

The recommendation for the County to provide arts and cultural services can be implemented through a vote of the County Legislature, amending the County Charter authorizing the County to perform this function.

This action would not require a referendum provided that the authority to perform those services is not taken away from the local municipalities. In providing centralized facilities and technical services, the County would simply be offering each local municipality the option of dropping the specialized services from its own budget and participating in the County Service program. However, each local municipality would still have the authority to perform the services if so desired.

The recommendation for authorizing the County to provide certain recreational services could be implemented by passage of a local law by the County Legislature.

Library Services

The Monroe County library system currently operates through a federated, two-tier model. The central library provides technical assistance to the local, member libraries including coordinating, advisory, public relations, and planning services. The member libraries provide the direct services to the public. Citizen involvement in the library function is established also on a two-tier model, with local and areawide library boards. GRIP recommends a continuation of the current library system.

Housing

I. Problem areas

The major problems found in the performance of the housing function are:

(a) housing needs have not been met in Monroe County, thus creating a serious housing shortage (this is especially true in the towns and villages in relation to low and moderate income housing); (b) local government's response to housing needs has been fragmented, ineffective and inadequate; and (c) citizen participation in the housing function has been crisis-oriented.

II. GRIP Recommendations

The County should be responsible for comprehensive planning and programming in the housing area. This process should be established with formal channels for citizen input. The housing needs of the County should be approached through an areawide, coordinated, intergovernmental process.

A. Assignment of functional responsibilities

1. Areawide

The County should provide funding for the production, in the broadest sense, of housing; it should regulate services related to the maintenance of existing housing; and should plan, fund, deliver and regulate housing placement services.

2. Shared

Both tiers should share in the planning, delivery and regulation of housing production, and should share in the planning for housing maintenance services.

B. Implementation requirements

The New York State Constitution severely limits the involvement of counties in the housing function. The County may plan for housing as part of its general planning process; such plans, however, cannot be binding on local jurisdictions.

Table 1

List of Functions Assigned To The
Task Forces

I. Task Force on Human Services

Mental Health

mental health programs
narcotic guidance council

Public Health

medical examiner
county health dept. programs
medical assistance programs
county laboratory
neighborhood health clinics
hospital inspections
environmental health & sanitation
food inspection
immunization, quarantine
vital statistics
maternal and child care
air pollution programs
rodent control

Social Services

children's rehabilitation facilities
veterans' service agencies
public welfare
food-on-the-table programs
senior citizens

Community Services

community services
Model Cities
cultural activities--museum,
planetarium
libraries
animal control

Housing

Rochester Housing Authority
urban renewal
Urban Development Corporation

II. Task Force on Physical Services

Public Works

refuse collection, disposal
forestry
construction, maintenance, repair
of streets
municipal property maintenance
engineering

Public Works (continued)

street lighting
water - purification, distribution,
billing, maintenance of facilities
street cleaning
maintenance - roads and bridges
cemeteries

Sanitation, Drainage

pure waters
sewage, collection, treatment, disposal

Parks, Recreation

recreation programs - senior citizen,
adult, children
maintenance park, recreation facilities
zoo
War Memorial
stadium

Building, Property Conservation

code compliance
inspection
demolitions

Transportation

airport
municipal parking
regional transportation
port authority

Planning

land use - redevelopment, rehabilitation
capital programs
zoning
Genessee Regional Transportation
Authority

Environmental Management

pollution control

III. Task Force on Public Safety

Police

- patrols
- records and files
- communications
- criminal investigations
- identification
- laboratory services
- property management/maintenance

Civil Defense

Mutual Aid Fire, Police and Ambulance

Weights and Measures

Consumer Protection Services

Fire

- fire regulations
- inspection
- investigations
- communications
- operation, maintenance fire
- fighting equipment
- inspection of motor vehicle
- supply stations

Judicial

- County Court
- City Court
- Town and Village Courts
- Incompetency Referees
- Family Court
- Surrogate Court
- Commissioner of Jurors
- District Attorney
- Legal Services
- Public Defender
- Public Administrator
- Grand Jury

Detention/Correction

- jail
- penitentiary
- probation
- parole
- rehabilitation

Crime Control

- planning, preparing, administering and
- evaluating projects funded under the
- Safe Streets Act.

Traffic Safety

- traffic regulations
- traffic engineering
- traffic control

Functions Assigned to Lower-tier Units
Rochester/Monroe County, N.Y.

	<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
<u>Ambulance Services</u>				
Service - Private	X	X	X	
Volunteer	X	X	X	
<u>Fire Protection</u>				
Fire Suppression	X	X	X	
Mutual Aids	X	X	X	
<u>Police Services</u>				
Patrol-local	X	X	X	X
<u>Library</u>				
Book & Material Lending	X	X	X	X
Reference Library	X	X	X	X
<u>Recreation - Local</u>				
Physical Facilities		X	X	X
Programming		X	X	
<u>Highways & Bridges - Local Streets</u>				
Construction/Reconstruction		X	X	X
Maintenance		X	X	X
Snow & Ice Control	X	X	X	X
Lighting		X	X	X
Parking		X	X	X
<u>Solid Waste</u>				
Collection		X	X	
<u>Building & Property Conservation</u>				
Permit issuing			X	
<u>Land Use</u>				
Zoning		X	X	
Capital Programming - Local	X			

Table 3

Shared Functions
Rochester/Monroe County, N.Y.

	<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
<u>Ambulance Services</u>				
Communication-volunteer		X	X	
Training - Volunteer		X	X	
<u>Fire Protection</u>				
Fire prevention code	X			
Fire code enforcement			X	
Fire code inspection			X	
Fire code education			X	
Records & analysis			X	
Communication			X	
Training	X	X	X	
Equipment purchase	X	X	X	
Maintenance & storage	X	X	X	
Mutual aids-standards	X			
Facilities	X	X	X	
<u>Police Services</u>				
Patrol - areawide	X	X		
Technical services	X			
<u>Consumer Affairs</u>				
Complaints	X		X	
Education	X		X	
<u>Library</u>				
Interlibrary loan			X	
<u>Arts, Cultural, Recreational</u>				
Physical facilities - areawide	X			
- local	X			
Programming - areawide	X			
- local	X			
<u>Transportation</u>				
Air	X			
Water	X			
Rail	X			
<u>Highways & Bridges</u>				
Construction/reconstruction				
county roads	X		X	
local roads	X			
Maintenance				
county roads	X		X	
local roads	X			

Shared Functions

	<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
Snow & ice control				
county roads	X			
Lighting				
county roads	X			
local roads	X			
Parking				
county roads	X			
local roads	X			
<u>Traffic Safety & Engineering</u>				
Traffic control (all roads)	X			X
Traffic studies (all roads)	X			
<u>Environmental Management</u>				
Development review	X	X	X	
Sewage treatment & disposal	X			
Environmental index	X	X	X	
<u>Solid Waste</u>				
Collection	X			X
Disposal	X			X
<u>Water Service</u>				
Supply and treatment	X			
Distribution	X			
<u>Land Use</u>				
Planning - local	X		X	X
Zoning - local	X			X
Subdivision regulation-local				X
Capital programming-local		X	X	X
<u>Building & Property Conservation</u>				
Code inspections	X			
Code enforcement	X			
<u>Housing</u>				
Production	X		X	X
Maintenance	X			

Table 4

Functions Assigned to Upper-tier
Rochester/Monroe County, N.Y.

	<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
<u>Ambulance Services</u>				
Service - Private				X
- Volunteer				X
Communication - Private	X	X	X	
- Volunteer	X	X	X	
Planning/Coordination				
- Private		X	X	
- Volunteer		X	X	
Training - Private	X			
- Volunteer	X			X
<u>Fire Protection</u>				
Fire prevention code		X	X	
Fire code enforcement	X	X		
Fire code inspection	X	X		
Fire code education	X	X		
Records & Analysis	X	X		
Communication	X	X		
Dispatching	X	X	X	
Arson investigation	X	X	X	
Special equipment	X	X	X	
Mutual aids-standards		X	X	
<u>Police Services</u>				
Patrol - areawide			X ¹	X
Technical services		X	X	X
<u>Consumer Affairs</u>				
Complaints		X		X ²
Protection/enforcement	X	X	X	X
Information	X	X	X	X
Education		X ²		X
<u>Library</u>				
Ordering, cataloguing	X	X	X	X
Interlibrary loan service	X	X		X
<u>Arts, Cultural, Recreational</u>				
Physical facilities - areawide		X	X	X
Programming - areawide		X	X	

1 areawide responsibility with decentralized delivery by district

2 private involvement

Functions Assigned to Upper-tier

	<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
<u>Public Health Services</u>				
Clinics	X	X	X	X
Nursing	X	X	X	X
Vital statistics	X	X	X	X
Laboratory	X	X	X	X
Medical examiner	X	X	X	X
Placement & service review (medical & chronic care)	X	X	X	X
<u>Mental Health Services</u>				
Court clinic	X	X	X	X
Alcohol treatment center	X	X	X	X
Drug abuse	X	X	X	X
Contractual services	X	X	X	X
<u>Social Services</u>				
Basic assistance	X	X	X	X
Medical assistance	X	X	X	X
Food stamps	X	X	X	X
Child care	X	X	X	X
Protective services	X	X	X	X
Counseling services	X	X	X	X
Records	X	X	X	X
<u>Buildings & Property Conservation</u>				
Permit issuing	X	X		X
Records	X	X	X	X
Inspections	X	X	X	X
Enforcement		X	X	X
<u>Housing</u>				
Production		X		
Maintenance				X
Placement	X	X	X	X
<u>Land Use</u>				
Planning - county	X	X	X	X
Subdivision regulation-county	X	X	X	X
Capital programming-county	X	X	X	X
<u>Transportation</u>				
Air		X	X	X
Rail		X	X	X
Water		X	X	X
<u>Highways & Bridges-County Roads</u>				
Construction/reconstruction		X		X
Maintenance		X		X
Snow & Ice control		X		X
Lighting		X	X	X
Parking		X	X	X

Functions Assigned to Upper-tier

	<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
<u>Traffic Safety & Engineering</u>				
Traffic control (all roads)		X	X	
Traffic studies (all roads)		X	X	X
Engineering design	X	X	X	X
<u>Environmental Management</u>				
Environmental health	X	X	X	X
Sewage treatment & disposal		X	X	X
<u>Solid Waste</u>				
Disposal		X	X	
<u>Water Services</u>				
Supply and treatment		X	X	
Distribution		X	X	

Table 5

SHARED SERVICES RESPONSIBILITY MATRIX

Shared Services with Arewide Dominance

<u>Recommended Responsibility</u>		<u>Local Role</u>			
		<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
	1. <u>Traffic Safety & Engineering</u>				
PR	Traffic control services	4,5,8	-	-	4
P	Traffic studies	4,5,8	-	-	-
P	Lighting on area roads	4,5,8	-	-	-
P	Parking on area roads	4,5,8	-	-	-
	Note: There is local dominance in lighting and parking for local streets where county role is 5,6,9				
	2. <u>Ambulance Services</u>				
FD	Communication	-	-	-	-
FD	Training	-	-	-	-
	3. <u>Fire Services</u>				
P	Fire prevention code and mutual aid standards	4,5,6,8	-	-	-
D	Code enforcement, inspection, education, records, communications	-	-	-	-
F	Training	8			
F	Equipment purchase & maintenance	3,5,6,8			-
	4. <u>Police Services</u>				
PF	Area patrol	4,5,6,8	-	-	-
P	Technical services	4,5,6,8	-	-	-
	5. <u>Consumer Affairs</u>				
PD	Complaints & education	4,5,6,8	-	-	-

SHARED SERVICES RESPONSIBILITY MATRIX

Shared Services with Areawide Dominance (Cont.)

<u>Recommended Responsibility</u>	<u>Local Role</u>			
	<u>Planning</u>	<u>Funding</u>	<u>Delivery</u>	<u>Regulation</u>
6. <u>Arts, Culture, Recreation</u>				
P Arts, culture, recreation	2,4,5,6,8	-	-	-
7. <u>Housing</u>				
PR Production (Provision of Housing)	3,4,5,8	-	-	4,5,6
Maintenance	4,5,6	-	-	-
When local unit assumes its responsibility it is dominant and roles are reversed.				
8. <u>Water Services</u>				
P Supply and treatment	4	-	-	-
P Distribution	2,4,6,8	-	-	-
9. <u>Building and Property Conservation</u>				
P Inspection and enforcement	4,5,6,8	-	-	-
10. <u>Transportation</u>				
P Air, water, rail transit	2,4,5,6,8	-	-	-
Where community is directly affected by plans.				
11. <u>Highways and Bridges</u>				
P All services except snow and ice control	4,5,8	-	-	-
D Construction, maintenance	-	-	-	-
12. <u>Environmental Management</u>				
P Development review	4,5,8	-	-	-
P Sewage treatment and disposal	4,5	-	-	-
P Environmental index (inventory - open space)	4,5,8	-	-	-

SHARED SERVICES RESPONSIBILITY MATRIX

Shared Services with Areawide Dominance (Cont.)

Recommended Responsibility		Local Role			
		Planning	Funding	Delivery	Regulation
	13. <u>Solid Waste</u>				
PR	Disposal	3,4,5,8	-	-	4,5,8
R	Collection	-	-	-	4,5,8
	Local dominance in planning of collection services -- area role is reversed.				
	14. <u>Land Use</u>				
PDR	Planning local	4,5,8	-	-	4,5,8
R	Subdivision	-	-	-	4,5,8
	Local dominance in local zoning & capital programming.				

KEY to Letters and Numbers Used:

- | | |
|----------------|---|
| P - Planning | 1. Absolute veto |
| F - Funding | 2. Veto, subject to over-ride by county legislature |
| D - Delivery | 3. Delay action for a specified period |
| R - Regulation | 4. Review and comment |
| | 5. Advise |
| | 6. Evaluate and recommend |
| | 7. Appeal to a higher level |
| | 8. Propose |

Report of the Upper-Tier Task Force

The overall purpose of the upper-tier task force was to design an organizational structure for the proposed areawide (or upper-tier) unit to optimize the delivery of the areawide functions and realize the goals outlined during Phase I of the GRIP project. The task force was to design: (a) the structure and the administrative organization for the upper-tier, including outlining functions/sub-functions which are areawide responsibilities, determining the executive and legislative structure, and determining the functional administrative organization; (b) mechanisms for the decentralized and integrated delivery of appropriate areawide services; (c) mechanisms/standards for citizen participation at the areawide level; and, (d) mechanisms/procedures for establishing relationships and linkages between the upper and lower-tiers. While these work elements did not received equal treatment, all were addressed by the task force.

The following points were analyzed as background for the various work sessions of the task force: (a) functions and sub-functions proposed for the upper-tier; (b) status of current performance of proposed upper-tier functions and sub-functions; (c) status of proposed functions in relation to the charter proposed by the Monroe County Charter Study Commission (CSC); (d) action required to implement upper-tier recommendations; (e) estimate of any major impact a proposed function might have on upper-tier funding; (f) desirability of regional or state assumption of proposed upper-tier functions; and, (g) assignment of appropriate forms of citizen participation for proposed functions or sub-functions.

Upper-tier design criteria

In the first phase of the GRIP project, various functions and sub-functions were assigned to the upper-tier unit. These functions formed the basis around which the organizational structure of the upper-tier unit was designed in the second phase. In a two-tier system both the upper and lower-tier units of

government should efficiently and effectively deliver services on an equitable basis with a maximum level of responsible citizen participation. Within the context of a two-tier government and the assigned functions designated in the first phase of the project, a series of goals and objectives were kept in mind in the design of the upper-tier government.

The upper-tier government should have: legal authority to plan, fund, regulate, administer, and determine the level and location of services; authority to select the most suitable administrative structure through home rule or optional forms; authority to contract for services; authority to participate in shared or delegated powers with other governments; adequate area, population, and fiscal base; adequate mix of service responsibilities; and, flexibility of structure and services modes to deliver different levels of service desired (special or urban service districts).

The jurisdictional boundaries of the upper-tier government should contain the primary service area for its assigned functions and reflect major social and economic patterns: major physical boundaries such as lakes, rivers, and drainage basins; social and economic associations and interaction; historic or political associations; transportation or communication links--local newspapers, post office, bus stops; and, legal and administrative realities.

The upper-tier governmental structure and procedures should maximize responsible citizen participation in local governmental affairs and policy decision-making. It should possess: a legislative body representative of various groups or local needs based on one-man, one-vote representation; linkages for citizen input into administrative processes affecting the delivery of services, through advisory committees, citizen complaint processes, etc.; and, provision for a local voice in the formulation of areawide policies and programs having an impact on local communities, e.g. hearings, advisory reviews, veto powers, etc.

The upper-tier government should provide and support public services on a fair and equitable basis to insure uniform availability and access to general governmental services as needed, fair distribution of taxes and charges for community-wide and special district services, and equitable representation and employment of minority group members.

In addition, the upper-tier government should have: effective governmental organization with professional and technical management capabilities; adequate fiscal base to provide support for the necessary level of manpower, equipment, and facilities; authority to raise taxes and revenues most suited to the support of services rendered; proper-sized service districts and service mix to allow for the efficient delivery of services; flexibility of service districts, delivery modes, and contractual arrangements to permit delivery of services as desired in the most efficient manner; and, relationships with lower-tier units which are complementary to the purposes and objectives of each level.

Other design guidelines

The design of an upper-tier model was conditioned not only by the assigned functions and general goals and objectives discussed above, but also by the original scope and goals of the GRIP-NAPA Project, legal constraints within New York State, and recommendations of the Monroe County Charter Study Commission.

It should be kept in mind that this two-tier government project started with the assumption that Monroe County would serve as the basic area for the upper-tier unit. The County, as it currently exists, does in fact meet the general criteria for an upper-tier unit of government. This project was not intended to get into questions of urban area, metropolitan or regional definition and viability.

Because the project was concerned with developing a plan which could be implemented, the legal, and particularly constitutional, provisions constraining

local government reforms in New York State established limits for the design of an upper-tier unit of government. Basically, these limits made it difficult to consider an upper-tier unit that was not based on an existing county.

Monroe County represents a well-defined metropolitan nucleus that falls within the Census Bureau definition of a larger metropolitan area and the still larger (state defined) planning and development region. It is also notable that the Census Bureau defined the "urbanized area" in this region as wholly contained within Monroe County.

The burden for designing an upper-tier unit was significantly reduced by the work of the Monroe County Charter Study Commission. The Commission's report, A Plan for Better Government in Monroe County (1974), provided a broad foundation for the design of the upper-tier.

Executive and legislative structure

Design of the executive and legislative structure included analysis of the appointed administrator-council (or county manager plan) and the elected executive plan, of the composition of the legislative body and term of office for legislators, and of the term of the executive. The basic structure of the upper-tier government was evaluated against the criteria of accountability to the electorate, executive-legislative balance, and professional administration. Most of the recommendations of the Charter Commission were endorsed by GRIP. The analysis which follows borrows heavily from their report.

The county manager plan has the following strengths: the manager tends to be a professional administrator; there can be a positive working relationship with the legislature; policy is determined by the legislature; there is a balanced distribution of power between the executive and legislative branches; administration is less political; and, the manager is very responsive to the legislature. The manager plan also has several recognized weaknesses which include the absence of a single, elected leader for the county, a diffusion

of public responsibility and accountability, and conflicting responsibilities and loyalties for administrative personnel between the executive and legislature.

The elected executive plan has the following strengths: direct accountability to the voters; he serves as a focal point for countywide issues and policy leadership; and he can have increased influence with state and federal governments since one voice speaks for the entire county. The elected executive plan has the following weaknesses: potential erosion of the legislature's power; a concentration of power in one person; a potential adversary climate between the executive and legislature; less likelihood of professional government; and less guarantee that legislative policy will be implemented.

The Monroe County Charter Study Commission has reviewed the general performance of the County legislature. Commission staff noted that: "The form and makeup of the legislative body appears to be satisfactory and well established... There appears to be no real necessity at the present time... to suggest further reorganization."⁶ While the Commission made several recommendations intended to improve the investigatory and policy-making roles of the legislature, it suggested no basic changes in legislative structures and selection of members.⁷ Since its creation in 1965, the County Legislature has functioned progressively. Numerous new areawide responsibilities have been added to the County's basic charter and a variety of problems have been addressed. The twenty-nine legislative districts provided adequate sectional representation without overwhelming the legislative process with parochial concerns.

The question of the term of legislators presents a special problem. Dissatisfaction over the current length of the terms (two years) has been a long-standing issue. The Monroe County Charter Study Commission recommended that the two-year term be retained, based primarily on the need for immediate accountability. The Commission also outlined several other reasons in favor of the two-year term: many legislators serve two or more two-year terms and thus have a chance to gain

needed experience and perspective; high mobility of population suggests the need for frequent elections if the district system is to be truly representatives; under an appointed manager plan, the legislature, as the appointing body, should be held accountable more frequently.⁸

The strengths of a four-year term are that more time is available to develop and implement policies and programs, legislators can be more informed on issues, with more time to study them, and higher quality people might be attracted to run for the office. The single weakness of this term is that legislators may lose contact with their constituents.

The strengths of the two-year term are greater accountability to the people with legislators running every two years, and that attention is focused on county problems more frequently. Weaknesses include loss of time for policy making because of the need to campaign, and insufficient time to learn the job of legislator.

As in the case of the legislature, the type of executive should follow the selection of a basic plan for government. It is possible to discuss the term of the County Manager, insofar as the manager plan is ongoing. The length of the Manager's term is an issue within the Rochester community. The Monroe County Charter Study Commission has recommended that the Manager's term be changed from a four-year to a two-year term to coincide with the term of the County Legislature. The Commission's rationale is twofold; it would ensure that the County Manager be responsive to the County Legislature, and allow the County Legislature to be responsive to the public in terms of county administration, i.e., when a new legislature is selected it could select a new manager.⁹ The Commission has also recommended that the Manager be subject to removal at any time during the legislative term by a two-thirds vote of the legislature. The operative principles to be stressed here are that the Manager's selection should coincide with the legislative term and that the Manager should

serve at the pleasure of the Legislature.

Upper-tier administrative organization

GRIP's analysis of upper-tier structure considered in detail the fitting of the first phase functional recommendations into a structural design. In its study of the upper-tier, GRIP focused on the "functional organization scheme" of the Monroe County Charter Study Commission. It was decided that the Commission's structural administrative framework was supportive of the functional analysis of the GRIP first phase.

The Commission specifically addressed itself to the need for an overall framework for County government. Following the lead of other local studies and studies elsewhere in the state and nation, the Commission proposed a "functional organization scheme" for the County. Its plan was intended to: (a) improve the planning, evaluation, and integration of services; (b) increase administrative accountability and supervision; (c) provide a stronger organizational basis for the development of functional program plans and a county comprehensive plan; (d) simplify lines of communication within County government by establishing agency groupings in appropriate functional categories and consolidating certain agencies; (e) increase the relevance and significance of various boards and commissions; and, (f) strengthen the internal cohesiveness of the County.¹⁰

The panel's preliminary analysis of administrative organization indicated that none of the proposed upper-tier functions conflicted directly with the revised charter, or the general recommendations proposed by the Monroe County Charter Study Commission. In the case of a few functions (such as housing production/maintenance), state authority would be required before the charter could be revised. In the few cases where the Charter Study Commission has dealt with such issues, its recommendations do not appear to be in conflict with any of the upper-tier functional proposals of GRIP. Even in those areas where the Commission has made no substantive recommendations on points covered by GRIP, it appears that

the Commission's proposed organizational structure could accommodate the assigned functions and general goals of the upper-tier.

Upper-tier services to lower-tier units

While not directly addressed during GRIP's Phase one work, there is a high potential for the upper-tier to provide various management services to the lower-tier units. Indeed, Monroe County has been playing this role in civil service, purchasing, and other fields for many years. Such services should be expanded in order to ensure a higher and more even quality of management services throughout the County.

In addition to the traditional civil service function of the County and the more limited offering of purchasing, real property, tax services, planning services, and the like, the upper-tier unit should be concerned with providing a variety of management services to interested lower-tier units. The assigned functions of the upper-tier unit already reflect some of this concern. More attention should be paid to provision by the County of legal services, budget/financial analysis, data processing, and personnel administration.

Decentralization of areawide services

The decentralized and integrated delivery of certain areawide services is a basic issue facing the design of an upper-tier unit. This issue concerns both the selection and grouping (integration) of appropriate services for decentralized delivery and the design of delivery mechanisms.

The selection of areawide services for decentralization should be based on the extent to which they are personal services intended for the general public or for widely (evenly) distributed segments of the public. As used here, "personal services" refers to those types of service about which a decision can be made as to whether the service should be decentralized or centralized. Such services are provided as part of most of the assigned functions in the human, public safety, and physical services areas. Complaint mechanisms, communications,

nursing, and medical diagnosis are examples of such services.

In its functional reorganization scheme, the County Charter Commission has provided a means for grouping or integrating services for decentralization. Generally speaking, it is reasonable to assume that, if decentralized, all human services should be grouped as should a number public safety and physical services. For example, if a decision were to be made to provide for decentralized mechanisms for bill payment and complaints for water services and sewer services, such activities should be treated as a single service in the design of the actual method of decentralization.

Any mechanism for decentralization should be designed to maximize citizen access and participation. To accomplish this, the lower-tier units should be used as building blocks for service district boundaries. Thus, an upper-tier service district could include several lower-tier units, or an area within a lower-tier unit, but it should not cut through lower-tier units in a way which would combine pieces of the lower-tier.

The intent behind establishing decentralized delivery districts would be to: improve communication and recommendations with regard to the performance of public services within community areas; allow citizens increased access to the planning, budgeting, programming and legislative processes of government; decrease the alienation of citizens from government; improve the integrated delivery and quality of county services; and, increase the accountability of county officials for their performance. County Service Districts were designed for the centralization of administration and planning and the decentralized delivery of certain areawide services. Important considerations in their design include: designation of geographic, jurisdictional boundaries appropriate for establishing County Service Districts (CSD); identification of necessary structural interrelationships (administrative and legislative) at the County level; and, the incorporation of formal mechanisms for citizen participation.

The boundaries of CSD should be based on individual area characteristics and service needs. County Service Districts should use existing lower-tier units as "building blocks" and could include several lower-tier units or areas within a large lower-tier unit.

Criteria for the establishment of a CSD would include: determination of the specific service needs for decentralized delivery under the three functional categories (public safety, physical, and human services); natural and man-made physical dividers (e.g., lakes, rivers, bays, canals, railroads, expressways, and large contiguous areas of non-residential land use); primary social, economic, political or historical associations (e.g., schools, social or ethnic groups, village centers, neighborhood shopping areas or assembly points, libraries, churches, town halls, fire companies, etc.); transportation or communication links (e.g., transit services, newspapers, post offices, neighborhood and collector streets, etc.); common service districts and facilities (e.g., elementary schools, libraries, recreation, fire protection, sewers sidewalks, and other neighborhood type services).

Specific County Administrative Councils and County Legislative Committees, corresponding to the three functional categories, would have to be established prior to the design of citizen advisory boards. Citizen representation on county level advisory boards would be built into the CSD design. Each CSD should have a citizen board comprised of residents of the area.

County Service District Board representatives should be appointed by the lower-tier units of government (town boards, city council) based on recommendations of community and neighborhood council districts and neighborhood associations. Each County Service District Citizen Board should consist of seven or more representatives. Each County Service District Citizen Board should have representatives serving on County legislative advisory committees and administrative service councils; each County Service District Citizen Board should have

guaranteed access to County staff support services, by fact of their representation on County legislative advisory committees and administrative service councils; and, Representatives on County Service District Boards should serve three year, staggered terms.

Each Citizen Board would be organized into three functional subcommittees, corresponding to the three functional categories of public safety services, human services, and physical services.

The major advisory responsibilities of the citizen boards would include: identifying community needs for services within each functional category; participation in setting service priorities within each functional area; evaluation of the services delivered; and, participation in designing service delivery programs for each functional area.

Citizen participation

The design of structured channels and mechanisms for citizen participation is a basic goal of the upper-tier unit. A system of citizen advisory boards, with input to the administrative and legislative branches of County government, is one formal vehicle for citizen participation. In addition to advisory boards, there are other means of encouraging citizen participation, such as, developing uniform complaint procedures, holding well organized, regularly scheduled public hearings on issues of community concern, and making key policy making committee meetings open to the public.

It should be observed that the twenty-nine member County Legislature provides a fairly substantial basis for direct citizen involvement in the chief policy body. The district system with relatively small districts (20,000 to 40,000) should provide significant opportunities for citizen participation. (Also see comments on citizen participation in the lower-tier section.)

Fiscal issues

Fiscal considerations are reviewed in more detail in the finance section.

However, the proposed functions for the upper-tier would not have a dramatic impact on funding requirements in terms of increases or decreases in overall government expenditures. Indeed, if the upper-tier is designed carefully, the impact of funding requirements should be controllable, and should meet desired objectives. The greatest fiscal impacts resulting from the functions assigned to the upper-tier may be expected in proposed water services and police services. Several other proposed service assignments may also be expected to have significant cost impact; for example, land use, transportation, buildings and property conservation, housing, and fire protection. In most cases, a rough dollar estimate of the impact of proposed functions would require more definition and description of the proposed functional responsibilities and desired service levels.

Recommendations

The County government should be organized along functional lines, with departments grouped into functional categories (e.g., public safety services, human services, and physical services). In recommending a functional organization for the County government, GRIP endorsed the Monroe County Charter Study Commission recommendations.

There should continue to be an appointed county manager form of government. The County Legislature should continue to have 29 members; however, legislators should have a four year term instead of the present two year term.

The upper-tier task force recommended the creation of County Service Districts, a concept also proposed by the Monroe County Charter Study Commission.

Report Of The Lower-Tier Task Force

Background

The lower-tier task force was assigned responsibility for designing at least two alternative models for a local or lower-tier unit of government within the two-tier system. The proposed models had to be capable of performing the functional responsibilities assigned to the lower-tier unit, and meeting the goals and objectives established by GRIP.

In designing these models, the task force was subject to three main constraints adopted by the panel: to avoid the design of a model which, for implementation, would require any change in the New York State Constitution or extensive special legislation by the New York Legislature; to design at least one model which required no change in the present governmental structures and jurisdictions within Monroe County; and, to design both models as general purpose local governments.

There were several reasons for designing the lower-tier models as general purpose governments rather than as special districts (single or multi-purpose), public authorities, etc. First, the home rule powers of general purpose, local governments in New York State permit substantial authority and flexibility in governmental structure and administrative processes. Second, the panel philosophically, was strongly in favor of citizen control and access to local government, which is more difficult to achieve with special districts and public authorities. Third, there are traditional fiscal powers available to local governments which are important to the preservation of their autonomy.

Lower-tier work program

In fulfilling its responsibilities, the lower-tier task force studied other models and processes of governmental decentralization. Also, the task force utilized the numerous local government studies of Monroe County prepared by the Research Center over a 50 year period.

First, the framework of local government was reviewed in relation to several criteria including: (a) proximity to the City, (b) gross and per capita expenditures for services rendered, (c) population (as estimated by Monroe County Planning Department), (d) population density, (e) numerical growth over the last twenty years, (f) land use (percent developed by usage), (g) full valuation per capita, and, (h) median family income. This data was utilized to classify the existing local units: city, urban town, suburban towns and villages, rural towns and villages. In addition, a functional analysis was included (e.g.; types of services rendered by local government were classified) so that the characteristics and minimum levels of services to be provided on an areawide basis could be understood. This analysis was also used to identify those services which would likely be provided with greater intensity in the urbanized areas of Monroe County. Finally, the analysis included a detailed summary of problems, service needs, and inequities which had to be reconciled.

Second, the task force analyzed factors relating to neighborhood and community identification. Viable and potentially viable communities were identified and mapped based on the consideration of: (a) physical barriers (rivers, drainageways, highways, major business districts, open space, etc.); (b) transportation networks and facilities; (c) demographic data; (d) centroid or major cluster points; (e) voter participation; (f) population; and, (g) other political and social linkages. Through this analysis, reasonable approximations of community boundaries within Monroe County were determined. Fiscal capacity was not a consideration in the identification of communities, although the adequacy of the communities' fiscal bases were analyzed later to determine upper-tier finance policies.

The recommendations of phase one of the project were then organized and refined relevant to: (a) the direct responsibilities of the lower-tier as a general purpose unit of government; (b) the concept of the lower-tier as a

basic building block in the administration of areawide services; and, (c) the goals of establishing neighborhood and areawide government. Standards for efficient and effective service delivery were identified and utilized for the assignment of responsibilities, the federation of areawide administrative districts, and the assessment of lower-tier fiscal capacity. The analysis was sensitive to current and projected population and development growth.

Lower-tier design criteria

The lower-tier units were to have the capability, as general purpose local governments, to perform the assigned functional responsibilities by themselves, in conjunction with other jurisdictions, or as agents of other local governments--especially the County. In addition to this major goal, more specific objectives were developed by the task force in an effort to evaluate the proposed models of lower-tier government.

The following goals represent major target areas with specific objectives. The lower-tier should have the legal authority to render those assigned services and responsibilities which concern a community or neighborhood, including the authority to: plan, regulate, administer, and determine the level and the location of services to be rendered; select the most suitable administrative structure through home rule or optional forms; raise taxes and revenues most suited to the support of services rendered; and, participate in shared or delegated powers with other governments.

The jurisdictional boundaries of lower-tier government within the County should relate as closely as possible to "natural communities" having common and interrelated needs, concerns, and associations--recognizing: physical boundaries such as lakes, rivers, bays, canals, expressways, railroads, large contiguous land uses such as manufacturing, parks and conservation lands, airports, and institutions; primary social and economic associations such as schools,

village centers, neighborhood shopping centers, libraries, churches, recreation areas, cultural centers, town halls, and fire companies, etc.; historic or political associations; transportation or communication links--local newspapers, post office, bus stops; and, ethnic or cultural ties.

The structure and procedures of the lower-tier units should maximize responsible citizen participation in local governmental affairs and policy decision-making through: a legislative body of five to nine members representative of various groups or local needs, and based on one-man, one-vote representation; policy formulation councils at the special district or village level which could determine the extent of special or urban services desired; linkages for citizen input into administrative processes affecting the delivery of services through advisory committees, citizen complaint processes, etc.; and, provision for a local voice in the formulation of areawide policies and programs having an impact on local communities through hearings, advisory reviews, veto powers, etc.

The lower-tier units should provide and support public services on a fair and equitable basis including: uniform availability and access to general governmental services as needed; fair distribution of taxes and charges for community-wide and special district services; and, equitable representation and employment of minority group members.

The efficiency and effectiveness of the planning, management, and delivery of lower-tier governmental responsibilities should be maximized through: effective governmental structure providing for professional and technical management capabilities; proper-sized service districts and service mix to allow the efficient delivery of services; flexibility of service districts, delivery modes, and contractual arrangements to permit delivery of services as desired in the most efficient manner possible; and, interrelationships with upper-tier government which are complementary to the purposes and objectives of each level.

Two models-ideal and practical

The ultimate goal of the task force was the design of lower-tier models. The existing tiered system of metropolitan government was reviewed in regard to structure, goals, viability, etc. Based on these standards and goals, two lower-tier models were developed and discussed by the lower-tier task force; one of the two models was to be an ideal model of local community government. This model was to be "ideal" in the sense that it should maximize the attainment of lower-tier goals and minimize the problems caused by present governmental structures and jurisdictions. The other model to be designed was to require no change in the boundaries of existing governmental jurisdictions. This practical model was to be designed so that the existing thirty jurisdictions within Monroe County could provide the recommended lower-tier functions and responsibilities. Both models were subject to the overall constraints provided by the framework of government permitted under the New York State Constitution and general state legislation (with some special state legislation envisioned).

Each of the two models was to be designed as a general purpose form of local government, and not as a special service district. Both were also to be consistent with the previously listed goals and objectives.

The design of the two lower-tier models, Model I (ideal) and Model II (practical), focused on the following major elements: authority and structure, community identification, population size, service delivery, and citizen participation.

Action plans were then proposed, which included the various functions of the lower-tier as part of a federated system; use of the current local unit as blocks in the administration and delivery of areawide services, and as integral components in policy formulation within the areawide unit of government.

Model I (Ideal)

Legal bases and forms

As general purpose local governments, lower-tier units can be provided with home rule and local law powers under the Municipal Home Rule Law. In addition, lower-tier units may draw from the powers prescribed in the city, town, or village law, depending on the lower-tier form selected.

The town form of government, specifically that structure based on the Suburban Town Law, provides the lower-tier units with the specific powers, rights and authority to carry out the service responsibilities recommended in GRIP's first phase. There are a number of advantages to adopting the Suburban Town Law for lower-tier units. Sufficient policy-making, financial, budget-making, and departmental organization powers are provided the legislative body (the town board) to carry out lower-tier responsibilities. A flexible and effective administrative structure for professional management, including a chief executive officer (elected supervisor or town manager) with sufficient administrative powers is allowed. Special improvements may be provided on the basis of special assessment areas or as town-wide improvements without the necessity of establishing improvement districts. Town boards have the authority to create citizen advisory councils to maximize citizen participation. Lower-tier units could meet the population requirements of suburban towns (25,000 population). The process for adopting Suburban Town Law includes permissive rather than mandatory referenda.

While the suburban town form was determined to be the most appropriate for lower-tier governments, the possibility of adopting a city or village form was also considered. The city as lower-tier form was eliminated because the concept of "city" loses definition beyond the urbanized portions of Monroe County; school districts would become city school districts subject to limitations on operating expenditures and debt; city school districts do not receive BOCES aid;

State Highway Law 133-k limits county assumption of responsibility for roads and streets located within a city; revenue advantage for city status does not include cities created after April 1, 1967; and, under state law, it is not possible to restrict the powers of a city to those envisioned for the lower-tier unit, within the two-tier system.

The village as a form of lower-tier government was eliminated because village law is too limited relative to designated lower-tier responsibilities; towns would continue to exist even if village jurisdictions covered the county; the only possibility for eliminating unnecessary duplication offered by the existence of the town and village would be to have boundaries coterminous to town and town board approved transfer of powers to village board subject to voter approval; each village expansion would require annexation and approval of voters who reside in the area to be annexed; and, the village option hinders maximization of federal revenue sharing. Moreover, both the city and village forms would require an incorporation process--an extremely complex assortment of independent legislative and electorate approvals.

In addition to the traditional forms of local government offered under New York State law, special state legislation could be requested to create boroughs as the lower-tier unit within the city, with needed powers and authority. However, at this time, the adoption of suburban town status for lower-tier governments appears to provide sufficient authority and flexibility with the least complicated adoption process. While further legal research is needed, adoption of the suburban town form would basically involve city and town dissolution, special state legislation authorizing revised town boundaries, and resolution of town boards for adoption of suburban town status.

Through the General Municipal Law (complemented by the Municipal Home Rule Law), a lower-tier government unit has the authority to enter into agreements

with other lower-tier units, the upper-tier, and/or the private sector to provide services on an individual, cooperative, joint, or contract basis. Through the Monroe County Charter and Administrative Code, the lower-tier units can obtain additional rights and the authority necessary to carry out recommended shared responsibilities.

Representation for lower-tier units could include an elected supervisor or chairperson and four to eight council members, elected either at-large or by district, as deemed desirable under home rule authority.

Under suburban town law, the lower-tier government may choose one of two options for their chief executive, the elected supervisor or an appointed town manager. The town manager option was granted to town government as of June, 1972, and has a minimum population requirement of 10,000. The chief executive officer would have sufficient administrative authority including the power to: appoint a director of finance, remove department heads subject to town board confirmation, prepare the proposed budget and capital program, report and recommend to the town board, direct internal administrative organization, and approve the transfer of personnel among town departments or other agencies.

Community identification and population ranges

Because the functions assigned to the lower-tier level are associated with community and neighborhood needs and concerns, every effort should be made to establish local jurisdictional boundaries containing natural communities. Each community should encompass residents with common and interrelated needs, concerns and associations.

A careful determination of community identification factors coupled with modifications for size as they relate to efficiency, effectiveness, and responsiveness to citizen participation is necessary to determine the jurisdictional boundaries which would be most appropriate for lower-tier community governments within Monroe County. This is not to say, however, that there is only one

"correct" or "ideal" determination for community jurisdictions. Many of the factors and objectives are subjective and hardly clearcut--such as the questions of relative citizen accessibility versus governmental size and efficiency, or whether neighborhood school associations are more important than economic ties. When community factors and associations do not coincide, as in some areas of the County, they must be weighed against the prevailing attitudes of the residents and against projected developments. In many areas of the County, incremental growth patterns affected by defensive zoning, or at least by the absence of comprehensive community and neighborhood planning goals, have often failed to provide for a full complement of community or neighborhood type facilities or land uses.

As part of the GRIP lower-tier studies, the research staff conducted a careful survey of the important factors related to community identification in Monroe County. An initial conclusions of the study is that Monroe County, could be divided into 26 more or less natural lower-tier communities including the central business district (CBD) of the City. Aside from the CBD, these "ideal" communities vary in size (based on 1970 Census) from 10,900 to 38,800 population with most falling within the 25,000 to 35,000 range. (See Maps 1 and 2 ff.) The smallest residential community includes part of Henrietta and the Towns of Rush and Mendon as well as the Riverton planned community which will eventually hold approximately 25,000 population as well as accompanying community facilities and associations. Town boundaries are still retained in many instances where they represent strong associations. In other instances they have been adjusted or ignored because of other community relationships. Some towns have been combined to achieve minimum size objectives; others have been divided into two or more related communities. The City, aside from Charlotte, has been divided into nine natural communities plus the CBD with some exchange of areas with adjoining towns.

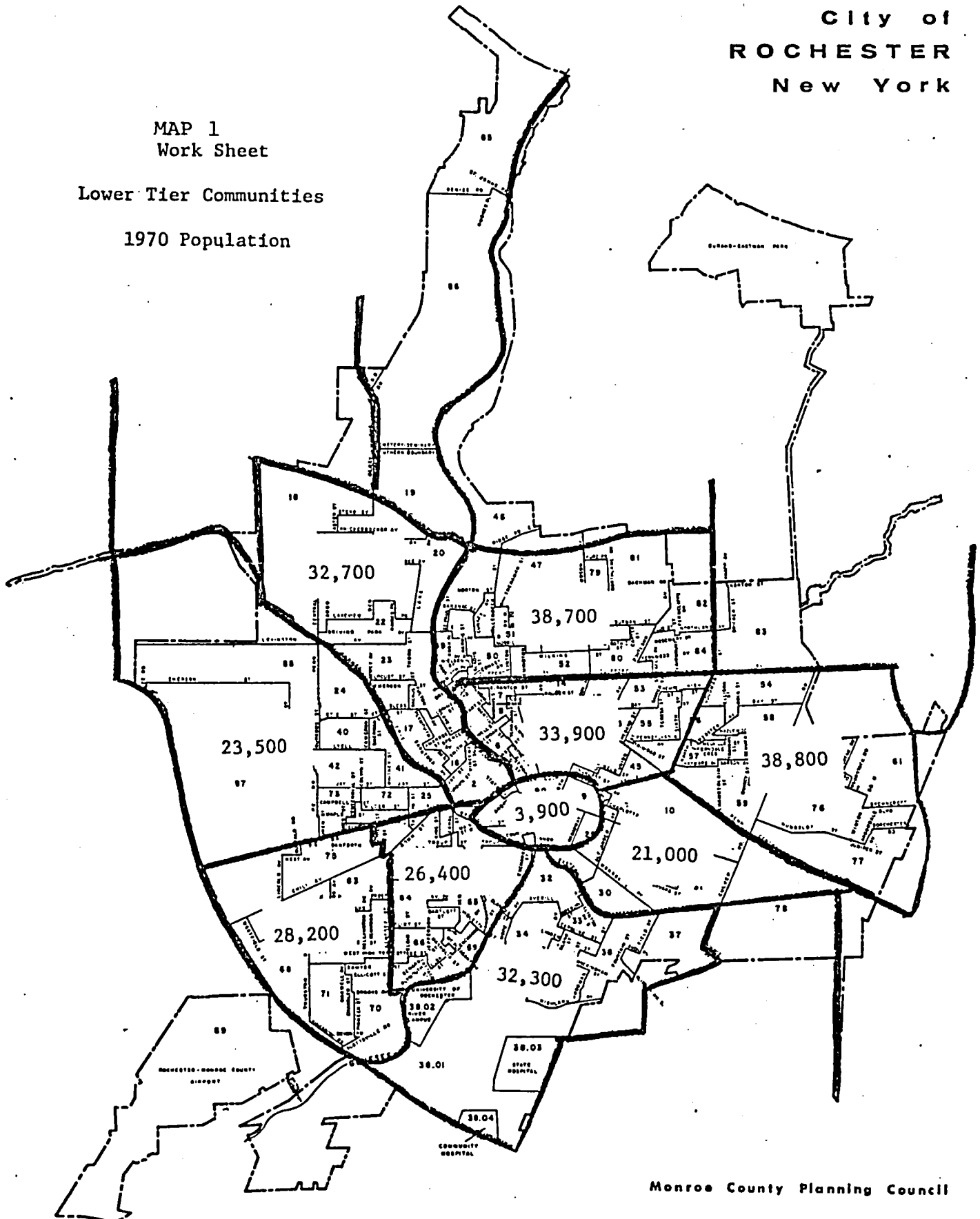
1970 CENSUS TRACTS

City of
ROCHESTER
New York

MAP 1
Work Sheet

Lower Tier Communities

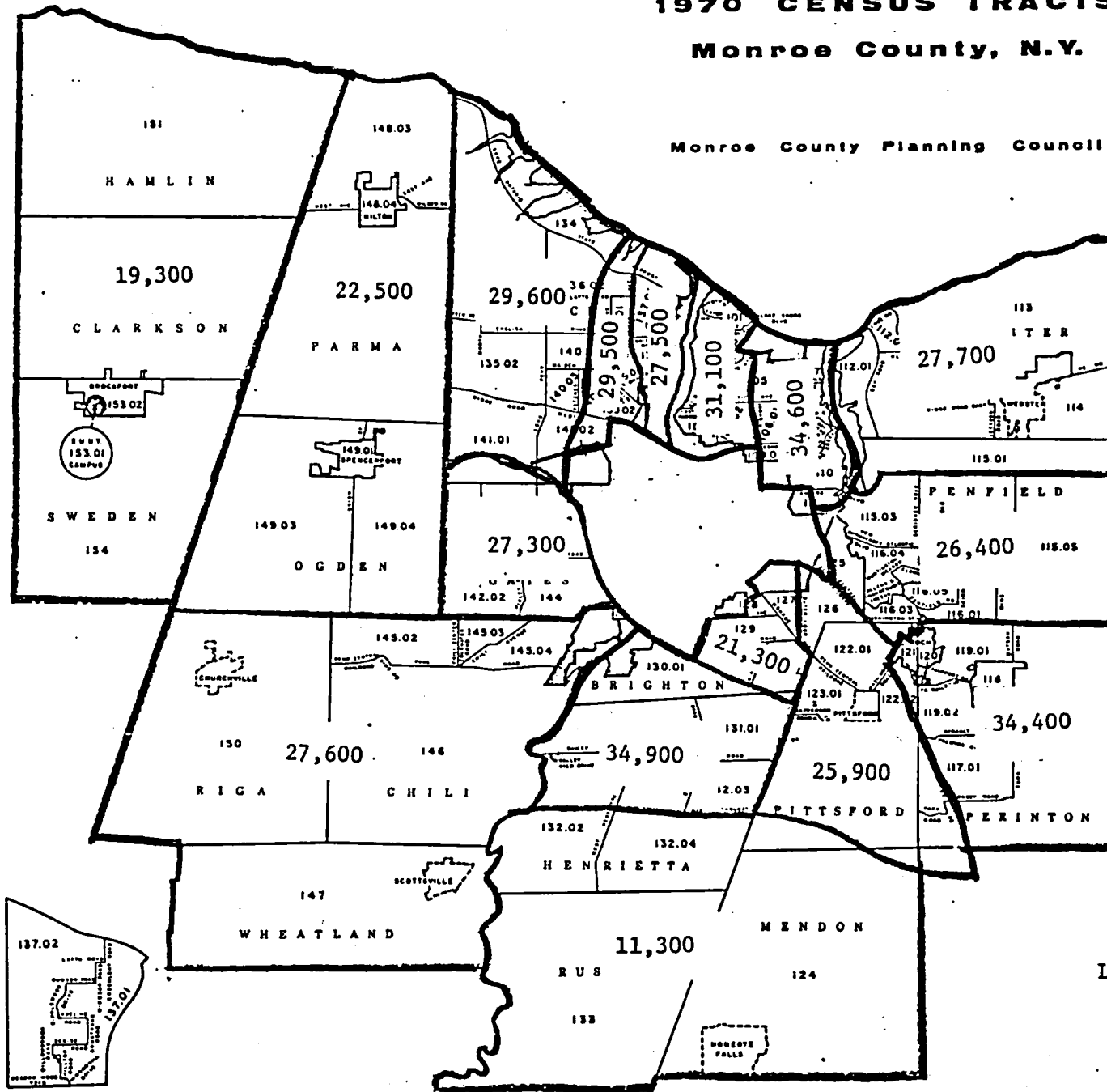
1970 Population



1970 CENSUS TRACTS

Monroe County, N.Y.

Monroe County Planning Council



MAP 2
Work Sheet

Lower Tier Communities

1970 Population

Identification of the Central Business District (CBD) as a unique community has been based much less on its population characteristics (there were approximately 3,900 residents there in 1970) than on its central services relationship to the entire community. Because of this relationship, the CBD would be established as a modified lower-tier unit--functioning also as a special services district of the upper-tier structure. This reflects the areawide character of certain services (such as police and fire protection, parking and traffic control, arterial streets maintenance, etc.) which are of primary concern to the business and non-resident population representing the broader areawide uses of the CBD. Resident population, however, would retain a direct voice through its own council on matters relating to services which affect them directly. The property tax base of the CBD would be regarded as areawide and used to equalize tax burdens in other lower-tier communities as well as to support services rendered within the CBD. This approach is analagous to that taken by the Greater London Reorganization of 1965 for the central historic City of London which also contains approximately 4,000 people within its one square mile of area.

A system of general purpose, "ideal" town governments should be established throughout the County having populations of no less than 20,000 nor more than 40,000 (preferably between 25,000 and 35,000). The 20,000 to 40,000 community population element of the proposed "ideal" lower-tier model is intended to be consistent with several goals and related objectives which have been adopted by the lower-tier task force.

The requirements for attainment of these goals are not necessarily complementary, since maximization of one goal could involve compromising another. For example, one appropriate method of maximizing responsible citizen participation in lower-tier governmental affairs would be to maintain the lowest possible representative/population ratio. Thus one might argue for a legislative body

of five to seven to be assembled for every 5,000 population. In such a case, there could be one representative for every 700 to 1,000 people within each lower-tier unit. On the other hand, there are goals which conflict with what might be a representation ideal such as jurisdictions based on natural communities, or the ability of a community to provide services efficiently and effectively.

It was assumed that the ideal size community, at this point in time, would be that community with the lowest population necessary to support effective planning, management, and delivery of lower-tier responsibilities. In order to resolve the possible conflict between this assumption and the goal of natural communities, it was also assumed that a population range should be provided which would allow for the maintenance of natural communities. This second assumption, however, was not intended to allow for the maintenance of natural communities at undue expense to the citizen participation goal.

There are several examples in Monroe County of citizen participation which give some indication of the maximum population size a community should be in order to provide for effective citizen participation in local affairs. The City of Rochester councilmanic system divides the City into districts, each having approximately 70,000 people, and has been evaluated recently as being too large to provide effective and equitable representation.¹¹ The 19th Ward Community Association has a geographic area which includes a population of approximately 23,000 to 25,000. The Southeast Area Coalition represents an assemblage of two major areas of southeast Rochester, each with a population of about 25,000. The County legislative districts appear to provide generally effective representation with their populations of about 25,000. The Town of Greece offers another example in moving toward district representation--the proposed districts would have populations of 15,000 to 20,000.

A review of recent reorganization models did not lend much assistance in identifying the most appropriate size of community. In most instances, the emphasis was to increase the role of the areawide unit in service delivery and little attention was placed on the question of reshaping the existing local (lower-tier) units. The end result of these models has been local jurisdictions with populations ranging from 5,000 to 400,000. It should be noted, however, that local roles are also not consistent among the reorganization models.

A report relevant to lower-tier population levels by Howard H. Hallman, entitled Government by Neighborhoods, summarized the population requirements that may be linked to levels of service. Hallman concluded that, based on accepted surveys of practices and standards, units of 10,000 to 25,000 could efficiently provide a wide range of services.¹²

Lower-tier service capacity

Each lower-tier unit should contain the following elements to assure the effective and efficient delivery of governmental services: (a) authority for administering a full mix of lower-tier services; (b) provision for full-time executive and professional management; (c) sufficient revenues to provide the required services; (d) free choice and flexibility in the manner of delivering services, i.e., directly, jointly or through contract; and, (e) appropriately designated service districts to provide the variety and levels of services required within each jurisdiction.

It is important to keep in mind that many of the services assigned to the lower-tier are of an optional nature and the degree or intensity of each service, if desired at all, may be adjusted to meet the specific needs and conditions of neighborhoods or areas within the lower-tier jurisdiction. There are a wide range of services requirements, for example, between rural and high density urban areas--or between shore-front properties and industrial or commercial neighborhoods. Some need highly specialized protective, regulatory or

housekeeping type services; some need intensive street and sanitation services, including sidewalks, street cleaning, street lighting, collection services, water supply, sewers, drainage, etc.; some need organized recreation programs and facilities; others in rural areas need none or very little of these services. Lower-tier units may provide some of them more efficiently by private installations, private contract, or through voluntary associations. This is unlike most upper-tier services, which are of an areawide responsibility and must be provided or at least be accessible to all eligible residents.

In order to meet this wide variety of demand and need for service, the design of the lower-tier system must provide great flexibility both in the possible mode of delivery and in the locus, choice, and taxing or pricing arrangements for such services. A further complication to the design of the lower-tier system is the probable wide range of administrative capabilities and resources that are available at the local level.

To meet the variety of need and to utilize available strengths and resources, it is recommended that each unit be encouraged to employ the most appropriate and effective means available for delivering services. Instead of direct administration, lower-tier units could: (a) contract for service delivery through the County (as in the Los Angeles/Lakewood Plan), (b) join with one or more lower-tier units and form a joint or federated service district, (c) use an urban services district administered by the County (as in the Nashville and Jacksonville metropolitan areas), (d) create special service districts (such as the police and fire districts in Indianapolis/Unigov provided by the old city police and fire departments and administered by the Consolidated City-County Council and Mayor), or use private contracts for certain services such as collection of refuse or fire suppression (as in Scottsdale, Arizona).

Although these alternatives may appear to be complicating the two-tier concept of government, it is most important to keep in mind that with the exception of (c) (the urban services district), the lower-tier units would maintain full authority for determining the level and type of service rendered within their jurisdictions, as well as the amount of tax charges levied for such purposes. There is also the strong possibility that the "urban services" or "special services" district concept either administered through the County or through a federated district of lower-tier units made up of the City area and beyond would be useful in retaining the advantages and legal status of the present City and at the same time overcoming its disadvantages.

As previously indicated, the lower-tier units, in many instances, would have to maintain differential levels of services for urban areas of special neighborhoods within the lower-tier jurisdiction. Although administered or contracted for by the lower-tier unit, the services would be limited to village type and special assessment services. It is hoped that such areas not only would petition the lower-tier government for the provision of desired services, but that they would also have a voice in the quality, level, and amount of such services through neighborhood councils, as suggested in the following section dealing with citizen participation.

Citizen participation

Towns should be allowed to establish neighborhood council districts and related councils that can work with the town council on matters relating to neighborhood services, service levels, and other issues. At a minimum, liberal application should be made of the power granted to suburban towns relating to the appointment of citizen advisory boards.

Neighborhood council districts should be formed by local initiative. Residents within those neighborhoods or special districts desiring such a council, could file a petition with the lower-tier government for legislative action.

The size of the neighborhood council district would be variable, depending on established neighborhood associations, population density and service requirements of a particular area. District boundaries would logically, but not necessarily, be coterminous with lower-tier district representation boundaries. Neighborhood councils would probably be formed within neighborhood association areas, villages, and composite special districts. Council representatives could be chosen by neighborhood residents in non-partisan elections.

The neighborhood council would function as a policy-making and advisory body to the lower-tier government regarding neighborhood services and concerns. However, the council would not constitute a third tier of government. Responsibility for planning, financing, and delivery of services would remain with the lower-tier government. Some of the powers and duties that might logically be assigned to the council would include: (a) review and comment on matters affecting physical improvements and public services within a neighborhood, including amendments to the lower-tier's comprehensive development plan, capital projects proposed for inclusion within the capital program, zoning changes, increases or decreases in monies in the lower-tier's operating budget for services such as recreation, proposed changes in the quality or quantity of public services (opportunities for review and comment should be built into the general planning, financial, and legislative procedures of the lower-tier so that adequate time and attention can be given both by a community council to matters referred and by the lower-tier legislature and other agencies to any neighborhood council comments coming from a review); (b) advising on the contents of any neighborhood plan component of the comprehensive development plan of the lower-tier unit; (c) passing of resolutions and holding public hearings on matters within its jurisdiction; and, (d) nomination of neighborhood representatives to lower-tier citizen boards and commissions.

Neighborhood councils would maximize attainment of lower-tier citizen participation goals by serving as: (a) an on-going policy formulation body at the special district and village levels to determine the extent of special or urban services required. (This would ensure flexibility and variability in service levels depending on neighborhood needs and requests); (b) a structure for soliciting citizen input and improving communication between the neighborhood residents and the lower-tier government on matters of neighborhood concerns; (c) a mechanism for improving lower-tier representation of neighborhood concerns in shared planning responsibilities with the upper-tier; and, (d) a visible structure for developing neighborhood leaders knowledgeable of the government system and representative of neighborhood concerns.

Implementing the "ideal" model

The proposed "ideal" model of lower-tier government would require substantial revision of both structure and jurisdiction. First, the City would have to be divided into several communities, each with its own separate governmental structure and legislature. Town boundaries in the County would also have to be revised to coincide with natural community boundaries. Each community government would be required to administer its assigned municipal services either directly, jointly or through contract. Each would have to be responsible for participating in shared service responsibilities with the County, and serve as the administrative agent for rendering decentralized county services. Village areas and urban neighborhoods would have to be designated as special districts with services provided by the lower-tier units as requested by neighborhood councils.

Transition to a new structure of local government is neither simple, nor without substantial dislocation and complication. Numerous legal, social and political adjustments are required. The financial implications of new responsibilities need to be worked out and certain problems of state and federal

aid entitlements resolved. The effects of governmental change on other public jurisdictions, especially school districts, also need study and resolution.

Legal considerations have been discussed previously. A main condition in developing the proposed "ideal" model was its accomplishment under municipal home rule powers within the general constitutional and legal framework of New York State government, recognizing that some changes would require special legislative action. Revision or dissolution of city and village charters with the attendant requirements of referenda would represent a major obstacle requiring special treatment from the state legislature. Boundary revisions of town and city jurisdictions would also necessitate state legislation. All of these areas would have to be pursued before final implementation.

Questions and concerns

Political and social considerations involve subjective issues on which there are undoubtedly as many differences as there are points of view and alignments of citizen interests. For example, would the new community structure reduce the differences between City and town residents? Would the newly granted authority given to communities within the City breed parochialism and strengthen special interests? Would the definition of natural communities within the City create heightened social discrimination and containment? Would residents of established neighborhoods resist the realignment of communities? Would the political power of minority groups be increased by increased control of their communities, or be decreased by the loss or reduction of its functions and responsibilities and the dilution of their relative strength in the larger county jurisdiction?

There are obviously no clearcut answers, but in fairness to the stated objectives and elements of the "ideal" lower-tier model, certain positive developments should result. Issues and services of primary neighborhood concern would be placed at a level which is not only more accessible and responsive to

neighborhood or minority groups, but which, in effect, would be under the direct control of the majority of such residents. Alignments of community concerns would be more flexible than the present city/town confrontations. It would be advantageous in some instances for all urban communities (city and town) to join or work together on common issues. Other alignments might be on sectional or regional grounds, or more likely cause shifting majorities on different issues representing the pertinent interests, and social, economic or psychological makeup of the residents. Under the proposed allocation of responsibilities, issues which are areawide in their impact or need (such as those relating to housing, health, or welfare) would generally be resolved at the upper-tier level by areawide majorities--and not subject to the defensive actions of parochial jurisdictions. Segregation and discrimination practices would be more difficult to support under areawide scrutiny and policy determination. The focus and voice of neighborhood concerns would be expressed more easily and more clearly through smaller and more representative lower-tier councils. Direct political participation could be practiced by larger numbers of citizens through smaller communities and through neighborhood councils creating more involvement and serve as a stepping stone of experience to higher levels of government. Finally, responsibility (and accountability) of jurisdictions could be defined more clearly to the political participants.

The Practical Model

Legal bases and forms

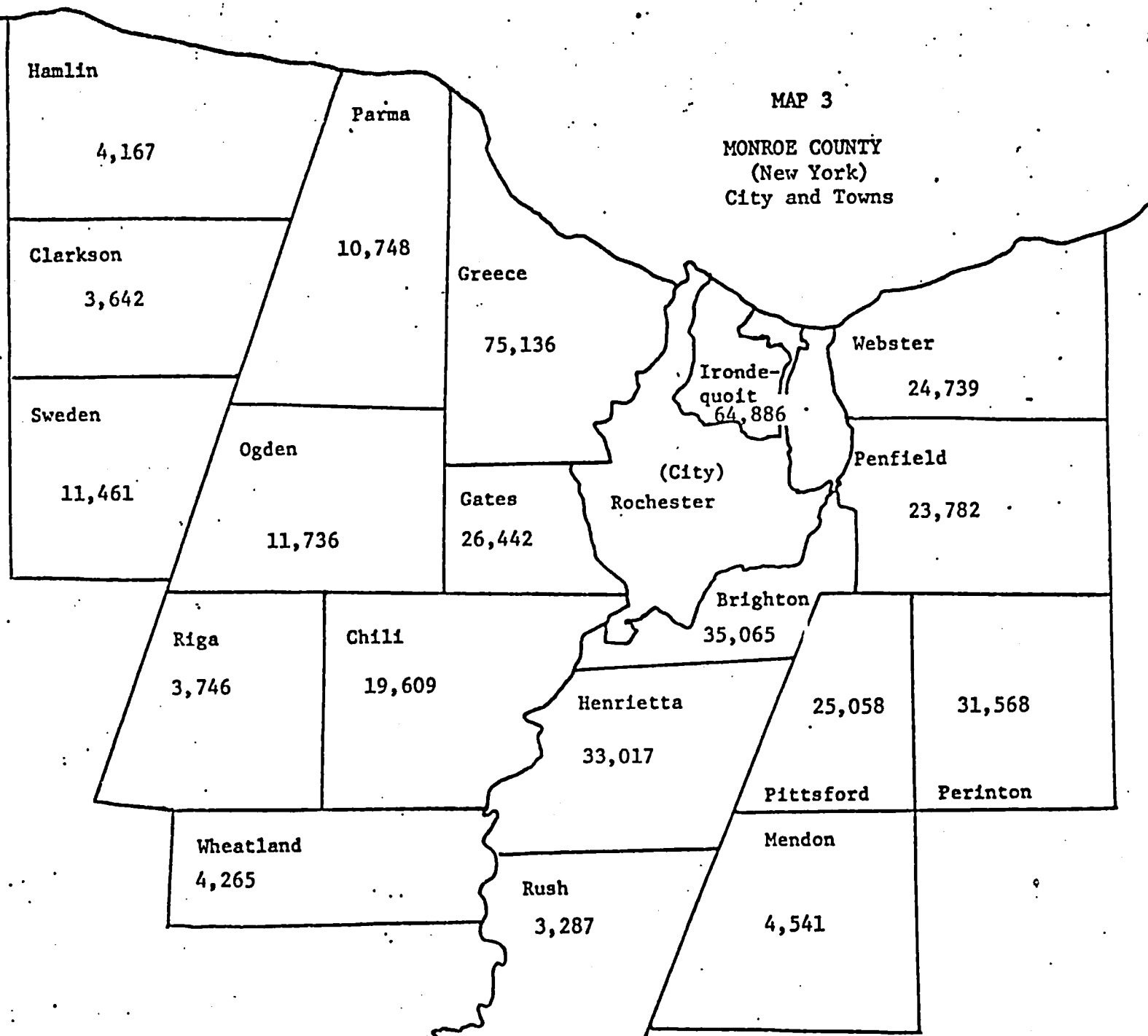
As general-purpose governments, the existing local units are provided with home rule and local law powers under the Municipal Home Rule Law. In addition, the several forms of municipalities existing in Monroe County may also draw from the powers prescribed in applicable City, Town, and Village laws. The nineteen towns and ten villages in Monroe County vary substantially in population size, authority and structure. Under town law, the more populated jurisdictions are given a greater degree of home rule than the

less populated areas. Eligibility requirements for legal options relating to certain aspects of home rule and organizational structure vary, some begin at the 10,000 population levels, others at the 25,000 level, and still others are based on percentage of population growth. Needless to say, all lower-tier units under the practical model would not possess equal powers and authority to accomplish similar responsibilities.

Suburban Town Law provides towns with specific powers, rights and authority to carry out the service responsibilities recommended in GRIP's phase I. The major advantages of the Suburban Town Law have been discussed previously under the "ideal" model. Unfortunately, many Monroe County towns cannot meet the population eligibility or growth requirements of the Suburban Town Law. Several towns in the County have experienced the required levels of growth over a ten-year period, but the law would have to be amended to include the ten years between 1960 to 1970 before this growth will satisfy the Suburban Town Law requirement. Even then several towns will not be eligible for suburban town status, leaving them with lesser home rule powers and flexibility in the performance of lower-tier responsibilities.

Under the General Municipal Law (complemented by the Municipal Home Rule Law), the lower-tier units would have authority to enter into agreements with other lower-tier units, the upper-tier, and/or the private sector to provide services on an individual, cooperative, joint, or contractual basis. These practices should be encouraged if they enhance the efficient and effective delivery of public services.

Through the Monroe County Charter and Administrative Code, the lower-tier units can obtain additional rights and the authority necessary to carry out the recommended shared responsibilities. Representation would vary within the several forms of lower-tier units: the number of councilmanic districts



in the City would be increased from four to at least eight with the possibility of three at-large representatives; each town legislature would have four to six councilmen and a supervisor elected either at-large or by district as deemed desirable under home rule authority; and, each village would maintain four trustees and a mayor as its legislative body.

The executive structure would vary between and within the several forms of lower-tier units. The City would maintain the city manager form provided for in the current City charter. Each eligible town (population of 10,000 or more) may choose one of two options for their chief executive: elected supervisor as executive or an appointed manager. The town chief executive would have sufficient administrative authority, including the power to: (a) appoint a director of finance; (b) remove department heads subject to town board confirmation; (c) prepare the proposed budget and capital program; (d) direct the internal administrative organization; and, (e) approve the transfer of personnel among town departments or other agencies. The structure of the town could be similar to that proposed for the "ideal" model. However, the number of towns which would have populations less than 10,000 would be limited to the elected supervisor as executive and also must follow structural guidelines as set forth in the Town Law for towns of the second and third class. The elected village mayor would continue to be the chief executive with the option to transfer powers to an appointed clerk/treasurer.

Population range

Due to constraints in the development of Model II, which required that no change be made to existing jurisdictional boundaries, community identification standards were seriously comprised. Map 3 is presented for comparing the "natural" communities identified in Maps 1 and 2 above—a marked contrast can be observed.

The population size of the lower-tier units in this practical model would vary from 3,000 to 295,000. The optimal population range of 20,000 to

40,000 presented in Model I would be applicable to eight of the 30 lower-tier units in Model II. The inevitable result would be continued variations in service levels between the lower-tier units and less potential for uniform, high quality in management and planning of lower-tier unit services and responsibilities.

Lower-tier service capacity

The capability of local government to provide effective and efficient services is derived from the combination of legal authority, structure, service mix, professional management, and flexibility of the delivery system. Those elements in Model II, relating to authority, structure, and adequacy of size have been discussed previously, as have the model's strengths and weaknesses. There is no question these objectives cannot be met equally by 11 of the existing 30 local units in Monroe County. Those approaching the "ideal" size and those without the duplication of service administration caused by overlapping jurisdictions will be the most successful in meeting these goals.

As previously indicated, the existing local units, in many instances, would still have to maintain differential levels of services for urban areas or special neighborhoods within their jurisdiction. Although administered or contracted for by the lower-tier unit, the services would be limited to village-type and special assessment services.

Citizen participation

In addition to districting for representation purposes (at least eight councilmanic districts within the City and up to six within towns), provision should be allowed for the establishment of community council districts within the City and large towns. Consideration should be given to the advantages and disadvantages of maintaining these community districts coterminous with City and town council representation districts. These community districts could be created officially by unilateral action of a lower-tier unit or by local

initiative subject to the approval of the affected jurisdiction. Community council districts could be created based on "natural" communities of at least 20,000 population, to provide citizen input into lower-tier governmental unit operations.

In the smaller towns, neighborhood council districts could be created to encompass natural neighborhoods of 3,000 population or more. They would serve as channels for two way communications between the neighborhood and the town government regarding special needs and concerns of the neighborhood. Also, formal neighborhood council districts could be established to advise community councils on matters relating specifically to a neighborhood.

It should be understood that the community council and neighborhood council districts would be primarily advisory mechanisms under the practical model. The community council district initially would not be administrative, in part because of the danger of superimposing still another layer of government. As the community council districts become established and experience gained, community council participation in the decentralization of services could occur as a gradual change toward the "ideal" lower-tier model. Existing voluntary neighborhood associations could form a base from which community council and neighborhood council districts might be drawn.

Task force recommendation and panel concerns

The lower-tier task force was charged to design an "ideal" model of general purpose local government capable of performing the functions assigned during the first phase of the GRIP study. The "ideal" model, which the task force recommended to the full panel, was organized and structured under the current town law of New York State which provides substantial powers of self government. The task force recommended that the lower-tier units have a population ranging from 20,000 to 40,000. Implicit in this model was the abolition of

existing political jurisdictions and the drawing of new boundaries consistent with the recommended population size.

In considering the task force's "ideal" lower-tier unit, the full GRIP membership had no arguments with the organization or structure of the recommended town-type government. However, opinion was strongly divided over the recommended size and composition of their populations. A number of GRIP members felt that town populations should be heterogeneous, rather than homogeneous. The creation of relatively small, homogeneous towns, some panelists felt, would produce jurisdictions with entirely low-income or minority populations which could lead to further containment and isolation of these groups from the larger community.

The recommendation to dissolve existing jurisdictional boundaries of the towns, and particularly the City of Rochester, created considerable discussion and disagreement and raised questions of practicality and acceptability. Another issue was whether boundaries of the lower-tier units should be coterminous with the County legislative districts. It was pointed out that court decisions requiring "one-man, one-vote" would probably require periodic redrawing of both town and district boundaries to accommodate population shifts. The value of separating purely local political matters from areawide issues was also argued.

Although recommended by the task force, the panel voted to reject the "ideal" model, which would have required abolition of existing municipal boundaries. Several important issues that could not be resolved led to the defeat of the model proposed by the lower-tier task force. A number of arguments were made by those opposed to the "ideal" model. Too many financial questions remained unanswered, such as; how much and by what means the local governmental units could support themselves, the impact of reorganization on the taxpayer, and the effect of a reorganization of this nature on state and federal aid. No method had been shown to prevent containment and isolation of individual jurisdictions, particularly

the City of Rochester's financial distress. In the end, the model proposed

By adopting Model II, the panel recommended that the lower-tier be

The supporters of the "ideal" put forth a number of cogent reasons for its adoption. They felt that many of the unanswered fiscal questions could be addressed before or during implementation.* In their view, it met GRIP's standards of good government; equity in financing and receiving governmental services, efficient performance of functional responsibilities assigned to the lower-tier, and improved citizen access to and control of government services. The question of economy, which is the remaining standard or measure for government, is the only one that could not be tested because of the lack of data. The questions of state and federal aid and the impact of reorganization on the city school district could be resolved by seeking changes in state and federal legislation before the final implementation of the proposed model. It was argued that the strong upper-tier unit would protect low-income or minority groups from being isolated or confined unwillingly within their communities by assuring residents of free mobility throughout the County; at the same time, residents of all communities would have equal opportunity to participate in the community development process. The fact that the plan would provide a means for the community to develop a sense of responsibility for its own future, and that it would provide a means for the community to develop a sense of responsibility for its own future, and that it would provide a means for the community to develop a sense of responsibility for its own future, are also important considerations.

those with low-income populations. The legal status of the City school district would be jeopardized if City boundaries were eliminated and a series of towns created. And, finally, many felt that the model was utopian and politically

Report Of The Taxation/Finance Task Force

The objective of the taxation and finance task force was to design a fiscal framework for a two-tier system of local government which would provide greater equity in the financing of local government services and allow a reduction in net local costs of such services.

The interim report of the taxation/finance task force contained extensive documentation and analysis of present fiscal inequities prevailing in the Monroe County area, as well as an outline of several approaches which would alleviate or eliminate those inequities. With the exception of the recommendations for uniform and countywide real property assessment, and for increased state and federal participation in the financing of public education and social services, none of the suggested remedies received majority endorsement by the task force membership. The prevailing views were that actual experience with reorganized government was needed before practical solutions to fiscal inequities could be designed.

Nevertheless, the very nature of a two-tier form of government guarantees a higher degree of equity than exists presently by increasing the functional and financial responsibilities of the upper-tier, thus spreading the tax burden countywide and leaving only those services to the lower-tier for which it has discretion regarding service levels and costs. Equity in the financing of lower-tier services could be enhanced further by changing the current jurisdictional realignment to one with a less variation among the tax bases of the lower-tier components.

A major reason for altering the present structure of local government is to reduce the cost of governmental services. Time and resources did not permit the analysis of cost differentials associated with various hypothetical configurations of functional and jurisdictional arrangements. Previous studies

have shown however, that the amalgamation of smaller governments and the consolidation of certain functions could yield significant cost reductions. Conversely, the potential disaggregation of the City of Rochester into smaller communities would, by necessity, increase the costs of governmental administration and general control. In the final analysis governmental costs will be determined largely by the quantity and quality of services demanded and by the management capability of the jurisdictions rendering the services.

Of crucial importance to the saleability of any plan calling for significant changes in local governmental structure and functional allocation is the determination of the fiscal impacts of such changes. If voters are to look favorably upon a new plan for local government, they must be informed in reasonably certain terms of its financial implications and of the reasons for those implications. Ideally, of course, one would like to be able to prove that everybody's taxes would decline. Overall tax reduction would depend on the attainment of significant economies and/or the tapping of new lodes of state and federal aid as a result of functional and jurisdictional shifts. No tangible evidence, exists to nurture such expectations. Any economies of scale to be realized from the centralization of certain functions will, in all likelihood, be offset by additional costs of decentralizing the delivery of other services. Quirks in state and federal aid formulas that tend to favor one set of jurisdictions over another, on balance, are likely to cancel each other out. Even if the net effects of economies versus diseconomies and of aid gains versus aid losses should be positive--indications are that such net gains would not be sufficiently large to provide everyone a tax reduction. Realistically, the best results which might be expected from a fiscal analysis of functional and jurisdictional changes are that gross costs will not rise at all, or, if they do rise, there will be compensating non-monetary benefits such as increased citizen access to government, and that the redistributive tax efforts, if substantial, conform to

a reasonably logical pattern of equity considerations.

Special Goals

In view of the uncertainty of the panel's ultimate decision on the configuration of the lower-tier jurisdictions, the finance task force, whose deliberations ran concurrently with those of the lower and upper-tier task forces, narrowed its goals to: (a) the attainment of a data base that could prove helpful in the design of the lower-tier configuration and from which expenditure and tax impact measures could be developed following the adoption of a lower-tier plan; (b) the testing of potential equalization approaches; and, (c) the delineation of critical fiscal issues, particularly in regard to state and federal aid implications, which would follow as consequences of various restructuring plans.

Specifically, the task force's investigations endeavored to obtain answers to the following questions:

- 1) What are the present patterns of lower-tier expenditures and tax burdens in the city and the towns?
- 2) Do these patterns offer guidelines for the restructuring of lower-tier jurisdictions?
- 3) What is the net tax effect on present local jurisdictions of the upward shift of certain functions?
- 4) Do these tax patterns demonstrate a need for the equalization of tax burdens?
- 5) What are possible schemes to effect such equalization?
- 6) What are the remaining research tasks, once a decision on the lower-tier configuration has been reached?

Financial Implications of Shifting Functions from Lower to Upper-Tier

To address the questions set forth by the taxation task force, a cost analysis of recommended lower-tier functions was undertaken. The end products of the analysis were the calculation of the amount to be raised by local property taxes for recommended lower-tier functions, and the determination of

the amount of local taxes to be shifted to the upper-tier as a result of the upward shift of certain functions. The cost analysis as presented in the following text was developed in a sequential manner, where: (a) the gross per unit costs of the lower-tier functions were determined for each jurisdiction, (b) applicable state and federal aid reimbursements from other governments were deducted from gross costs to determine the net local cost burdens, and (c) local revenues were deducted from the net local burdens to derive the local property tax burdens.

In an attempt to distinguish per unit cost patterns, the towns were divided into urban, suburban, and rural groupings on the basis of population, aggregate expenditures, land use and several other factors. Within these groupings the towns with and without villages were also separated. The cost analysis for towns with villages pertains to only that part of the town which is outside the village area (i.e., the per unit cost represents the sum of the townwide unit costs and the part-town unit costs).

Because of widely varying local budget practices the utmost care was taken in the preparation of the cost analysis to ensure comparability among jurisdictions. A high degree of comparability was achieved for town data. Comparisons between the towns and the City, however, continue to be subject to a number of limitations particularly in regard to special district services. Because of the highly localized basis on which special district services are performed, the costs of most such services are not shown in the town tabulation. Specifically, the costs of lighting districts, refuse and garbage districts, park districts, sidewalk districts, and snow removal districts were not included in the functional cost matrix of the towns--the cost of these services was included in the tabulations of the City of Rochester. The only special districts which were included in the analysis were fire districts, since all areas of the

towns are provided with fire protection. The analysis does, however, note the tax rate equivalents of town special district services excluded from the tabulations.

Services were assigned to the functional categories as recommended by the interim reports of the respective task forces. The functional category of "general governmental support" includes general legislative and administrative expenditures, debt service, and employee benefits attributable to functions assigned to the lower-tier. The highway category includes debt service and employee benefits.¹³ The "miscellaneous" category includes minor expenditures such as those for drainage and cemeteries, which could not be assigned to any of the other functional categories. A detailed listing of the budget items included in the functional categories for the towns and City can be found in Tables 6 and 7.

Because of the limitations of per capita cost comparisons, due primarily to the fact that different municipalities have different proportions of non-residential properties, the task force focused its attention on the analysis of costs per full value of property. Although both measures are included on some of the following tables, the text will confine itself to the examination of the valuation measure.

Gross expenditures

Tables 8 and 9 depict the per unit gross cost of recommended lower-tier services and responsibilities. It can be seen that the towns range from a low of \$2.42 per \$1,000 of full value in the town of Sweden to a high of \$6.79 in the town of Brighton. Unit costs including highways¹⁴ ranged from \$5.82 in the town of Henrietta to \$14.78 in the town of Wheatland and \$34.00 in the City of Rochester. Overall, the present unit cost of lower-tier services provided in suburban towns is generally lower than in urban or rural towns.

Substantial differences exist between the cost levels of City and towns. The total cost of lower-tier functions in the City (\$34.00 per \$1,000 full value) is approximately five to six times that of the urban towns. The higher cost of services in the City may be attributable to a number of factors, including the absence of special districts, the exclusion of the cost of services rendered by the private sector in the towns, different service levels, different salary and benefit levels, and diseconomies of scale. The difference due to the exclusion of special districts is relatively small since the only common special district service excluded was lighting. The average cost of street lighting services in town special districts was less than \$.50 per \$1,000 full value. The difference due to the exclusion of the cost of services provided by the private sector is also relatively small. The most common service in this category is refuse and garbage collection in the towns. If the special refuse and garbage districts of the Town of Brighton are used for comparative purposes, the average cost of this service could be expected to be in the neighborhood of \$1.30 per \$1,000 full value for town residents with private collection.

A number of major cost variations also exist within the functional categories. Among the towns the major variations are found in public safety, fire protection and highways. This is due, respectively, to the existence of a number of local police forces, to the fact that a number of towns have paid rather than volunteer fire departments, and to the relatively small rural tax base in relation to a fixed network of roads. The major differences between the City and towns are found in fire protection, public safety, and general support. The substantial difference in general support is attributable to the magnitude of debt service and employee benefits in the City.

Net local burden

The results of Tables 10 and 11 show generally the same patterns as the preceding tables. After the receipt of state and federal aid and reimburse-

ments from other governments (primarily from villages within the towns) the net local unit cost burden of lower-tier services, excluding highway, ranges from \$.42 to \$5.44 per \$1,000 of full valuation in the towns and to \$22.33 in the City.¹⁵

Overall, state and federal aid represent from 25 to 50 percent of the towns' budgets. Federal aid is approximately 50 percent of the amount of state aid in the towns. This ratio is relatively uniform since the majority of state aid is per capita aid and the majority of towns receive the minimum federal revenue sharing allotment, which is also allocated on a per capita basis. State and federal aid represent only 20 percent of the City's gross expenditures, with federal aid amounting to approximately 35 percent of state aid.

Lower-tier property tax rates

The lower-tier units rely on numerous non-property tax revenues, including fees, licenses, permits, interest on earnings, etc. The sum of these local revenues normally represents less than ten percent of gross expenditures in the towns and approximately 15 percent in the City (if sales tax is excluded). (See Table 12).

Overall, after local current revenues are deducted, the net local unit cost burden is reduced to a range of \$.24 to \$4.92 per \$1,000 of full value in the towns and \$12.61 in the City. If sales tax revenues were used as direct credits against the City residents' County tax bill, the City net burden after revenues would skyrocket to \$18.24.¹⁶

The final property tax rate is determined by deducting prior years surpluses and reserves. The impact of these surpluses and reserves, with magnitudes varying greatly among the different jurisdictions, makes comparisons between the resulting figures less meaningful.

Table 13 shows a comparison of current and proposed tax rates for the City and towns. The only differences between the two sets of rates occur in towns with villages where, contrary to current practice, all highway taxes are

assumed to be paid by the tax base located outside the villages. Again, City tax rates are a multiple of even the highest cost town highway tax rates. The abnormally low highway tax rates in some of the towns are explained by the application of substantial surpluses of prior years.

Tax Burden shifted to the upper-tier

The present town and City tax rates and the proposed lower-tier tax rates are compared in Table 14. Because of a variance in the treatment of federal revenue sharing receipts in the calculations of the present and proposed tax rates, the absolute differences between the two sets of tax rates had to be adjusted. Specifically, since most towns failed to budget for federal revenue sharing, actual revenue sharing figures were used to derive the hypothetical proposed tax rates. To ensure comparability among the jurisdictions, the same adjustment was also made where revenue sharing estimates appeared in the budgets. As a result, the proposed tax rates lack comparability with actual tax rates to the extent of the differences between budgeting and actual revenue sharing receipts. For example, the City of Rochester overestimated its revenue sharing receipts. Had the City estimated its allocation precisely, as was the case in the computation of the proposed rates, its actual tax rate would have been \$18.10 rather than \$17.93, an increase of \$.17. Accordingly, the actual tax rate dropped between present and proposed rates would be \$2.26 or \$.17 more than the absolute difference shown between its actual and proposed tax rate.

On the average, the difference between the adjusted present and proposed rates is approximately \$.80 per \$1,000 full value for the towns and \$2.26 for the City. The proposed tax rates for all jurisdictions are generally between 10 to 20 percent less than the present rates.

The decrease in local tax rates is the result of shifting a number of functions from the towns and City to the upper-tier. The functions which are primarily responsible for the decreased local tax rates in the towns are the

courts, tax collection, tax assessment, refuse disposal, planning, and associated employee benefits. The major functions shifted from the City to the upper-tier are shown in Table 15.

In all, over \$2.0 million in town taxes and \$4.0 million in City taxes would be shifted to the upper-tier (Table 16). The total amount of \$6.4 million represents \$1.10 per \$1,000 full value on a countywide basis. The net effect is obvious, City residents would pay an estimated \$1.16 per \$1,000 full value less and most town residents would pay approximately \$.30 per \$1,000 full value more for the same services they are presently receiving.

Feasibility of Using Lower-Tier
Tax Equalization Schemes

The very nature of the design of the two-tier form of government assures a higher degree of equity than presently exists by increasing the functional responsibilities of the upper-tier which spreads the required taxes on a county-wide basis. The preceding analysis demonstrated that the magnitude of this increased equity was \$2.26 per \$1,000 full value for the City and an average of \$.80 for the towns. The resulting lower-tier tax rates ranged from \$1.16 to \$5.57 in the towns to almost \$16.00 in the City. The fact that the resulting City tax rate is still approximately five times greater than the average town tax rate suggests that it may be desirable to equalize further the lower-tier tax burdens.

It may be argued that further equalization is inappropriate because lower-tier jurisdictions are to have full discretion over the determination of their mix and level of local services. Thus, if City communities opt for a more expensive service package, should the town residents be expected to subsidize these higher costs? Two major arguments can be advanced to support further equalization: (1) some jurisdictions have, or will have under a proposed jurisdictional rearrangement, exceedingly small tax bases, too small to provide

minimal service complements and levels without excessive levels of taxation; and, (2) some jurisdictions will be required to render local services to non-residents (spill-over effects), particularly to commuters, the costs of which would have to be borne by the local tax base.

There are a number of alternative schemes that could effect further equalization among lower-tier tax rates. One such scheme would reserve 50 percent of the local non-residential tax base for equalization purposes. This plan would create a tax increase on a reduced tax base. The present tax yield of the severed portions of the jurisdiction's tax bases would have to be produced by higher local tax rates on the remaining tax bases. The levy of an average tax rate on the 50 percent portion of the non-residential tax base would yield an amount equal to the shortfall which, it was suggested, might be used to equalize local tax burdens. This scheme proved unworkable, because in order for the City to benefit, its allocation from the equalization pool would have to be more than 87 percent to derive any net benefit at all--a figure unattainable under any conceivable distribution scheme based on population, income, tax effort and the like. This plan is unfeasible because the City's non-residential tax base is such a large proportion of its total tax base, (hence, it would contribute a disproportionately large share to the equalization pool) and because of its high local tax rates, the City would require \$8.1 million from the total pool of \$9.3 million to be able to maintain its present tax rate, and more to be able to reduce it.

A second alternative equalization scheme would involve the financing of more local services on a countywide basis. Specifically, such services as highways, police, and fire protection could be financed on a countywide basis and still be administered locally. Table 17 shows the estimated cost of police protection for those jurisdictions that maintain local police forces. If the financing of police protection were shifted to the upper-tier, the local tax rates would

decline significantly in a number of jurisdictions. The local property tax rate for the City would drop to \$8.83 and the average rate for towns with police forces would be reduced to \$2.90. Accompanying this reduction in local tax rates would be an increase in the countywide tax rate of approximately \$3.15.

A somewhat similar equalization effect would be seen if the cost of fire protection or highways were levied on a countywide basis, since the cost of fire protection is higher in the City, and because the cost of City highways is presently not supported by the County, whereas maintenance of county roads in the towns is financed by the County. Hence, equalization by shifting the financing of certain functions to the upper-tier can have a substantial impact on lower-tier tax rates. However, this alternative may be politically unacceptable, especially if administration of the services remains at the lower-tier level.

The determination of which services would be financed on a countywide basis should be made on the basis of the magnitude of the externalities associated with the particular service. If the externalities of a service could be quantified (such as the cost of city highways that can be attributed to non-city residents), it may be possible to finance only a portion of such services on a countywide basis. Such partial countywide financing would be more desirable and politically feasible than the assumption of all costs on a countywide basis.

Another equalization scheme suggested would assure each jurisdiction that the per capita yield from equivalent tax rates would be the same for all jurisdictions in the County. This concept, as proposed for the financing of education, is known as "power equalizing." If applied to the two-tier model it would involve the use of a resource pool to compensate for disparities in local tax bases so that at any level of tax effort every local jurisdiction would raise the same amount of money per capita through the combination of locally raised revenue and compensatory revenue from a "resource pool." In its simplest form, the average county valuation per capita would be guaranteed for each

jurisdiction. If a jurisdiction's actual per capita valuation fell below the county average, it would be entitled to revenues from the resource pool equal to the difference between its actual tax collections and the yield of its tax levy on the average valuation per capita. If the wealthier jurisdictions had valuations per capita above the county average, they would be required to pay into the resource pool the yield from the excess valuation per capita, to be used for redistribution to other local jurisdictions.

Each jurisdiction would remain free to set its tax rate at the level it wished, but a limit would be placed on the level of the tax rate to be financed by the equalization system. The most feasible approach would be to set the equalization tax rate level at the lowest tax rate levied by a jurisdiction. The important aspect of such an equalization scheme is that it provides local jurisdictions with equal access to the resources of the County as a whole, while allowing a local choice of service levels and costs. The shortcoming of this approach is that it ignores the reality that services have to be rendered not only to "capitas" but also to the non-residential properties. This problem could be overcome by involving only a reasonable portion of the non-residential tax base in the equalization scheme. (For the fiscal implications of a power equalization scheme see Table 18.)

A variation of the "power equalization" method is presently used by the Greater London Council to equalize the rates of the London boroughs. First, a resource pool is formed, using a basic levy which is paid by each borough. This is then redistributed to the boroughs by a formula measuring relative needs and resources. After equalization the boroughs have total tax rates that are more nearly equal. The result is that in wealthy areas the portion of taxes raised that are used for the borough's own use is smaller than the portion raised that goes to other boroughs and to the metro government, while in poor boroughs the total taxes raised are largely used for their own use -- most of the taxes needed

to support the metro government come from block grants and from the inter-borough pool.¹⁷

While further equalization among lower-tier jurisdictions appears to be desirable and even mandatory if the City is to be disaggregated into smaller jurisdictions, the task force was unable to agree on any one specific approach.

Unresolved Issues

Much of the research required to permit the measurement of the fiscal implications of a two-tiered form of government has to be undertaken after the jurisdictional configuration of the lower-tier has been agreed upon. The taxation/finance task force, therefore, confined its investigations during the second phase to the identification of major issues that might prove troublesome to certain types of jurisdictional realignments. Among these issues were the potential effects of such realignments on the status of the City school districts, the impacts upon state and federal grants, and the sufficiency of the real property tax base to support local services in the redesigned lower-tier jurisdictions.

Impacts upon the City school district

Considerable concern was voiced by task force members in regard to the impact on City school district organization and finances of a plan calling for the restructuring of the City of Rochester into smaller units of local government.

A review of the New York State Education Law and conversations with officials of the State Education Department failed to provide clear guidelines for the specification of such impacts. State officials professed their inability to come up with quick and precise answers to the questions posed because of the lack of any precedent of this nature. A change in the corporate status of the City of Rochester would, without question, require state enabling legislation.

Since such change would place the City school district into a vacuum--the law does not provide for automatic change in the status of a school district--it is reasonable to expect that companion state legislation would have to be enacted spelling out the details of the future status of the City school district. This legislation would undoubtedly be influenced heavily by suggestions of the State Education Commissioner. It also appears reasonable to assume that the Commissioner would consult with Rochester community leaders in the formulation of his suggestions. This process opens the door for the selection of one of a variety of alternatives to the present school district, some of which may not even be authorized by present law. At the present time, however, state officials stressed, it would be safe to assume that the jurisdictional character of the new municipalities would determine the future of the present City school district. If the City were to be divided into towns, the Commissioner of Education is empowered "to designate the individual towns or combinations of such towns or portion thereof as one or more central school districts" (Section 1801, New York State Education Law). This change of status would remove the district from its fiscal dependence on the City government, eliminate the present tax and debt ceilings on the school district, require referenda on the annual budget and the issue of debt obligations, and establish eligibility for inclusion in Boards of Cooperative Educational Services (BOCES). Based on past analyses¹⁸ the new school district or districts would reap significant financial rewards as a result of such changes: districts with small property tax bases would receive larger shares of state aid, rich districts would get minimum aid not significantly less than the present state aid share, and all districts would benefit from the liberal state aid provisions governing the financing of BOCES services.

The adoption of city status by the new communities would lead to the establishment of fiscally independent city school districts, make them eligible for separate tax (up to two percent of full value) and debt (five percent)

limitations and permit their inclusion in BOCES. Under this alternative the new city school districts in the aggregate would also be eligible for larger amounts of state aid than the present City school district.

No analysis was undertaken of the impact of a changed jurisdictional status upon federal aid for education currently received by the City school district.

Impacts Upon State and Federal Grants

The realignment of present town boundaries would have relatively small effects upon shared state income tax revenues and highway state aid allocations. Changes in state aid amounts will be roughly proportionate to changes in the population and tax base magnitudes of the individual lower-tier jurisdictions. Under current state aid legislation the City stands to lose substantial amounts of monies if it were to disaggregate itself into several towns or cities. New York State income tax revenue sharing legislation provides for nine percent of income tax collections to be distributed to all cities in existence prior to 1968, and for an additional nine percent to be allocated among counties, cities, towns, and villages. Over \$7 million of the City's current \$9 million of revenue sharing funds come from the first of these two revenue sharing pots. Disaggregation would result in the outright loss of this amount. It should be stressed, however, that it is entirely possible for the state legislature to amend this legislation to provide for the continued payment of these funds by stipulating that newly created municipalities which were part of a city prior to 1968 would continue to be eligible to receive city revenue sharing funds.

The division of the City into several towns would create eligibility for town highway aid. Preliminary calculations indicate that the maximum amount available from this revenue source for all jurisdictions presently contained within the City boundaries would be less than \$50,000 per annum.

A change in the City's corporate status would also affect the allocation of federal general revenue sharing funds. The mere grouping of the City with the towns rather than with villages as presently required would increase the revenue sharing allocation to the City by over \$450,000, other things being equal.¹⁹ The disaggregation of the present City into several towns would probably result in an even greater increase because some of the wealthier City components might see their computed allocation drop to a very low level which would make them eligible for the minimum allocation amount (20 percent of the statewide per capita allocation), a feature now benefiting 16 of the County's 19 towns.

Finally, the reconstitution of the present City into smaller components might affect certain types of federal grants that the City now receives by virtue of being a large city, particularly housing and community development aid and manpower aid. These aids currently amount to over \$15 million. Preliminary checks with federal officials indicate that the loss of such grants could be avoided through the passage of "hold harmless" legislation or the amendment of administrative regulations.

Real property tax base
sufficiency of lower-tier

As previously noted, the absolute tax rate differentials among the towns are fairly narrow. Consequently, rearrangement of town boundaries might be expected to have relatively small impact upon these tax rates. Uniformity of tax rates, however, does not necessarily imply uniformity of sufficiency of tax bases; identical tax rates in two jurisdictions may be used to finance significantly different configurations and levels of local services. Yet, if jurisdictional realignments are made substantially within grouping of towns--urban, suburban, and rural--with comparable sets of services, the relative size of the tax bases, as well as the tax rates, of the affected towns would probably not undergo great changes.

The most critical tax base sufficiency issue is raised by the prospect of the City's disaggregation into smaller units of local government. Once these new governments' boundaries are tentatively fixed, it will be necessary to allocate the cost of present city services and taxable real property to each new government. The City administration has indicated that, due to lack of good data, such an undertaking would be a rather lengthy process. In view of the highly uneven distribution of the tax base within the City, it is to be expected that even comparable service mixes and levels will result in large tax rate differentials between communities such as Charlotte (Kodak) and the Third Ward area. These differentials would be further exacerbated by the probable need for higher intensity services in the poor areas of the City. Consequently, the design of an urban services equalization scheme remains one of the highest priority tasks yet to be undertaken. The lack of quick answers to these issues posed should not, however, be construed as an insurmountable obstacle to the implementation of a plan calling for the disaggregation of the City, if such disaggregation is deemed desirable on other than fiscal considerations.

Conclusions

During the second phase of the GRIP project, the taxation/finance task force focused on the ability of the lower-tier governments to finance the services allocated to them by the panel during the first phase. Unlike the upper and lower-tier reports, the taxation/finance task force presented no specific fiscal recommendations regarding governmental reorganization. Its proposal, accepted by the full panel, pointed out that questions of taxation and finance are ongoing ones that need to be addressed during the implementation phase of any governmental reorganization.

The task force did consider whether the nine proposed (Model I) local units of government within the present boundaries of the City of Rochester could be self-supporting. Its informal conclusion was that several of these local

units would require considerable subsidy.

At one of the final panel meetings of the third phase, the chairman of the taxation/finance task force announced details of tax research currently being undertaken by the Center for Governmental Research, Inc. The Research Center is working on a tax study which should provide detailed information on such issues as voter attitudes on tax reform and the financial implications of a countywide reassessment. Sections of the tax study dealing with these fiscal issues are due to be published shortly. Subsequent sections of the tax study should be of continued interest to the taxation/finances aspects of the GRIP Project and the GRIP process as a whole.

Table 6

TOWN BUDGET ITEMS INCLUDED IN
LOWER TIER FUNCTIONAL CATEGORIES
FOR UNIT COST COMPARISON TABULATIONS

General Governmental Support:

Town board	Engineer
Supervisor	Elections
Director of finance	Board of ethics
Comptroller	Public Works administration
Independent audit	Buildings
Budget	Central garage
Purchasing	Central communications
Town clerk	Central storeroom
Attorney	Central printing and mailing
Personnel	Central data processing
Architect	Allocated special items, employee benefits, debt service, and capital improvements

Traffic Safety and Engineering:

Street lighting
Parking

Fire Protection Services:

Fire protection districts

Land Use Planning Control:

Zoning

Arts, Culture and Recreation:

Recreation	Museum
Parks	Historian
Playgrounds and recreation centers	Historical property
Beach and pool	Celebrations
Youth program	Programs for aging
Joint youth project	Adult recreation
Library	

Solid Waste:

Refuse and garbage collection

Public Safety Services:

Public safety administration
Police and constable
Jail
Civil defense
Traffic Control (school crossing guards)
Control of animals (dog warden)

Highways and Bridges:

Superintendent of highways
Garage
Highway budget:

Item 1 (repairs and improvements)
Item 2 (bridges)
Item 3 (machinery)
Item 4 (snow and miscellaneous)
Item 1A (improvement program)

Miscellaneous:

Drainage
Conservation
Cemeteries
Community beautification
Shade trees
Natural resources

Table 7

BUDGET ITEMS INCLUDED IN LOWER TIER
FUNCTIONAL CATEGORIES FOR UNIT
COST COMPARISON TABULATIONS
(City of Rochester 1973/74)

General governmental support:

Buildings and equipment (Municipal property maintenance, motor equipment, engineering)	\$ 1,789,495
Law	325,782
Finance (Audit and accounts, treasury)	575,260
Administration (City manager, budget, personnel, public information, data processing)	967,205
Legislative (Council and clerk, election expense, mayor)	388,812
Allocated controller's fixed charges (Fire and police pension, sewer use charges, miscellaneous)	2,548,512
Allocated debt service	7,345,000
Allocated employee benefits (fire and police retirement, state retirement, other benefits)	12,545,134
Total	\$26,485,200

Traffic Safety and Engineering:

Municipal parking	\$ 1,081,541
Street lighting	2,381,130
Total	\$ 3,462,671

Fire Protection Service:

Fire (excluding state retirement)	\$10,495,000
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Land Use Planning:

Zoning division	\$ 103,175
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Arts, Culture and Recreation:

Recreation - Administration	\$ 70,488
Recreation - Maintenance and operation	1,363,418
Playgrounds and recreation	1,304,946
Adult recreation	61,529
Community Library	1,060,865
Total	\$ 3,861,246

Solid Waste:

Refuse Collection	\$ 3,768,187
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Public Safety:

Police (exc. ret.)	\$11,278,534
Animal control center	103,504
Total	\$11,382,038

Miscellaneous:

Mt. Hope and Riverside Cemeteries
Forestry

\$ 412,362
440,565
\$ 852,927

Total

SUB TOTAL

\$60,410,444

Highways and Bridges:

Construction, maintenance and repair of streets
City local works program
Allocated debt service

\$ 965,170
7,215,000
3,500,000
\$11,680,170

Total

GRAND TOTAL

\$72,090,614

Table 8

GROSS EXPENDITURES PER \$1,000 FULL VALUE OF
RECOMMENDED LOCAL SERVICES AND RESPONSIBILITIES
MONROE COUNTY (1973/74)

	Functional Categories								Total	Highways**
	General Support	Traffic Safety	Fire Protec- tion	Land Use Planning	Arts, Culture, Recreation	Solid Waste	Public Safety	Misc.		
City of Rochester	\$12.49	\$ 1.63	\$ 4.95	\$.05	\$ 1.82	\$ 1.78	\$ 5.37	\$.40	\$28.49	\$ 5.51
Urban Towns										
Greece	1.36	--	1.12	.03	.63	.14	1.46	.08	4.81	1.87
Irondequoit	1.33	.13	1.13	.02	.86	.25	1.66	.19	5.55	2.13
Brighton	2.47	.12	1.85	N.A.	.41	.32	1.60	.03	6.79	2.33
*Suburban Towns (with village)										
Perinton	.81	.01	.82	.04	.85	.22	.09	.13	2.97	3.61
Pittsford	1.26	.02	.81	N.A.	.63	--	.10	.01	2.83	3.38
Webster	.91	.04	.46	.04	.44	.26	.78	.03	2.96	2.86
Suburban Towns (without village)										
Henrietta	1.50	.04	.84	.02	.63	--	.12	.01	3.15	1.85
Gates	1.94	.20	.51	.01	.63	--	1.11	.01	4.41	2.17
Penfield	1.19	.06	.61	.03	1.03	--	.05	.01	2.98	3.28
Chili	1.56	.04	.66	.03	.50	.16	.12	.00	3.06	3.11
*Rural Towns (with village)										
Ogden	2.40	.09	.76	.29	.67	.01	1.31	--	5.51	3.83
Sweden	1.46	.03	.57	.04	.28	--	.03	.01	2.42	7.26
Parma	1.56	--	.92	.06	.52	--	.04	.02	3.11	2.97
Mendon	1.53	.02	.79	.22	.47	--	.02	.01	3.06	8.21
Wheatland	2.16	.13	.88	.13	.98	--	.72	.02	5.02	9.76
Riga	1.45	.05	.65	.10	.27	--	.02	.01	2.55	7.89
Rural Towns (w/o village)										
Hamlin	1.87	.07	1.67	.09	.28	.05	.04	--	4.07	5.54
Clarkson	2.48	.03	.62	.01	.18	--	.08	--	3.40	7.86
Rush	3.34	.11	1.44	.04	.92	--	.07	.05	5.97	3.67

*Per \$1,000 full value cost applies to the area of the town outside the village.

**For the purposes of this study it is assumed that the entire amount of taxes to be raised for highway purposes would be levied on the area outside the village. Presently highway items 1 and 1A are levied on the part-town and items 2, 3, and 4 are levied townwide.

NOTE: Individual items may not add to totals due to rounding.

Table 9

PER CAPITA GROSS EXPENDITURES OF RECOMMENDED LOCAL
SERVICES AND RESPONSIBILITIES, MONROE COUNTY
(1973, 1973/74)

	General Support	Functional Categories								Highways***	
		Traffic Safety	Fire Prot.	Land Use Plng.	Arts, Cult., & Rec.	Solid** Waste	Public Safety	Misc.	Total	Per Cap. Cost	Per Mile Cost
City of Rochester (295,011-13.06) (295,011-13.06)	\$89.78	\$11.75	\$33.57	\$.35	\$13.09	\$12.77	\$38.58	\$2.89	\$204.78	\$39.59	\$21,596.35
Urban Towns											
Greece (75,136-2.44)	\$13.28	\$ --	\$10.88	\$.28	\$ 6.10	\$ 1.33	\$14.22	\$.76	\$ 46.85	\$18.28	\$ 5,721.72
Irondequoit (64,897-6.60)	10.15	1.00	8.63	.12	6.90	1.90	12.69	1.42	42.51	16.22	5,705.04
Brighton (35,065-3.53)	27.28	1.38	20.38	N.A.	4.50	3.56	17.66	.29	75.05	25.74	7,241.52
Weighted Mean.	\$14.92	\$.65	\$11.95	\$.16	\$ 5.96	\$ 1.99	\$14.34	.91	\$ 50.88	\$18.99	\$ 6,061.53
*Suburban Towns (with village)											
Perinton (31,568-1.40)	\$ 6.94	\$.11	\$ 7.90	\$.37	\$ 7.47	\$ 2.10	\$.80	\$1.25	\$ 26.94	\$34.86	\$ 5,386.36
Pittsford (25,058-1.58)	14.05	.25	.12	N.A.	6.97	-	1.21	.13	32.73	42.41	6,736.52
Webster (24,739-1.15)	11.35	.51	4.51	.41	5.95	2.54	10.63	.38	36.28	27.69	4,792.60
Weighted Mean.	\$10.52	\$.28	\$ 7.47	\$.27	\$ 7.12	\$ 1.60	\$ 3.90	\$.61	\$ 31.77	\$34.83	\$ 5,627.51
Suburban Towns (w/o village)											
Henrietta (33,017-1.45)	\$14.39	\$.34	\$ 8.06	\$.21	\$ 5.99	-	\$ 1.12	\$.06	\$ 30.17	\$17.69	\$ 3,974.67
Gates (26,442-2.68)	17.92	1.89	4.69	.06	5.86	-	10.24	.09	40.75	20.08	5,672.11
Penfield (23,732-1.00)	11.34	.61	5.82	.32	9.88	-	.50	.08	28.55	31.35	5,187.65
Chili (19,609-.77)	13.94	.33	5.88	.23	4.46	1.41	1.06	.04	27.35	27.74	4,513.51
Weighted Mean.	\$14.51	\$.80	\$ 6.26	\$.20	\$ 6.56	\$.27	\$ 3.31	\$.07	\$ 31.98	\$23.38	\$ 4,763.47

Table 9 (continued)

PER CAPITA GROSS EXPENDITURES OF RECOMMENDED LOCAL
SERVICES AND RESPONSIBILITIES, MONROE COUNTY
(1973, 1973/74)

	Functional Categories								Highways***		
	General Support	Traffic Safety	Fire Prot.	Land Use Plng.	Arts, Cult., & Rec.	Solid** Waste	Public Safety	Misc.	Total	Per Cap. Cost	Per Mile Cost
*Rural towns (with village)											
Ogden (11,736-.50)	\$17.23	\$.64	\$ 5.55	\$2.09	\$4.82	\$.04	\$9.41	\$ --	\$39.79	\$27.96	\$2,797.75
Sweden (11,461-.53)	11.07	.26	6.42	.50	2.86	--	.23	.09	21.43	81.39	4,193.67
Parma (10,748-.40)	11.33	--	6.62	.46	3.79	--	.29	.14	22.63	21.44	2,253.98
Mendon (4,541-.8)	15.72	.22	10.23	2.83	5.19	--	.16	.07	34.42	106.26	2,764.90
Wheatland (4,265-.22)	14.90	.89	6.98	1.04	6.78	--	4.98	.14	35.72	77.16	2,639.10
Riga (3,746-.17)	10.95	.40	4.77	.75	2.02	--	.11	.11	19.11	58.04	2,285.88
Weighted Mean.	\$13.49	\$.36	\$ 6.40	\$1.25	\$3.79	\$.04	\$2.98	\$.08	\$28.36	\$46.21	\$2,810.11
Rural towns (w/o village)											
Hamlin (4,167-.16)	\$14.74	\$.58	\$13.23	\$.71	\$2.24	\$.38	\$.31	\$ --	\$32.19	\$43.73	\$2,301.92
Clarkson (3,642-.17)	18.38	.22	4.61	.10	1.33	--	.56	--	25.20	58.28	4,427.33
Rush (3,287-.17)	28.77	.91	12.39	.30	7.91	--	.64	.46	51.38	31.56	1,620.53
Weighted Mean.	\$20.09	\$.56	\$10.15	\$.40	\$3.62	\$.14	\$.49	\$.14	\$35.59	\$44.90	\$2,606.84

*Per capita cost applies to the area outside the village.

**Fifteen of the 19 towns provide municipal collection, on an irregular basis, of brush, leaves, and bulk items. In most towns, the cost of this collection is included in their highway budgets (the town of Webster contracts with a private collector for its solid waste collection).

***For the purposes of this study it is assumed that the entire amount of taxes to be raised for highway purpose would be levied on the area outside the village. Presently highway items 1 and 1A are levied on the part-town and items 2, 3, and 4 are levied townwide.

NOTE: Figures in parentheses after each jurisdiction represent their 1970 population and density per acre respectively.

Table 10

NET LOCAL BURDEN PER \$1,000 FULL VALUE OF
RECOMMENDED LOCAL SERVICES AND RESPONSIBILITIES
MONROE COUNTY (1973, 1973/74)

	<u>Gross Expend. (Excl. Highways)</u>	<u>Fed. Aid**</u>	<u>State Aid</u>	<u>Reimbursements from Other Gov'ts.</u>	<u>Net Local Burden</u>
City of Rochester	\$28.49	\$1.49	\$4.63	\$.03	\$22.33
Urban towns					
Greece	4.81	.57	.98	--	3.26
Irondequoit	5.55	.64	1.18	--	3.75
Brighton	6.79	.44	.92	--	5.44
*Suburban towns (with village)					
Perinton	2.97	.58	1.17	--	1.22
Pittsford	2.83	.44	.84	.02	1.53
Webster	2.96	.36	.59	.01	2.00
Suburban towns (w/o village)					
Henrietta	3.15	.51	1.13	--	1.51
Gates	4.41	.53	1.23	--	2.65
Penfield	2.98	.51	1.05	.05	1.36
Chili	3.06	.55	1.18	.11	1.22
*Rural towns (with village)					
Ogden	5.51	.68	1.05	.01	3.77
Sweden	2.42	.64	1.14	.21	.42
Parma	3.11	.67	1.15	--	1.29
Mendon	3.06	.48	.57	--	2.01
Wheatland	5.02	.80	1.11	.07	3.04
Riga	2.55	.65	1.00	--	.91
Rural towns (w/o village)					
Hamlin	4.07	.72	1.16	--	2.19
Clarkson	3.40	.66	.88	--	1.86
Rush	5.97	.57	1.01	--	4.39

*Figures apply to the area of the town outside the village.

**Federal aid, in the form of general revenue sharing was not uniformly budgeted for in 1973; therefore, the actual 4th entitlement period allocations have been used to determine the net local burden.

Table 11

NET LOCAL PER CAPITA BURDEN OF
RECOMMENDED LOCAL SERVICES AND RESPONSIBILITIES
MONROE COUNTY (1973, 1973/74)

	<u>Gross Expend. (Excl. Highways)</u>	<u>Fed. Aid**</u>	<u>State Aid</u>	<u>Reimbursements from Other Gov'ts.</u>	<u>Net Local Burden</u>
City of Rochester	\$204.78	\$10.73	\$33.30	\$.19	\$160.57
Urban towns					
Greece	46.85	5.53	9.55	—	31.77
Irondequoit	42.51	4.89	9.01	—	28.60
Brighton	75.05	4.89	10.11	—	60.05
*Suburban towns (with village)					
Perinton	27.64	4.89	10.42	—	12.33
Pittsford	32.73	4.89	9.64	.18	18.02
Webster	36.28	4.89	7.55	.11	23.73
Suburban towns (w/o village)					
Henrietta	30.17	4.89	10.85	—	14.44
Gates	40.75	4.89	11.37	—	24.49
Penfield	28.55	4.89	10.09	.53	13.06
Chili	27.35	4.89	10.57	.99	10.90
*Rural towns (with village)					
Ogden	39.79	4.89	7.58	.05	27.27
Sweden	21.43	4.89	10.31	1.63	4.60
Parma	22.63	4.89	8.38	—	9.36
Mendon	34.42	4.89	5.93	—	23.60
Wheatland	35.72	5.52	8.04	.47	21.69
Riga	19.11	4.89	7.55	—	6.67
Rural towns (w/o village)					
Hamlin	32.19	5.70	9.15	—	17.34
Clarkson	25.20	4.89	6.56	—	13.76
Rush	51.38	4.89	8.72	—	37.77

*Figures apply to the area of the town outside the village.

**Federal aid, in the form of general revenue sharing was not uniformly budgeted for in 1973; therefore, the actual.

Table 12

CALCULATION OF THE AMOUNT TO BE RAISED BY TAXES FOR
LOWER TIER FUNCTIONS--EXCLUDING HIGHWAYS
(PER \$1,000 FULL VALUE - 1973, 1973/74)

	Loss: Estimated Revenues from local Sources								Net	Less:	
	Net Local Burden	Other Tax Items*	Dept. Income	Use of Money & Prop.	Licenses and Permits	Sales and Comp. for Losses	Misc.	Total Current Revenues	Burden After Revenues	Surpluses and Reserves	Property Tax
City of Rochester	\$22.33	\$ 7.51	\$ 1.27	\$.36	\$.15	\$.43	\$ --	\$ 9.72	\$12.61	\$ 2.02	\$10.59
Urban towns											
Greece	\$ 3.26	\$.02	\$.03	\$.03	\$.11	\$ --	\$ --	\$.19	\$ 3.07	\$.12	\$ 3.19
Irondequoit	3.75	.02	.16	.03	.07	.00	--	.28	3.47	.22	3.25
Brighton	5.44	.03	.22	.19	.07	--	.00	.52	4.92	1.04	3.88
Suburban towns (with village)											
Perinton	\$ 1.22	\$.02	\$.02	\$.05	\$.21	\$ --	\$.01	\$.30	\$.92	\$.32	\$.60
Pittsford	1.53	.03	.09	.04	.01	.01	.01	.19	1.34	.18	1.16
Webster	2.00	.01	.68	.02	.11	.00	.01	.83	1.17	.19	.98
Suburban towns (w/o village)											
Henrietta	\$ 1.51	\$.01	\$.48	\$.07	\$.14	\$ --	\$.00	\$.70	\$.81	\$.02	\$.79
Gates	2.65	.02	.09	.01	.13	.00	--	.25	2.40	--	2.40
Penfield	1.36	.02	.33	.02	.13	--	.07	.57	.79	.22	.57
Chili	1.22	.02	.01	.03	.11	.01	--	.18	1.04	.71	.33
Rural towns (with village)											
Ogden	\$ 3.77	\$ --	\$.02	\$.06	\$.03	\$ --	\$.04	\$.14	\$ 3.63	\$.23	\$ 3.40
Sweden	.42	.04	.01	.00	.13	--	--	.18	.24	.86	.62
Parma	1.29	.02	.09	.02	.04	--	--	.16	1.13	.22	.91
Mendon	2.01	.02	.06	.02	.03	.01	.03	.16	1.85	.13	1.72
Wheatland	3.04	--	.45	.03	.10	--	.00	.56	2.48	.46	2.02
Riga	.91	.02	.01	.10	.04	.01	--	.18	.73	.52	.21
Rural towns (w/o village)											
Hamlin	\$ 2.19	\$ --	\$.01	\$.03	\$.10	\$ --	\$ --	\$.14	\$ 2.05	\$ --	\$ 2.05
Clarkson	1.86	.04	.06	.03	.07	--	.12	.31	1.55	.37	1.18
Rush	4.39	.01	.05	.17	.04	--	.30	.57	3.82	2.02	1.80

*The figure for the city of Rochester includes \$5.63 of sales tax revenue--which in the case of the towns as credited to their county tax rather than received in cash.

**For those towns with villages the tax rate applies to the area outside the village.

NOTE: Individual items may not add to totals due to rounding.

Table 13

LOCAL PROPERTY TAX BURDEN
FOR HIGHWAYS AND BRIDGES

	Tax Levy (1973, 1973/74)	Tax Rate per \$1,000 full Value*	
		Present	Proposed
City of Rochester	\$11,126,770	\$5.25	\$5.25
Urban towns			
Greece	\$ 881,333	\$1.20	\$1.20
Irondequoit	670,000	1.35	1.35
Brighton	655,000	1.69	1.69
Suburban towns (with village)			
Perinton	\$ 242,672	\$1.04	\$1.16
Pittsford	499,805	1.96	2.16
Webster	217,624	.73	1.14
Suburban towns (w/o village)			
Henrietta	\$ 352,976	\$1.12	\$1.12
Gates	407,616	1.67	1.67
Penfield	313,395	1.38	1.38
Chili	228,982	1.31	1.31
Rural towns (with village)			
Ogden	\$ 49,530	\$.63	\$.77
Sweden	73,219	1.43	1.82
Parma	15,000	.21	.25
Mendon	80,454	1.89	2.71
Wheatland	53,100	2.01	2.92
Riga	18,750	.66	.95
Rural towns (w/o village)			
Hamlin	\$ 67,390	\$2.05	\$2.05
Clarkson	46,930	1.73	1.73
Rush	3,400	.12	.12

*For those towns with villages the tax rate applies to the area outside the village. Presently highway items 1 and 1A are levied on the part-town, while items, 2, 3, and 4 are levied townwide. The "proposed" rates would exist if all highway expenditures were levied on the area outside villages.

Table 14

LOWER TIER TAX RATES PER \$1,000 FULL VALUE
PRESENT/PROPOSED
(1973, 1973/74)

	<u>Proposed Property Tax Rates</u>			<u>Present Tax Rate**</u>	<u>Adjusted Difference***</u>
	<u>Lower Tier Functions (exc. highways)</u>	<u>Highways*</u>	<u>Total</u>		
City of Rochester	\$10.59	\$5.25	\$15.84	\$17.93	\$2.26
Urban towns					
Greece	3.19	1.20	4.39	5.32	.90
Irondequoit	3.25	1.35	4.60	5.87	.63
Brighton	3.88	1.69	5.57	6.82	.81
Suburban towns (with village)					
Perinton	.60	1.16	1.76	3.06	.72
Pittsford	1.16	2.16	3.32	3.95	.19
Webster	.98	1.14	2.12	3.30	.82
Suburban towns (w/o villages)					
Henrietta	.79	1.12	1.91	2.78	.57
Gates	2.40	1.67	4.07	4.77	.17
Penfield	.57	1.38	1.95	3.34	.95
Chili	.33	1.31	1.64	3.28	1.09
Rural towns (with village)					
Ogden	3.40	.77	4.17	4.95	.10
Sweden	.62	1.82	1.20	2.83	.99
Parma	.91	.25	1.16	2.56	.73
Mendon	1.72	2.71	4.43	5.40	.49
Wheatland	2.02	2.92	4.94	6.56	.82
Riga	.21	.95	1.16	3.00	1.19
Rural towns (w/o villages)					
Hamlin	2.05	2.05	4.10	6.57	1.75
Clarkson	1.18	1.73	2.91	4.33	.76
Rush	1.80	.12	1.92	4.30	1.81

*The proposed highway tax rates assume that the entire amount to be raised for highway purposes would be levied on the area outside the village, rather than levying items 1 and 1A on the part-town and items 2, 3, and 4 townwide.

**For comparability, the property tax rate of the city of Rochester includes an amount equivalent to the revenues that are raised by the city local works program on a special assessment basis and the town tax rates include the special district levy for fire protection.

***The present tax rate figures were not determined on the basis of the entire amount of federal revenue sharing received by the jurisdictions, whereas the proposed rates were--hence, the difference between the present and proposed rates has been adjusted to account for the amount of federal aid used in the calculation of the proposed rate which was not used in the determination of the present rate. (Without such adjustment, the differences would be overstated).

NOTE: For those towns with villages the tax rate applies to the area outside the village.

Table 15

DELINEATION OF MAJOR EXPENDITURES
OF THE CITY OF ROCHESTER
TO BE SHIFTED TO THE UPPER TIER
(1973/74)

<u>Account Description</u>	<u>Appropriation</u>
Courts	\$ 773,760
Model Cities Adm.	730,155
Building & Property Conservation	1,602,140
Urban Renewal & Economic Development	2,292,355
Water Supply & Distribution	5,341,681
Refuse Disposal	2,216,190
Comptroller Fixed Charges	694,136
Fringe Benefits	2,373,612
Debt Service	<u>2,818,992</u>
TOTAL	\$18,843,021

PRESENT LOCAL EXPENDITURES AND REVENUES
OF MONROE COUNTY JURISDICTIONS
TO BE SHIFTED TO THE UPPER TIER
(1973, 1973/74)

	<u>Expenditures</u>	<u>Revenues</u>	<u>Net Tax Burden</u>
City of Rochester	\$23,559,627	\$19,178,329	\$4,381,298
Urban towns			
Greece	530,995	33,000	497,995
Irondequoit	252,234	33,300	218,934
Brighton	272,644	63,968	208,676
Suburban towns (with village)			
Perinton	305,102	92,100	213,002
Pittsford	140,859	56,000	84,859
Webster	153,532	26,200	127,332
Suburban towns (w/o villages)			
Henrietta	157,422	36,000	121,422
Gates	60,398	32,000	28,398
Penfield	177,261	21,600	155,661
Chili	117,173	12,000	105,173
Rural towns (with village)			
Ogden	40,150	23,600	16,550
Sweden	65,183	17,050	48,133
Parma	48,073	6,000	42,073
Mendon	39,131	8,450	30,681
Wheatland	34,357	9,383	24,974
Riga	27,575	8,000	19,575
Rural town (w/o villages)			
Hamlin	34,410	3,350	31,060
Clarkson	32,713	11,205	21,508
Rush	<u>40,472</u>	<u>3,200</u>	<u>37,272</u>
Total Towns	\$2,529,684	\$496,406	\$2,033,278
GRAND TOTAL	\$26,089,311	\$19,674,735	\$6,414,576

NOTE: With the exception of \$10,411,252 of intergovernmental and interfund expenditures and revenues that were eliminated when the functions were shifted, these figures represent the total amount of expenditures and revenues remaining after the allocation of functions to the lower-tier. The double counting of expenditures and revenues that was eliminated included: Pure Waters reimbursement to city for debt service paid by city, county reimbursement to city for debt service paid by city, county reimbursement to the city for the central library, and city local works fund reimbursement to the general fund for fringe benefits. These expenditures and revenues are counted only once by the upper tier and local works fund.

Table 17

IMPACT OF SHIFTING THE FINANCING
OF LOCAL POLICE SERVICES
TO THE UPPER TIER
(Per \$1,000 FULL VALUE - 1973, 1973/74)

<u>Jurisdiction</u>	<u>Estimated Net Tax Burden of Police Services*</u>
City of Rochester	\$7.01
Brighton	2.00
Greece	1.63
Gates	1.25
Irondequoit	1.83
Ogden	1.30
Webster	.86
Wheatland	.87

* Estimated tax burden includes all costs, including fringes--less budgeted police revenues.

Table 18

EFFECT OF ASSURING EACH JURISDICTION
THE SAME (COUNTY AVERAGE) PER CAPITA YIELD
FROM A \$1,000 FULL VALUE TAX LEVY - 1973

	Per Capita Valuation	Yield of \$1 Tax Levy		Difference Between Yields		on Tax Rate
		Present	Guaranteed*	To be Contributed to Resource Pool	To be Received from Resource Pool	
County (all jurisdictions)	\$8,229	\$5,858,429	\$5,858,429	\$ -	\$ -	\$ -
City of Rochester	6,632	1,956,466	2,427,646	-	468,180	-.24
<u>Towns (sample)</u>	11,045	387,305	288,550	98,755	-	+.25
Brighton	11,045	387,305	288,550	98,755	-	+.25
Greece	9,738	731,680	618,294	113,386	-	+.15
Henrietta	9,572	316,034	271,697	44,337	-	+.14
Perinton	8,465	267,223	259,773	7,450	-	+.03
Rush	8,602	28,277	27,049	1,228	-	+.04
Sweden	7,227	87,409	94,313	-	6,904	-.08
Webster	13,596	336,362	203,577	132,785	-	+.39
Wheatland	6,910	29,470	35,097	-	5,627	-.19

*The guaranteed yield represents the amount of yield from a \$1 tax levy that would be obtained from the guaranteed tax base of \$8,229 x population of the jurisdiction.

FOOTNOTES

- ¹ Committee for Economic Development, Reshaping Government in Metropolitan Areas, (New York: CED, February, 1970) p. 18.
- ² Charles R. Warren, Developing Action Models for Neighborhood-Oriented Metropolitan Government, (Washington, D.C.: National Academy of Public Administration, January, 1973) pp. 5, 6.
- ³ Urban Policy Conference, Focus From the Future (Preliminary Report) (Rochester, New York: November 30, 1972) p. 3.
- ⁴ Addendum to Monroe County Charter Study Paper # 17, May 29, 1974.
- ⁵ Addendum to Monroe County Charter Study Paper # 18, May 29, 1974.
- ⁶ Center for Governmental Research Inc., The Legislative, Study Paper # 36, Monroe County Charter Study Commission, 1974, p. 5.
- ⁷ Monroe County Charter Study Commission, A Plan for Better Government in Monroe County, Part I, 1974, pp. 12-18.
- ⁸ Ibid., pp. 18-19.
- ⁹ Ibid.
- ¹⁰ For details of the Commission's departmental reorganization plan, see: Report of the Greater Rochester Inter-Governmental Panel, November 15, 1974, p. 48-51.
- ¹¹ Center for Governmental Research Inc., The Governance of Rochester, Rochester, New York, May, 1973.
- ¹² Howard W. Hallman, Government By Neighborhoods, (Washington, D.C.: Center for Governmental Studies, June, 1973) pp. 19-25.
- ¹³ Town budgets provide for separate highway funds, including debt service and fringes. The highway figures shown also include the salary of the highway superintendents and highway garage expenses, items financed through the town general fund. Corresponding adjustments were made for the City of Rochester.
- ¹⁴ A more meaningful comparison of highway expenditures is offered by cost per mile ratios, which is shown in Table 9.
- ¹⁵ Federal aid, in the form of general revenue sharing was not uniformly budgeted for in 1973; therefore, the actual fourth entitlement period allocations were used in the analysis to determine the net local cost burden.
- ¹⁶ Town taxpayers receive their sales tax shares as credits against the county tax, the city and villages receive their sales tax shares in cash as revenues for their respective municipal operation.

¹⁷Foley, Donald L., Governing the London Region, (Berkeley, California: University of California Press, 1972) p. 140.

¹⁸For example: Center for Governmental Research Inc., Target: The Three E's Rochester, New York, 1969.

¹⁹Center for Governmental Research Inc., General Federal Revenue Sharing, The Formula and Its Implications for Monroe County Municipalities, Rochester, New York, 1974.

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APPENDIX II

MONROE COUNTY CHARTER

STUDY COMMISSION

(Excerpts)

A PLAN FOR BETTER GOVERNMENT
IN MONROE COUNTY (PART I)

REPORT SUMMARY

Objectives of Commission

The Charter Study Commission has the general objective to develop an improved plan for the governing of Monroe County. The plan which the Commission sets forth in its part-one report (summarized here) is intended to be both responsive to local citizen and community needs and desires and capable of effectively, efficiently, and economically guiding the day-to-day operations of county government. The Commission's plan specifically seeks to improve county government in terms of governmental organization, the planning and delivery of public services, the allocation of financial resources, and citizen participation in all aspects of county government. By encouraging better planning and greater administrative control, it is expected that the plan would lead to significant cost economies for all services provided by the county.

Revised Charter - The Basic Plan

The Commission has drafted a revised county charter for consideration by the county legislature. The revised charter represents a careful updating of the existing charter. It contains many technical revisions which are intended to improve its usefulness as a public statement of the structure of county government, as well as improving its usefulness as a legislative and management tool. The Commission has also included most of its general recommendations (outlined below) in the revised charter--except for those involving either voter approval or state legislation. The proposed revised

charter thus represents the Commission's basic plan for better government in Monroe County--a plan which can be acted upon directly by the county legislature without complicated implementation requirements (e.g., referenda or home rule messages to the state legislature).

New Administrative Code - The Detailed Plan

The Commission's part-one report contains its first draft of a new county administrative code which is intended for consideration as the basis for the continuing development of a code. The code details the organizational and procedural details of county government--and allows more meaningful interpretations of what is set forth in the county charter and other applicable laws. The code should help set guidelines for management, prevent arbitrary uses of power, and create an objective means for evaluating administrative performance.

Legislature (General Recommendations)

The twenty-nine member county legislature is the single most important unit of county government. While the legislature requires strengthening in several respects, it is basically performing well. It is representative of citizens within the county and responsible in its proceedings. On the other hand, the legislature requires strengthening in its policy-making and investigatory roles.

Terms. In creating the Commission, the legislature specifically required it to address the question of changes in the terms of members of the county legislature. The Commission has reviewed the alternatives available, and recommends the retention of the two-year term. While there are good

arguments for increasing the length of term to four years in order to allow a legislator more time to understand his office and to take a long-range rather than a "re-election" perspective, the Commission finds that the need for immediate accountability through general elections is more convincing at this time. Current experience indicates that many legislators serve two or more 2-year terms--and thus already have an opportunity to gain needed experience and perspective. Furthermore, the high mobility of our population suggests that if a district representation system is to be truly representative, more frequent elections may be desirable. Finally, the Commission feels that under an appointed manager plan (which the Commission recommends continuing--see below), the legislature, as the appointing body, should be held more frequently accountable. The Commission wishes, however, to receive more input on this subject from both officials and the general public--and retains the right to modify this recommendation in its part-two report.

President. The role of the president should be strengthened in policy leadership, and as spokesman and representative of the legislature. The president should be given overall responsibility for direction of legislative staff, including the clerk's office. The president should appoint, with legislative confirmation, the clerk of the legislature and the members of all boards and commissions presently appointed by the legislature.

Committees. In order to strengthen the policy-orientation and coverage of legislative committees, the current standing committees should be reorganized as: (1) finance; (2) human services; (3) public safety; (4) physical services; (5) planning and intergovernmental; (6) agenda.

The jurisdictions of the standing committees should be broadly defined and related to the proposed main functional divisions of county government.

Staff. The legislature needs to utilize more research services. Thus, the legislature should consider retaining a professional research coordinator. The coordinator would be responsible for identifying pertinent research information and resources relevant to issues before the legislature and its functional committees.

Executive - County Manager
(General Recommendations)

Retain Appointed County Manager. The Commission was charged by the legislature to specifically study the subject of an elected county executive. In conducting its study, the Commission examined three major criteria in assessing the elected and appointed executive plans: (1) accountability to the electorate; (2) professional administration; (3) executive-legislative balance. An analysis of these criteria resulted in the Commission's recommendation for retaining the appointed county manager plan because: (1) like the elected executive, the manager plan (especially with the modification suggested below) can ensure accountability; (2) the manager plan can better ensure professional administration; (3) the manager plan can better preserve executive-legislative balance and an effectively functioning legislature. Furthermore, the existing manager plan has served Monroe County well--having generally provided the county with stable and administratively progressive leadership. Thus, overall, the Commission found no compelling reasons to eliminate the appointed manager plan in favor of an elected executive.

Revision of Manager's Term. However, in order to reinforce the county manager's accountability and the concept that the manager serves the legislature as the chief administrative officer of the county, the Commission recommends that the manager's term be made to coincide with the term of the county legislature. Further, the manager should be made subject to removal at any time during that term by the county legislature, subject to a two-thirds vote of the total membership.

Other Appointed Officials. In order to strengthen the legislative and administrative accountability, the Commission recommends that the county manager's appointment powers be further extended wherever possible to include all personnel involved in the administration of county services. (See recommendations below on county clerk and sheriff.) The manager's appointments should not require the confirmation of the county legislature, except in the case of the county attorney (current practice) and the proposed new positions of "administrative commissioners." (See recommendations below under "improved program management.")

Elective Officers - County Clerk and Sheriff
(General Recommendations)

The Commission recommends that functions of county government be placed under a single responsible executive. To ensure this goal to move away from fragmented administration, the elective status of the county clerk's office should be changed to appointive and certain functions of the sheriff's office should be transferred to departments headed by appointed directors. Both of these changes have been supported by numerous charter commissions and study groups over the past decade (or longer). The Commission, of course,

recognizes that no changes would become effective during the term of office of the current officeholders.

With respect to the sheriff's three basic functions, the Commission recommends two shifts: (1) the shift of his jail responsibilities to a proposed department of detention and corrections, and (2) the shift of his police duties to a proposed department of police services. (The Commission has no recommendations on the sheriff's civil duties.) In both cases, the current sheriff would serve as departmental director for the balance of his term. In the case of the police functions, the Commission recommends the formation of a county police advisory commission to, among other duties, recommend an organization plan for the department of police services. In the case of both departments, the county manager would appoint new directors at the end of the current sheriff's term.

Administrative Reorganization (General Recommendations)

The administrative organization of the county still reflects its fragmented past. The county consists of approximately fifty separate administrative units--departments, agencies, offices, bureaus, boards, and commissions. Many of these units tend to operate as if they were not part of a larger organization--as if they had their own private constituencies. Central management (i.e., the county manager and his deputy) does not, under current county organization, have the capacity to deal adequately with this complex service structure. Planning, both short- and long-range, is virtually nonexistent for many, if not most, of the county's activities. Overall comprehensive planning is still treated lightly if at all--when, in fact, past governmental performance indicates that such planning is essential if community

services and facilities are to be adequately coordinated, improved, evaluated, and utilized in order to achieve maximum benefits for all citizens. Over the past decade, numerous public and private study groups have made similar observations--and a few have offered recommendations.

The Commission is proposing that the county legislature undertake a major functional reorganization of county administration. The purposes of this reorganization are: (1) to increase central management's capacity to "manage"--i.e., implement legislative policy direction, integrate services, achieve greater administrative accountability over individual agency performance; (2) to provide a stronger organizational basis for the development of functional program plans and a county comprehensive plan; (3) to simplify lines of communication within county government by establishing agency groupings by appropriate functional categories and consolidating certain agencies; (4) to increase the relevance and significance of various boards and commissions by clearly establishing their responsibilities and linking them to county administrative units; (5) to strengthen the internal cohesiveness of the county so that it functions more like a "single" rather than a "multi" unit of government.

Functional Organization Plan. In order to improve the management of services, clarify administrative reporting relationships, and increase administrative accountability, the county should organize all of its agencies into functional administrative groupings or categories. Categories should be created to group: (1) human services agencies; (2) public safety services agencies; (3) physical services agencies; (4) management services agencies; and (5) judicial services.

Improved Program Management. In order to promote better planning and program management, the groupings of human, public safety, and physical services should each be coordinated by an "administrative commissioner." Such commissioners should serve in a supportive capacity by: (1) assisting in policy development and coordination; (2) encouraging program planning and coordination of plans; (3) acting as a liaison with the county manager and the legislature; (4) assisting in intergovernmental relationships and negotiations; (5) providing staff assistance for budgeting, planning, purchasing, and other management services. The administrative commissioners would be appointed by the county manager with confirmation by the county legislature.

Service Councils. In addition, a "service council" should be established by the county legislature in each of these three groupings. A council would serve to advise both the county manager and legislature and to develop and coordinate program plans. Each council would be responsible for preparing a comprehensive functional plan which would include individual agency plans as well as a services integration program. Such functional plans would, in turn, become a part of an overall county plan. A service council would have the following membership: (1) all department heads within a functional grouping of agencies; (2) such related agency and advisory board heads as may be appointed by the county manager; (3) the appropriate administrative commissioner; (4) such representatives of non-governmental public service organizations as may be appointed by the manager.

Related Recommendations. In addition to these broad recommendations, the Commission recommends a number of other actions to strengthen county

organizational structure, planning, and service delivery--these recommendations may be highlighted as follows:

1. Strengthen county comprehensive and functional planning.
2. Expand functions of county planning department.
3. Expand functions of county planning board and revise its membership.
4. Authorize the creation of community service districts.
5. Provide for the voluntary transfer of the assessment power of all towns and the city to the county.
6. Reorganize the personnel function keeping a reconstituted, more representational civil service commission.
7. Create a new department of labor relations.
8. Create a compensation policy commission to recommend the amount of compensation for all elected (and other) county officials.
9. Strengthen voting rights procedures.
10. Create a separate human relations agency.
11. Transfer the Veteran's Service Agency to the Social Services Department (consolidation of functions).
12. Create a department of recreational and cultural services (consolidation of functions).
13. Maintain independent status of the Monroe Community Hospital.
14. Create a department of health services (consolidation of functions).
15. Study need to create a county environmental protection agency.
16. Create a department of probation (consolidation of functions).

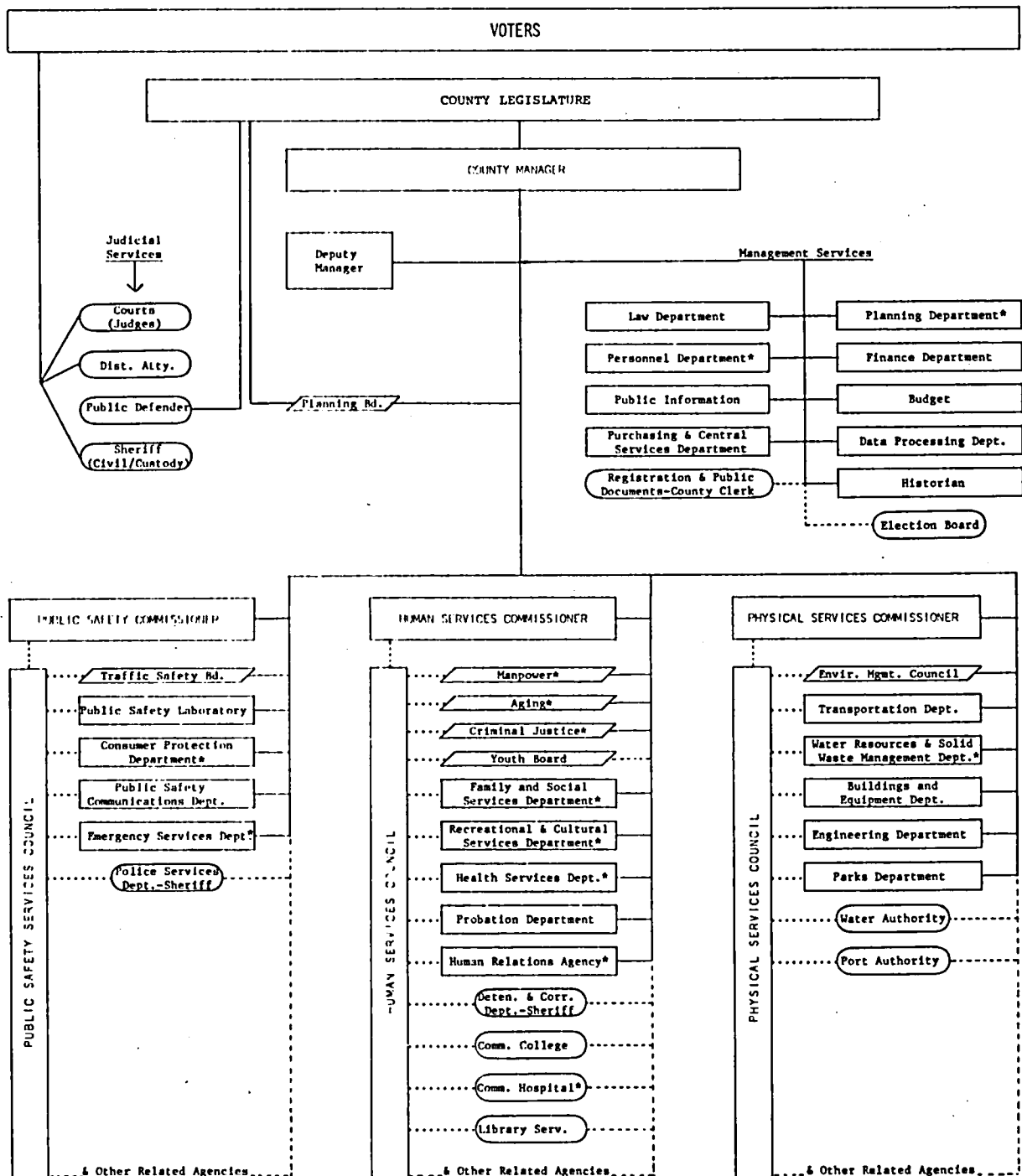
17. Create a department of detention and correctional services.
18. Create a department of police services.
19. Create a department of consumer protection (consolidation of functions).
20. Create a department of emergency services, natural disaster, and civil defense (consolidation of functions).
21. Create a department of transportation (consolidation of functions).
22. Create a department of water resources and solid waste management (consolidation of functions).
23. Create a department of engineering.
24. Create a department of buildings and equipment (consolidation of functions).
25. Increase county responsibility for roads and bridges serving an areawide need.
26. Continue and strengthen the parks department.

Conclusion - Strengthen Home Rule

The Commission finds that both Monroe County and the state of New York can and should strengthen local home rule powers in order to promote, through local government, greater political control and accountability, citizen involvement and commitment, and long-term public service effectiveness and responsiveness.

Monroe County should make greater use of the many home rule options available to it. Many of the Commission's general recommendations would have the county make greater use of such options leading to more responsive and responsible government--e.g., human services integration, improved services planning, improved development planning and control, capital improvements programming, consolidation of functions.

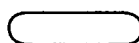
New York State should promote greater use of home rule powers by permitting charter counties more flexibility in determining administrative structure and procedures--e.g., the terms of county administrators, the functions of a civil service commission, the organizational details of functional planning agencies, the reform of real property tax practices.



Legend:

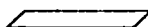


Regular county department/
agency (service delivery).



Independent department headed by an elective
or legislatively-appointed officer or board.

*Agency has
Advisory Board(s).



Regular county agency (planning only).

Indicates reporting relationship and method of selection/appointment.

----- Indicates desired administrative reporting relationship.

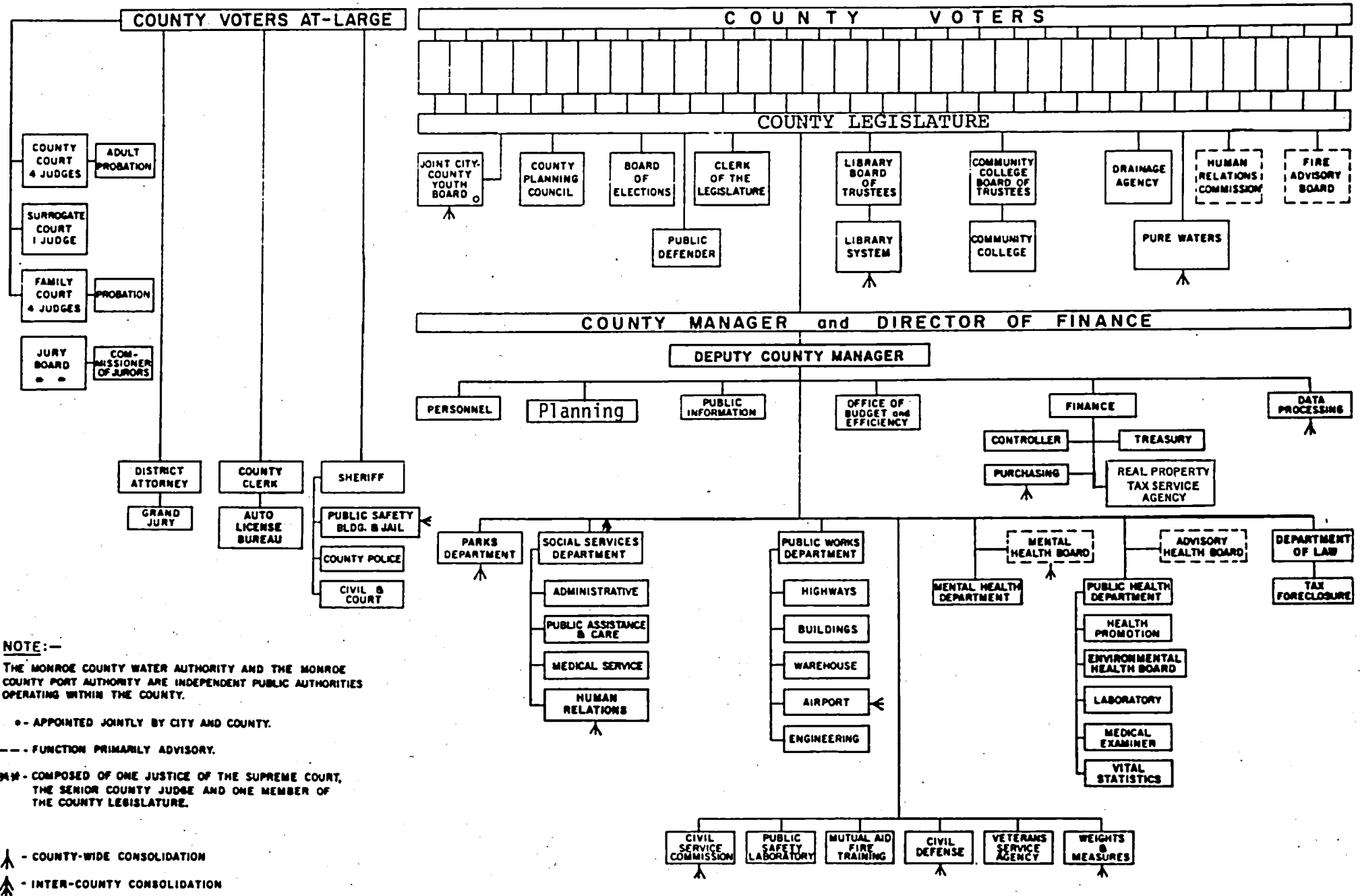
..... Indicates membership on a services council.

NOTE #1: This phase 1 chart represents county structure under the Commission's proposed revised charter. It reflects only those general recommendations of the Commission not involving a referendum or state action.

NOTE #2: This chart does not reflect all appointing or all reporting relationships. Position on chart is not intended to reflect relative importance.

CURRENT MONROE COUNTY GOVERNMENT

August, 1974



APPENDIX III

**MEMORANDA OF COMMENT, RESERVATION OR DISSENT
(November 15, 1974 Report)**



"Oh, I like reforms O.K., but not sweeping reforms."

The New Yorker, October 28, 1974

OPINION IN DISSENT

From Action of GRIP in Adopting Alternative Model
for Lower-Tier Unit of Local Government

Submitted by Erwin N. Witt

Lest it appear that the adoption by GRIP of the alternate model for lower tier units of government as contained in the report of the Lower-Tier Task Force dated October 14, 1974 and adopted at a GRIP meeting held on October 24, 1974, was unanimous or without reasoned opposition, I wish to make use of the Chairman's invitation to submit dissenting opinions.

When in Phase I of its operations GRIP adopted the Functional Analysis Approach it agreed upon certain guidelines and criteria which were to govern the allocation of services among the lower and upper tiers of government. These guidelines were efficiency, economy, equity, and citizen access, participation, and control. After Phase I was completed and Phase II started the deliberation of the structural design of the proposed future government and its upper and lower tiers, it was self-evident that the criteria and guidelines used in Phase I would have to carry over into the deliberations of Phase II. When therefore the Lower-Tier Task Force after extensive discussions and deliberations recommended to the Full Panel the adoption of Model I as fully spelled out in the Lower-Tier Task Force Report of October 14, 1970 in preference to the Alternative model contained in the same report, these criteria were very much in the minds of at least some of the members of the Lower-Tier Task Force.

It is submitted that a division of the entire County of Monroe into general purpose local government units, including the elimination of the present boundaries of the City of Rochester and its division into such units, all as more fully spelled out in the Report of the Lower-Tier Task Force, would meet these criteria. While undoubtedly and admittedly there were a number of questions left

unanswered which could have been determined later on if such Model had been adopted in principle, it nevertheless is submitted that a design of governmental units along these lines with powers presently existing under the New York Suburban Town Law would insure greater efficiency, greater economies of scale, be more equitable in the distribution of benefits and burdens, and above all would grant to the residents of each individual local unit of government the access and control over their local government which was one of the main goals of the deliberations of the Panel in Phase I. It is significant that the rejection by the majority of the Panel of Model I and the adoption of the Alternative Model was based more on negative reasoning in opposition to Model I than on positive reasoning in support of Model II which in effect means the retention of the status quo in Monroe County.

The opponents of Model I based their objections mainly on the grounds that the problems of the City of Rochester and of the County of Monroe were social ones, that the division of the City of Rochester into local governmental units as proposed in the report would isolate inner-city communities and institutionalize racial and economic segregation, that such plan would create problems with regard to the City School District, and above all that Model I was unrealistic, that the people of Monroe County would not accept it, that its proponents were seeking Utopia and in short were dreamers.

Before dealing with these objections, let it be said that the adoption of the Alternative Model does not in any way overcome or deal with the problems to which these objections were addressed. The retention of the status quo means the retention of all the short-comings of the present governmental structure in Monroe County which were found to exist during Phase I deliberations. Even if the minor modifications proposed by the Panel will be implemented, the County of Monroe will still contain one city, nineteen towns, ten villages, and over one-hundred-fifty special improvement districts with their varying numbers of populations, their varying socio-economic problems, their educational difficulties,

their inequitable distribution of the tax burden, and their lack of citizens' input and control.

There is no question but that many of the existing problems in the County of Monroe and particularly within the City of Rochester are socio-economic. It is likewise clear that a reorganization of the governmental structure will not necessarily of and by itself solve these problems. As the building of a new hospital will not in and by itself cure diseases, but will merely provide for a more effective use of the facilities for such cure, a new governmental structure as proposed by Model I could not have cured socio-economic ills but would have provided the facilities for helping eliminate some of the worst conditions. Rather than isolating inner city communities and institutionalizing segregation and increasing socio-economic problems, the creation of smaller local governmental units within the City would allow for greater access and control by the residents of such areas over bread and butter local services and political decisions made within the boundaries of such communities. There certainly would be greater political control as opposed to mere access.

Some members of the Panel were sincerely concerned with the effect of Model I on the Rochester School District. They feared that the elimination of the Rochester School District as such, resulting from the dissolution of the City of Rochester, would bring about inequality of education in some of the new local communities within the City and would increase the disparity of the tax burden. These concerns would be justified if it were not for the fact that these same problems exist today, not only in Monroe County, but all over the State of New York. It has become obvious that a solution to the problems of education can no longer be found within the realm of local government. These problems must be addressed on a much broader basis as a matter separate and distinct from the problems of local government. The rejection of Model I for this reason was therefore without basis in fact.

Finally, it was said that Model I was unrealistic and that its promoters were chasing a dream. Is it really necessary to point out that this country was built on dreams, that it grew and prospered and marched forward because of men with vision and dreams? If the framers of the Constitution had asked themselves whether or not what they proposed was realistic, whether the people would accept it, whether it would work, they would never have brought about a system of government that has lasted for 200 years and the strength and vitality of which has been proven only recently. If the people who came after them had not pursued hopes and dreams and followed their instincts, this country would not have grown to what it is now, both physically and spiritually. If Martin Luther King and men like him did not have their dreams, the social problems with which some of the members were concerned would have existed many times over. It is wrong to belittle dreams, to ridicule the dreamers, and above all to underestimate the willingness of the people of the County of Monroe to accept new ideas.

The late Winston Churchill once said that he had not become her Majesty's Prime Minister to preside over the dissolution of the Empire. It is understandable that some members of the panel felt that if they supported Option I they would preside over the dissolution of their territorial power bases. This Panel, however, was not charged with the design of a government for the benefit of a few. It was charged to design a government for the people of the County of Monroe. The people are not an amorphous mass somewhere outside the Panel. The people are the members of the Panel, from the city, from the towns, from the villages of Monroe County. If the members of the Panel had really wanted to adopt a forward looking, modern, efficient, effective, equitable two tier government which afforded to the people of the County of Monroe access to and control over their local units of government, the majority of the rest of the people could have been persuaded to go along. It is not often that people like the members of the Panel on a small scale are allowed to dream and at the same time to try and make their dreams come true. This Panel had this opportunity. It is a pity that the majority decided to forego it.

MEMORANDUM OF DISSENT

Submitted by Edward P. Curtis, Jr. and Robert P. Feldman

At the last of three seminars held to discuss the proposed new structure for Monroe County government, the GRIP Intergovernmental Panel voted on three key issues: keeping present boundary lines versus creating new jurisdictions, an elected county executive versus an appointed county manager, and a two-year term versus a four-year term instead of a two-year term for county legislators. With due respect to the views of our colleagues, we wish to dissent on each of these decisions for the following reasons:

1) The Lower-Tier Task Force presented us with two models.

Model 1 called for a revision of local city, town and village jurisdictions, which had the effect of combining some of the smaller towns to achieve a minimum population of approximately 11,000 and reconstituting the present boundaries of the City of Rochester into nine separate districts plus a special territory for the Central Business District inside the inner loop. Model 2 kept the same boundaries and jurisdictions as presently exist and recommended--especially within the city--that neighborhood community councils be established with limited powers for self-rule. The Panel voted to adopt Model 2 while holding out Model 1 as a possible long-range goal. This may very well be an inadequate solution to the immediate problem of the City's fiscal bind. It can be argued that the City of Rochester as presently constituted is too big and too broke to serve as an effective unit of local government administration, and too small to serve as an area-wide upper-tier government. We have followed a patch-work process of trying to save the city by dealing off more and more responsibilities to the county in order to get through one more budget crisis. We have now arrived at the point where without massive state or federal help, only the

transfer of very significant portions of police, fire, or D.P.W. will provide the kind of financial relief which the city must have in the next 12-18 months. It seems far better to pursue a more rational plan for a long-range solution to these problems, than to continue the piece-meal dismantling of the city and find in two or three or five years that City Council presides over a hollow shell. The Reorganization of the city should be considered and discussed now as a real alternative, and the GRIP-NAPA report should raise it as a community issue now, not sometime in the future.

2) As to the question of an elected executive versus an appointed manager for county government, our position is quite simple: The Upper-Tier Task Force has done an admirable job of designing a structure which incorporates all the upper-tier responsibilities that were identified in Phase I of the GRIP study. Upper-tier government as proposed in the Task Force's report will have significantly broader responsibilities than county government as we know it today, both from a transfer upwards of functional responsibilities from the lower-tier and from re-assuming under county government such independent entities as the Monroe County Water Authority and the Port Authority. In addition, if we are even ultimately to adopt Model 1 of the Lower-Tier Task Force, there will be no other large countervailing government unit inside Monroe County. Given these circumstances, it seems mandatory that there should be one strong voice capable of speaking for the county at large. Under the appointed manager system, both the Manager and the President of the Legislature are designees of the County legislature, which is itself a body composed of legislators elected by the district. There will be no elected official who is elected county-wide to reflect total county wide concerns. The need for professionalism in county government is crucial and can be met with the appointment of a chief administrative officer under the county executive responsible for the day-to-day management and administration of county affairs. One of the

weaknesses of the GRIP study thus far is that it has concentrated too much on functional responsibility and delivery of government services. It has been pre-occupied with administration and has not concentrated sufficiently on government. If we are to fulfill the potential which many of us see for Monroe County in the next 10-15 years, the chief government official will have to play many more roles than that of manager and administrator. An elected executive would have to be a political leader, educator, and a spokesman and representative for Monroe County with state and federal governments. These roles can be played effectively only by someone who is backed by an electoral mandate from all the voters of Monroe County.

3) We oppose a four-year term for county legislators on two grounds: It is unnecessary and, if we may indulge in the same sin of which we have accused our colleagues, it is politically unrealistic. U.S. Congressmen and New York State Assemblymen now serve much larger geographic territories, and much larger populations than do County Legislators, and manage to do it effectively on a two-year term. Given the relatively smaller areas and smaller population (approximately 22 to 25 thousand) a County Legislator, simply by virtue of his daily activity, should be able to keep sufficiently closely in touch with his constituency that the two-year re-election campaign should not be as arduous as for the other elected representatives mentioned above.

In addition, in a day and age when government responsiveness to the citizen is an increasingly key criterion to measure government effectiveness, it seems to us a long step backward to lengthen the span of time before citizens can express their view on their elected representative. We believe the common reaction to this proposal will be "no way are we going to leave those guys in there for four years". The four-year term concept was recently rejected by voters in Westchester County. There is much that can and should be done to strengthen the role of the legislator and make it easier for him to play

it more effectively--increased staff and research capability for the legislature, and increased budget for clerical and secretarial assistance are two steps that come immediately to mind. To lengthen the term of office at this time however, strikes us as going directly counter to many of the philosophies which we have espoused in GRIP.

MEMORANDUM OF DISSENT

Submitted by Selden S. Brown

HOUSING

Low cost multiple housing for towns and villages lack appeal primarily because of transportation problems. No amount of citizen input or country-wide comprehensive planning will change the setup without adequate transportation.

SOLID

The snail-like progress on the solid waste problem is discouraging, particularly since the answer is so simple -- get rid of petty political bickering. The groundwork has been done; now we need statesmanship.

WATER DISTRIBUTION

Granted present so called fragmentation of countywide water distribution must be consolidated, but it should never be exposed to political tinkering. The condition of the City of Rochester water system is a vivid example of what happens without the guiding hand of hard-headed business men.

POPULATION SIZE

I cannot subscribe to the magic 20,000 -- 30,000 population size for general governing purposes. It may look good on the charts, but in reality there are gross inequities. The figures may work for the City and immediate towns, but for less populated outlying areas with boundaries twenty-five miles apart, the so-called "citizen input" will be lost.

In conclusion, the time spent on GRIP has been educational and rewarding. I firmly believe many of the proposals are important. I also believe many are "pie in the sky". We should learn to walk before trying to run.

COMMENT AND DISSENT

Submitted by Paul Haney

With the publication of the Report of the Greater Rochester Intergovernmental Panel on November 15, 1974, I feel constrained to record my reservations and dissents from the conclusions that have been drawn and reported by the Panel. I shall do so in the pages which follow. Let me also say that I will comment at length, only because I am very serious about the Panel, its work and its goals.

THE INTERIM REPORT

On July 1, 1974, after the conclusion of the May Seminar, I communicated numerous concerns about the interim reports to the Panel. In as much as there has been no response to that communication, I must repeat my earlier comments. Without going back to the detailed reports where I am sure we could all nit-pick, I will comment on the summary as presented.

FIRE PROTECTION: The creation of four County fire suppression forces with special equipment "such as ladder trucks" (quotation from explanation given at seminar) which the rural areas do not have concerns me. I can foresee the City taxpayer who has already purchased much such equipment (including many ladder trucks) being required to help buy it for others who have not bought it. I could only accept this proposal if it were handled as a charge back to benefited areas as Mr. Stevens suggested.

POLICE PROTECTION: Until some serious questions of implementation (such as the ultimate position of the Sheriff's office and the financing of patrols in high need areas such as the CBD and other inner City areas) are resolved, my support is withheld. In the meantime there is a desperate need for immediate correction of financial inequities in the delivery of police

services. For example, the continued taxation of certain municipalities for Sherriff's road patrol services which they do not receive is abominable and the Panel has not addressed the issue.

COURTS AND CORRECTIONS: I do not see any need for abolishing the City Court structure in Rochester. I am not an attorney, but as a casual observer, I feel that it has become a sophisticated and progressive Judicial body during the last few years. The inequity is that its services are widely used by non-City residents while it is financially only supported by the City. That inequity can be corrected by the receipt of financial subsidies, and does not require the destruction of the Court.

HOUSING: We all know the problem, but I cannot endorse more area-wide planning until I know how some of the suburban areas are going to be enticed or forced to accept subsidized housing. We have had numerous "plans" but still nearly all subsidized housing is in the City, and it is cutting the heart out of our tax base.

WATER SUPPLY AND DISTRIBUTION: While strongly endorsing the abolition of the Water Authority, I cannot see why the distribution or retailing of water cannot be done by local governmental units. I would also point out that I would expect the City to be sufficiently reimbursed for the tens of millions of dollars which it has invested in its water supply system as well as for the general fund revenue which would be lost.

BUILDING AND PROPERTY CONSERVATION: The centralization of this on a County-wide basis would be extremely dangerous and could lead to a bureaucratic nightmare. I believe that it should be left with the local unit of government because:

-We are dealing with the character and quality of individual neighborhoods. What is "utterly deplorable" in one area may be "quite acceptable" in another. Uniform County-wide standards and enforcement could contradict local desires and lifestyles.

- Property inspections and follow-up action are very detailed activities resulting in scads of paperwork. We have difficulty mastering the monster on a City-wide basis and I dread what might happen in a centralized operation.

- I see no benefits of centralization.

TAXATION AND FINANCE: It would appear that County-wide reassessment is being urged. No one can argue with the inequities in our assessments. The City hasn't won an assessment case in years. However, we had all better realize what reassessment will mean, namely, a heavy shift of the tax burden from industrial to residential property, at least in the City. The State tells us that the City's assessment rates as a percentage of full value approximate:

Residential Property	30%
Commercial Property	40%
Industrial Property	50%
Public Utility Property	60%

Any reassessment that met the requirements of the State Constitution would require the complete equalization of the assessment burden, and I do not need to explain the social implications of a sizeable increase in the residential tax burden in the City; an increase that would result if the assessment rates were equalized.

I am also quite disappointed by the lack of suggestions or conclusions on other aspects of our tax structure. If no changes of any kind were recommended in any other area, we still would need to change our revenue system. For example, I do not believe there is any alternative to a County income tax piggy-backed on the State income tax. The property tax cannot be expected to continue to carry the whole burden of municipal finance. Similarly, reallocations of revenues between governmental jurisdictions is required.

I have been keenly disappointed by the failure of the Panel in general and the taxation Task Force in particular to address financial issues of current concern in the short run. Without waiting for the sun to rise revealing

Utopia on the plain across the Golden River, there are financial inequities that can be resolved in the short run, to the long run advantage of the entire community. I would in passing, mention:

1. The current assessment of taxes for the support of the police services rendered by the County Sheriff's Office against municipalities that do not use those services. I consider that to be grossly unfair.

2. The current failure of the County to reimburse the City for snow and ice removal on major City streets while it does reimburse each of the 19 towns for such services. I consider that to be grossly unfair.

3. The uneven distribution of tax exempt properties in the County with a very heavy concentration of them within the City to the extent that 25% of the City's assessed valuation is tax exempt. Surely some method of distributing the cost of the municipal services rendered to those tax exempt properties to the broader metropolitan community served by the tax exempt entities can and must be worked out, but, the question has not even been addressed. I consider that to be grossly unfair.

While I feel sorely distressed at the failure to address the foregoing practical, real, and present problems, I am fascinated by the light hearted manner in which proposals which could have a devastating impact on the finances of the City of Rochester have been treated. Page 104 says "Quirks in State and Federal aid formulas that tend to favor one set of jurisdictions over another, on balance, are likely to cancel each other out". The sentence deeply disturbs me. It suggests that:

1. The "Quirks" are only accidental and would quickly be set aside by the State and Federal Governments. The fact is that most of those "quirks" exist by careful design of the State Legislature and Federal Congress and are not at all likely to be set aside.

2. The financial impact of the "Quirks" will be zero. That is dead wrong. Page 135 points out that dissolution of the City of Rochester will

cause the loss of \$7 million of State Revenue Sharing Funds, and page 136 indicates that dissolution of the City of Rochester will cause the loss of \$15 million of Better Communities Act funding. That alone totals \$22 million, or nearly \$30 per \$1000 of assessed valuation in the City. When page 136 indicates that "the loss of such grants could be avoided through the passage of some harmless legislation or the amendment of administrative regulations", I really must laugh. "Save Harmless" clauses are already going to cost the City \$10 million per year under the Better Communities Act (God help us if they ever try to "harm" us) and we've been trying for three years without success to have the regulations amended so that our embellishment charges would be counted as tax effort for general revenue sharing.

The other factor that I think is being too lightly treated, is the impact on the City School District. Without discussing the impact of the aid formulas which is very complicated let me point out that when Page 133 states that Section 1801 of the New York State Education Law would "require referenda on the annual budget and the issue of debt obligations", it is really condemning the City School District to "austerity budgets" as defined by the Education Law, because with a 40% senior citizen population in the City, I don't think a school budget would ever be accepted by the voters.

THE POSITION OF THE CITY

Numerous references have been made during Panel discussions about the City being bankrupt and dead and thus creating a situation which requires massive governmental restructuring. The City is, indeed, in a very severe financial bind but it most certainly is not dead. Our bind is caused by a host of financial inequities, most of which are embodied in State Law but some of which are creations of County government. If the concern is for the survival of the City (and I certainly welcome and appreciate that concern), more can be done by helping to lead the battle to redress the existing inequities

(some of which I have discussed) than by dismantling the structure.

THE ROLE OF THE UPPER TIER GOVERNMENT

I would recommend for rereading the comments of Supervisor Paul Speigel which were distributed to the Panel in June.

If the County were to handle the financing of various services, many inequities and deficiencies could be eliminated, but I do not believe that the County has to "run" a function to achieve equity. Similarly, while we frequently comment on and express a desire for "more citizen involvement", we must all realize that citizen involvement becomes more remote the higher we go in the governmental order. County government is more remote with less citizen involvement, than is City, Town or Village government and I cast no aspersions on County government -- it is the nature of the beast. Barring all other factors, citizen involvement is reduced because it takes more than an hour for many County residents to get to the County Office Building. The Citizenry has not built much rapport with Legislators from artificial districts which do not respect any sense of community and which are altered substantially, at least every 10 years.

I would like to reinforce the concept that good, efficient, equitable service can be produced by a combination of County financing and local operation. As Mr. Witt has said, the Public Library System in this County is outstanding. The development of that system is most interesting. Over the first 67 years of the century, the City of Rochester developed a very good Library System which, due to its size and numerous locations, was doing many things which smaller town libraries could not do. The City, in fact, rendered some of these services to town libraries without charge. The inequities of this were recognized in the mid-sixties and the City Library System was divided into two sections:

1. Central services for those types of services needed by each library but which could more efficiently be handled on a central basis; and

2. Community library services for those traditional functions rendered in each library. The solution to the problem of inequity was not for the County to set up a library staff but for the County to contract with the City and pay the City for supplying central services to all community libraries (City and Town) in the County. Thus the fiscal inequity was solved, duplication of services was avoided, disruption of the existing system was avoided and higher quality service was guaranteed to all on an equitable basis.

I would suggest that the concept of intergovernmental contractual relations could be applied to many areas of service including aspects of Fire protection, Police protection and physical services without dismantling the City or towns of this County.

THE LOWER TIER OF GOVERNMENT

The report of the Lower Tier Task Force suggested abolishing the City and this suggestion was wisely rejected, but the substitute resolution still points in that direction. My opposition to the abolition of the City and Towns is well known. In passing, I would make these points in addition to the questions of impact on State and Federal aid and the City School District which have previously been discussed:

1. The City and towns are existing legal entities and the process of creating new entities would be avoided.
2. People identify with the City or Town in which they live.
3. The City and Towns have history, tradition and, a sense of "Community" which is vital to the success of the people oriented entities.
4. Hundreds of governmental entities could be abolished while maintaining the Town structures if the Towns were to absorb the functions of the service districts as has been done in the City.
5. Where it is logical to render certain services on a multi-town basis, that can be done by contractual agreement between the Towns.

6. A recommendation by this Committee to abolish the City and Towns will meet with certain rejection by the voters and may take all the other recommendations of the Committee down to defeat with it.

I think the GRIP-NAPA Panel has the opportunity to lead this Community forward with some solid governmental reform and progress. If we are reasonable in what we try to accomplish, and face up to present problems and short term realities, I think we shall succeed. However, persistence in being starry-eyed and groping for Utopia will lead to failure, because Utopia is not about to be created beside the Genesee, or any place else. Those who have their eyes on the stars are likely to trip over the cracks in the sidewalks. I for one, would be satisfied with getting the cracks in the sidewalks fixed!

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