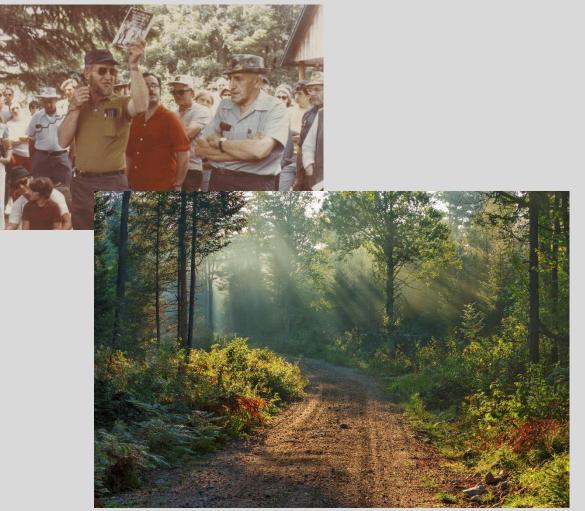
Local Capacity Building Using the Circuit Rider Approach: Planning and Justice Court Solutions

Katie Malinowski and Angie Kimball, New York State Tug Hill Commission

Origins of the Tug Hill Commission



- The Temporary State Commission on Tug Hill was created by the NY State Legislature in 1972 in response to the concerns of the local people
- A non-regulatory state agency with a mission of "to enable local governments, private organizations, and individuals to shape the future of the Tug Hill region, and to demonstrate and communicate ways that this can be done by other rural areas."
- Governed by a board of 9 unpaid volunteers who must be residents of the region
- Currently a staff of 13 serving 60 towns and villages with a combined population of ~100,000 people
- 2,100 square mile region (1.2 million acres), third largest forested area of the state

Photo: Carl Heiman

Commission Operating Philosophy

- operates based on the assumption that local people with good information can make the best decisions about the future of their communities;
- encourages communities to think regionally and even globally, and to think in terms of the future, short and long term, in their local decision making;
- does not have a plan for the region helps communities create and act on their plans for the future;
- does not have or seek regulatory or coercive powers;
- does not interfere in local matters; it responds to local requests;
- encourages innovative approaches, taking some risks when communities are comfortable with this, and sharing its experiences with other areas, especially in rural New York;
- assists Tug Hill communities, and adjacent communities as necessary, and organizations in project development by connecting them with needed resources, in a way that builds local capacity.



Over 600 elected and appointed officials attend the commission's annual Local Government Conference.

Commission Services

• Land Use Planning

"When I think of the Tug Hill Commission, the first thing that comes to mind is your work on comprehensive plans and zoning." – COG leader

Community Development

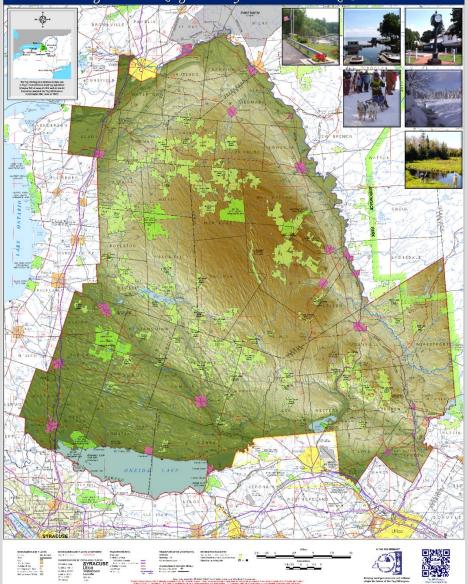
"The Tug Hill Commission provides another hand in helping each town become a better place to live in." – Local leader survey respondent

Natural Resources

"We have great natural resources here: people with a great work ethic, but there are no jobs for them. We need jobs related to our natural resources." – Boonville community forum participant

• Deliver programs through five councils of governments, providing training and technical assistance

Tug Hill Region of New York State



Tug Hill Councils of Governments

Name	Number of Communities Served
Cooperative Tug Hill Council	16 towns
North Shore Council of Governments	2 towns
	2 villages
Northern Oneida County Council of	12 towns
Governments	6 villages
River Area Council of Governments	2 towns
	3 villages
Salmon Rivers Council of Governments	4 towns
	1 village



Local Government Advisors/Circuit Riders

- Attend town & village meetings to share information and gather requests for technical and planning assistance (over 1,000 meetings per year!)
- Provide extended planning assistance to communities upon request
- Provide opportunities for intermunicipal communication and cooperation
- Relay and coordinate requests for assistance to staff at central Tug Hill Commission office
- Listening for:
 - Recurrent themes/concerns
 - Need for assistance with process/procedures
 - Need for assistance with training
 - Funding sources for projects
 - Opportunities for collaboration/service sharing



Field staff in the communities are key to success.

Origins of the Cooperative Tug Hill Council

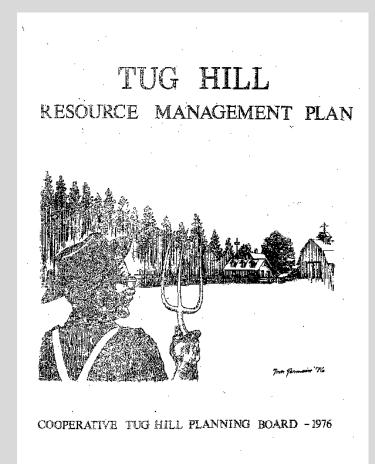
- Formed in 1974 as the Cooperative Tug Hill Planning Board
- 9 towns originally in four counties
- Focus on comprehensive planning
- Response to development threats such as Horizon Corporation, and creation of the Temporary State Commission on Tug Hill
- Fear of another situation like the Adirondacks "It's zone or be zoned."
- Two towns joined 1978
- 1988 name and structure changed to Cooperative Tug Hill Council
- Program expanded to also include training, community development, grant writing, etc.



Original member town Osceola's planning board in early 1970's. Fran Yerdon, on far left, continues to serve as the Osceola representative to the Cooperative Tug Hill Council.

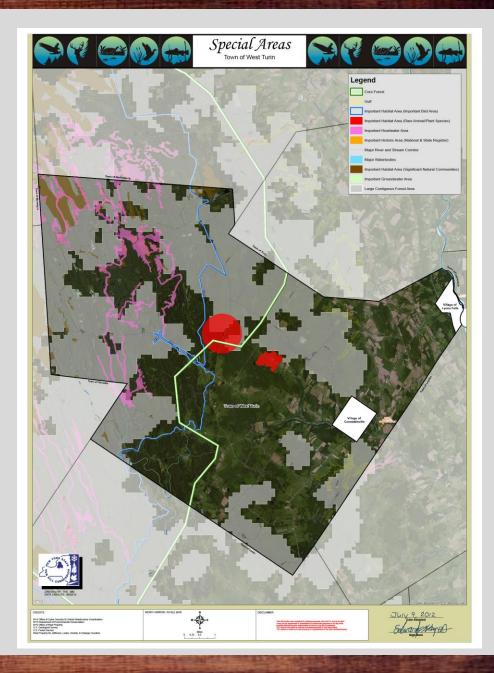
Tug Hill Resource Management Plan

- Recognized shared natural resources watersheds, forests
- Originally approved in 1976
- Common interests overcame jurisdictional boundaries
- Towns best to decide their future
- Working together created strength in numbers
- Implementation costs less with joint action
- Set regional goals and blueprint for individual codes
- Last updated in 2006
- Looking to update in 2017



Planning Accord for Tug Hill

- Work began in 1990 in response to a landfill proposal by a government agency
- Designed to alert governmental agencies of a comprehensive plan and to preserve specials areas as designated by the local government in a local reserve plan
- Consultation requirement
- Led to passage of Tug Hill Reserve Act by State Legislature (Chapter 486 of the Laws of 1992)
- The act gave the region as having natural resources of statewide and national significance and allowed for the protection of areas by local reserve plan by a Tug Hill Council of Government



Today's Council

- 16 towns across 4 counties (Jefferson, Lewis, Oneida and Oswego)
- Total population of 13,275, ranging from 78 in Montague to nearly 1,800 in Leyden
- Each town appoints two representatives to the Council
- Meet at least twice a year to set goals and budget, elect officers, and discuss major issues and joint projects facing the region
 - Forest Tax Law
 - Minimum Maintenance Roads Legislation
 - Renewable Energy Wind Farms
- Operates through an intermunicipal agreement
- Served by one full-time circuit rider/local government advisor, and two contract associates



Providing Necessary Services in Rural Areas

Zoning

• Cooperative Tug Hill Zoning Board of Appeals for nearly 40 years: 5 towns through an IMA serving towns with a combined population ~2400 – under 6 cases per year

• Fire and Emergency Medical Services

- Shared ambulance corps
- Shared fire protection districts

Highway Departments

 Shared highway labor through shared service agreements – road maintenance, trucking, purchasing and equipment

Other

- Combined town clerk/tax collectors
- Assessors
- Dog control officers
- Code enforcements officers
- Zoning enforcement officers

Justice Courts

Administering Local Courts:

- Completed: One court consolidation through UCJA 106(b) Harrisburg, Montague, Pinckney - One justice, one facility
- Completed: One residence requirement change through legislative action Lewis & any adjoining town within the county
- Two currently underway involving three council towns to be determined
 - Lorraine/Worth
 - Boylston
- Sharing of facilities
 - Town of Leyden/Village of Port Leyden
 - Town of West Turin/Village of Constableville

Development of issue paper: Sharing knowledge with other councils of governments within the region and in other parts of the state

	STATE OF NEW YORK
	4817B Cal. No. 1239
	2015-2016 Regular Sessions
	IN SENATE
	April 20, 2015
	Introduced by Sen. GRIFFO read twice and ordered printed, and when printed to be committed to the Committee on Local Government committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee reported favorably from said commit- tee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report
	AN ACT to amend the town law and the public officers law, in relation to authorizing the town justice of the town of Lewis in Lewis County to be a nonresident of the town of Lewis under certain circumstances
	THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
1 2 3 4 5 6 7 8 9 10 11 2 13 14 15 16 17 18 19 20	Section 1. Section 23 of the town law is amended by adding a new subdivision 29 to read as follows: 29. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION, IN THE TOWN OF LEWIS, LEWIS COUNTY, THE PERSON PERFORMING THE FUNCTION OF TOWN JUSTICE, NEED NOT BE AN ELECTOR OF SUCH TOWN. PROVIDED, HOMEV- ER, THE PERSON PERFORMING THE FUNCTION OF TOWN JUSTICE IN ANY OTHER TOWN SHALL BE AN ELECTOR OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY AN ACT OF THE STATE LEGISLATURE. 5.2. Section 3 of the public officers law is amended by adding a new subdivision 64 to read as follows: 64. IN THE TOWN OF LEWIS, LEWIS COUNTY, THE PROVISIONS OF THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORTION OF THE STATE FOR WHICH HE OR SHE SHALL BE CHOSEN JUSTICE OF THE TOWN OF LEWIS; POVIDED THAT SUCH PERSON RESIDES IN A TOWN WHICH ADJOINS SUCH TOWN AND WHICH IS IN THE COUNTY OF LEWIS. PROVIDED, HOMEVER, THE PERSON PERFONDING THE FUNCTION OF TOWN JUSTICE IN ANY OTHER TOWN SHALL BE A RESIDENT OF SUCH TOWN, UNLESS OTHERWISE PROVIDED HERNOT OF LEWIS; PROVIDED THAT SUCH PERSON RESIDES IN A TOWN WHICH ADJOINS SUCH TOWN AND WHICH IS IN THE COUNTY OF LEWIS. PROVIDED HERNOTION DE LEWIS; PROVIDED THE SUCH TOWN JUSTICE NOTION OF THE PROVIDED THE SUCH TOWN JUSTICE IN ANY OTHER TOWN SHALL BE A RESIDENT OF SUCH TOWN, UNLESS OTHERWISE PROVIDED BY LAW.
1	S 3. This act shall take effect immediately.
	EXPLANATIONMatter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.
	LBD10463-09-5

Harrisburg, Montague, Pinckney details

- Towns located in northwest Lewis County covering 146 square miles with 844 people
- Small case load and difficulty finding justice candidates
- Shared a justice through temporary appointment by the 5th judicial district from 2008-2011
- Followed UJCA 106(b) procedure with study done by Tug Hill Commission
- Authorized by state legislation in 2011
- Operate with one justice using one facility and shared staff through an intermunicipal agreement



Town of Lewis details



- Located in southeast Lewis County, 65 square miles, population 854
- Longtime justice vacancy with intermittent temporary justice appointments by 5th judicial district
- Amended Town Law Section 23 & Public Officers Law Section 3
- Allows an individual from any neighboring town with Lewis County to run for election for Town Justice in town of Lewis
- Authorized by state legislation in 2015
- Currently share justice with town of Osceola

Upcoming Justice Courts Projects

Lorraine/Worth

- Lorraine & Worth have passed joint resolution to do the study
- Capacity for the study (in-house at the Tug Hill Commission) or funding for the study (consultant) a consideration
- Challenge: Getting buy-in from all the players
- Boylston
 - Who would want to share? Three options: Redfield (same population size), Orwell (twice the population), Sandy Creek (contains 2 villages, as a seasonal resort area different type of community)
 - *Residency?*
 - How do you write the legislation when adjoining another county?
 - Case load?
 - Split costs?
 - Whose court room?



- Development of issue paper
 - Sharing knowledge with other councils of governments within the region and in other parts of the state
- Training sessions
 - 2016 Tug Hill Local Government Conference
 - Lewis County Municipal Efficiency meeting
- What's Next?
 - Under consideration in three towns in the adjoining Northern Oneida County Council of Governments
 - Requests for information from St. Lawrence County, Town of Belmont (Franklin County)



- Katie Malinowski, Executive Director, <u>katie@tughill.org</u>, (315) 785-2380, <u>www.tughill.org</u>
- Angie Kimball, Cooperative Tug Hill Council Circuit Rider, <u>angela@tughill.org</u>, (315) 599-8825, <u>www.tughillcouncil.com</u>