

MASSACHUSETTS SHARED SERVICES MANUAL

A Toolkit of Regionalization Best Practices
for City and Town Officials



Prepared by:
The Massachusetts Association of Regional Planning Agencies

January 2013

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Purpose

The goal of this best practices manual and web site (www.regionalbestpractices.org) is to help Massachusetts municipalities think about, plan for, and implement municipal service and cost sharing opportunities that improve or maintain levels of service and/or result in cost savings. This manual was produced by the Massachusetts Association of Regional Planning Agencies (MARPA), a membership organization of the thirteen Regional Planning Agencies that serve the 351 municipalities of Massachusetts. MARPA hopes that municipal leaders, regional organizations, state officials, and other stakeholders find this manual a useful resource.



“As a former mayor, I understand the challenges municipalities may face and also appreciate the range of resources available to help communities leverage costs savings and efficiencies. From day one, Governor Patrick and I have made it a priority to partner with cities and towns and develop innovative ways to provide local services. Regionalization is one of these tools because it presents opportunities for municipalities to collaborate on local services that residents, businesses, schools and the community use every day. By partnering with the state legislature, we are further promoting the value of municipality partnerships, large and small, for cities and towns to not only preserve essential services, but also increase the efficiency and effectiveness in the delivery of critical local services.”

– Lieutenant Governor Timothy Murray



Introduction

Massachusetts' history of local control is exemplified by its municipalities' strong sense of independence and self-reliant spirit, both admirable qualities that contribute to the Commonwealth's unique character.

Current financial constraints, however, are forcing decision-makers at all levels of government to rethink how goods are procured and services are provided to the residents of Massachusetts. "Regionalization", "municipal cost sharing", "cross-jurisdictional sharing", and "inter-local cooperation" are all terms that describe a collaborative process that results in the sharing or consolidation of the purchasing of goods or provision of services between two or more entities. Cooperation and collaboration at the local and regional level can result in opportunities to maintain or improve services, and to save or enhance revenue. Such efforts can take a variety of forms, from the joint purchasing of goods or sharing of services to the full consolidation of a municipal service, and creation of a regional department.

Recognizing the value of regionalization and the need for more assistance with shared services work at the local level, the Massachusetts Legislature created the Regionalization Advisory Commission in 2009. The 19-member commission included representatives from various state executive agencies as well as local and regional leaders. Lieutenant Governor Timothy Murray chaired the Commission and members spent several months studying and researching all aspects of regionalization and produced a final report in April 2010. One of the primary recommendations from the report was for Massachusetts to develop a regionalization "how-to manual" and best practices guide. MARPA has taken on this challenge. (A listing of the MARPA membership is listed in Appendix 1.)

This document is divided into two sections:

1. General information about state legislation related to regionalization, when and how to regionalize, catalysts or opportunities to pursue, steps to take to analyze costs and benefits of regionalization, and governance and financing options.
2. Examples of municipal services that have been successfully shared by two or more municipalities with information about services, statutory and regulatory requirements, and types of agreements used.

There is no "one size fits all" model for sharing services. This manual does not dictate solutions, but provides local, regional, and state leaders with tools to help solve the difficult issues they face every day in serving the Commonwealth's residents.

Massachusetts General Laws Related to Regionalization



There are several state laws that provide Massachusetts' cities and towns with the authority to share or regionalize municipal services.

Intermunicipal Agreements and Massachusetts General Law Chapter 40, Section 4A

Intermunicipal agreements are the most commonly used form of contracts in regionalization projects and are often used to create mutual aid agreements, shared service agreements, and agreements between municipalities and host agencies. Intermunicipal agreements, or IMAs, are governed by Chapter 40, Section 4A of the Massachusetts General Laws, (MGL.) According to Chapter 40, Section 4A, the chief executive officer of a municipality “may, on behalf of the unit, enter into an agreement with another governmental unit to perform jointly or for that unit’s services, activities or undertakings which any of the contracting units is authorized by law to perform.” In other words, two or more municipalities may jointly do anything that a single municipality is authorized by law to do on its own. The agreement must be approved by the city council and mayor in a city or the board of selectmen in a town.

The law also sets forth some guidelines for municipal leaders using IMAs. For example, an IMA may only be executed for a term up to twenty-five years and certain financial reporting and auditing provisions must be included in the final agreement. The law does not address labor or union concerns and provides limited guidance related to insurance and indemnification issues. In addition, while the board of selectmen of a town may authorize an IMA, in many cases, Town Meeting must appropriate funding. Unless the IMA includes a clause that makes liability dependent on funding being available, a town that has signed an IMA is liable for the agreement regardless of whether any anticipated budget appropriation to support the agreement is ultimately approved. Local leaders must consider these issues prior to executing such an agreement and should seek legal counsel for assistance in drafting and reviewing the agreement.

Regional Districts

Massachusetts law provides for the creation of several types of special districts including, but not limited to, public health departments, schools, police, fire, and veterans services. Such districts are authorized by the MGLs and require a set of specific approvals at the local level, often by both the executive and legislative authority of a municipality and the boards governing the relevant municipal service. Two distinguishing factors about regionalization through a district are: (1) a new legal entity is created to provide the municipal service at a regional level, and (2) the MGLs set forth the authorization, creation, and governance model of the new regional district.

Home Rule Petitions – Creation of New Regional Entities Through Legislative Action

The IMA law grants local units of government the authority to provide a service jointly, but it does not specifically grant municipalities the power to create new governmental entities. In some cases, there are no statutes governing the regionalization of a particular municipal service. Municipal leaders who wish to consolidate these services can file special legislation or a “home rule petition” with the Legislature to obtain the authority to do so. Participating municipalities must first request the legislation by official vote of the appropriate authorities within each municipality. The legislation must be introduced by a state legislator, enacted by the Massachusetts Legislature, and signed into law by the Governor.

Summary of Massachusetts Legislation Related to Regionalization

In 2009, the Department of Revenue’s Division of Local Services summarized many of the Massachusetts statutes that authorize for regionalization (see Appendix III). The list is not exhaustive and has not been updated since 2009; thus, readers are advised to review these statutes for any amendments or updates.

“Since the beginning, the Patrick-Murray Administration’s goal has been to encourage and support cities and towns as they seek new and innovative ways to strengthen and share resources. I’m proud to play a role in these ongoing efforts and applaud all the great work the staff at DLS and my colleagues in state and local government have and will continue to do to improve services and reduce costs for the residents of the Commonwealth.”

– Robert G. Nunes,
Deputy Commissioner of Revenue and Director of Municipal Affairs Division
of Local Services

A Shared Service Idea From Inception To Implementation



As municipalities struggle to balance their budgets, provide necessary services, and protect the health and safety of their residents, more and more are considering sharing services with their neighboring municipalities. This section of the manual provides information on identifying regionalization opportunities, choosing partners, analyzing costs and benefits, and creating governance and financing options.

TAKING ADVANTAGE OF OPPORTUNITIES TO SHARE SERVICES

One of the best times to initiate a shared service is by seizing an opportunity such as an employee resignation or retirement. Another good opportunity to share services arises when communities suddenly face a need to meet a new mandate, or while enthusiasm and support for a project or service is in place.

Taking Advantage of Opportunities to Share Services

The Hampshire Council of Governments took advantage of electricity deregulation to organize a municipal aggregation program called Hampshire Power. The program serves more than 100 customers across western Massachusetts. Hampshire Power has saved its customers over \$1.4 million since the program launched in 2006. For more information:

<http://www.hampshirecog.org/programs-and-services/electricity-services>

Share Cost of Implementing State and Federal Mandates and Policies

New and/or unmet state and federal policies and mandates often present an optimum opportunity to regionalize services. The lack of existing structure or staff offers a chance to develop a new program and to think and plan regionally in order to take advantage of efficiencies.

Regionalizing to Share Costs of Implementing State and Federal Mandates and Policies

The federal government requires municipalities to have a Local Emergency Planning Committee (LEPC) that develops a hazardous materials response plan. The mandate allows for the development of regional committees to meet this requirement. A Regional Emergency Planning Committee (REPC) was created in Franklin County. The first task of the committee was to develop a mandated hazardous materials response plan to meet the federal requirement for all municipalities in the region. Since then the REPC has expanded into an all-hazards model, and serves as the coordinating entity for a number of grants and projects. For more information on the Franklin County REPC:

<http://www.frcog.org>

Align Service Contract Terms with Other Municipalities and Bid for Service Collectively

Municipalities have many of the same service contracts: elevator maintenance, street sweeping, culvert cleaning, voice and data contracts, etc. Increasingly municipalities are bidding for such services collectively and realizing substantial savings. In addition, municipalities and school districts can work together to bid for shared service contracts. To prepare for a combined bid for services, entities must be aware of their contract end dates and determine the best contract terms for all the entities that plan to participate. The process of alignment may take a few years to develop and fully implement, but has proven to be worth the time and effort.

Bidding Collectively for Services

In 2010, the Southeastern Regional Planning and Economic Development District worked with 23 member towns on an office supply bid, achieving savings for all participants through a discount off catalogue pricing. The invitation for bids is found here:

http://www.srpedd.org/municipal_service/BID%20Office%20Supplies%202010.pdf

Start With Low Risk, Relationship-Building Ventures

Municipal officials can take advantage of relatively simple opportunities to work together. Aiming for easy “win-win” projects can be valuable, particularly if the communities involved do not have a history of working together. Such projects can be a good first step toward building trust and goodwill, developing a culture of collaboration, and learning to work through differences. Good first ventures include joint procurements.

Take Advantage of Staff Attrition and Retirement

Regionalizing municipal services often requires re-structuring staff assignments, which most local leaders either do not want to do or cannot do because of existing employment contracts, and Massachusetts law, or both. Staff attrition, retirements, and expiring contracts may present a timely opportunity to move an existing service in a regional direction. As employees leave through resignation or retirement, opportunities often arise for sharing rather than filling the open position.

Taking Advantage of Attrition and Retirement

In 2005, several towns in Franklin County, served by the same municipal accounting vendor, lost their Town Accountant when that vendor discontinued the business. The void created an opportunity for a regional accounting service rather than each town attempting to find a qualified part-time accountant. With the FRCOG serving as the host agency, the FRCOG Regional Town Accounting Program started with 4 towns and 2 part-time staff people. In FY13, the program serves 14 towns and employs 5 staff people.

Formalize Hand-Shake Agreements

Many of the Commonwealth's 351 municipalities have developed partnerships over the years in which communities will informally share services through unofficial "handshake" agreements that are not formalized in writing. Although informal arrangements may be good solutions to a local problem, formalizing such agreements help protect the interests of each municipality, particularly around insurance and liability issues. Moreover, formalizing agreements could encourage expansion of the shared service to other municipalities by institutionalizing the project.

Implement Recommendations from Regional Plans

Regional plans dealing specifically with transportation, economic development, housing, energy, and other topics, often include recommendations for the implementation of regional shared service projects. Since many regional plans were developed for and supported by multiple municipalities, buy-in for new projects and services may already exist.

Implementing Recommendations from a Regional Plan

The Greater Franklin County Comprehensive Economic Development Strategy (CEDS) includes an objective to execute a regional Brownfields program. Based on recommendations from the CEDS, the Franklin Regional Council of Governments used grant funding for a program to assess and remediate contaminated property across the county. For more information, see the 2011 Franklin County CEDS:

http://www.frcog.org/pubs/economic/2011_CEDS.pdf



CHOOSING PARTNER

Look for Natural Partnerships

Municipal leaders should look for and take advantage of natural partnerships that help to increase the likelihood of successful projects. It may be easier

for communities with a history of collaboration to expand their partnerships to shared services projects. Even municipalities without existing relationships but with similar demographics can be natural partners. Examples of natural partnerships include being part of a regional school district or members of the same regional planning agency. Geographic closeness or shared natural resources, such as a shared watershed, can also lead to partnerships.

Examples of Successful Natural Partnerships

Selectmen from the Towns of Eastham, Provincetown, Truro, and Wellfleet held a joint meeting in 2008 to discuss shared issues. They formed an “Inter-Municipal Cooperation Committee,” which began to identify the most easily attainable opportunities for collaboration. Many successful collaborations have developed, the cooperating towns share police training, share human resources legal services, and share gas fueling facilities (and they continue to work on additional ways to share services to improve services and save money). Each town’s website includes a page dedicated to the Committee. The Provincetown page can be seen at: <http://www.provincetown-ma.gov/index.aspx?nid=215>

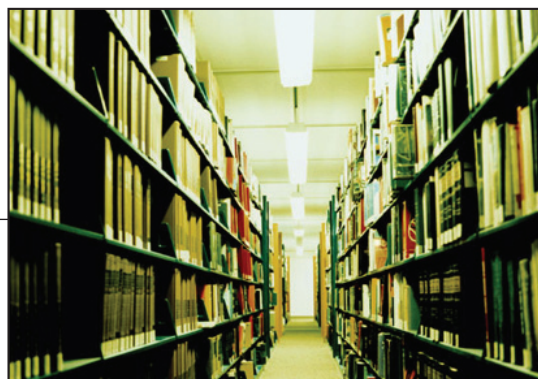
The Towns of Buckland and Shelburne share Shelburne Falls, a downtown village business district. In partnership with the Shelburne Falls Area Business Association, the selectmen of both towns meet on a quarterly basis to discuss topics of mutual interest. This partnership has served as a catalyst for joint grant applications and other projects. Each town appropriates money annually to help pay the costs of administrative assistance to the partnership. For more information see the Business Association’s website: <http://www.shelburnefalls.com/>

Networking Opportunities

There are many regularly scheduled meetings that municipal officials can use to find partners for a shared service project:

- RPA board meetings
- Selectmen’s Association meetings
- Annual Regionalization Toolkit Conference
- Massachusetts Municipal Association (MMA) Annual Conference and Meeting
- Other MMA annual, quarterly, and monthly events
- Regional topical meetings such as Comprehensive Economic Development Study (CEDS), Brownfields, Scenic Byways, REPC, Public Health Preparedness Coalitions, etc.

RESOURCES



All resources listed in this section are current as of October 2012. All resources, especially the grant funding opportunities described below, should be validated at the time of reading.

Please note that new grants or technical resources may also become available. Refer to www.regionalbestpractices.org for the most current information.

Technical Assistance

Regional Planning Agencies (RPAs)

The Commonwealth's 13 regional planning agencies are resources for information and technical assistance. RPAs can also act as host agencies and provide fiduciary services for municipalities. RPAs have a long history of working with and serving Massachusetts municipalities. They have substantive knowledge of the municipalities they serve and are a reliable source of useful information related to regional collaboration and shared service projects.

Department of Revenue's Division of Local Services

Massachusetts' Department of Revenue's Division of Local Services (DLS) has a vast amount of historical financial data about municipalities as well as excellent financial forecasting tools. DLS provides advice, support, and community-specific management reviews and audits, among other services, (<http://www.mass.gov/dor/local-officials/>)

The Edward J. Collins, Jr. Center for Public Management, University of Massachusetts, Boston

The Collins Center has developed a comprehensive set of services to increase the productivity, performance, and accountability of government. Services include: performance management system development, technical assistance and consulting, charter reform assistance, and regionalization and collective activities facilitation.

Explore Potential Services to Share

The Collins Center at UMass Boston developed the Regionalization Opportunities Survey Instrument (ROSI) in 2010 to help communities think strategically about current and future regionalization and service-sharing opportunities. The ROSI asks municipalities to provide data on three topics: (1) their level of interest in regionalizing a service, (2) the timeline of potential upcoming retirements of their department heads and other management positions, and (3) whether they have excess capacity in any particular department and function. At the time, seven contiguous towns in central Massachusetts used the ROSI to look for potential areas to share services or regionalize different functions. Based on their responses, five areas to have regionalization potential were identified. These areas included: veterans' services, animal control, public health services, building inspections, and council on aging services. For more information please go to:

<http://www.umb.edu/cpm/>

RESOURCES

Annual Regional Toolkit Conference

Since 2009, DLS has partnered with MARPA and the Franklin Regional Council of Governments (FRCOG) to host an annual statewide Regionalization Toolkit Conference. The conference is designed for local officials and provides information about successful regionalization efforts in Massachusetts, New England and elsewhere. Detailed information about all topics presented at the annual conferences including template documents and contracts are available at: www.frcog.org/services/regional-services/svcs-conferences.php

Grant Funding

District Local Technical Assistance

District Local Technical Assistance (DLTA) funding is provided by the Commonwealth through the state budget to the 13 regional planning agencies. The RPAs use DLTA funds to provide member cities and towns with technical assistance in two key areas: 1) planning, sustainable development, and preservation, and 2) regional service delivery. The DLTA funding allocated to RPAs for regional service delivery allows them to conduct feasibility studies of potential shared service projects for municipalities, to create implementation plans, and to develop governance and contracting documents. Local officials interested in learning more about DLTA funded assistance should contact their regional planning agency.

Community Innovation Challenge Grants

In 2011, Governor Patrick and the Legislature established the Community Innovation Challenge (CIC) grant program, a multi-million dollar competitive grant program that provides municipalities, regional school districts, and regional planning agencies, among others, with funding intended to help facilitate and implement shared service projects throughout the Commonwealth. The CIC program is administered through the Executive Office of Administration and Finance and in FY 2012 provided grants to 28 recipients during the program's first year of existence. The program is designed to assist communities with "politically shovel-ready" projects. The FY13 budget included funds for another round of CIC grants to be awarded in the second half of the fiscal year.

Using DLTA and CIC Funding: The Franklin County Regional Dog Control Program

In 2010, using DLTA funding, the Franklin Regional Council of Governments (FRCOG) began planning for a county-wide dog control program with the goal of providing a regional dog kennel and adoption center to towns in Franklin County. The planning group comprised of staff from the FRCOG, the Franklin County Sheriff's Office, town officials, and animal control officers. Subsequently the FRCOG received a CIC grant for over \$19,000 to begin full-scale implementation of the program. The CIC funding has allowed the program to revamp, repair and expand an existing kennel in Turners Falls, and purchase large-item supplies. The program is run by the Sheriff's Office and twelve towns are now using the Dog Officer. For more information see www.frcog.org.

State 911 Department Grants

The State 911 Department was created in 2008 by legislation that included two important provisions related to regionalization:

- 1) The law created a single surcharge to be assessed on wire line, wireless, and other telephone users, and
- 2) The new surcharge funded competitive state grants intended to promote the development of regional public safety answering points and regional emergency communications centers.

The State 911 Department grants are awarded to communities for the feasibility, planning, development, startup, and/or expansion of regional public safety answering points (PSAPs) and regional emergency communication centers. Municipal officials interested in this funding source should contact the State 911 Department, <http://www.mass.gov/eopss/agencies/state-911/>

Using 911 Funding: Essex County Regional Dispatch Center

Amesbury, Beverly, Essex, Middleton, Topsfield, and Wenham have committed to a regional dispatch center on land controlled by the Essex County Sheriff's Department. Construction started in 2011 and the center is slated to open in early 2013. The regional dispatch center is being modeled after the Berkshire County regional dispatch center, that is hosted and staffed by the sheriff's department. The dispatchers will be sheriff's department employees.

Collaborative efforts such as this received a significant boost when a 2008 law created a State 911 Department and raised 911 surcharges, enriching the revenue stream for dispatch-related grants. The Essex County project secured \$7 million in state grants, which will cover the cost of construction and the telecommunications equipment. Participating communities will be responsible for operating costs.

Website: <http://www.ecrecc.com/>

“Our work with other communities has added to our resources and enhanced our understanding of issues and their solutions. We’ve found ways to jointly procure, share services, collaborate on issues of mutual importance and even introduce our community based organizations to each other. All of that has ultimately improved our services and greatly benefited our residents and businesses. We’ve been fortunate along the way to have the leadership of the Patrick-Murray Administration and legislative leaders in each branch, and the invaluable support of our RPAs, who are making sure that we don’t need to reinvent the wheel every time we seek a collaborative answer to a pressing question.”

– Jay Ash, Chelsea City Manager



WORKING THROUGH THE DETAILS

Once a potential regionalization project is identified, it is vital to lay the proper groundwork in the planning stage in order to avoid problems in the implementation phase. Important factors to consider are: engaging the right stakeholders, creating an open and fair process, and drafting sound legal agreements and finance models that will govern the project through implementation.

Understand the Impacts of History and Past Projects

There are many inter-municipal events and relationships that occur over the years and contribute to the readiness of communities to work together. In some communities, a seemingly unrelated event, such as a long-standing high school football rivalry can potentially influence forward movement in discussions about working together. Past or current regional experiences related to regional school assessments and the Education Reform formula may make municipal officials wary of joining new regional efforts. Each participating municipality should discuss their perceptions and concerns, both within their community and with their partnering municipalities. Getting those issues both on and then off the table is a vital first step toward achieving success.

The Issue of Local Control

Intergovernmental cooperation by its very nature involves municipalities sharing control and responsibility. It is important to determine and work through issues and concerns related to perceived loss of local control at the earliest stages of planning a shared service. Establishing how each municipality wants to be involved with hiring and supervision of staff, budgeting, policy making, and other decisions should be determined as part of the initial planning process. These preferences should be incorporated into the governance and financing options that the municipalities consider.

Cultivate Local Project Champions and Identify Key Stakeholders

Strong leadership is vital to the successful implementation of a shared service project. A project with high level support will likely be easier to implement and more successful in the long term. It is important to find local allies and project champions who will help to facilitate the process and lead the charge that can overcome barriers. It is equally important to identify and involve important stakeholders early on. Stakeholders are those who feel strongly they should be involved in a planned change. These might include be municipal employees, other local boards and committees, state officials, and residents impacted by the new shared service.

“I recently sponsored An Act To Promote Municipal Collaboration And Regionalization Throughout The Commonwealth, which both enhances current options for cities and towns looking to partner with one another while also creating new opportunities to do so. By making it easier for municipalities to consolidate services, we are promoting efficiency and fiscal responsibility without limiting the services that people have come to expect from municipal government. This legislation removes obstacles to collaboration, providing a clear path towards regional partnerships.”

– Senator Jamie Eldridge

Form a Planning Committee

A planning committee should be formed to work through the feasibility, planning, analysis, and implementation phases of a project. The planning committee should include identified stakeholders. These should include elected and appointed officials, city and town administrators/managers, key municipal employees, and other stakeholders. Planning committee members from each participating community should be required to report regularly to their chief elected officials to maximize accountability and support, as well as to ensure that the needs and interests of each community are well represented.

Forming a Planning Committee

In 2010, the towns of Acton, Boxborough, Carlisle, Concord, Lincoln, Littleton, Maynard and Weston began to work together with officials of Emerson Hospital to identify more efficient ways to deliver paramedic services to the region. The communities formed an Executive Board, comprising Town Managers, Fire Chiefs, and representatives of Emerson Hospital, tasked with identifying options and making recommendations. Under this partnership, the fire chiefs of the 8 participating communities maintain operational control of their town's EMS system with Emerson Hospital providing medical supervision for the system. The professional ambulance service provides staffing, paramedic intercept vehicles, centralized dispatch, data collection, and additional EMS training to all the participating communities.

“It is an enormous challenge, for one entity to be all things to all people at all times. It is critical that through regionalization efforts cities and towns pool resources and work together to achieve the farthest reaching results. In a time where fiscal challenges are prevalent, shared solutions are appropriate.”

– Senate Ways and Means Chairman Stephen Brewer

Planning Committee Meetings, Consider the Following Steps:

1. Set Ground Rules for Discussion

Stakeholders should agree on rules and procedures the planning committee will follow during the planning process. In particular, the committee should consider:

- Who will participate in the process;
- What role will each committee member play in the process;
- When and where will meetings be held;
- How will the meetings be conducted (e.g., Robert's Rules of Order or consensus process);
- Who will chair the meeting;
- How will votes of participating municipalities be weighted (e.g., one town/one vote, or weighted by population) or if decisions will be made by consensus.

2. Establish Goals and Objectives

The planning committee should establish agreed-upon goals. This ensures clear expectations about outcomes for committee members, other stakeholders, and the general public.

3. Determine Open Meeting Law (OML) Applicability

If it is determined the OML applies to the planning committee (check with City/Town Clerk), designate a member or staff person to ensure compliance with OML notice and posting requirements, as well as preparing compliant agendas, minutes, and proper record-keeping.

4. Develop a Communications Plan and Timeline

Designate a member to be the spokesperson (may change over time) for the planning committee, in the event there is media coverage of your activities. Discuss the need for a broader communications "overlay plan" and timetable (both subject to change, as needed) addressing anticipated benchmarks, deadlines, and opportunities for external communication.

5. Establish Public Engagement Procedures

Many constituents may be affected by a regionalization project, so the public should be informed and included, as necessary. Some ideas for creating an inviting and transparent process include:

- Hold well-advertised public meetings and hearings.
- Have a clear decision-making process, including how votes will be made, and how non-voting committee members will have input.
- Have a clearly defined policy about public comment that is fair to the public and the committee, allows for committee efficiency in deliberations, and is enforced consistently.
- Create a website, use a town newsletter, air meetings on community access channels, and/or issue press releases to increase public awareness and project visibility.

Set Measureable and Achievable Performance Standards

Establishing objective, measurable, and achievable performance standards allows for participating municipalities to determine how progress and success will be measured over the long term. Performance standards provide a basis for evaluation of a given shared service project. Making the standards achievable and measurable ensures the shared service initiative has a good chance to succeed.

To ensure objectivity, use national or state standards for the service you are evaluating whenever they are available. For example, look to best practices in food inspection or how long it should take for a community to respond and correct a public safety call, such as a non-functioning street light.

It is important to include the applicable performance standards in any final shared service agreement where they can be either written into the agreement or attached to it as an appendix. Including a process in the agreement to allow for amending the performance standards further serves to make the shared service agreement flexible and better able to adapt to a changing environment.

Conduct a Cost-Benefit Analysis

Whether the goal is to improve service delivery or save money, every shared service project's costs and benefits should be evaluated. This work:

- Defines the proposed shared service.
- Sells the proposed changes to decision makers.
- Illustrates potential changes needed to the proposed arrangement in order to make it beneficial for all participants.

Some costs and benefits are hidden, or at least not easily recognized, such as the cost to process payroll, provide program oversight and supervision, or handle contracting issues. Careful thought needs to be given to realize a meaningful cost-benefit analysis which all the project participants can rely on.

Evaluating Regional Programs

The Shelburne Falls Area Business Association (SFABA) contracted with an outside consultant to develop an assessment of a pilot composting program for village restaurants and small businesses. The assessment looked at whether the program was still supported by participating businesses, the cost effectiveness for businesses, the program's viability at the current scale, the program is expandable to include additional businesses, and areas for improvement and ways to achieve those improvements. For more information please see:

http://www.frcog.org/pubs/regional_services/conference2011/Assessing_Shelburne_Falls_Collaborative_Composting_Program.pdf



GOVERNANCE OPTIONS

Municipal officials should engage legal counsel to ensure any governance agreement is well-constructed and covers the necessary provisions such as anticipating potential problems that may arise in implementing a shared service project. The final agreement should address the expected performance of all participants from project implementation through its potential termination or dissolution.

Mutual Aid Agreements

Under mutual aid agreements, local governments agree to lend services to one another, usually without requiring payment. The most common mutual aid agreements are made for emergency services, and are often used by municipal police and fire departments. Such agreements involve multiple municipalities agreeing to loan services and equipment to each other in the event of an emergency. Two new Massachusetts laws have been enacted to create a statewide framework for the provision of mutual aid assistance in the case of a public safety or public works incident. Municipalities may opt in and use the statewide framework by local adoption of the statute and submit a letter to the Massachusetts Emergency Management Agency (MEMA). A sending community may enter into a supplemental agreement with a recipient community for the reimbursement of costs, and the recipient community can seek reimbursement for documented costs of the sending community under any applicable federal and state disaster program.

Mutual Aid Agreements

Massachusetts has an opt-in format for its statewide mutual aid law. Once a community has opted in they can send and/or request resources from any other community within the Commonwealth that has also opted into the agreement. This agreement answers questions surrounding liability, workers compensation, payment for use of resources etc. This agreement can be activated for any public safety incident/event. For more information please see: <http://www.mass.gov/eopss/agencies/mema/mutual-aid.html>

Shared Service Agreements

Shared service agreements are more formal contractual relationships for sharing goods or services. Shared service agreements take several forms: 1) a municipality or host agency acts as lead and provides defined services or goods to one or more municipalities for an agreed-upon price; 2) a municipality or host agency provides services and goods to another municipalities on an as-needed basis; and 3) two or more municipalities jointly plan, finance, and provide services or purchase goods for use by all municipalities within the region (“joint service” model).

Shared service agreements can be created using formal legal contracts per the Commonwealth's IMA law. The distinguishing factor in these types of arrangements is that one entity is ultimately responsible for the personnel, goods, or services being shared with other municipalities. Although the governance and costs are shared with other participating municipalities through the provisions of the applicable contract, the "host" community bears ultimate responsibility for the provision of services.

Shared Service Agreement: Shelburne and Buckland Shared Wastewater Treatment Facility

This treatment facility is located in Buckland and the operation of the facility is handled as a department of the Town of Buckland. Buckland oversees the staff, receives the operating revenues, and issues paychecks and vendor payments. Shelburne contributes to the shared cost of this facility through an inter-municipal agreement.

Potential Lead Municipality or Host Agency Services

Services provided by a lead municipality or host agency generally include:

- Financial management, including providing an annual audit, payroll, health insurance and bill processing
- Procurement policies and services
- Legal counsel
- Personnel policies and workplace practices, including hiring procedures and benefits administration
- Staff supervision
- Liability insurance
- Administration of the cost allocation formula and invoicing of participating towns
- Office space, as needed
- Presence at governance committee meetings

The lead municipality or host agency is often compensated for its administrative services through an administrative fee or "indirect" rate, either federally set or locally negotiated. The administrative fee that is built into the funding formula by which an assessment is calculated and paid by each of the participating communities.

Shared Service Agreement: Melrose-Wakefield-Reading Public Health Department

The Mayor of Melrose, the Town Manager of Wakefield, and the Melrose Health Department Director played key roles in the development and implementation of a public health department merger between the two municipalities in 2009 through an Inter-Municipal Agreement. Both municipalities retain their local boards of health, but share the services of a full-time health director, a full time inspector, two part-time inspectors, and a part-time public health nurse. The shared personnel are employees of Melrose and Wakefield reimburses Melrose for a set proportion of the personnel costs. The agreement is projected to save Melrose \$30,000 in the first year and cost Wakefield no additional money in the initial year. In 2011, the Town of Reading joined the agreement. Melrose is now the service provider for Reading, and the Melrose Health Director is the Health Director for both Wakefield and Melrose. For more information see the Health Department's webpage: http://www.cityofmelrose.org/dept_health.cfm

Considerations for Shared Services Agreements

Important items to consider and include in shared services contract negotiation with potential host agency or lead city/town:

- How will your city or town have input into the governance of the shared service. (a seat on the board, a special advisory or oversight committee for the shared service)?
- How will the budget be decided each year and what is the cost-allocation formula?
- What is the method for compensating the host agency or lead town?
- The specific provisions of the contract or IMA, including:
 - Scope of work to be provided
 - Length of commitment by both parties
 - Amount of notice to terminate the contract
 - Procedures for amendment or renewal

Host Agencies

A Regional Planning Agency (RPA), Council of Governments (COG), County Sheriff's Office, or other regional service organization can serve as a host agency. As hosts of regional shared services, these organizations hire and maintain professional employees to provide services to participating municipalities under a fee-for-service contract. Each host agency model works differently, but, as discussed above, all models should consider including governance representation by all participating municipalities and an agreed-upon assessment formula that equitably allocates costs to each participating municipality. Some of the benefits of using a host agency are:

- The host agency is a neutral third party, not one of the municipalities using the service, which may allay concerns one municipality will dominate the shared service.
- Future retirement costs for employees are borne by the host agency, not one of the participating municipalities, unless otherwise negotiated.
- Using a host agency with a number of other existing programs and employees can result in a greater capacity for grant-writing, diversification of funding streams and other resource development by realizing "economies of scale."
- The host agency is responsible for all supervision and personnel issues, liability insurance, compliance with procurement laws.

Regional Districts

As previously discussed, several Massachusetts General Laws provide for the creation of various types of special regional districts. Municipalities may also pursue special legislation for the creation of a district. Advantages to the creation of a special district include greater autonomy over budgeting and governance issues than an IMA among municipalities. Disadvantages may include loss of direct municipal control over budget assessments and policy-setting decision-making to a shared district board.

Regional District: West Suburban Veteran's District

The District is comprised of three municipalities in eastern Massachusetts: Needham, Wellesley, and Weston. The District Board includes the chief municipal executive from each town. The Board appoints a full-time director and administrative assistant. Website: <http://www.westsuburbanveterans.com/>



FINANCING OPTIONS

A successful project is contingent on each participating community believing its contribution is fair and equitable. There are many examples of funding formulas for shared service projects in use across Massachusetts.

Hourly Fee for Service

Many professional services, such as legal, engineering and IT, can be provided on an hourly basis. They lend themselves to hourly charges because the work product is municipality-specific and services are provided directly to one individual municipality at a time.

Lump Sum Fee for Service

Some services are more easily quantified and paid for by the project, such as a lump sum fee to participate in a cooperative bid for fuel oil or winter road salt. Lump sum fees are most appropriate when the service is of a defined duration and pricing for the service benefits from economies of scale. In the cooperative bid example, the more municipalities that participate, the lower the bidding entity can set the price for participation.

Annual Service Contract

When a service is needed on an on-going yearly basis, a sustainable method for sharing the service is through an annual service contract. It may be one municipality providing the service to a neighbor, or a third party host agency providing the service to multiple municipalities. Examples of this type of sharing arrangement include: accounting, building inspection, and public health services. Examples of objective data to consider when developing a funding formula for an annual service contract include:

- Municipal population.
- Equalized valuation (EQV) percentages as determined by the Massachusetts Department of Revenue.
- Actual usage of the shared service, by monetary value or by quantity; for example, number of service hours received, miles of road plowed, or some other objective measurement.

Municipal Budgets

Regionalization efforts nearly always improve quality, consistency and professionalism of service, but they may not always reduce the cost. Municipalities are responsible for the ongoing operating costs of regionalizing services. The grant sources described earlier in the report are generally intended for start-up and capital costs only. Municipal leaders will need to be prepared to allocate municipal revenues toward shared services projects.

The feasibility and planning phases of a project will determine what will be needed to move forward with phase implementation as well as ongoing project shared service monitoring and oversight.

PHASED IMPLEMENTATION AND ONGOING OVERSIGHT



Pilot Implementation

Planning committee participants may consider establishing and running a smaller scale pilot program prior to fully launching a new program.

Pilot programs should encompass all aspects of the larger, proposed program and often provide a reliable method for identifying unforeseen issues. Although there are short-term costs to this method, a pilot program may save time and resources in the long term. Successful pilot programs may also spark an interest in other communities to join the project or replicate the project elsewhere.

Regional Service Pilot Program

The Capitol Region Council of Governments Regional Online Permitting Program is a pilot program for the Connecticut Regional E-Government Initiative (CREGI). Eight towns are participating in this initial pilot stage of the program. The goal of CREGI is to promote more responsive and efficient local government services through a regional approach to technology. For more information, please see:

http://www.crcog.org/municipal_ser/e-gov.html

Advisory/Oversight Committee

The Franklin County Cooperative Inspection Program (FCCIP) provides building, plumbing, and wiring inspection as well as zoning enforcement for 16 towns. The FCCIP was originally governed by a Board of Directors with a selectman or other designee appointed by each participating municipality. After merging with the Franklin Regional Council of Governments, FCCIP maintains their Board of Directors in an advisory capacity. The board members meet quarterly and sets permit fees for all member towns; approves the annual program budget; and discusses concerns among the member towns.

For more information: www.frcog.org

The Role of an Advisory/Oversight Committee

It may be important to create an advisory committee to oversee a shared service project. This advisory committee can ensure the legal agreement and any transition plan is honored; determine on-going project needs that can help to develop budgets and policies for the program; and provides an ongoing means of communication among participating communities. If the committee is made up of municipal representatives who are not chief elected officials, it is important to determine in advance the decision-making authority of the committee members who act on behalf of the community along with a communication protocol for reporting back to the chief elected and/or administrative officials. Important factors for consideration in the creation of an advisory oversight body include:

- Who will represent each participating municipality and how are they appointed?
- The voting mechanism for making decisions on the part of the committee?
- When, where and how often committee meetings will be held?
- Leadership roles on the advisory/oversight committee?
- How votes of participating municipalities will be weighted (e.g., one community/one vote, or votes weighted by population) or if committee decisions will be reached by consensus.

“In 2009 I co-chaired the Legislature’s Special Commission on Municipal Relief and we determined that municipalities could save significant amounts of money if communities regionalized to share the costs of some services. Given that financial challenges will be a fact of life, at least for the foreseeable future, for those of us charged with providing public services, it seems no exaggeration to say that many municipalities simply won’t be able to provide core services unless old practices are abolished and new modes of thinking are adopted. Regionalization is an idea whose time has definitely come.”

– Senator Stanley Rosenberg

Specific Municipal Services – Best Practices

STATUTORY REQUIREMENTS, TYPE OF AGREEMENTS, EXAMPLES



BUILDING INSPECTION



EMERGENCY DISPATCH



PUBLIC HEALTH



CLEAN ENERGY COLLABORATION



ENERGY MANAGEMENT SERVICES



REGIONAL HOUSING



COLLECTIVE PURCHASING



HIGHWAY & PUBLIC WORKS



REGIONAL SCHOOL DISTRICTS



E-GOVERNMENT



PLANNING



ELECTRIC AGGREGATION



WASTE MANAGEMENT



BUILDING INSPECTION

Municipalities employ building and other safety inspectors, or contract with outside vendors, to administer code regulations and enforce state and local construction standards. Building, plumbing, gas, and electrical inspectors work with builders, property owners, tenants, and other stakeholders to properly review, permit and inspect new construction and renovation projects and ultimately approve such projects for final use and occupancy. Inspectors also verify structure code conditions in the field; issue requirements for corrective actions; and provide an important policing function to insure the safety of all building users.

There are several examples of successful shared inspectional services in Massachusetts. These examples demonstrate the benefits of sharing inspectional services which include economies of scale and an increased ability to attract qualified, trained inspectors to fill full-time inspectors positions at the local level.

Statutory Requirements

The primary statutory and regulatory reference regarding building inspection and code enforcement in Massachusetts include the following:

MGL Chapter 143, Sections 93-100 (Inspection and Regulation of, and Licenses for, Buildings, Elevators and Cinematographs)

- 780 CMR Massachusetts State Building Code
- 248 CMR Plumbing/Gas Code
- 237 CMR 1.00 – 23.00 Electrical Code
- 521 CMR Architectural Access Board Rules and Regulations

Types of Agreements

There are no laws in place in Massachusetts that address the sharing or regionalization of building-related services. Inter-municipal agreements are the primary type of agreement which is used to share these type of services among Massachusetts municipalities.

SHARED BUSINESS INSPECTIONS

Franklin County Cooperative Inspection Program (FCCIP)

Originally formed in 1975, the FCCIP merged with the Franklin Regional Council of Governments in 2004. The FCCIP currently has an inter-municipal agreement in place with 15 towns in Franklin County. The program is funded by participating towns based on an agreed-upon assessment formula. The FCCIP enforces Massachusetts building code, plumbing, gas, and wiring regulations, inspects public buildings, and handles local zoning enforcement. For more information: http://frcog.org/services/coop_inspect/index.php

Towns of Westborough and Ashland

In 2011, the Towns of Westborough and Ashland entered into an inter-municipal agreement in which Westborough provides inspectional services to Ashland. The agreement was developed and facilitated by the two town managers. Additional information about this initiative can be found at the following websites:

Town of Ashland's website:

<http://www.ashlandmass.com/ashland/offices-departments/inspection-services-department>

Town of Westborough's website:

http://www.town.westborough.ma.us/Public_Documents/WestboroughMA_Building/index

Towns of West Boylston and Sterling

The Towns of West Boylston and Sterling entered into an inter-municipal agreement in 2008 in which West Boylston serves as the host agency and provides inspectional services to Sterling. A copy of the subject inter-municipal agreement is available on the Pioneer Institute website:

http://www.pioneerinstitute.org/pdf/sterling_agreement.pdf

"I applaud the effort to create a Regionalization Toolkit. Regionalization can provide so many benefits, but the process can seem daunting at first. I'm glad this resource will be out there for cities and towns that want to pool their resources. In Salem, we have had success regionalizing portions of our procurement and building functions. We continue to pursue ways to regionalize other city services allowing us to deliver them cheaper and more efficiently."

– Mayor Kimberley Driscoll – Salem



CLEAN ENERGY COLLABORATION

The primary challenges to public, regional installations of clean energy technologies are the high upfront costs associated with purchase and installation coupled with the lack of access to federal and state tax credits for clean energy production.

Creative financing and procurement models, such as Power Purchase Agreements (PPA's), allow private energy companies to qualify for the tax credits in which the cost savings from those incentives can be passed onto the participating public entities.

A regional approach to clean energy development can reduce transaction costs and aggregate demand so projects can be installed at lower average cost per megawatt. The positive result is that public entities can accelerate the reduction of greenhouse gas emissions in their region while also providing direct cost savings to property owners within their community.

Statutory Requirements

There are currently no statutorily required standards for municipalities in the realm of clean energy. The Massachusetts Renewable Energy Portfolio Standard (RPS) is a statutory obligation for energy suppliers to obtain a percentage of electricity supplied to retail consumers from renewable energy sources. As part of the Green Communities Act of 2008, the RPS was broken into RPS Class I and RPS Class II.

In January 2010 new regulations were filed requiring a specified and growing portion of the RPS Class I renewable energy requirement to come from solar photovoltaic (PV) energy. This particular solar carve-out supports distributed solar PV energy facilities including residential, commercial, public, and non-profit projects and it is designed to help the Commonwealth achieve the installation of 400 MW of solar PV energy production across the state.

Types of Agreements

Many Massachusetts municipalities are exploring the use of Power Purchase Agreements PPA's which are in essence contracts between two parties, one which generates electricity for the purpose of sale and one which is looking to purchase electricity. There are various forms of PPA's which are mostly differentiated by the source of energy to be harnessed (e.g. solar, wind, etc.)

CLEAN ENERGY COLLABORATION

Harvard, Hatfield, Scituate and Winchester

In 2011, Massachusetts Clean Energy Center (MassCEC) launched "Solarize Massachusetts" in the towns of Harvard, Hatfield, Scituate and Winchester in order to encourage local residents and businesses to work together to increase the use of solar power as a community. Town residents, in turn, can realize cost savings through bulk purchasing. As of 2011, over 100 property owners in the four communities have installed solar PV. For more information:

<http://www.masscec.com/index.cfm/cdid/12093/pid/11159>

Berkshire Wind Cooperative – 14 Municipalities

The Berkshire Wind Cooperative is a non-profit entity consisting of 14 Massachusetts municipal utilities and their joint action agency, the Massachusetts Municipal Wholesale Electric Company. The Cooperative owns and operates the Berkshire Wind Power Project, a 15MW, 10-turbine wind farm located in Hancock, Massachusetts. Although municipal utilities are not subject to state RPS requirements, support from their customers has encouraged the integration of renewable energy into the portfolios of the municipal utilities participating in the Cooperative.

For more information: <http://www.berkshirewindcoop.org/>

Morris County, New Jersey Renewable Energy Program

New Jersey's Morris County is currently funding a 3.2 MW solar project dubbed the "Morris Model" with a combination of financing services from utility company Tioga Energy and up to \$30 million in county-guaranteed bonds. Tioga Energy does qualify for the federal solar tax incentives which are not available to public entities. Accordingly, savings from those tax incentives are passed onto participants living in Morris County through a discounted electricity rate that will be in place over the next fifteen years. Once completed, the project will have installed over 14,000 solar panels in 19 local school and county government facilities, resulting in energy savings of more than \$3.8 million thereby creating a carbon offset that's equivalent to removing more than 200 passenger vehicles from the road each year.

For more information: <http://www.co.morris.nj.us/improvement/renewable.asp>

"I truly believe that regionalization is important not just because it is an effective strategy during tough economic times but because it is sound public administration in any economic climate. Regionalization offers expansion of services, sustainability, efficiencies of scale, and greater flexibility to serve our citizens. As more community leaders realize this, there has been a surge of exciting and progressive regionalization models across the Commonwealth, and through the outstanding efforts of the MAPC and the Patrick/Murray administration, we are learning to build on the successes of others and learn from their challenges to work smarter, not just harder, for the citizens of Massachusetts."

– Mayor Robert J. Dolan – Melrose



COLLECTIVE PURCHASING

Massachusetts General Laws (MGL) Chapter 7, Section 22A authorizes collective purchasing of goods and services by the Commonwealth and its political subdivisions while Section 22B authorizes cities, towns, and other political subdivisions in

Massachusetts to join together to collectively purchase all types of goods and services. Potential benefits of collective procurement initiative include lower cost pricing due to economies of scale; shared and dedicated professional procurement officials and centralized contracting and troubleshooting, among others.

Statutory Requirements

Enacted in 1990, Chapter 30B of MGL, known as the Uniform Procurement Act, establishes standard procedures for use by “governmental bodies” to procure supplies and services; to dispose of surplus supplies, and to acquire and dispose of real property. For supplies and services subject to certain exemptions, Chapter 30B provides for:

- Use of sound business practices for contracts under \$5,000.
- Solicitation of three quotes or proposals for contracts in the amount of \$5,000 up to \$25,000, and
- Invitations for sealed bids or request for proposals for contracts in the amount of \$25,000 or more.

In addition to MGL Chapter 30B, several other laws have been enacted in Massachusetts to prevent procurement fraud, waste and abuse including:

- MGL Chapter 7: Public building projects design services.
- MGL Chapter 30, Section 39M: Public works (non-vertical) construction, and
- MGL Chapter 149: Building (vertical) construction;

It should be noted the Massachusetts Office of the Inspector General publishes a series of useful reference charts outlining public procurement procedures as required by law as well as “how to” manuals that provide greater instructional detail, in-depth case studies and sample language for procurement documents.

Types of Agreements

IMAs, established through a formal contract where one municipality provides procurement services for one or more municipalities or through a joint service agreement in which multiple municipalities share the services through a third party, such as a council of governments or a regional planning agency are typically used for organizing collective purchasing agreements in Massachusetts.

In addition, the Massachusetts Operational Services Division procures and manages statewide contracts, many of which are open to use by Massachusetts cities and towns, and other public entities.

COLLECTIVE PURCHASING

Franklin Regional Council of Governments (FRCOG)

The FRCOG offers a fee-for-service program providing third party bidding and contracting services to all 26 FRCOG communities, most regional school districts and several non-profits in Franklin County. This collective purchasing program to municipalities located outside of Franklin County. Bids are issued yearly by the FRCOG for items such as diesel fuel, heating oil, highway products and dog tags. Service bids include elevator maintenance and school district insurance. More recent FRCOG participants pay a fee per bid to the FRCOG which covers program costs including the services of the FRCOG's Chief Procurement Officer. For more information see: www.frcog.org

Metropolitan Area Planning Council (MAPAC)

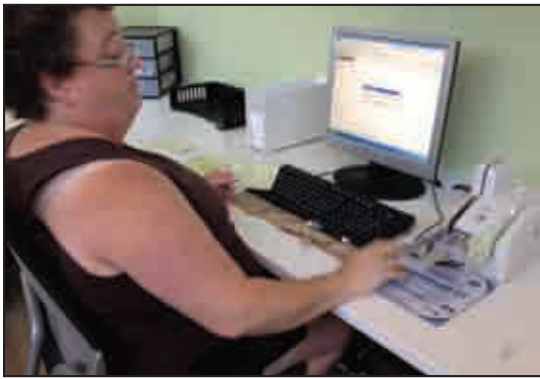
The MAPC staffs three Regional Services Consortiums and has managed several other collective purchasing programs which serve a total of 36 municipal clients. Additionally, MAPC handles collective purchasing of police and fire vehicles and apparatus on behalf of the Greater Boston Police Council and the Fire Chiefs Association of Massachusetts. Because of inclusive program language utilized by the MAPC, municipalities across the state can participate in these bids. For more information please see: <http://www.mapc.org/collective-procurement>

Berkshire County Purchasing Group

An inter-municipal agreement encompassing 38 cities and towns governs this consortium which purchases highway products and services. Each participant community pays an annual fee to cover program costs and appoints a member to the consortium's governing board. The group has one part-time staff person and shares office space with another regional consortium. A copy of the agreement is available in the resources section of this report. For more information please see: <http://www.berkshireplanning.org/regional/GroupPurchasingProgram.html>

“One of the central goals of my administration has been to provide accurate, courteous and easy customer service to our constituents and that includes prompt and efficient deployment of public safety resources. With costs continuing to rise for cities and towns, we must also seek creative ways to save money. One of the best ways to accomplish both of those goals is to pursue regionalization of services, especially with regard to E911 functions where regional collaborations can drive down response times while also reducing costs to municipalities.”

– Mayor Joseph A. Curtatone – Somerville



E-GOVERNMENT

E-Government refers to the use of technology to improve the efficiency, effectiveness, and accessibility of municipal government. It may include various types of computer-based technologies, large-scale use of equipment such as telephones, fax machines, surveillance systems and computers. E-Government also includes new tracking systems such as radio frequency identification (RFID) tags and the use of television and radios to disseminate government-related information. E-Government operations are increasingly making use of web-based communications and Internet applications that enable two-way transactions designed to improve government services and content costs.

One of the most widely used forms of E-Government is the use of E-Permitting. This process allows applicants to fill out, submit and pay for permit applications online as well as to receive the permit. The benefits of E-Permitting include:

- A reduction in walk-in customers and phone calls which may allow for reduced municipal office hour coverage plus greater productivity.
- Ease of use and customer convenience with 24/7 access to the permitting process.
- Significant shortening of the permit issuing time cycle.
- Integration of E-Permitting records with other municipal data and records management systems.

Statutory Requirements

There are currently no specific Massachusetts statute that apply to E-Government systems, although the municipal service or function that utilize an electronic platform must adhere to any applicable statutes or regulations as if the service or function was being provided without an electronic method(s).

Types of Agreements

Municipal leaders interested in pursuing an E-Government project may use the Commonwealth's established inter-municipal agreement law, MGL Chapter 40, Section 4A.

E-GOVERNMENT

The Connecticut Regional E-Government Initiative (CREGI)

The CREGI was established by the Capitol Region Council of Governments through a 2008 grant project for IT Application Sharing and Development awarded by the Connecticut Office of Policy and Management. The subject grant financed a pilot project for Regional Online Permitting that today has become the CRCOG Regional Online Permitting System. Since the 2008 grant, CREGI has widened its focus to other application areas of E-Government. CRCOG's Professional Services Agreement with Viewpoint Engineering for a Regional Permitting System can be found at: http://www.crcog.org/publications/Service_SharingDocs/Permitting/ViewpointContract.pdf CRCOG's E-Government Webpage: http://www.crcog.org/municipal_ser/e-gov.html

ELECTRIC AGGREGATION



Local governments can purchase electric power on behalf of their constituents through a process called Municipal Electric Aggregation. Community Choice Aggregation (CCA) allows municipalities, counties and other government entities to aggregate the buying power of individual customers within a defined jurisdiction in order to secure alternative energy supply contracts. Aggregated systems allow communities to negotiate services and prices directly with producers rather than receive “default” service from the local electric utility thereby allowing municipalities to lock in prices over an extended time period which in turn typically generates long-term cost savings.

All municipal electric aggregation agreements in Massachusetts must adhere to the following guidelines:

- The contract price must be lower than the basic service supply price currently paid by affected customers, and
- All customers must be able to opt-out of an aggregation agreement at any time.

There are a number of requirements that local governments must meet in order to become a municipal aggregator. These prerequisites include the development of an Aggregation Plan with assistance provided by the Massachusetts Department of Energy Resources and plan certification by the Massachusetts Department of Telecommunications and Energy.

For more information about Municipal Electric Aggregation or Community Choice Aggregation, municipal official should contact the Massachusetts Department of Energy Resources.

Statutory Requirements

MGL Chapter 164, Section 134 governs Municipal Electric Aggregation in Massachusetts. The law states that municipal, county or other government entities are allowed to aggregate the electric loads of consumers within their boundaries in order to negotiate more favorable terms with an electric power supplier.

MGL Chapter 25A, Section 6 permits the Massachusetts Division of Energy Resources to assist municipalities seeking to aggregate their constituents’ electric power.

COMMUNITY CHOICE AGGREGATION

Cape Light Compact

The Cape Light Compact is an inter-governmental organization consisting of the 21 towns and two counties in place on Cape Cod and Martha’s Vineyard. Administered by Barnstable County, the Cape Cod Compact provides an option for participants to purchase power as well as to access energy efficiency and conservation programs. For more information, please see

<http://www.capelightcompact.org/>

Types of Agreements

Municipalities in Massachusetts can enter an Electric Service Agreement or an inter-municipal agreement that details the delivery and price of electric supply and any additional related services.

Hampshire Power

Hampshire Power is a power aggregation program administered by the Hampshire Council of Governments. The program currently serves about 90 customers, mostly cities, towns, school districts and a number of small businesses and non-profits. For more information please see:

<http://www.hampshirecog.org/electricityaggregation.htm>

MunEnergy

MunEnergy is a power aggregation program administered by the Massachusetts Municipal Association (MMA). More than 120 cities and towns currently participate in the MMA's MunEnergy program. Constellation NewEnergy is the endorsed energy supplier for the MunEnergy program. For more information, please see:

<http://www.mma.org/about-mma-mainmenu-62/munenergy>

“Regionalization enables cities and towns to provide more efficient services without sacrificing quality. My support for the District Local Technical Assistance Fund has allowed organizations like the Franklin Regional Council of Governments, the Pioneer Valley Planning Commission and other regional planning agencies across the state to coordinate regionalization efforts and ensure that services are provided in a sustainable way. By encouraging cities and towns to form these partnerships, we can create a more solid financial foundation moving forward.”

– Representative Stephen Kulik

EMERGENCY DISPATCH



Municipalities across the Commonwealth provide emergency call answering and dispatching services to direct police, fire, medical, and other emergency response services. These services are performed at Public Safety Answering Points (PSAPs), Regional Emergency Communications Centers (RECCs) or call centers. There are 262 PSAPs in Massachusetts, a state with a population of 6.5 million residents, 2.8 million households encompassing an area of approximately 7,800 square miles. On average, about 24,000 people are served per dispatch operation in the Commonwealth. By comparison, Maryland, a state with similar demographics to Massachusetts, operates 34 dispatch centers and serves an average of 169,000 people per dispatch operation. It is widely accepted there is a significant opportunity for Massachusetts to realize the benefits of regionalizing dispatch services through increased efficiencies and economies of scale, while simultaneously maintaining or improving the quality of emergency call answering and dispatching services.

The State 911 Department was established to provide enhanced E911 equipment, database, network, and technical support to Massachusetts PSAPs. The 911 department provides training and educational materials for state and municipal 911 telecommunicators. Using a dedicated funding stream collected through a surcharge on all home and wireless telephone bills, the State 911 Department offers competitive grants for feasibility and planning studies; for the development and implementation of projects that regionalize 911 dispatch services; and non-competitive incentive grants which can help cities and towns pay for operating regionalized emergency dispatch service.

Statutory Requirements

Overall, MGL Chapter 6A, Sections 18A through 18L, govern the provision of PSAP and emergency dispatch services in Massachusetts.

In addition the State 911 Department is charged by statute with establishing certification requirements for E911 telecommunicators, including emergency medical dispatch (EMD), and quality assurance of EMD programs.

Types of Agreements

There are currently no specific statute related to regionalizing emergency dispatch services in Massachusetts although, as this manual goes to print, there is pending state legislation (Senate Bill #2248) that if enacted would specifically govern the creation of Regional Emergency Community Centers (RECCs).

Correspondingly the Massachusetts communities of Hingham, Hull, Norwell, and Cohasset have filed special legislation with the State Legislature which would allow multiple communities to create a new regional entity that could govern their new regional dispatch center.

EMERGENCY DISPATCH

Inter-Municipal Agreements (IMAs) can be used, as well as state – local partnerships (such as in Franklin and Hampshire Counties where the Massachusetts State Police provide PSAP and dispatch services for most small town local emergency response agencies) to regionalize emergency dispatch services.

EMERGENCY DISPATCH

South Shore Regional Dispatch Center

In 2009, the Towns of Hingham, Norwell, Hull, and Cohasset signed an inter-municipal agreement to form a regional dispatch center. The 4 towns officially moved into a new dispatch center in 2011. The South Shore Regional Dispatch Center was primarily funded by a total of \$5 million in grants awarded by the state. A copy of the inter-municipal agreement can be found at: <http://ma911.org/Files/Doc/Regional/JDH%20RECC%20IMA%20Hing-Coh%20121009.pdf>

Nashoba Valley Regional District Dispatch

In 2011, the Towns of Devens, Harvard, Lancaster, and Lunenburg agreed to establish, operate, and maintain a shared emergency services communications and dispatch system. The shared service facility is located in Devens. It is estimated each member community will save about \$100,000 annually by consolidating their dispatch services.

For more information, see the presentation available at: www.harvard.ma.us

“Municipalities share common challenges which gives them the opportunity to consider regional solutions. In the Merrimack Valley we formed a Mayors & Managers Coalition and we meet on a monthly basis to discuss how we might be able to work together.”

– Mayor Thatcher Kezer – Amesbury

ENERGY MANAGEMENT SERVICES



Public entities may use Energy Management Services (EMS), also known as performance contracting, for the installation of capital projects that reduce facility energy costs and related operation and maintenance expenses. In

Massachusetts, state and local government agencies may use an alternative procurement method, as detailed in MGL Chapter 25A, Sections 11C and 11I, to contract with an Energy Services Company (ESCO) for the provision of Energy Management Services if the primary purpose for doing so is to reduce energy and/or water consumption.

EMS is an arrangement in which the cost of implementing Energy Conservation Measures (ECM's) is recovered from savings created by the performance of those measures (performance contracting). These savings are, in turn, guaranteed by the ESCO. Equipment purchased and installed using EMS may include any equipment or systems upgrade designed to conserve energy or water. Under an EMS contract, the ESCO provides a service package that typically includes the design, engineering, financing, installation, and maintenance of retrofit measures designed to improve energy efficiency. An EMS contract defines the method for establishing the baseline costs as well as the cost savings and the distribution of the savings achieved to the parties involved with the ESCO.

Performance contracting simplifies the process for securing a range of services and equipment and avoids the time consuming requirements mandated by MGL Chapter 149 for competitive purchasing of such equipment and services; developing multiple bid solicitations; and selecting multiple contractors. In addition, it guarantees energy and maintenance cost savings.

In Massachusetts, four agencies oversee Energy Management Services including:

- Department of Energy Resources (DOER) presides over local projects in buildings owned by cities, towns, counties, quasi-public agencies, and schools.
- Division of Capital Asset Management (DCAM) presides over Commonwealth-owned government buildings.
- Department of Housing and Community Development (DHCD) presides over public housing authorities.
- Massachusetts School Building Authority (MSBA) presides over certain school building projects.

Several Massachusetts regional planning agencies have procured energy management services on behalf of member communities, thereby aggregating possible savings to make potential EMS projects more attractive to ESCOs.

Statutory Requirements

Under MGL Chapter 25A, Sections 11C and 11I, municipalities are authorized to request competitive proposals (section 11C) or vendor qualifications (section 11I) from energy services

companies for bundled energy audit, design, construction, maintenance, and monitoring and verification services. This special exception for energy projects acknowledges the unique challenge that energy projects present. Under Section 11C, vendors respond to a specific set of pre-identified measures and provide a fixed price proposal for these measures and guaranteed energy savings.

Types of Agreements

Municipalities and school districts must follow the five steps outlined below in order to procure Energy Management Services:

- Develop ESCO Request for Proposals or Qualifications.
- Publish RFP and RFQ and Select Vendor.
- Negotiate and Sign Energy Audit Agreement(s).
- Negotiate and Sign Energy Management Service Agreement, and
- Maintain Equipment, and Monitor, Verify and Report Energy Performance.

Across Massachusetts, several Regional Planning Agencies, including FRCOG, PVPC, MVPC and MAPC have taken the lead on Steps 1 and 2 on behalf of interested municipalities and school districts. Each participating community and/or school district takes the lead on Steps 3-5. It is highly recommended that government entities undertaking performance contracting engage the services of an Owner's Agent with a substantial energy management services experience to assist with the performance contracting process.

ENERGY MANAGEMENT SERVICES

Merrimack Valley Energy Management Program

The Merrimack Valley Energy Management Program was formed in 2009 to help communities develop energy management strategies and conservation programs. It is administered by Merrimack Valley Planning Commission (MVPC) with technical assistance provided by the Peregrine Energy Group. The MVPC facilitated ESCO services for eleven interested communities and two school districts in their planning region.

MVPC's Energy Performance Contracting RFQ can be seen at:

http://mvpc.org/wp-content/uploads/MVPCEnergyPerformanceRFQ.FAQ_.pdf

MVPC's Comprehensive Energy Management Services RFQ can be seen at:

http://mvpc.org/wp-content/uploads/MVPC.ESCO_.RFQ_1.pdf

Green Communities Program

The Massachusetts Department of Energy Resources (DOER) created the Green Communities program to empower Massachusetts cities and towns to reduce energy consumption and increase energy efficiency. The program was crafted with the intent for municipalities to regionalize, therefore eliminating the potential barriers inherent in previously existing programs and services. Further description of the Green Community program can be found at:

<http://www.mass.gov/eea/energy-utilities-clean-tech/green-communities/>

HIGHWAY & PUBLIC WORKS



Municipalities are authorized by the Massachusetts General Laws to lay out, maintain, alter, relocate, and discontinue public ways, as well as to lay out and maintain storm water drainage, drinking water, and sewer systems, construct sidewalks and erect street lamps. In addition, local public works departments are often responsible for maintaining parks, forestry, and cemetery facilities.

Many Massachusetts municipalities are currently sharing resources by collectively purchasing highway supplies and services, including winter salt and sand, or using the Massachusetts Operational Services Division to bid for rock salt. In addition, Massachusetts communities have a history of collectively purchasing items such as gravel, guardrails and plow blades plus services such as roadway line painting and resurfacing.

Similarly, municipalities may share public works equipment such as bucket trucks, street sweepers and wood chippers, often using unofficial “handshake” deals, particularly for pieces of certain types of vehicles, or equipment that are essential but only intermittently needed.

Statutory Requirements

MGL Chapters 81 through 92B detail the specifics of establishing and maintaining municipal and other local public works infrastructure.

Types of Agreements

There are statutes in Massachusetts that govern the regionalization of highway and public works services. These include the following:

- Chapter 83, Section 1 allows for the joint operation of sewer treatment and storm water control systems.
- Chapter 40N, Section 25 provides the means to form a regional water and sewer commission and district.
- Chapter 84, Section 5 allows municipalities that host common roadways to arrange for joint maintenance.
- Chapter 40, Section 4K establishes a statewide public works mutual aid law that governs the sharing of equipment and personnel between municipalities for addressing public safety incidents and for general maintenance purposes. In addition, municipal leaders may use the Commonwealth’s IMA law, to share highway and public works services.

HIGHWAY & PUBLIC WORKS

Gill, Northfield, and Vernon (VT) – Bucket Truck

In 2011, the Massachusetts Towns of Gill and Northfield entered into a contract with the neighboring town of Vernon, Vermont to purchase and share the use of a bucket truck for tree trimming and other related municipal uses. An IMA governs the use of the truck and provides for a cost-sharing formula among the three participating communities.

Hamilton and Wenham – Facilities Manager

Building on a history of working together, these Towns of Hamilton and Wenham jointly hired one shared manager to take charge of maintenance and repair of all facilities in both communities, including public schools. This shared manager reports to the Director of the Department of Public Works in both towns.

Litchfield Hills, CT – Public Works Equipment Cooperative

The Litchfield Hills Council of Elected Officials was awarded State of Connecticut grant to form a cooperative of eleven towns. A 2008 Memorandum of Understanding outlines an agreement whereby the host town houses and maintains the shared equipment and governs how participating towns share the cost of equipment maintenance and also contribute on a yearly basis to a capital replacement fund.

“Our challenge is to infuse our tradition of local self governance with a modern sensibility for government efficiency and the sharing of resources. From the Environmental Joint Powers Law of 1996 to current regionalization legislation, we can be proud of the long list of successful efforts to move our communities in the direction of greater collaboration. My current regionalization bill includes measures both large and small, from establishing a general Joint Powers Act to empowering local selectmen to approve regionalizing public services. This past legislative session saw some significant steps on this path and I look forward to more in the next.”

– State Representative Jay Kaufman

PLANNING



Municipal planning staff assist their local planning boards with review of land subdivision and development proposals to ensure conformity with local, state, and federal laws and regulations.

Planners also develop short- and long-term plans for many municipal activities including land use and natural resources, transportation, community and economic development. Planners frequently often help local officials alleviate social, economic, and environmental problems by suggesting zoning regulations, recommending locations for investment and securing available resources. In Massachusetts, planners typically work for a municipal planning board but in some cases municipal planners report directly to a city or town manager, mayor, Board of Selectmen, town administrator or community development director.

Municipalities often employ staff with one or more areas of specialization, such as natural resource protection, open space planning, and community development and redevelopment, to oversee monitoring, compliance, and management. Conservation Commissions, for example, may employ a specialist, known as a conservation agent, to assist them with natural resource protection, and wetlands enforcement. Smaller communities regularly rely on their Regional Planning Agency to provide required technical assistance and professional services.

Statutory Requirements

Planning: Zoning Act (MGL Chapter 40a) (Subdivision Control Law) MGL Chapter 41, Sections 81K – 81GG; local Subdivision Rules and Regulations and local Zoning Bylaws. Massachusetts municipalities with over 10,000 residents are required to have a Planning Board. Municipalities with fewer than 10,000 residents may authorize their elected officials, (i.e. Board of Selectmen) to establish or act as the community’s Planning Board.

Housing: Affordable Housing/Comprehensive Permit Law (MGL Chapter 40b, Sections 20-23).

Conservation: Conservation Commission Act (MGL Chapter 40, Section 8c), the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40), and Scenic Mountain Act (MGL Chapter 131, Section 39a).

Types of Agreements

There are no specific Massachusetts General Laws governing the regionalization of local planning services. Municipalities can share such planning services through an inter-municipal agreement, which are governed under MGL Chapter 40, Section 4A.

Communities may also obtain professional planning services under an agreement with their respective Regional Planning Agency under terms of a fee-for-service contract.

PLANNING

Wareham–Rochester

In 2010, the Towns of Wareham and Rochester both determined a need for the services of a professional planner but were each unable to fund a full-time position. The two towns ultimately agreed to jointly advertise for a planner position with the stipulation that the planner would work three days a week in Wareham and two days a week in Rochester under separate contracts with each town. For more information please see the websites of the two towns at: <http://www.townofrochestermass.com/> and <http://www.wareham.ma.us>

Hadley–Pioneer Valley Planning Commission (PVPC)

Since 2007, the Town of Hadley has contracted with the Pioneer Valley Planning Commission for professional planning assistance and services beyond those already available to Hadley as a members of the PVPC. This arrangement was formalized through a simple legal contract and is renewed on an annual basis.

Upton–Ashland

In 2011, the Town of Upton needed a conservation agent and approached the nearby town of Ashland about sharing a portion of their agent's time. The town managers of the two communities negotiated an inter-municipal agreement which established an hourly rate of pay for Upton's use of Ashland's conservation agent.

Berkshire Conservation Agent Program (BCAP)

BCAP is a fee-for-service program administered by the Berkshire Regional Planning Commission (BRPC) that allows all 32 municipalities within Berkshire Region to obtain the services of a qualified Conservation Agent. Most of the local Conservation Commissions in Berkshire County are not able to employ professional staff due to limited budgets. And the BCAP initiative provides them with a cost effective alternative.

“It’s important that we provide our communities with the guidance they need to take advantage of new tools and local options to plan budgets, pool resources and save money. Many towns are beginning to share the costs of some services and, on Cape Cod, they are developing a shared system that will automate and streamline application services, resulting in significant cost savings for the participating towns. This toolkit will serve as a blueprint for regionalization and help neighboring communities develop innovative plans and solutions to ensure that they are running effectively and efficiently.”

– Senate President Therese Murray

PUBLIC HEALTH



Unlike most states, Massachusetts primarily provides public health services at the municipal level rather than through on a county or regional basis. In fact, Massachusetts has more local health departments than any other state in the nation although it ranks 13th in the nation in population and 44th in land mass.

In Massachusetts, local board of health is responsible for providing a comprehensive set of services defined by state laws and regulations. These boards are responsible for ensuring food safety; enforcing Title V, the state sanitary code, conducting inspections of pools, food service establishments and summer camps; permitting all private septic systems; preparing for public health emergencies and monitoring and reporting communicable diseases.

As the responsibilities of local boards of health increase, it becomes increasingly difficult for local board of health members, many of whom are volunteers, to adequately meet their statutory and regulatory requirements. Given the reality, a major benefit of regionalizing health services is to gain better protection of the public's health by employing trained professional staff who, in turn can limit a municipality's legal liability exposure.

Statutory Requirements

Local boards of health in Massachusetts are required by state law (i.e. MGL Chapter 111) and associated regulations to perform many essential duties intended to protect public health including disease control; the promotion of sanitary living conditions; and protection of the environment from damage and pollution. A comprehensive list of the laws and regulations relating to boards of health in Massachusetts can be found at: <http://www.mass.gov/eohhs/docs/dph/emergency-prep/board-of-health-manual.pdf>

Failure to perform these essential public health-related duties, exposes residents to unsafe and unhealthy conditions and the applicable city or town to lawsuits.

Types of agreements

In Massachusetts, municipalities can regionalize or share health services using two different legal mechanisms. First, under MGL Chapter 111, Sections 27A and B, municipalities are authorized to share health agents and to form comprehensive health districts. These districts are separate and distinct legal entities that provide public health services to their district's member communities.

Second, using the Commonwealth's IMA law, municipalities can opt to share some public health services without creating a comprehensive health district.

Extensive resources on regionalizing public health services are available in a Public Health District Planning Toolkit available on the Boston University School of Public Health website. These include draft IMAs, draft district bylaws and tools for planning shared public health services. These resources can be found at: <http://sph.bu.edu/Regionalization/resources/menu-id-617695.html>.

PUBLIC HEALTH

Regional Health Districts (MGL Chapter 111, Section 27 A-C)

Quabbin Health District

The Quabbin Health District was established in 1980 to provide the communities of Belchertown, Ware, and Pelham with professional public health staff and services. The district operates under a comprehensive district model, meaning all public health services are provided by the Quabbin Health District's staff to all three member towns. For more information see following presentation:

http://www.frcog.org/pubs/regional_services/conference2010/Effective_Public_Health_Collaborations.pdf

Inter-Municipal Agreements (MGL Chapter 40, Section 4A)

Northampton and Amherst

Northampton and Amherst share a full-time health agent and a public health nurse through an inter-municipal agreement. Under the subject agreement, the two communities have outlined arrangements governing sharing services and costs.. For more information see the following presentation:

http://www.frcog.org/pubs/regional_services/conference2010/Effective_Public_Health_Collaborations.pdf

Melrose-Wakefield-Reading

Melrose and Wakefield signed an inter-municipal agreement in 2009 to combine health department staff under the supervision of the oversight of the Melrose Health Department Director. Subsequently the Town of Reading entered this partnership in 2011 with the Melrose Director assuming a supervisory and management role of Reading's full-time health inspector, a part-time health inspector, a 30-hour a week nurse and a secretary. For more information see the following presentation:

http://frcog.org/pubs/regional_services/conference/Health_Melrose_Wakefield.pdf

REGIONAL HOUSING



Most Massachusetts municipalities either rely on a local housing authority or belong to a regional housing authority that owns and manages state and/or federal public housing units, primarily for income-eligible, elderly and disabled residents. There are currently 247 local and 4 regional housing authorities in place throughout the Commonwealth of Massachusetts.

Some communities have joined together to create consortia to make better use of federal funds for housing development or rehabilitation projects. These consortia directly receive and distribute these funds among their member municipalities. Other regional service organizations that assist communities with housing-related issues include: local and regional nonprofit housing organizations, community development corporations, and housing partnerships.

Potential benefits of regional housing services include cost savings through coordinated activities and economies of scale; a shared regional and sub-regional plan for development; and shared development authority and tax revenues for communities. Challenges may include inconsistency between the regional comprehensive permits (MGL Chapter 40B) and statutory anti-exclusionary intent and specific language requirements; lack of resources for regional housing planning; and the need for successfully balancing local and regional goals, needs and interests.

Statutory Requirements

The Massachusetts Department of Housing and Community Development has oversight responsible for public housing in the Commonwealth. Statutory and regulatory requirements related to housing are included in MGL Chapters 23B, 40B, 40O, 40T, 121B, 184 and 760 CMR 4 through 66.

Chapter 40B, the state's comprehensive permit law, governs the development, administration, and management of low to moderate income housing in Massachusetts. For municipalities that have adopted the Community Preservation Act, this statute also includes specific requirements related to use of CPA funds for community housing.

Types of Agreements

MGL Chapter 121B, Section 3A allows municipalities to form a regional housing authority which may operate in place of the individual municipalities' housing authorities. The law requires the resulting agreement set forth the rights, powers and obligations of the regional authority.

Inter-municipal agreements and special legislation may also be used to regionalize housing services. The Regional Housing Authorities in Berkshire, Hampshire, and Franklin Counties were established through separate, special enabling laws enacted by the State Legislature.

HOUSING

Franklin County Housing and Redevelopment Authority (FCHRA)

The FCHRA serves all 26 towns in Franklin County. It is the Commonwealth's first regional public housing authority and the only regional redevelopment authority. The FCHRA assists member municipalities and residents in accessing and delivering affordable housing and community development resources. Projects include affordable housing, municipal infrastructure, handicapped accessibility, and economic development. For more information: www.fchra.org

The Regional Housing Services Office

The Regional Housing Services are proactive monitoring, housing inventory administration, program development and administration and local support.

Sudbury, MA

Municipalities have signed an inter-municipal agreement to contract services with the Town of Sudbury as the lead town. MAPC drafted the agreement and facilitated the process. The agreement went into effect July of 2011. For more information: <http://sudbury.ma.us/departments/CHO/>

HOME Consortia

Some Massachusetts communities have organized into consortia to allocate and help administer federal HOME (HOME Investment Partnership Program) funds for housing development, homeownership assistance, tenant-based rental assistance and/or housing rehabilitation projects. Each consortium, via a lead community, receives the funds directly and distributes the funding among its member communities. For example, the North Suburban Consortium serves the eight communities of Malden, Medford, Arlington, Chelsea, Everett, Revere, Melrose and Winthrop. For more information: <http://www.northsuburbanconsortium.org/>

REGIONAL SCHOOL DISTRICT



The Commonwealth's 351 municipalities are served by nearly 300 school districts, not including charter schools. In addition, there are 30 vocational-technical-agricultural high school districts across the state. Nearly 60 percent of all academic school districts throughout the Commonwealth are K–12 districts serving a single city or town.

Massachusetts school districts of all configurations must respond to a variety of challenges including shifting student enrollment trends; limited state education aid; constrained municipal budgets, aging and overcrowded school facilities, and the criteria needed to meet the 21st century academic needs of students. Regionalization is one way for municipalities to better address and respond to these enormous challenges and in a cost conscious manner.

State capital funding assistance for school facilities was recently modified to help encourage school district mergers. The Massachusetts School Building Authority (MSBA), the state entity that reimburses school districts for a portion of their construction and renovation costs, has revised its funding evaluation criteria to favor school building projects that are part of a regionalization plan.

Other Sharing Options

Some municipal school districts have entered into alternative types of collaborative initiatives which are short of full regionalization. Examples include municipal school districts joining together to create purchasing cooperatives; conduct shared professional development and training activities and to establish a regional network of shared curriculum directors.

Statutory Requirements

MGL Chapter 71 governs public schools in Massachusetts and it incorporated over ninety sections which outline the requirements and duties of school districts. The statute requires every municipality in the Commonwealth to maintain a sufficient number of schools for the instruction of all children who are legally required to attend a public school.

Types of agreements

There are regulations in place in Massachusetts that outline how public school districts may study and work towards forming regional school districts. MGL Chapter 71, Section 14B and 603 CMR 41.00 describe the process for establishing and amending a regional school district agreement. MGL Chapter 71 includes several other sections on the governance of regional schools, specifically MGL Chapter 71, Sections 14-16.

A host of school regionalization resources are available from the Massachusetts Department of Education at: <http://www.doe.mass.edu/finance/regional/>

REGIONAL SCHOOL DISTRICTS

Southwick-Tolland-Granville Regional School District

Recently, the Southwick-Tolland Regional School District (RSD) faced increasing costs, overcrowding at the elementary school and costly facility repairs. At the same time, the Town of Granville confronted a combination of decreasing revenues and steadily increasing education costs as well as declining enrollments and underutilization of its school building.

Based on a cost-benefit analysis commissioned by PVPC, and after extensive local deliberations, Granville residents voted to join the Southwick-Tolland RSD in September 2011 and it along with two towns approved the new Southwick-Tolland-Granville RSD just one month later. This merger allows this expanded RSD to receive an increased level of state aid for school facility repairs and capitol funds for school building projects from the MBSA.

The Cost-benefit analysis for this school regionalization project can be found at: <http://www.pvpc.org/resources/ecdev/STG%20School%20Regionalization%20Analysis-Final%2012-22-10.pdf>

Ayer-Shirley Regional School District

In 2007, the Town of Shirley invited Lunenburg and Ayer to consider a school district regionalization proposal and formed a joint Regionalization Planning Board (RPB) to study a merger. All three districts faced multiple challenges, such as those described in the above example.

The RPB eventually decided not to pursue a three-town district because of the high costs of transition from three districts to a unified region. However, Ayer and Shirley continued discussions, that a two-town RSD could be implemented with a much lower level of transitional costs. In 2010, voters in separate town meetings endorsed forming a two-town Ayer-Shirley regional school district.

For more information please see: <http://www.ayershirleyregion.org/>

A copy of the regional agreement between Ayer and Shirley is available at: <http://www.ayershirleyregion.org/Regional%20Agreement.pdf>

WASTE MANAGEMENT



There are several shared or regional waste management programs in place in Massachusetts. Types of service agreements range from inter-municipal agreements between two municipalities to share waste services to regional waste management districts created by special state legislation.

The major benefit of regionalizing waste management services is cost savings achieved through economies of scale. In addition, regional waste management programs have often been more successful than individual municipalities at applying for and receiving grant funding. Current state legislation allows Massachusetts municipalities to establish both regional refuse disposal districts and joint recycling programs.

In addition to disposal, regional waste management activities are increasingly focused on preventing or reducing the impact of waste materials on human health and the environment as well as recovering resources from waste materials.

Statutory Requirements

Massachusetts municipalities are subject to multiple state waste management laws and regulations related to both solid and hazardous waste. The Massachusetts Department of Environmental Protection is tasked with enforcement of these laws and regulations.

Types of Agreement

There are two Massachusetts General Laws which are directly related to regionalizing waste management services including:

- MGL Chapter 40, Sections 44A through 44L which governs regional refuse disposal districts.
- MGL Chapter 40, Section 8H which governs regional recycling programs.
- Municipalities may also:

Use MGL Chapter 40, Section 4A, the inter-municipal agreement law, in order to share waste management services among several municipalities, or Seek passage of special legislation to create districts such as those established in northern Berkshire and Franklin counties. These districts have the legal authority to assess district costs as well as to, and to contract on behalf of their member communities for various waste management services.

WASTE MANAGEMENT

Franklin County Solid Waste Management District

This district was formed by special legislation to establish an agreement among 22 towns. The Franklin County Solid Waste Management District is responsible for managing all aspects of the participating towns' solid waste materials. Services include bidding for solid waste transportation and disposal, bulk items, household hazardous waste collections, and extensive public education programs, including trainings and outreach to local residents and businesses. For more information: <http://www.franklincountywastedistrict.org/>

North Central Regional Solid Waste Cooperative (NCRSWC)

The NCRSWC, now known as MassToss, was established in 2005 by eleven communities using grant funds awarded by the Commonwealth. The purpose of MassToss is to provide group buying power and technical assistance to its communities in all areas of solid waste handling. For more information, please see: <http://www.northcentralmassrecycles.com/index.htm>

Northern Berkshire Solid Waste District

The Northern Berkshire Solid Waste District was created in 1988 by special state legislation and includes twelve member towns. The District bids, negotiates and monitors contracts for the transportation and disposal of solid waste and recyclables for its member towns. In addition, District staff provide mandatory transfer station inspections, maintain a District website, and offer recycling classes. For more information, please see: <http://www.nbswmd.com/>

Appendix I

Massachusetts Association of Regional Planning Agencies Members



Berkshire Regional Planning Commission
1 Fenn Street, Suite 201, Pittsfield, Massachusetts 01201
(413) 442-1521 • www.berkshireplanning.org



Cape Cod Commission
3225 Main Street, Barnstable, MA 02630
(508) 362-3828 • www.capecodcommission.org



Central Massachusetts Regional Planning Commission
2 Washington Square, Union Station-2nd Floor, Worcester, MA 01604
(508) 756-7717 • www.cmrpc.org



Franklin Regional Council of Governments
12 Olive Street, Suite 2, Greenfield, Massachusetts 01301
(413) 774-3167 • www.frcog.org



Martha's Vineyard Commission
P.O. Box 1447, Oak Bluffs, Massachusetts 02557
(508) 693-3453 • www.mvcommission.org



Merrimack Valley Planning Commission
160 Main Street, Haverhill, Massachusetts 01830
(978) 374-0519 • www.mvpc.org



Metropolitan Area Planning Council
60 Temple Place, 6th Floor, Boston, Massachusetts 02111
(617) 451-2770 • www.mapc.org



Montachusett Regional Planning Commission
R1427 Water Street, Fitchburg, Massachusetts 01420
(978) 345-7376 • www.mrpc.org



Nantucket Planning and Economic Development Commission
2 Fairgrounds Rd, Nantucket, MA 02554
(508) 228-7237 • www.nantucket-ma.gov/pages/nantucketma_planning/npedc



Northern Middlesex Council of Governments
40 Church Street, Suite 200, Lowell, MA 01852
(978) 454-8021 • www.nmcog.org



Old Colony Planning Council
70 School Street, Brockton, Massachusetts 02301
(508) 583-1833 • www.ocpcrpa.org

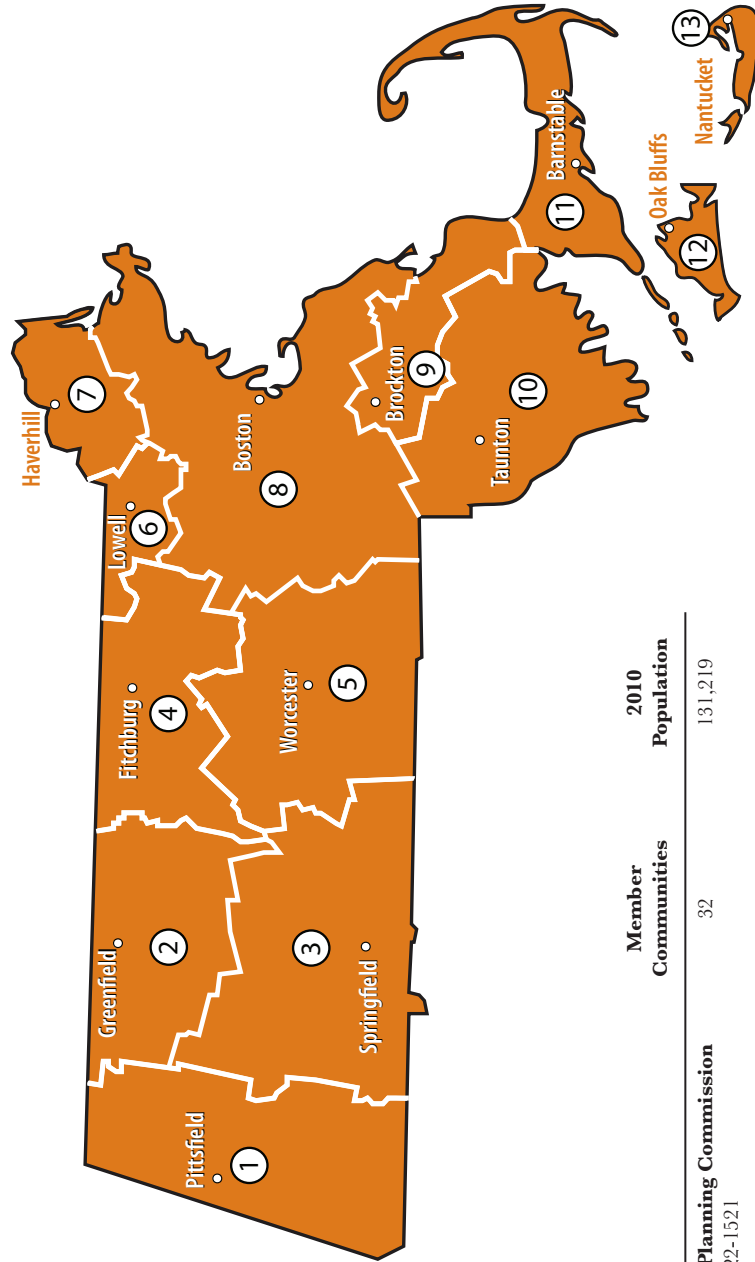


Pioneer Valley Planning Commission
60 Congress Street, Springfield, MA 01104-3419
(413) 781-6045 • www.pvpc.org



Southeastern Regional Planning and Economic Development
District
88 Broadway, Taunton, Massachusetts 02780
(508) 824-1367 • www.srpedd.org

Appendix II



| Agency/Director | Member Communities | 2010 Population |
|---|--------------------|-----------------|
| 1. Berkshire Regional Planning Commission Nathaniel Karns 413 422-1521 | 32 | 131,219 |
| 2. Franklin Regional Council of Governments Linda Dunlavy 413 774-3167 | 26 | 71,372 |
| 3. Pioneer Valley Planning Commission Timothy Brennan 413 781-6045 | 43 | 621,570 |
| 4. Montachusett Regional Planning Commission Glenn Eaton 978 345-7376 | 22 | 236,475 |
| 5. Central Mass. Regional Planning Commission Lawrence Adams 508 459-3318 | 40 | 556,698 |
| 6. Northern Middlesex Council of Governments Beverly Woods 978 454-8021 | 9 | 286,901 |
| 7. Merrimack Valley Planning Commission Dennis DiZoglio 978 374-0519 | 15 | 333,748 |
| 8. Metropolitan Area Planning Council Marc Draisen 617 451-2770 | 101 | 3,161,712 |
| 9. Old Colony Planning Council Pasquale Ciaramella 508 583-1833 | 15 | 333,468 |
| 10. Southeastern Regional Planning and Economic Development District Stephen Smith 508 824-1367 | 27 | 616,670 |
| 11. Cape Cod Commission Paul Niedzwiecki 508 362-3828 | 15 | 215,888 |
| 12. Martha's Vineyard Commission Mark London 508 693-3453 | 7 | 16,535 |
| 13. Nantucket Planning and Economic Development Commission Andrew Vorce 508 228-7237 | 1 | 10,172 |



Appendix III

List of Statutes Providing for Regionalization



List of Statutes Providing for Regionalization

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|----------------------------------|----------|---|--------------|--------------|--|
| GENERAL PROVISIONS | | | | | |
| Intermunicipal agreements (IMAs) | 40:4A | Agreement by CEOs of governmental units with approval of selectmen, mayor & council or prudential committee. Contracting units include cities, towns, regional school districts, improvement districts, regional planning commissions, water & sewer commissions, counties and state agencies. Approval of school committee needed if involves supplementary education centers and innovative educational programs. | By agreement | By agreement | Units may jointly perform, or have one perform on behalf of others, any service, activity or undertaking any unit can perform. 25 year maximum. |
| Joint performance of services | 43C:15 | | | | Consolidated municipal departments (finance, inspections, community development) may participate in IMAs. |

| | | | | | |
|---|--------|---|--|---|--|
| GENERAL GOVERNMENT | | | | | |
| Regional assessing | 41:30B | Agreement approved by participating cities or towns (legislative body vote) and approved by Department of Revenue (DOR) | By agreement. Initial committee of representative assessors develops methods and procedures for sharing services of assistant assessor. Thereafter, per DOR, Board of Directors. | Fair allocation of expenses between communities per terms of approved agreement. Annual appropriation of funds. | Approval and oversight of local agreements by DOR. See DOR IGR 81-402. |
| Regional health care coverage | 32B:12 | Acceptance of c. 32B, by agreement of appropriate public authorities of 2 or more governmental units | | | See 32b 2(a) definition of appropriate public authority – mayor in city, selectmen in town, governing board in district, county commissioners in county (except Worcester), trustees of charter school, directors of educational collaborative |
| Regional retirement systems | 34B:19 | Statutory successor to an abolished county retirement system | Regional retirement board | Assessment by regional retirement board (how determined??) | Regional retirement board advisory council created |
| Regional charter commissions and councils of government | 34B:20 | Regional charter commission established by acceptance by legislative bodies. Commission develops proposal for structure of a regional council of government (RCG). Council charter proposal must be approved by majority of voters in a community referendum for it to participate. | RCG created by charter. | Annual assessment of members | |

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|---|------------|---|--|---|--|
| Collective purchasing | 7:22B, 22A | § 22A - Statutory authority for joint purchases with Commonwealth or other municipalities through state purchasing agent. ("Join together") § 22B - Statutory authority for joint purchases by municipalities with one serving as lead purchasing agent. ("Join together") | Regulations of state purchasing agent. | Each unit remains solely responsible for payments due vendor. | (Need to search regulations) |
| Regional service centers (for development of GIS technology and data) | 21A:4B | Executive Office of Energy & Environmental Affairs (EOEEA) - Office of Geographic and Environmental Information establishes regional service centers to assist governmental units in the development and use of GIS technology. | By EOEEA | State appropriation | Coordinates GIS data sharing agreements between governmental units |

PUBLIC EDUCATION

| | | | | | |
|---------------------------------|-----------|--|---|--|--|
| Regional school districts | 71:14-16I | 71:15 Acceptance by municipalities (legislative body vote) of 71:16-16I under agreement approved by Department of Elementary & Secondary Education (DESE) | Regional School Committee (RSC), chosen in accordance with agreement | Budget adopted by RSC, approved by 2/3 of member communities in 3 or more member districts, both members in 2 member districts | |
| School superintendency unions | 71:61-64 | Agreement of school committees of towns each with <\$2.5m valuation, & aggregate # of schools between 25 and 75. DESE can form or adjust union without regard to valuation or # of schools | Joint committee of member towns school committees fixes salary & benefits of superintendent | Costs allocated among members in accordance with 71:65 (which has been repealed) - so presumably by agreement | Needs 2/3 vote of joint committee & DESE approval to fire superintendent. Also, DESE approval to dissolve union. |
| Education collaboratives | 40:4E | Agreement by school committees | Board of directors, 1 appointed by each school committee | Not determined by statute | Has own treasurer; RAN borrowing; is public employer |
| Joint school committees | 71:83 | Part of superintendency union statutes - see above | | | |
| Joint directors of occupational | 71:36D | District formed by vote of towns (not school committees) to employ joint director of occupational guidance & placement | Joint committee of member towns school committees | Joint committee annually appoints director, fixes salaries & apportion's costs among members. | Any member can withdraw |

PUBLIC HEALTH

| | | | | | |
|---------------------------|-------------|--|---|--|--|
| Regional health districts | 111:27A-27C | Vote of municipalities (towns only, & not in Barnstable Co. under § 27A) | § 27A Joint health committee of member towns' boards of health, or 1 or more members from each board § 27B single regional board of health, members appointed by | § 27A, joint committee develops & allocates budget, which members raise in tax levy without appropriation § 27B: regional board adopts budget, apportion's cost | |
|---------------------------|-------------|--|---|--|--|

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|--|---------------------------|---|---|---|--|
| Joint intramurals | 47:4 | Nothing in statute, presumably town meeting vote | each municipality by whatever method it chooses | among members according to choice of formulas in statute. Assessments raised in levy without appropriation. Nothing in statute | |
| PUBLIC LIBRARIES | | | | | |
| Joint public library | 78:19A | Nothing in statute | Nothing in statute | Nothing in statute | § 19A relates only to state aid reimbursement |
| Regional public library service | 78:19C-19D | Nothing in statute; can include private as well as public libraries – see 78:19D | State Board of Library Commissioners designates administrative agency; council of members; duties prescribed by bylaws of regional system; as approved by state Board | Nothing in statute about budget; state reimbursement under 78:19C | Relates to sharing of library resource materials |
| PUBLIC SAFETY | | | | | |
| Fire districts | 48:80-80 (see §§ 67 & 79) | Vote of town meeting(s) to organize the fire district and department and establish boundaries of the district by petition or residents of proposed district | Elected prudential committee as CEO & district meeting as legislative body | District property tax assessed by member town assessors, collected by town collectors and turned over to district treasurer | Not clear how districts in more than one town are formed |
| Regional police districts | 41:99A-99K | Approval of a majority of the voters of member towns (referendum) | Regional police commission organized by member towns' boards of selectmen, each appointing 2 members of the commission | Regional police commission determines its budget and assesses member towns using statutory formula based on EOY, population and miles of road of member towns | Unclear whether towns with police covered by civil service may be included |
| Regional EMS council (Emergency Medical Services System) | 111C:4 | Designated by State Department of Public Health (DPH) | 10 to 35 members selected by DPH, some of which represent different aspects of EMS community | Revenue from contracts with DPH | More of an agency of the state than a separate local district |
| Regional emergency communication centers and PSAPs (Public Safety Answering Points/Enhanced 911 Service) | 6A:18A-18J; 166:14A | Agreement between governmental bodies in regional areas determined by the state 911 department | None specified in legislation, presumably as provided in the intergovernmental agreements | Not specified in the statutes, presumably from general fund revenues in proportion to the governmental bodies as specified in the agreements | Regional communication centers and PSAPs are part of a statewide plan for emergency dispatching services provided locally or regionally. Telecommunications companies must provide capabilities to reach the 911 centers and may charge special fees to offset their costs |
| Mutual police aid programs | 40:8G | Agreement between communities upon acceptance of 40:8G in those communities | Governed by terms of mutual aid agreement | Financed by general municipal revenues as per mutual aid agreement | Allows for mutual aid agreements between contiguous towns in and outside MA |

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|---|------------|---|---|--|--|
| PUBLIC UTILITIES | | | | | |
| Regional municipal water supply system | 21-9A, 20 | Two or more municipalities by vote of the legislative body | Town meeting vote or vote of town council or city council | Appropriation by each local community | |
| Sewer districts (re-references to buy services) | 83:1 | Vote of sewer department in each member community, if authorized by ordinance or bylaw | Each member community's sewer department | Appropriation in accordance with contract terms | Contracts may not exceed 20 years |
| Regional water/sewer district commissions | 40N-25 | Vote of town meeting, town council or city council | Regional district commission | Regional district agreement includes financing provisions | |
| Regional local government unit (Water Pollution Abatement Revolving Loan Program) | 29C-1 | Vote of town meeting, town council or city council | Bylaw or ordinance of city or town providing service | Assessments or other charges on cities and towns receiving wastewater collection or treatment services | |
| Municipal Light Plant Cooperatives | 164-47C | Vote of municipal lighting plants | Board of not less than 3 directors elected by and from the members of the cooperative | In accordance with cooperative agreement | |
| Municipal Group Electric Load Aggregation | 164-134 | Majority vote of town meeting, town council or city council | In accordance with plan approved by Department of Energy Resources | Appropriation by members in accordance with service agreement | |
| Energy Cooperatives | 164-138 | Vote of town meeting, town council or city council | Board of not less than 3 directors elected by and from the members of the cooperative | In accordance with agreement | |
| Group Utility Purchasing Arrangements | 164-137 | Vote of town meeting, town council or city council | In accordance with group purchasing agreement | In accordance with agreement | |
| Regional refuse disposal districts | 40-44A-44L | Vote of town meeting, town council or city council | Regional refuse disposal district committee | Annual assessments as determined by district committee | |
| Regional recycling programs | 40-8H | Vote of town meeting, town council or city council | In accordance with agreement | In accordance with agreement | |
| Regional water pollution abatement district | 21-28 | District proposed by Division of Water Pollution Control (DWPC) within Department of Environmental Protection and approved by Water Resources Commission. Within 90 days if legislative bodies of municipalities do not approve, Director of DWPC may order c. 30A hearing on necessity of district. If funds needed to control water pollution, may declare district formed mandatory district. | District commission made up of 2 members of each town appointed by selectboard Commission of mandatory district made up of 3 members appointed by Director of DWPC Commission appoints executive director | District plan for water pollution abatement facilities submitted to DWPC. Plan must include formula DWPC finds equitable for allocating operating and capital costs. May be based on 2 or more factors (population, EQV, waste volume and type, other factor DWPC considers appropriate) | Act of legislature required to dissolve district |

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|---|----------|--|--|--|---|
| PUBLIC WORKS | | | | | |
| Joint road maintenance | 84:5 | Agreement between communities with common highways to construct, repair, maintain and improve roads and to share road machinery | Governed by terms of town meeting votes and appropriations | Funding per terms of town meeting votes and appropriations | |
| Joint applications for road and chemical storage assistance | 16:4D | Opportunities to apply for joint project grants for 2 or more eligible towns created by rules and regulations of Commissioner of Highways (Mass Highway) | Governed by the rules and regulations of Mass Highway | Financed from grants through towns grant accounts or under rules and regulations of Mass Highway | Does not specifically authorize a joint project, per se, but merely joint grant application |

RECREATION & CULTURE

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|-----------------------------------|------------|--|--|--|---|
| Cooperative Recreation Facilities | 45:14 | Vote of legislative body of 2 or more towns to authorize recreation departments to cooperate in providing recreational facilities and programs | Authorized recreation departments establish the cooperative arrangements | Expenses to maintain and support facilities and programs apportioned by recreation departments | |
| Regional cultural council | 10:58 | Any group of cities and towns may form regional council with approval of MA Cultural Council | Regional council has equal number of members appointed by mayor or selectmen. By 2/3 vote, the regional cultural council can adopt proportional representation corresponding to the populations of participating cities and towns. Council members serve for staggered 3-year terms. | Regional cultural councils disburse arts lottery funds other "allocable" receipts, including gifts and grants, and interest earned on the portion of council money which is invested. Appropriation not required (revolving fund). | Treasurer of 1 of members acts as treasurer for district |
| Regional beach districts | 40:12B-12G | District formed by vote of legislative bodies of 2 or more contiguous cities or towns to acquire, develop, maintain and operate beaches | Commission appointed by a joint committee including mayor & city council president of each city, and the chair of selectboard in each town. Joint committee also determines number and terms of office of commission members. | Not specified in statute - presumably by agreement | Director of Accounts to annually audit district accounts. Cost apportioned based on most recent EDV. State treasurer to issue warrant to assessors to raise in tax levy without appropriation and pay over. |

REGULATORY FUNCTIONS

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|-----------------------------|-----------|--|--|---|--|
| Regional planning districts | 40B:3, 11 | District established by vote of legislative bodies of 2 or more cities or towns. Other cities & towns may apply for admission. Acceptance by 2/3 vote of the representatives of the member cities and towns. | District planning commission made up of 1 member from planning board of each participating community. Commission elects officers from among its members annually. 2/3 vote of district planning commission may establish an executive committee. | Annually in February, district commission prepares budget. Budget apportioned among member municipalities, subject to per capita limits adopted by 2/3 of legislative bodies of member communities. Commission certifies each city or town's share of the budget to the assessors to be raised in | |
|-----------------------------|-----------|--|--|---|--|

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|---------------------------------------|----------|--|--|---|--------------|
| Joint regulation of motorboats | 90B:15 | Joint action to regulate motorboats on sharing water ways or bodies in 2 or more cities and towns. Local motorboat regulations cannot conflict with 90B | Adoption of uniform regulations requires joint action, presumably by legislative bodies of cities and towns sharing the waters | levy without appropriation No financial arrangements are specified – presumably each municipality covers its own enforcement costs | |
| Joint air pollution control districts | 111:142C | Joint request by cities and towns to state DPH to form district. DPH must approve. District similar to Metropolitan Air Pollution Control District of 111:142B | DPH may regulate air contamination sources and set up air sampling stations within the pollution control district | Participating cities and towns must reimburse Commonwealth for the cost of pollution control activities. State treasurer issues warrant to assessors in district communities to assess tax based half on assessed valuations and half on population | |

TRANSPORTATION

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|------------------------------|------|---|---|---|---|
| Regional transit authorities | 161B | Authority formed by any city or town, or group of cities and towns, other than those in MBTA with bus service, by approval of selectmen in town, city manager in a Plan E city or council and mayor in other city and notice to Governor Any city or town, or group of cities and towns, other than those in MBTA with bus service or in authorities provided for 161B:2 & 14, may join contiguous authority by approval of selectmen in town, city manager in a Plan E city or council and mayor in other city City or town can withdraw upon approval of referendum placed on ballot by vote of city council, town meeting or petition of 5% of registered voters | Advisory board made up of city manager of each Plan D or E city, chair of selectboard of each town, or town manager or administrator (or designees). Each community has 1 vote, plus additional votes in proportion to state assessments on members. Non-voting representative from disabled commuting population appointed on rotating basis from members. Advisory board can establish executive committee according to bylaws Advisory board appoints administrator as chief executive officer | Annual budget prepared by administrator and approved by advisory board Budget not covered by operating revenues funded by cherry sheet assessments on members based in proportion to cost of service within member and state contract assistance | May issue debt up to 40 years; biennial audits by state auditor |
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ECONOMIC DEVELOPMENT

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|--|-------|---|--|--|--|
| Economic development regional commission | 40B:5 | District formed by votes of legislative bodies of cities and towns to make recommendations for physical, social, governmental or economic improvement of the district | District planning commission made up of 1 member of the planning board of each city and town voting to join district | Commission annually apportions expenses and certifies the amount to assessors of members who raise in tax levy without appropriation | District may issue RAMs by a majority vote of commission |
|--|-------|---|--|--|--|

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|-----------------------------------|-----------|---|---|--|---|
| Regional veterans' districts | 115:10-15 | District formed by votes of legislative bodies of 2 or more adjoining towns, or 2 or more adjoining municipalities of which only 1 may be a city, to provide veterans with information about and assist them in obtaining available benefits | District board made up of mayor or his/her designee of each city, chair of selectboard or his/her designee of each town, and the town manager or his/her designee if town council form of government Board appoints director of veterans' services who performs the duties of the veteran's agent in each member city or town. District board also designates a treasurer of 1 of member municipalities as district treasurer | District board determines district expenses and apportionments them on members based on most recent EQO, most recent federal census, or by other means determined by a unanimous vote of the district board to be fair and equitable to each community. Board notifies local treasurers of apportionment. They certify amount to assessors who raise in tax levy without appropriation | Director of Accounts to annually audit district accounts. Cost apportioned based on most recent EQO. State treasurer to issue warrant to assessors to raise in tax levy and pay over. |
| Joint airport enterprise | 90:51N | By vote of the city council with the approval of the mayor or by vote of a town meeting, 2 or more municipalities may establish, maintain and operate airport as joint enterprise. Within 30 days after the votes, mayor and city council and selectmen of communities must meet to draft agreement. Agreement must be approved by the airport commission and the Director of Accounts and be agreed to by the mayor and city council of each participating city and the town meeting of each participating town. Agreement to establish a joint airport commission and joint airport fund and specify the proportionate interest of each participating municipality in the airport and its proportionate share of the expenses | The joint airport commission acts as agent of all municipalities in operating airport. Joint commission chooses the officers to maintain and operate the joint enterprise. | Joint airport commission determines amounts needed to run joint airport. Apportionments amount needed above amount available in joint fund to participating municipalities as per the agreement. Sends apportionment notice to mayors & selectmen | |
| Joint control of marine fisheries | 130:56 | If two or more municipalities have joint property in, or joint control over, any marine fisheries, the city council or the selectmen may exclusively exercise authority over fisheries as though such joint control of property did not exist | Selectmen, board of alderman or city council may control, regulate or prohibit the taking of the shellfish within the city or town | | Doesn't authorize joint action -- rather allows exclusive control so long as residents of other communities get same rights & privileges |
| Joint boundary markers | 42:4 | Selectmen of contiguous towns required to erect permanent stone monuments at certain points of their boundary lines | Selectmen responsible for erecting boundary markers | Expenses shared equally | 42:6 provides for penalty for failure to mark |

OTHERS

| TYPE | CITATION | CREATION | GOVERNANCE | FINANCES | OTHER ISSUES |
|----------------------------|----------|--|---|---|---|
| Regional housing authority | 121B:3A | Operating agreement approved by municipal officers of cities and towns and Dept. of Housing and Community Development (DHCD) | Regional housing authority. Powers & obligations as set out in the operating agreement. | Appropriations by cities and towns – presumably based on operating agreement. | See 121B:1 definition of municipal officers as city council with mayor's approval in city, selectmen with town manager's approval, if any, in town. |



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