

Clipped from:

Local Government Efficiency
Local Government Citizens Re-Organization Empowerment Grant
Program

Frequently Asked Questions

https://www.dos.ny.gov/funding/rfa-11-creg/CREG_faq.pdf

Intermunicipal Agreements (IMAs) and Memoranda of Understanding (MOUs)

Q: What is an intermunicipal agreement (IMA)?

A: An IMA is a cooperative or joint municipal venture authorized by General Municipal Law Article 5-G.

Q: Why do I need an Intermunicipal Agreement (IMA)?

A: An IMA is important because it formally outlines the responsibilities of each municipality in providing the service.

Q: What intermunicipal agreements (IMAs) must be submitted with the application?

A: IMAs relevant to the application, such as an existing agreement to share services.

Q: What is the difference between a Memorandum of Understanding and an Intermunicipal Agreement?

A: Memoranda of Understanding (MOU) are most commonly used between two state agencies, which cannot "contract" with one another. At least two parties are needed to form a contract and state agencies are considered to be one entity - the State. For this purpose, MOUs essentially take the place of contracts in order for state agencies to memorialize agreements with one another. State agencies may, however, contract with municipalities or decide to use an MOU with a municipality when appropriate. Intermunicipal agreements (IMA) are written agreements among two or more units of local government (which may also contract with one another). There is not really a difference between an IMA and an MOU. Both are written agreements between municipalities to jointly undertake an activity that each participating municipality has the power to undertake on its own.

Q: How is an IMA different from a Resolution?

A: A Resolution sets forth the intent of the elected officials, and the vote is filed by the Clerk. In contrast, an IMA provides the tasks and details and assigns responsibility to various municipal departments to carry out the intent in the Resolution.