

The Albany Answer: Pragmatic and Tactical Considerations in Local Records Legislative Efforts

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Local government tends to be an area of tactical response, immediately accountable to taxpayers and voters who must be in some measure satisfied with the services they receive. A local government records management program must justify and merchandise itself and deliver competent service rapidly. In order to do so, the records program must have the endorsement of major political decision makers institutionalized through comprehensive local legislation; well-crafted legislation is the keystone in building a solid local government program. In Albany's joint county-city records program, legislation has provided both the firmness and the elasticity required for successful long term results that satisfy its sponsoring local governments, their departments, other user municipalities, and the general public.

Local government records programs often have been perceived as frills; they prospered only when the chief municipal authorities were particularly in rhythm with the histories of their communities and/or had received transfusions of grant money or public employment funds. Since those local authorities also must find money to repair highways, repair schools, repair water supply systems, replace catch basins, re-roof the courthouse, and update the municipal computer system, it is not surprising when records managers and archivists find their needs far down on the list of priorities.

Local government records management and archival programs are functions conspicuous only when they do not deliver. They provide relatively less publicity than

the opening of a new senior citizen housing complex or an AIDS counseling project. In Albany, New York, as elsewhere, such a records program had to demonstrate its effectiveness, early on, through savings, cost avoidances, increased efficiencies, and economies of scale for the sponsoring governments.

In the course of the years, deferred maintenance, poor storage, dirt, vermin, carelessness, and neglect created a quiet disaster for the records of the city and county of Albany. As the role of local governments grew, so did the quantity of records they generated. With the advent of the Depression, accounting for new state and federal money created a vast, new, and henceforth ever-increasing mass of records. For every outside dollar committed, perhaps thirty pounds of paper documentation were created. Records filled every conceivable nook and cranny. Hidden among the tons of vouchers and old parking tickets were the archival records, the institutional memory of Albany and its city and county governments.

In January 1936, the Works Progress Administration (WPA) Historical Records Survey attempted to create a model sample inventory of municipal records in the county of Albany. This survey found that county officials were lax in protecting records, that valuable records were scattered throughout the vaults in some disorder (although current records were well arranged and accessible), that transfer to state custody was not the proper solution for historical records storage in light of the lack of state capacities, and that the state should work out a

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reasonable policy for the reduction of the less useful records and maintain an adequate inspection service. The findings of the WPA would remain valid for Albany, to one degree or another, for nearly half a century.

The next significant step toward creating any sort of local historical records repository began in 1972, when a successor program to the WPA, the federal Emergency Employment Act, funded a joint city-county program which created the "City Records Library." The City Records Library received the unwinnowed contents of virtually every departmental garage, closet, and basement, and lived out most of its ten-year lifespan with no adequate planning for its protection, no significant production of finding aids, and no destruction of useless materials. It was a positive situation only insofar as materials at last could easily be consulted and were gathered in a single place.

In 1975 County Clerk James Coyne (who now serves as Albany County executive) began large-scale microphotography of current and historical deeds, mortgages, and court papers. His successor as county clerk, Guy Paquin, obtained a National Historical Publications and Records Commission (NHPRC) grant to produce a guide to historical records held by the office. Both men shared a concept of what had to be done to preserve and make available public records, but in city or county government there was as yet no move toward centralized records management.

In 1980 County Clerk Paquin submitted a city-county application for a \$20,000 NHPRC Local Government Archives Program (LGAP) grant for the survey and description of selected historical records of the city and county of Albany. Paquin's support and that of Albany mayor Erastus Corning, 2nd—combined with some initial guidance from the New York State Archives, the advice in H. G. Jones's *Local Government Records*, NHPRC's \$20,000,

and the operating philosophy of Machiavelli's Prince—would shape Albany's joint program. Lacking any of these elements, the Hall of Records would not have come to be.

The LGAP survey was a critical tool, not only identifying over 43,000 cubic feet of public records, exclusive of court documents, but also identifying records-related problems and needs across the full spectrum of the agencies of the two local governments.

Problems evident from the survey can be grouped in five general areas. (1) Since no central mission statement regarding records existed, legislation would have to provide it—explicitly, implicitly, or by some alchemy of both. (2) There was a disarray and balkanization of prior enablements for disposition of local records in accord with state records retention and disposition schedules and lists. No one understood the process, had the time to study those archetypically bureaucratic schedules, nor had time to execute dispositions. Specialists were needed and a central disposing authority was required. (3) The survey would have to remain dynamic, maintain dialogue with client agencies, and provide for their concerns. (4) Since no records center existed, one had to be established, with all its procedures and systems. (5) No formal archival apparatus existed. A centralized joint archives, with legal authority to acquire and/or dispose of materials was necessary.

Establishing a records program to address these concerns required local legislation by both city and county. Such legislation entailed some compromising of archival ideals to make the concept acceptable to various power brokers and political chieftains, but not to the point of undermining the effectiveness of the records program. The legislation had to ensure that long-term records management/archival needs would be addressed, providing economies of scale and densities of use that justified a program that included storage,

micrographics, vital records protection, and archival services. Through the legislation, partners in the county and city union were wedded, despite the uncertainties and occasional bloodlettings of the local civil and political arena. And while both records management needs and political realities had to be satisfied, the legislation had to provide the means of obtaining and deploying resources necessary for the Albany County Hall of Records/Office for Public Records to execute the legislated mandate.

There were other problems to be considered in drafting legislation. How, for example, could the resistance, active or passive, of politically powerful department heads be overcome or bypassed? How could legislation create a records management/archival funnel through which records problems must pass? Could the records program be given sufficient authority to execute these responsibilities, while leaving departments enough leeway and autonomy so that they would not feel threatened? Both county and city legislation, in short, had to make the joint records program a viable reality, empower it, give it some teeth, and establish it in a long-range, forward-looking mode.

Albany is a strong-mayor city with a one-party common council, where the approval of the mayor is necessary to launch an enabling ordinance. A draft was submitted for the mayor's review, tailored by the city's attorney, and passed in 1982. Mayor Corning and his successor, Thomas M. Whalen, III, were interested in the economies to be realized in a records program and in quality-of-life enhancements offered by a city archives. Their support was vital to pass enabling legislation and to establish and fund a city records program.

A city ordinance created the position of director of public records, specifying that the position be filled by the director of the Albany County Hall of Records. Under the ordinance, this person was assigned all authority necessary to carry out the efficient management, appraisal, preservation, and

disposition of noncurrent public records, to survey records in city offices, and to acquire official custody of archival records. The city ordinance adopted all current and future state records retention and disposition schedules and officially created a city archives. Especially important to the authority of the director of public records and the records program was the revocation of all previous authorizations to utilize state schedules or to dispose of records in any way; the director became the sole city official empowered to dispose of public records. A supplemental ordinance stipulated that the records of defunct city agencies would pass to the director of public records.

Albany County has a bipartisan legislature in which one party has enjoyed a long-standing majority. Unlike the city, Albany County has a number of power centers, all of which had to be cultivated so that a records management program could be established by legislative resolution.

Resistance was anticipated from various county agencies, in particular law enforcement or other security-related offices. Since some of these department heads were especially powerful and some were elected with their own power bases, their resistance was taken seriously, and their needs were explored to find ways to reach them.

Department heads who, under state law, are personally liable for the actions of their departments had special security concerns and were brought into the planning of the Hall of Records. Department heads with historical records in demand by the research community, but with no staff to service users, were promised that convenient reference service would be provided by the Hall of Records. Public works agencies with unique cartographic records were promised vital records protection through micrographics.

Passed late in 1982, the county resolution was more general and elastic than the city's, but addressed the same records man-

agement concerns. It empowered the Albany county clerk, through an appointee—the executive director of the Albany County Hall of Records—to provide orderly, secure, and economical management of county records, and to develop standards and procedures for doing so. All previous authorizations to employ state disposition schedules were revoked and the county clerk and designee were designated as the only officials to dispose of noncurrent records. Recalcitrant officials could be satisfied, if not gratified, through the provision for establishing standards and procedures, whereby protocols could be negotiated to allay their suspicions and gain their cooperation.

Finally, the spouses had to be wed. Although mechanisms were built into both the county and the city legislation to link the two governments in a records program, further detailing was necessary, since any “common-law” arrangement ultimately would create a bookkeeping and administrative nightmare. A working agreement specified the roles of both governments and provided for sharing necessary personnel, equipment, and supplies. The city records collection was designated part of the county archives with the practical proviso that city and county records forever be kept intellectually independent of one another. All records, equipment, and supplies formerly belonging to city predecessor agencies were conveyed to the Hall of Records. Provisions were made for reimbursement of certain county costs, such as micrographics, by the city. The working agreement served both strategic and tactical ends, part of the long-term vision for the records program as well as a tool for the execution of its tasks. It also provided the executive director with a large measure of administrative and budgetary discretion.

In its six years of operation, the joint county-city program has recycled filing cabinets with replacement costs of \$750,000. It has freed thousands of square feet of active office space, allowing reduction of

rented quarters needed. Destruction of more than 130 tons of obsolete records has removed clutter and eliminated fire hazards, while reducing staff time wasted in retrieving required documents. A central archives permits systematic research by agencies when evaluating or planning programs and maintaining the municipal infrastructure. A vital records program now protects cartographic records, tax rolls, payrolls, biostatistical and property records, and thousands of frail colonial and early nineteenth-century documents. In a given year, the Albany County Hall of Records produces millions of frames of microfilm and serves thousands of users via the archives. The Hall of Records now stores some 25,000 cubic feet of documents in its records center and has grown to a staff of thirty-three.

Albany’s county-city Hall of Records is strong and dynamic with a substantial staff and budget built on solid local funding. As secretariat for the New York Association of Local Government Records Officers, of which the Hall of Records’s director is president, the Albany program remains highly visible as most of New York’s other four thousand local governments begin to cope with the information glut of the late twentieth century. The Albany program’s position, in the county and outside it, is built on its legislation.


Substantial cost avoidances, the efficiency of records management offered departments, standards and procedures developed for county and city, and the protection and accessibility of the particularly significant documentary heritage combine to justify the time and care put into the enabling legislation. The Albany County Hall of Records is no longer a “little brother” department but has grown to be a respected peer performing a necessary service very well.

In Albany, New York’s only joint comprehensive local government records program has provided for the future with substantial and well-conceived legislation

that will probably continue to be valid with only small changes in the next century. At no time has the capacity to perform been sacrificed for the sake of political realities;

instead, such realities have pragmatically been utilized in ways that will not short-circuit the records management program at some future date.

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