

The College at Brockport

SUNY Communities: Exploring Alternatives to Dissolution
Village of Brockport

Hannah Smith
Department of Political Science
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Governmental institutions at all levels face scrutiny in the face of consolidation. From the smallest villages to the entire state of New York; structures are under pressure to cut costs and run as efficiently as possible. Particularly in the interest of reducing the tax burden for residents, lower levels of government may be perceived as excessive or unnecessary by proponents of dissolution. Various levels of government have always and will continue to meet different needs. Necessary services are not the same within a small village as they are in a sprawling rural municipality or an all-encompassing bureaucratic system such as the state (Ingraham). Various structures cater public service to the unique needs and demands of their communities and residents.

Responsibilities, specialties and expectations vary between these structures. But, their collective goal is to serve the public in the best and most efficient way possible. While processes with excess stand to be reevaluated, consolidation is not the only answer. It is possible to see the value of each and every one of these institutions. Governmental institutions of any size can continue to better serve the community they represent with innovation and dedication.

Village structures are a cherished staple in many communities. Commitment to exploring alternative options to consolidation and tailoring public service to the specific situation is essential to the continuation of villages.

Additional difficulties exist for municipalities when a tax-exempt college campus hosted by a small village is brought into the equation. Funding and services must be adapted to suit the needs of permanent residents as well as the campus community. Essential and heavily relied upon aspects of village government such as law enforcement and fire services are particularly

important to serve the diverse needs of the community. Supplementary revenues, to cover the costs of services required to safely accommodate a campus community, must be raised. Permanent residents may not be eager to absorb these fees or welcome their vivacious neighbors if it means increased taxes and decreased services. This presents an additional challenge to Brockport, and other “college towns,” as they seek innovative angles to provide all of the necessary services to students and residents with stretched funding.

Village of Brockport

Brockport brands itself the Victorian Village along the Erie Canal. Local historians argue “without the Erie Canal, there would be no college in Brockport.” The completion of the Erie Canal in 1825 spurred a thriving trade and agricultural center in the area. The village was incorporated in 1829 and the original “College at Brockport” hosted students for the first time in 1835 (brockport.edu). Village citizens rallied to raise funds and support the institution several times throughout history when the college was suffering financially. In turn, the campus community brings an influx of business and activity to the small community. The college is an integral part of this community’s history and vice versa. The collective identity of the institution is intertwined with that of the village and canal activity. For more than 150 years, these entities have struggled and prospered in conjunction with each other. This shared narrative is added incentive to find ways to keep the village government active. Looking towards the future, fostered relations with the college and adequate revenue are of utmost importance for the continued success of the village.

Value of Villages

The value of villages to supporters is well-noted. Villages historically developed out of necessity, but have continued and thrived because of residents' preferences for unique aspects of village life. Civic engagement within villages has a distinctive brand that is desirable to certain residents and potential property buyers. However, such sponsored events, convenience and exceptional service come with a price tag.

Despite higher tax rates and hostility to village structure from the state, people are still choosing to live in villages. Motivations may range from proximity to outlets and events, atmosphere to small business opportunity. Villages are unique in that they are more densely populated areas surrounded by more rural and suburban towns (Ingraham). If villages are dissolved, special districts will be needed anyway, villages serve different purposes and meet different desires in addition to providing necessary services.

While towns and villages maintain close relationships that involve cooperation, their needs are different. State initiatives have streamlined the process of consolidation, encouraging officials to consider eliminating a layer of taxation (A Citizen's Guide to Consolidating Overlapping Governments).

Current Trend: Dissolution and Consolidation

In lean times, cutting costs and lowering taxes is at the forefront of the public's collective mind. Following the recent recession in particular, dissolution is a trend. Nearly 50 villages have dissolved across New York State since 1921, ten of which have occurred in the past five years (McDermott). However, this shift towards village scrutiny cannot be entirely attributed to a shift in urban/suburban dynamics or to economic hardship.

Government-implemented policy is also responsible for acting and reacting to the public's protests. In reaction to concerns about increasing taxes, New York State has offered incentives to exploring dissolution as an option for struggling municipalities. While viewed with scrutiny as a buyout by skeptics, the sum of upwards of \$50,000 annually is enticing for financially distressed municipalities (The Official Website of Governor Andrew M. Cuomo).

If property taxes are skyrocketing and a municipality still cannot pay their bills, dissolving a duplicative, excessive layer of government is a viable option. Consolidation or dissolution may become necessary if a community cannot afford to employ certified personnel, find volunteers for committees or find qualified candidates for elections (A Citizen's Guide to Consolidating Overlapping Governments).

Since the introduction of the "New N.Y. Government Reorganization and Citizen Empowerment Act" in 2010, the process of dissolving and consolidating village government has been streamlined. The number of registered voter signatures on a petition to initiate a village dissolution process has been lowered from 33% to 10% (Center For Governmental Research). Local governments affected by this updated requirement include "towns, villages, fire districts, fire protection districts, fire alarm districts, special improvement districts or other improvement districts, library districts, and other districts created by law." Voters have approved approximately one third of all dissolution proposals put up to vote since 2008.

Under the previous law governing village dissolution, a committee appointed by elected leaders would be responsible for preparing a formal dissolution plan. This plan would describe in detail the vast implications of consolidation; the fate of village employees, assets, laws and codes as well as how the town would absorb village service responsibilities. They were also responsible for outlining the specific tax implications of a change (Center For Governmental

Research). Voters could assess this report and make an informed decision before their final deciding vote.

According to the current law in effect, the dissolution vote takes place before this plan is prepared. Voter-initiated dissolutions take place rapidly, with the vote taking place 60-90 days after the submitted petition. There is no state-regulated process or available support to organize public hearings to help voters make a well-informed decision. Third-party and volunteer groups the Center For Governmental Research have organized to bring information to voters, but the additional safety net that the previous law required for an organized plan in the event of dissolution no longer exists. The removal of this requirement from the current policy in place allows for a shortened process to dissolve villages, saving time and funds, but eliminating the extra check creates a risk of misled voters.

Encouraging for village advocates, large portions of amendments to village law in this act have been repealed. Early drafts of the bill were even more hostile to villages and offered lower incentives. Those versions were not passed; people are protective of their villages and demanded better incentives before even considering simplified abolishment of villages. Under the "New N.Y. Government Reorganization and Citizen Empowerment Act" villages now have more exemptions than towns and special fire districts of similar sizes (Center For Governmental Research).

Proponents of dissolution argue that village government is an extra, unnecessary level of government. This argument implies that dissolution means lower taxes with no sacrifice of services. As Mayor Andrew Meier of Medina argues "the village is an extra entity over the towns and the village residents not only support the village government, but the town's as well." Governments working in conjunction with one another is ideal, regardless of dissolution,

consolidation or shared services (McDermott). But trust and support is not guaranteed, eliminating a layer of government eliminates a layer of protection and specific public service as well.

Governor Andrew Cuomo has been described as “beating the drum of consolidation since his days as attorney general” (McDermott). Actions have followed that reputation. In his 2014 State of the State Address Cuomo states “we have too many local governments and we have had them for too long...10,500 local governments. These are towns, villages, fire district, water district, library, sewage district, one district just to count the other districts in case you missed a district. We have a proliferation of government that is exceedingly expensive and costly.” Cuomo’s actions have matched that sentiment, linking locality performance to state funding. “Clearly, it is not sustainable for expenditures to surmount revenue for any municipality,” but adjustments other than consolidation may be made (Kemp, 36).

Particularly upstate, the elevated tax rate are popularly considered out of line and taxpayers seek elimination of excess. Restructuring is not new to the State of New York; New York City merged in 1898 and now delivers service to more than 8.3 million people, delivering through a unified municipal framework. More than 100 years later, local governments statewide are being critically evaluated, enticed by tax breaks and state grants, and suggestions are being made for shared services and restructuring (The Official Website of Governor Andrew M. Cuomo). Another issue with the voter-initiated process is the fact that only village residents vote in the special election. Town residents’ tax rates and services would be affected by the dissolution of their neighboring village, in some cases more than doubling their rates. These citizens are not represented in the decision to absorb the village into the town. When towns and counties absorb dissolved municipalities, they absorb the service costs. While citizens can

generally trust that their town and dissolved district can negotiate an acceptable, this is not guaranteed.

Regardless of the points of contention mentioned, recent New York State developments and incentives present dissolution as the go-to solution for struggling municipalities. Surely, there is excess. Surely, not all local governments are performing even close to their full potential. But, if they are acting and improving, their unique services are still relevant and important to the lives of citizens and the community. Consolidation is not the sole solution. The Governor paints the “New N.Y. Government Reorganization and Citizen Empowerment Act” as a favor to local governments, “we have assumed more local costs than the state government has ever done in modern political history. We assumed a \$1.2 billion cost of the Medicaid growth. We are funding \$700 million in aid to localities, the Tier VI pension reforms makes a major difference for local governments. We also offered local governments that are functionally insolvent financial assistance if they worked with our financial restructuring board” (The Official Website of Governor Andrew M. Cuomo - 2014 NY State of the State Address).

Varied Experiences

Advocates for streamlining government suggest shared services, consolidation and dissolution in order to cut costs (Empire Center for New York State Policy). Outcomes for the people and structures affected by the new policy have been mixed. Dissolving and consolidating is a straightforward solution that does not necessarily suit the needs of every municipality seeking financial relief.

The Village of Altmar was the first village to approve dissolution under the New N.Y. Government Reorganization and Citizen Empowerment Act by a small margin of only six votes. Before the dissolution, village residents complained that they received inadequate services for

the amount they paid in taxes while others argued that the village would not be as “liveable” without village services. Following the dissolution vote, the village made an investment of more than \$20,000 on a study of how to go about dissolving the village. With savings from dissolution totaling \$31,290 in addition to Citizen’s Empowerment Tax Credit from New York State in the amount of \$58,000 annually, with 70 percent of those funds applied directly toward property tax relief. Village residents have since enjoyed a 45 percent tax reduction and town residents even enjoy a 10 percent tax reduction. Dissolution was a successful venture for the Village of Altmar and town of Albion. The entities were closely linked before consolidation and Altmar did not have a distinctive venture, such as a college (Groom). Dissolution is widely considered a worthwhile venture for the former village of Altmar and town of Albion. Key to the success of recent dissolutions has been the tax effect on the town absorbing the dissolved entity, all parties were generally happy to reduce taxes.

Other communities have not enjoyed significant savings from dissolution, they have lost the village as the core of their community in exchange for minimal tax savings while at the same time doubling those of their town neighbors. Skepticism of state promises and incentives are a trend in current New York State politics (McDermott).

In other cases of dissolution, residents are displeased by the unforeseen changes in their community following the dissolution vote. For example, the village of Lyons voted to dissolve in the interest of reducing taxes, which hover above \$18 per \$1000 assessed valuation, but are now unhappy with the result, particularly the loss of their local police department. Police presence over the past three decades has drastically reduced crime and improved community life. One village resident and business owner states, "the plan didn't say to lose the department... some people who signed the petition for dissolution are furious ... they didn't sign up for this." Terry

VanStean, mayor during the dissolution process, describes "what you're doing is setting people's expectations, saying 'this is what is going to happen, but by the way, it may not' "(Taddeo).

While county law enforcement is more cost-efficient, some residents are bothered by both the decreased protection and the notion that they have been bribed and misinformed about consequences of dissolution.

Most shared service and consolidation efforts share the same premise; that the elimination of a layer of government can relieve financial concerns. Every community is different, the potential fiscal benefit and social repercussion vary just as widely.

Case Study: Village of Brockport

Following financial strain and the misleading report, Brockport was the first village to face a dissolution vote in 2010 under new state guidelines, the aforementioned "New NY Government Reorganization and Citizen Empowerment Act." Voters rejected dissolution in the special election held shortly after the approval of the petition, so the referendum failed and the village has since continued as a separate entity from the town of Sweden. Another dissolution process may start at any time since the four year moratorium has passed. In the case of Brockport, unique challenges and characteristics, such as a rich history, canal activity and a college campus, must be factored into examining the viability of dissolution.

There are ten villages in Monroe County, all of which are under the 2% tax cap except for Pittsford. The Village of Brockport's tax rate is currently \$11.68 per \$1000 assessed value, making it the second highest in the county, and the highest combined taxes in the county. In 2010, Brockport was deemed a village in financial distress when taxes rose 6%, residents panicked when an estimate of 18% was reported.

It must be considered that without a village board, town board members will be responsible for all decisions. This has the potential to create inherent conflict for long-standing residents. In this situation, town residents could likely expect greater services to match the greater tax rate they would likely be paying. Residents living in a former village must adapt to fewer of the comforts and services formerly provided by the Village. Unlike Altmar blending into the town of Albion, Brockport is a distinct entity from the encompassing town of Sweden. Dissolution could realistically raise town taxes for minimal operational savings.

According to information collected by the Center for Governmental Research, village residents will likely see tax savings following dissolution, but the amount is not guaranteed. It may be argued that this minimal amount is not worth the loss of the collective identity of a village. Additionally, the costs must be absorbed by other structures and other taxpayers. Town taxpayers may not be eager to pay higher tax rates (McDermott).

Police enforcement remains another concern for dissolution. It is entirely possible that prevention and protection services would be drastically reduced; shifted management meets different needs. Following dissolution, Lyons law enforcement relies upon a county “closest car” basis. In a college community, extensive law enforcement presence is necessary. Most people would not be comfortable with a decreased police force and less emphasis on proactively patrolling the community.

Brockport Community

Despite costs, the village of Brockport is thriving and residents are generally appeased. The village comes to life for occasions throughout the year and the government runs efficiently between celebrations. Special events and conscientious officials contribute to the Village’s well-being.

Residents demand exceptional public service, which both their elected and appointed officials seek to deliver. As a courtesy, the Department of Public Works plows sidewalks throughout the village and will remove snow buildup as time permits, even though the responsibility officially falls to the property owner. The Code Enforcement office strives for excellence in maintaining and updating effective regulations by trained inspectors. The Police Department maintains community presence and officers complete extensive training and evaluation, “to ‘serve and protect’ in any way possible.” Professionals in all offices strive for excellence in updating the public, introducing eCode360 and a variety of traditional bulletins and publications to engage the community.

Interestingly, during a time of statewide village cutbacks, Brockport hosts the newest Village Court in New York State, established this calendar year. Less than half a dozen have been formed in the past decade. While there are logistical issues to be solved, this expansion makes logical sense. Before the separation, the Town of Sweden collected revenues from the work of village officers, as in the cases of village officers writing tickets, but the town of Sweden collected the revenues.

For example, investment in hiring professional grant writing services is a better investment for the village of Brockport than consolidation studies. Particularly with the secured improvement grants, Brockport is self-reliant and thriving. Good candidates for dissolution, as Altmar was, wisely invest upwards of \$20,000 in dissolution studies, whereas Brockport is self-sufficient in applying such funds to grant applications and research which pay back exponentially.

Following extensive studies throughout New York State, the Center for Governmental Research acquiesces that while the streamlined approach to consolidation is convenient for some

municipalities, dissolution is not the answer for every situation. Executive Hoefler states that dissolution “certainly seems to make sense for taxpayers in a village who seem to be carrying a disproportionate amount of tax” (Empire Center for New York State Policy). SUNY Impact Aid Proposal seeks to relieve municipalities that incur a financial burden from hosting college campuses, from dissolution as a sole resort to offsetting disproportionate costs.

If extensive village activity does not make Brockport a candidate for dissolution, other measures must be explored to curtail costs, increase efficiency, and advocate for the community. Brockport, among other small municipalities hosting public college campuses, must continue to actively seek ways to increase efficiency without raising taxes and upsetting residents.

Alternatives to Consolidation

SUNY Impact Aid Proposal-

The SUNY Impact Aid Proposal seeks to solve this dilemma. This proposed legislation would offer state tax relief to municipalities hosting SUNY campuses. The act would amend state finance law related to state aid to municipalities “to offset the costs and expenses of providing public safety services that are necessary as a result of the presence of a residential institution.” A “residential institution” is considered a four-year residential school, college or university in the state university of New York system.

Initiated by interest groups in the city of Cortland and in conjunction with NYCOM (New York Council of Mayors), with Senators Seward and Lifton as sponsors, the proposed act would “provide State financial assistance to those municipalities that host a 4-year residential SUNY institution.” It is recognized that these institutions can be costly, but are an integral part of the identity of these villages, cities and towns. “Funding for this proposal is estimated to be \$12

million for statewide financial assistance for the 21 municipalities hosting 4-year SUNY institutions which would be funded through the State's General Fund.”

College Campuses require additional law enforcement services. SUNY schools employ a university police force, but their jurisdiction is limited off-campus and a distinct difference exists between University police and local law enforcement. They serve the entire community and effectively patrol the community, addressing issues of all sorts.

Incentives to investigate consolidation lock localities into agreements. On paper, the financial perks of consolidation may be enticing, but immeasurable qualitative points are not factored in. The SUNY act actively seeks to address this concern.

PILOT Fees-

Currently, more than 100 PILOT programs across 18 states exist for private institutions. PILOT (payment in lieu of taxes) fees essentially represent a partnership between an institute and a municipality in which a voluntary donation, often a fraction of what would be paid if the institution were taxable, is agreed upon so that quality of service is not compromised. Several of the most successful programs are in Massachusetts, as Boston hosts a plethora of private universities.

A PILOT program is not a realistic option for Brockport, as the hosted campus is a public institution. However, these programs set a successful precedent for relations among public institutions, in that additional payment to municipalities to provide optimum service to a largely tax exempt population. SUNY campuses and their prospective towns and villages could model successful aspects of established PILOT agreements under the SUNY Impact Aid Proposal. Municipalities require additional funds to extend quality services to large tax-exempt portions of the community without barraging permanent residents with elevated taxes.

Town and Gown Committee-

The concept of Town and Gown committees bridges relations as well as proactively prepares for the inevitable challenges of a large proportion of students in a small residential village area.

In Brockport, recent efforts seek to foster a closer relationship between the college and village have produced a recently reinvigorated Town and Gown Committee seeking to strengthen relations and cooperation between the college and village. The organization has existed in some form as the “Community Relations Committee” or “Better Community Committee” for nearly twenty years, but becoming dormant at times. Re-established in October of 2014, eight eager members have since expanded to more than twenty dedicated individuals. Issues of concern to be addressed include; best landlord practices, neighborhood quality of life among permanent residents and off-campus students, alcohol concerns in a college community, economic development and overall improved communication. The diverse group is ideal for establishing subcommittees to deal with specific issues and projects and bring a variety of expertise and opinion to the conversation.

Conclusion- Implications for Brockport

The proposed SUNY Impact Aid Proposal seeks to transfer some of the costs of the college community to the wider shoulders of the state rather than local residents’ taxes. Recognizing that communities and SUNY institutions are in a unique situation requiring additional funds to maintain their communities, the bill shows promise in allotting state funds to fill this gap.

Local governments have explored consolidation, “there is no “one size fits all” approach that makes sense for all municipalities. The answer for, and impact on, each community is

different” (Hoefler). In Brockport, village history is rich, social life is vibrant and public servants innovative. While various options must be considered, the village has been successful in accommodating the unique needs of the college and actively seeks ways to address issues. As Governor Cuomo also stated, “when government has the public trust, government has the capacity to do good work.” So long as the Village of Brockport government continues their efforts, they may maintain the voters’ confidence and support. Fostering campus community relations is an integral part of those efforts, as they look forward to a future with the prospect of support from the proposed SUNY Impact Aid Relief Act.

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