



New York State Conference of Mayors & Municipal Officials

# Village Dissolution Informational Forum

Brockport, New York  
May 10, 2016

Wade Beltramo  
N.Y.S. Conference of Mayors  
General Counsel

**Who Am I?**  
**What Is NYCOM?**  
**Why Am I Here?**

**Who Am I?**  
**What Is NYCOM?**  
**Why Am I Here?**

**Village of Brockport is a  
NYCOM Member  
Pays \$3,840 in Annual Dues**

## Village Dissolutions

<b>Union - 1921</b>	<b>Downsville - 1950</b>	<b>Fillmore - 1994</b>	<b>Hermon – 2016</b>
<b>La Fargeville - 1922</b>	<b>Amchir - 1968</b>	<b>Schenevus - 1994</b>	<b>Port Henry – TBD</b>
<b>Marlboro - 1922</b>	<b>Prattsburg - 1972</b>	<b>Mooers - 1995</b>	<b>Forestville – TBD</b>
<b>Eastwood - 1926</b>	<b>Fort Covington - 1975</b>	<b>Andes - 2003</b>	<b>Herrings – TBD</b>
<b>Newfield - 1926</b>	<b>Pelham - 1975</b>	<b>Pike - 2009</b>	
<b>Pleasant Valley - 1926</b>	<b>North Pelham - 1975</b>	<b>Limestone - 2010</b>	
<b>Sound Avenue - 1927</b>	<b>Friendship - 1977</b>	<b>Perrysburgh - 2011</b>	
<b>Belleville - 1930</b>	<b>Rosendale - 1977</b>	<b>Randolph - 2011</b>	
<b>Northville - 1930</b>	<b>Savannah - 1979</b>	<b>East Randolph - 2011</b>	
<b>Jamaica Square - 1931</b>	<b>Elizabethtown - 1980</b>	<b>Seneca Falls - 2011</b>	
<b>Henderson - 1933</b>	<b>Bloomington - 1985</b>	<b>Altmar - 2011</b>	
<b>Old Forge - 1936</b>	<b>Pine Hill - 1986</b>	<b>Edwards - 2012</b>	
<b>North Bangor - 1939</b>	<b>Woodhull - 1986</b>	<b>Keeseville - 2013</b>	
<b>Forestport - 1940</b>	<b>Pine Valley - 1991</b>	<b>Bridgewater – 2014</b>	
<b>Village of the Landing - 1940</b>	<b>Westport - 1992</b>	<b>Lyons - 2015</b>	
	<b>Ticonderoga - 1993</b>	<b>Salem – 2016</b>	

**Villages Currently or  
Recently Studying Dissolution**

**Lake George  
Schuylerville  
Medina  
Waddington  
Port Henry  
Candor  
Windsor  
Albion  
Ellenville  
Cobleskill  
Lewiston  
Potsdam**

**Cherry Valley  
Macedon  
Speculator  
Wellsville  
Corinth  
Dansville  
North Collins  
Allegany  
Johnson City  
Alden  
Camilus  
Victory**

**Dansville  
Horseheads  
Medina  
Corfu**

# **General Municipal Law Article 17-A**

**Went Into Effect  
March 21, 2010**

## **NYCOM's Position**

- 1. Villages Are New York's Form of Incorporated Cities**
- 2. Residents Should Have the Ability to Petition to Create & Dissolve Villages**
- 3. Village Boards Should Have the Ability to Initiate Dissolution**
- 4. Neither For Nor Against Dissolving Brockport (Or Any Particular Village)**

# **Each Village Dissolution Is Unique & Must be Considered on a Case-By-Case Basis**

- 1. The Services Villages Provide Varies From Village to Village**
- 2. The Services Towns Provide Varies From Town to Town**
- 3. Different Economic & Demographic Characteristics**

# General Municipal Law Article 17-A

- **Elector Initiated Dissolution**  
**A.Petition**

**May 24, 2016 Vote**

**Shall the Village of Brockport be Dissolved?**

**YES**

**NO**

# General Municipal Law Article 17-A

## ▪ Elector Initiated Dissolution

### A. Petition

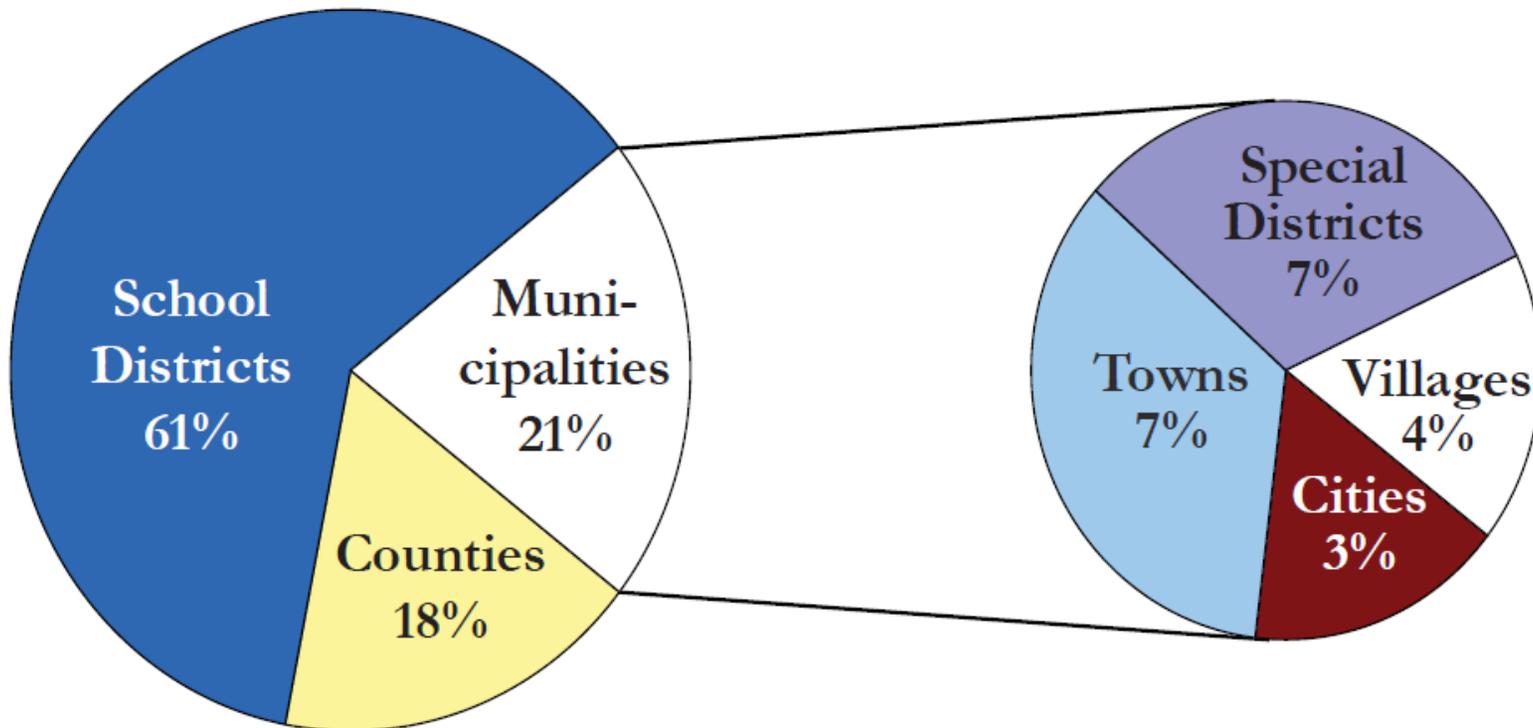
#### i. Questions About Dissolution Vote

a. “It Is Just to Study Dissolution?”

b. “You Are Going to Save Everything You Are Paying In Village Taxes.”

c. “The Town Will Provide All of the Services the Village is Providing Now”

## Distribution of Property Tax Levy by Class, 2005 (Excluding New York City)



Source: "Property Taxes in New York State", Office of the State Comptroller

# General Municipal Law Article 17-A

## ▪ Elector Initiated Dissolution

### A. Referendum

1. If Petition is Filed, Trustees Enact Resolution Calling for Referendum
2. Held 60 to 90 Days from Resolution  
If it Fails, No Dissolution for 4 Years
3. If it Passes, Then Must Develop Dissolution Plan

# **Village Dissolution Is a Town Issue!**

- 1. Town Determines How Services Are Going to Be Provided Should the Village Dissolve**
- 2. How New York State Town Law Imposes Town Tax Determines Tax Savings for Village Residents**

# The Town Budget

## Four Parts

- **General Fund**
  - A. Town-Wide
  - B. Town Outside of Village
- **Highway**
  - DA. Town-Wide
  - DB. Town Outside of Village

# **Dissolution Studies – Sources of Cost/Tax Savings**

- 1. Efficiencies - Economies of Scale**
- 2. Discontinuing Services**
- 3. Restructuring Services**
- 4. Elimination of Elected Officials**
- 5. Increased Aid from the State**
- 6. Village Residents No Longer Paying  
Town Taxes for Services They Do Not  
Receive**

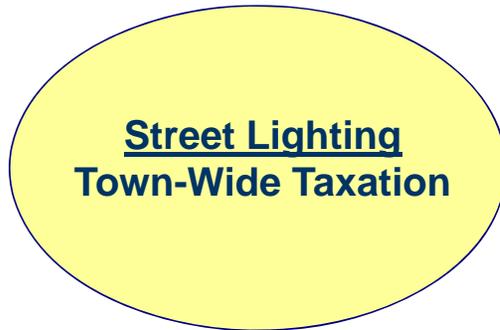
# **Main Issue Affecting Cost Savings Service Continuity**

- 1. Town-Wide Function;**
- 2. Continued but Limited to & Financed by Area Less Than the Entire Town (District); or**
- 3. Terminated as a Governmental Activity**

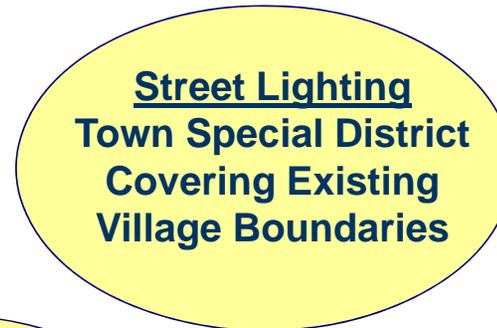
# Main Issue Affecting Cost Savings

## Service Continuity

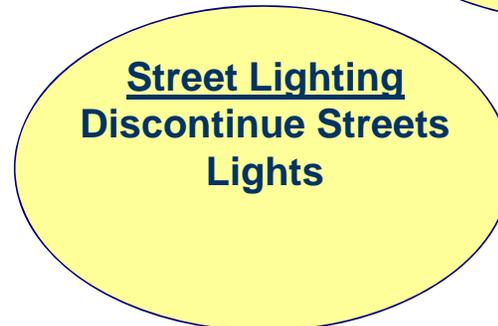
### Scenario A



### Scenario B



### Scenario C



### TOWN-WIDE TAXATION

Highway Maintenance

Justice Court

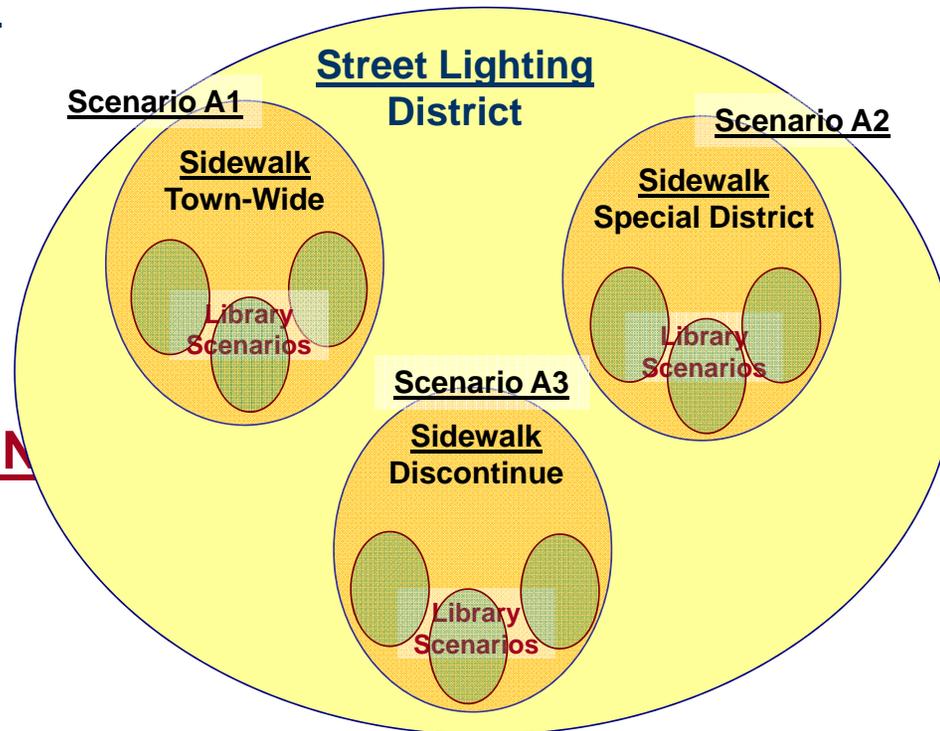
Elected Officials

Some Administration

# Main Issue Affecting Cost Savings

## Service Continuity

### Scenario A



**TOWN-WIDE TAXATION**  
Highway Maintenance  
Justice Court  
Elected Officials  
Some Administration

# Main Issue Affecting Cost Savings

## Example of Scenarios

### Street Lighting District

**Sidewalk Town-Wide**

**Library Town-Wide**

**Library District**

**Library Eliminated**

### Street Lighting District

**Sidewalk District**

**Library Town-Wide**

**Library District**

**Library Eliminated**

### Street Lighting District

**Sidewalk Eliminated**

**Library Town-Wide**

**Library District**

**Library Eliminated**

# Main Issue Affecting Cost Savings

## Example of Scenarios

Street Lighting District

Sidewalk District

Library Town-Wide

# ★ General Issues

## ❖ Differing Cost-Structures

<b>Village of Seneca Falls Dissolution Plan - Fire Protection</b>			
<b>Cost of Village Provided Service</b>	<b>Cost of Town Fire Protection District Pre-Dissolution</b>	<b>Cost of Town-Wide Fire District Post-Dissolution</b>	<b>Difference in Cost for Village Residents</b>
<b>\$0.59</b>	<b>\$1.18</b>	<b>\$0.97</b>	<b>64%</b>

# ★ General Issues

## ❖ Differing Cost-Structures

### Village of North Collins Dissolution Plan - Garbage Collection

Cost of Village Provided Service	Cost of Town Refuse District	Cost of Town-Wide Refuse District	Difference in Cost for Village Residents
\$144	\$192	\$173	19%

# Factors That Determine Democratic Local Government Arrangements

- ❖ **One Factor In Determining Local Government Boundaries Is That They Should be Based, at Least In Part, Upon Ability of Resulting Governing Body to Address Local Preferences & Needs**

*- Geography Professor Ronan Paddison*

## General Municipal Law Article 17-A

- **Electoral Initiated Dissolution –  
If Voters Vote Yes on May 24th**
  - i. **Board Must Meet within 30 Days of Vote  
Approving Dissolution**
  - ii. **180 Days to Prepare a Plan**
  - iii. **Study Committee & Consultant**
    - 💣 **Not Referenced in the Act, but Generally  
Necessary**

# General Municipal Law Article 17-A

## Developing Dissolution Plan

- a) Name of Village to be Dissolved;
- b) Village's Territorial Boundaries;
- c) Type &/or Class of the Village;
- d) Fiscal Estimate of Dissolution Cost;
- e) Any Plan for Transferring or Eliminating Positions of Public Employees;
- f) Village's Assets, Including Real & Personal Property, & Its Fair Value;
- g) Village's Liabilities & Indebtedness, Bonded & Otherwise, & Its Fair Value;
- h) Any Agreements Entered Into With the Town(s) In Which the Village Is Situated In Order to Carry Out the Dissolution;
- i) Manner & Means Municipal Services Will Continue to be Provided Following the Village's Dissolution;
- j) Terms for Disposing of Village's Assets & Liabilities & Indebtedness, Including Levying & Collecting of Taxes & Assessments Necessary to Pay Off Any Liability or Indebtedness;
- k) Whether Any of the Village's Local Laws, Will Remain In Effect After Dissolution's, GML § 789 provides for 2 years, - Town May Amend/Repeal at Any Time;
- l) Dissolution's Effective Date;
- m) Time & Place or Places for a Public Hearing(s) on the Proposed Dissolution Plan Pursuant to GML § 784; &
- n) Any Other Matter Desirable or Necessary to Carry Out the Dissolution.

## **General Municipal Law Article 17-A**

- **Electoral Initiated Dissolution –  
If Voters Vote Yes on May 24th**
  - vi. Plan Goes Into Effect Unless Petition Is Filed No  
Later Than 45 Days After Dissolution Plan Is  
Approved by the Board of Trustees**
  - vii. Petition Must Contain Signatures of at Least  
25% or 15,000 of Village's Electors, Whichever  
Is Less**
  - viii. If 2<sup>nd</sup> Petition, 2<sup>nd</sup> Vote on Dissolution Plan**

# **Dissolution Studies – Sources of Cost/Tax Savings**

- 1. Efficiencies - Economies of Scale**
- 2. Discontinuing Services**
- 3. Restructuring Services**
- 4. Elimination of Elected Officials**
- 5. Increased Aid from the State**
- 6. Village Residents No Longer Paying  
Town Taxes for Services They Do Not  
Receive**

## **Other Potential Sources of Tax/Cost Savings, Achieving Fairer, More Rational Local Governments**

- A. Shared Services**
- B. Village Annexation**
- C. Co-Terminous Town-Village**
- D. Consolidation of the Town with Neighboring Towns**
- E. Charter Village as City**
- F. Examine Town Taxes**
- G. Discontinue Services without Dissolving**