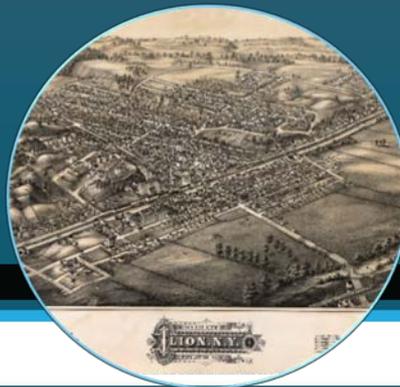


- Dissolution Process
- Developing a Dissolution Plan
- Pros & Cons of Dissolution

Village Dissolution Informational Forum

Village of Depew - October 6, 2016



Wade Beltramo, NYCOM General Counsel
www.nycom.org | @NYMayors



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

**Village of Depew
is a NYCOM Member
Pays \$5,468 in
Annual Dues**

Village Dissolutions

Union - 1921
La Fargeville - 1922
Marlboro - 1922
Eastwood - 1926
Newfield - 1926
Pleasant Valley - 1926
Sound Avenue - 1927
Belleville - 1930
Northville - 1930
Jamaica Square - 1931
Henderson - 1933
Old Forge - 1936
North Bangor - 1939
Forestport - 1940
Village of the
Landing - 1940
Downsville - 1950
Amchir - 1968

Prattsburg - 1972
Fort Covington - 1975
Pelham - 1975
North Pelham - 1975
Friendship - 1977
Rosendale - 1977
Savannah - 1979
Elizabethtown - 1980
Bloomingdale - 1985
Pine Hill - 1986
Woodhull - 1986
Pine Valley - 1991
Westport - 1992
Ticonderoga - 1993
Fillmore - 1994
Schenevus - 1994
Mooers - 1995
Andes - 2003

Pike - 2009
Limestone - 2010
Perrysburgh - 2011
Randolph - 2011
East Randolph - 2011
Seneca Falls - 2011
Altmar - 2011
Edwards - 2012
Keeseville - 2013
Bridgewater - 2014
Lyons - 2015
Salem - 2016
Hermon - 2016
Forestville - 2016
Port Henry - 2017
Herrings - 2017

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 Depew (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

**Shall the Village of Depew
Be Dissolved?**

YES

NO

General Municipal Law Article 17-A

■ Elector Initiated Dissolution

A. Petition

i. Questions About Dissolution Vote

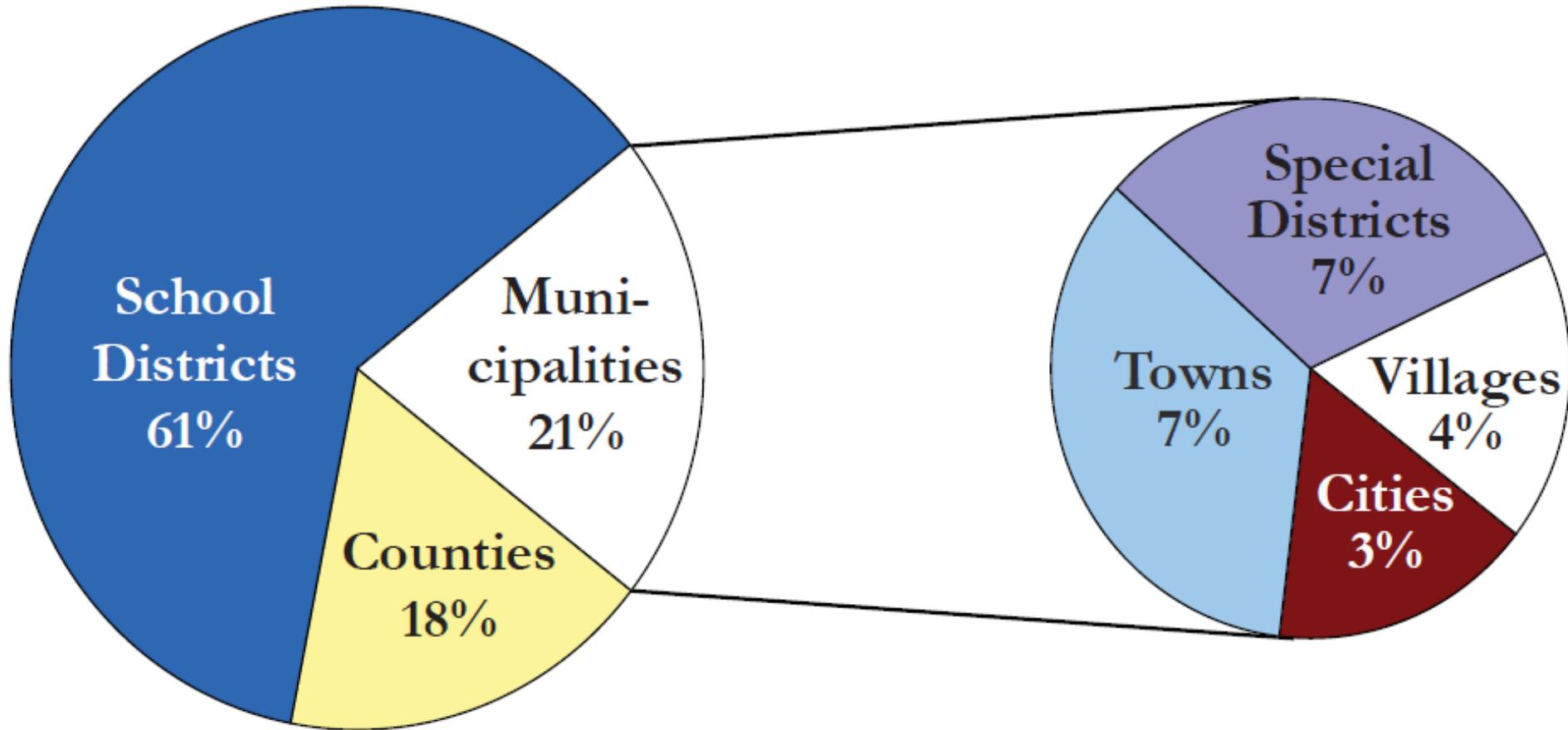
a. “It Is Just to Study Dissolution?”

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

c. “The Towns 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**

Village Dissolution Is a Town Issue!

**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. Eliminating 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

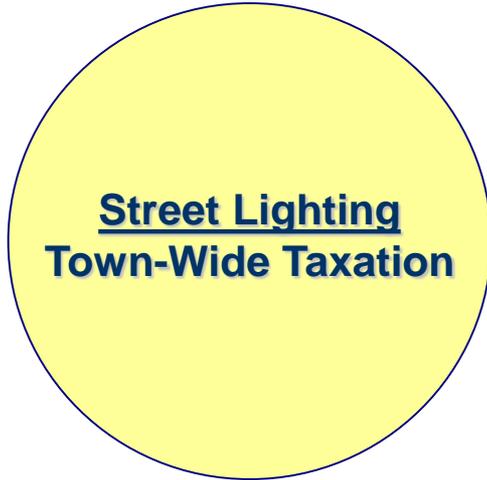
Service Continuity

- 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**

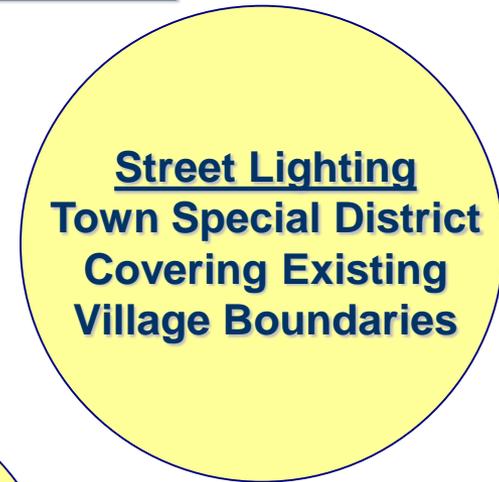
Main Issue Affecting Cost Savings

Service Continuity

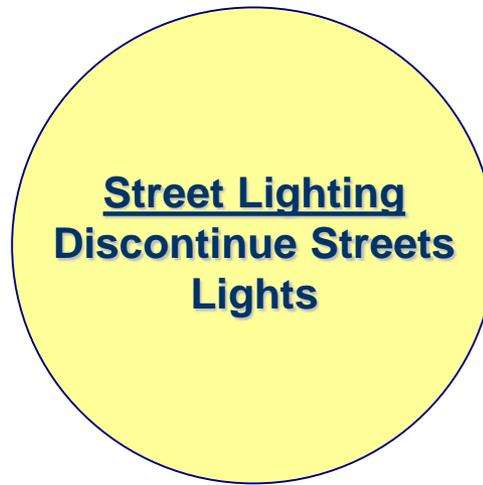
Scenario A



Scenario B



Scenario C



TOWN-WIDE TAXATION

Highway Maintenance

Justice Court

Elected Officials

Some Administration

Main Issue Affecting Cost Savings

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

Main Issue Affecting Cost Savings

Possible* Breakdown of Service Provision

Town of Cheektowaga

Garbage • Town-Wide

Police • Town-Wide

Fire • Fire District

Sewer • Special District

Highway • Town-Wide

Hydrant • Special District

Town of Lancaster

Garbage • District or Eliminated

Police • Town-Wide

Fire • Fire Protection District

Sewer • Special District

Highway • Town-Wide

Hydrant • Included in Fire Protection District

* This is Just a Guess of How Some of the Services the Village Currently Provides Would be Provided by the Towns Should the Village Decide to Dissolve

★ General Issues

❖ Differing Cost-Structures

Village of Seneca Falls Dissolution Plan - Fire Protection

Cost of Village Provided Service	Cost of Town Fire Protection District Pre-Dissolution	Cost of Town-Wide Fire District Post-Dissolution	Difference in Cost for Village Residents
\$0.59	\$1.18	\$0.97	64%

★ 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

- **Elector Initiated Dissolution –
If Voters Vote Yes in January 2017**
 1. **Board Must Meet within 30 Days of
Vote Approving Dissolution**
 2. **180 Days to Prepare a Plan**
 3. **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

Developing Dissolution Plan

- a) Name of Village to be Dissolved;
- b) Village's Territorial Boundaries;

h) Any Agreements Entered Into With the Town(s) in Which the Village is Situated In Order to Carry Out the Dissolution;

d) Any Plan for Transferring or Eliminating Positions of Public Employees

...ing of Taxes or Assessments
ary to Pay Off Any Liability or
ndness;

- f) Village's Assets, Including Real Property, & Its Fair Value;
- g) Village's Liabilities & Indebtedness & Otherwise, & Its Fair Value;

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;

Places for a Public
e Proposed Dissolution Plan
L § 784; &
er Desirable or Necessary to
ssolution.

General Municipal Law Article 17-A

- **Elector Initiated Dissolution –
If Voters Vote Yes in January 2017**
 4. **Public Hearing on Proposed
Dissolution Plan 35 – 90 Days After
Board Approves Proposed Plan**
 5. **Board May Amend Plan After Public
Hearing**
 6. **Board Must Approve Final Version of
Dissolution Plan within 60 Days of
Final Hearing on Proposed Plan**

General Municipal Law Article 17-A

- **Elector Initiated Dissolution –
If Voters Vote Yes in January 2017**
 7. Plan Goes Into Effect Unless Petition Is Filed No Later Than 45 Days After Board Approves Final Plan
 8. Petition Must Contain Signatures of at Least 25% or 15,000 of Village's Electors, Whichever Is Less
 9. If 2nd Petition, 2nd Vote on Dissolution Plan

General Municipal Law Article 17-A

- **Elector Initiated Dissolution –
If Voters Vote Yes in January 2017**

10.If 2nd Dissolution Vote

**“The Voters of the Village of Depew
Having Previously Voted to Dissolve,
Shall the Elector Initiated Dissolution
Plan Take Effect?**

YES

NO ”

Dissolution Studies – Sources of Cost/Tax Savings

- 1. Efficiencies - Economies of Scale**
- 2. Discontinuing Services**
- 3. Restructuring Services**
- 4. Eliminating 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

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