

Corinth Shared Services/Dissolution Feasibility Study
Committee Meeting

May 20, 2010, 6:30 PM, Corinth Fire House

Committee Members Present: Jim Hopkins, Jeff Collura, Ed Byrnes, Bill Fuller, Tim Murphy (Chairman), Melanie Denno, Scott Sprague, Kevin Granger, Julius Enekes and Tim Hanchett

Others Present (non-voting): Rose Farr, Andy Kelly, and Shawn Eggleston

Speaker: Wade Beltramo, NYS Conference of Mayor, General Counsel

Meeting called to order by Mr. Murphy at 6:30 PM

Chairman Murphy handed out the following:

News Article that was printed recently, "New Law Will Assist Village Dissolutions"
The Dissolution of a Village by Bill James May in May of 1995
News Article regarding the Village of Seneca Falls Dissolution
Port Henry's Dissolution Plan Summary

Mr. Murphy told the committee that he also had the Dissolution Plan submitted to the Village of Speculator about two years ago. He said it way lengthy and if anyone wanted to look at it they could.

Mr. Murphy told the committee that all three speakers he had lined up had canceled and Melanie Denno arranged to have Wade Beltramo from the NYS Conference of Mayors General Counsel speaks to the committee.

Mr. Beltramo gave an insight on who he works for and what he does. He said that he had a Guide on Dissolution of a Village which he meant to bring with him but did not. He said that he would email one to Melanie and she could distribute same to the committee. He said that his office is neither for nor against dissolution of Village governments.

Mr. Beltramo said that he assumes that taxes are the reason that the village is looking into dissolution. Jim Hopkins said he thought streamlining the government is another reason that dissolution is being looked at. Mr. Beltramo said that there are no town regulations in the Village. Mr. Beltramo said that the following are places people could go for information on dissolution:

- NYCOM – www.nycom.org
- NYS Department of State – www.dos.state.ny.us/lgss/index.htm
- NYS Office of State Comptroller – www.osc.state.ny.us/localgov/index.htm
- NYS Office of Attorney General – www.oag.state.ny.us
- Commission on Local Government Efficiency – www.nyslocalgov.org

Mr. Beltramo told the committee that there are 10,521 overlapping government units, providing duplicate services creating needless, wasteful bureaucracies and that is the reason for the new law passed on March 31, 2010.

He recommended that the committee members read the following:

- Outdated Municipal Structures - www.osc.state.ny.us
- The Evolution of New York State's Local Government System –by Prof. Gerald Benjamin – www.nyslocalgov.org/pdf/BenjaminEvolution.pdf

Mr. Beltramo discussed the layers of government which exist throughout the State of New York. He said that there should be a diverse revenue stream and not depend on only one revenue.

Mr. Beltramo said that he felt every dissolution would result in some cost savings for the Village whether or not it would be substantial he did not know.

Mr. Beltramo asked if there were districts outside the Village and Melanie Denno told him Water Districts and lighting. He said these districts could be annexed to the Village. He said why do the people who reside in these districts receiving water from the Village and not the other services of the village offers thus adding tax revenue to the Village.

He said that the Town is 50 times larger in area than the Village but the Village is 35 times more densely populated than the Town.

Mr. Beltramo discussed whether the Village would have representation on the Town Board. Jim Hopkins told him that every since he can remember there has always been at least two village citizens on the Town Board. He said that this is important to keep a voice on the Town Board.

Mr. Beltramo told the committee that some of the sources of cost/tax savings are as follows:

- Efficiencies – Economic of Scale
- Discontinuing Services
- Restructuring Services
- Increased Aid from the State
- Village Residents No Longer Paying Town Taxes for Services They Do Not Receive

Mr. Beltramo said that first thing that should be done is to determine the services that are now provided by the Village are going to be provided to the Village residents by the Town. Such as the Sheriff, is the Town going to take that on town wide. He said is it is not up to the village, Village Board or this committee. It is the Town Board and the Town Supervisor. He said the Town should be contacted and see which services are going to be provided up front. Mr. Beltramo said that once the Village is gone the Town Board is who you have to go to. He said any agreement that is made in the study by the Town is not binding on any future Town Boards pursuant to State Law that prohibits a government entity from being bound in their government decisions by a previous board. He said that village dissolution is about a matter of trust. Mr.

Beltramo said that after the Town has said what services they are going to provide on a town wide basis then the Village Board and the committee must decide what services they want provided in a Special District. He said the more services that are provided on a district basis the less cost savings.

Mr. Beltramo said that there are two reasons to dissolve a village:

1. Cannot get people to run for the board.
2. Lack of physical capacity to provide services and overhead

Mr. Beltramo told the committee that according to law the Town cannot start a Police District unless the Village signs on.

He said that doing the three scenarios, as provided by CGR, isn't really helpful and probably quite a bit confusing. Mr. Beltramo said that the more things the Town agrees to pay for the more savings to Village residents.

Mr. Beltramo said he has only seen one dissolution study that the Town taxes did not go up.

Mr. Beltramo told there are alternatives to dissolving. He mentioned the following:

- Shared Services
- Village Annexation – County must approve and Town residents must agree
- Co-Terminous
- Consolidation of the Town with Neighboring Towns
- Charter Village as City – Mr. Beltramo said that this would not happen
- Exempt Village from Town Taxes
- Discontinue Services

Melanie Denno asked why Villages weren't going Co-Terminous. Mr. Beltramo said that it is very hard to do because you need the Town residents to approve it by a majority of vote and it has to go to the County for their approval.

Me. Beltramo said businesses were not settling in Villages. Melanie Denno told him about the International Paper Company property that is in both the Village and Corinth. He said that if the dissolution went through then in that case someone would have only to go through two layers of government.

Mr. Beltramo he didn't see a lot of efficiency in elimination of elected officials.

Mr. Beltramo said that even if the dissolution would only save 2% and the school taxes would eat that up but he still thought it should be looked at. Bob Hudak stated that it is his opinion that we have the lowest per capita income of any Village in the County and our debt and our spending are in the top 10% of the Villages in the area.

Jeff Collura said that Town taxes are going to go up and he pays triple what most people in the town pay.

Mr. Beltramo told the committee that there are several problems with districts such as:

- Districts with elected commissioners have extremely low voter turnout for District elections
- Town administered Districts subject district residents to control of officials elected by residents outside of the district
- Less accountable than Village Government

Kevin Granger said that right now they were considered just another department of the Village and the building was owned by the Village. He said the Town contracted with them for services. Mr. Granger said that they have been told that if the Village dissolved the Town will just take over the Fire Department and they will report to the Town. He said he has since been told that that is illegal and cannot be done. He said they would have to form a district and operate as a District. Mr. Beltramo said that Mr. Granger should contact a John Gallagher in his office. He said that his recommendation is to start eliminating what you know is going to happen if the Village were to resolve. Mr. Granger said that there is a misconception regarding the Fire District as opposed to a Fire Protection District. He said that if they go to a Fire District they would have to do things that are now done by the Village and we would have to pay for them. Mr. Granger said that in Greenfield they do that and the cost for those services are \$100,000.00 and that would have to be added to the fire contract. Mr. Beltramo said that if the Village remains then there wouldn't have to have a new separate election.

Jim Hopkins said that in this village we are looking at a population that is in decline, looking at a loss of revenue through no industry, an aging population and those that aren't aging are unemployed. He said it basically comes down to do we need two governments, do we need redundancy when in fact we have representation on the Town Board. He said he does know that in his mind that if the Village were to dissolve we would become more efficient such as one Planning Board and one Zoning Board. He said if a person looks at the committee if you're on the Town side you don't want dissolution; if you have a vested interest in the Fire Department you are for dissolution; if you are a Village Board member you are not interested in dissolution but as a village resident you would be very interested because you pay Town taxes and don't get much for it. He said that he wants to pay Town taxes and School taxes eliminating his Village taxes. Melanie Denno said that just for the record she does care. Andy Kelly and Kevin Granger both said that they too care. Kevin Granger said that he is a Village resident and pays Village taxes and even though he has been in the Fire Department for over thirty years no one has the right to make his mind up about dissolution. Mr. Granger said that his concern is that because there is going to be a loss of revenue to the Village and we go and create all these special districts we are not going to get the subsidies that are here. He said that if they have to replace Walnut Street the cost would be paid by the people within the District and not the whole Town. Jim Hopkins asked why not cost shift then. Mr. Granger said the Town isn't going take that on. He said that the Village may have two residents on the Town Board at this time but in a few years there might not be two members from the Village on the board. Mr. Hopkins said he

thought this should have gone up to vote at the beginning and then if the vote is for dissolution go ahead and make a plan.

Mr. Beltramo said there is a possibility of combining two adjacent towns.

Melanie Denno said she wanted to ask Mr. Diskins what happened in Ticonderoga since they dissolved. Mr. Beltramo said he suggested that the committee contact Ticonderoga and find out what has happened since they dissolved in 1993.

Melanie also asked if there was anything that would help the committee in forming the districts. Mr. Beltramo said that Town Law has a procedure.

Mr. Beltramo said that probably if the Village dissolves the Water District formed would include the four outside districts forming only one district.

Mr. Beltramo said it is unclear to him whether the committee is operating under the old law or the new law. He said if it was under the old law is not compelled to be placed to vote. He also said that a petition could be filed to put the matter before the voters even if it is governed by the old law.

Melanie Denno read the resolution passed by the Village Board. Mr. Beltramo said that it still is unclear to him which law the committee is working under because he wasn't sure if the Village Board was required to put the dissolution up to vote or not put it up for a vote until a petition to do so has been filed. He said he cautioned anyone who wanted to file a petition to put dissolution up to vote because it could be done without a plan even if the Village Board wanted to put it to a vote they would have to have a plan in place. Mr. Beltramo said that under the new law a petition would have to be filed having 10% of electors of the previous general or special village election. He said that there is no time frame for collecting signatures.

Mr. Murphy asked when the two years kicked in. Mr. Beltramo said that would be from the date of the vote. Jim Hopkins asked if it wasn't the intention to bring this to vote in March of 2011. Melanie Denno said that was the date that was discussed if the Village Board decided to put it to vote. Mr. Beltramo said that if we are operating under the old law the dissolution would be December 31st of the following year. He said under the new law the plan takes effect in 180 days.

Mr. Beltramo said that if nothing is decided and the dissolution goes through and there is not a plan in place the Village assets go to the Town and the Village debts stay with the Village. He said that if there is some problem with the Plan that is voted on by the Village Board that could be changed only upon another petition being filed within 45 days after the Dissolution Plan is voted in effect by the Village Board and said petition must contain at least 25% of the electors of the Village.

Mr. Beltramo said that if residents file a petition to put dissolution to a vote the clerk has 10 days to deem the petition valid or not; 30 days for the board to meet; 30 days for the board to

meet again; first date for a vote would be 60 days from the board meeting and last date for vote is 90 days from board meeting.

He recommended completing the plan right even if it took a little longer.

Ed Byrnes asked about the cost of transition. Melanie Denno asked about grant money for the transition. Mr. Beltramo said that there was grant money that could be applied for but there was no guarantee on getting more grant money.

Mr. Beltramo said that the Town is under no obligation to hire the Village employees. He said he would suggest that the Village and Town Boards need to address the Village employees. He said that there are some employees that the Town would need and would not want them looking for other employment.

Melanie Denno asked about the transition costs that Mr. Beltramo said were to be paid by the Village. She said they thought that the Town would pay the transition costs. She asked more specifically about real estate transfer costs. Mr. Beltramo said it depends upon who is getting the benefit of that property and perhaps the Town would have to pay that. He said that this is something that should be discussed with the Plan.

Mr. Beltramo said again that if the Town agrees to provide a service in the Plan now that does not mean down the line they could not change their mind and not agree to provide a service. He said it is different if the Town agrees to pay for legal fees the transfer of real property or vehicles. He said that the citizens were going to have to have trust.

Mr. Beltramo said that most village dissolutions are initiated by the boards and not by the filing of a petition.

Next meeting set for Wednesday, June 30th at 6:30 PM.

Meeting adjourned at 9:00PM.