

Potential Impacts of Village Incorporation

Assessing Fiscal and Operational Impacts in Edgemont, NY

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Prepared for
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Summary

CGR was engaged by New York State to examine the potential fiscal and operational impacts of a new village incorporation in the hamlet of Edgemont in the Town of Greenburgh, Westchester County. Edgemont is a community of almost 8,000 people in Greenburgh, a town of 95,000 that contains six villages and an unincorporated area. The purpose of this report is to inform both the residents of Edgemont and the broader community of the likely impacts of incorporation on municipal services and finances and taxpayers.

As a fiscal and operational assessment, this report explores how municipal services might be delivered by a new village government in Edgemont, what they might cost, and how that might impact both Edgemont residents and residents in the rest of the unincorporated Town. Most of the costs already exist since Edgemont now receives municipal services from the Town, and so to some extent, the main question this report explores is how the costs might be distributed differently among residents of Edgemont and residents of the rest of the unincorporated Town.

We make no judgment or recommendations on the merits of incorporation. However, we do make judgement calls in the course of creating our analysis. Because the Village of Edgemont does not yet, and may never, exist, there is no mayor or village board to make decisions on the suite of services the Village offers or how those are provided. Therefore, our report is based on the intentions expressed by the Edgemont Incorporation Committee (EIC) about what services the Village would offer and how it may provide them. We add to the EIC's stated intentions the results of our research into what are the most likely ways the Village would constitute itself and provide services.

We modeled three scenarios for Edgemont Village incorporation. As the EIC has outlined a vision where the Village contracts with the Town for some services, we start there.

Scenario 1: The new Village contracts with the Town for highway and sanitation, continues to receive services from the library and police, and the Town minimizes tax impact by reducing appropriations by 7% in other service areas. In this scenario, residential property taxes for municipal services in the Village increase about 2.7% and taxes in the unincorporated Town remain about level.

Scenario 2: The new Village contracts with other entities for services, and the Town reduces funding to highway, sanitation and library to make up for the revenue loss. In this scenario, residential property taxes for municipal services in the Village rise 5.0% and taxes in the unincorporated Town rise 0.7% when accompanied by significant (7% to 15%) cuts in most departments. Without the cuts to departments, the taxes would increase about 8.5%.

Scenario 3: In this scenario, we add to Scenario 2 a cost shift from the Town to the Village for a share of liabilities for litigation settlements, property tax refunds, and retiree benefits. Here, residential property taxes for municipal services in the Village rise about 10.0% and taxes in the unincorporated Town decrease about 1.3% when accompanied by significant (7% to 15%) cuts in most departments. Without the cuts to departments, the taxes would increase about 6.5%.

Several issues related to this potential incorporation do not appear to us to be settled from a legal perspective. New villages are seldom created in New York State. In the last 25 years, only three new villages have been formed – the most recent being Mastic Beach on Long Island, which formed in 2010 and dissolved in 2016. Some of the issues at play in Edgemont did not exist in those communities, so there is little precedent to work from in addressing some important questions.

One example is the water district that currently serves Edgemont. While incorporation advocates believe an Edgemont Village would remain in the water district, which serves the unincorporated part of the Town, the Town would seek a separation. Water rates for residents might stay largely the same or increase substantially, depending on how this matter is settled.

In addition, both a new Village board and the Town Board could make very different decisions about whether to share services than the ones we model in our scenarios. For example, a Village Board in Edgemont could decide to create new departments for all possible municipal services.

Significant questions affecting the incorporation would need to be resolved either through negotiation, or if the two governments could not agree, through litigation. How a variety of matters might be decided in court – ranging from the disposition of the water district to cost sharing of large liabilities – have a tremendous amount of uncertainty.

This report and responses to it from the Town Board and the Edgemont Incorporation Committee are available at our project website: <https://www.cgr.org/edgemontimpact/>.

Acknowledgements

CGR is grateful for the time, information and insights provided by Town of Greenburgh elected and appointed officials, and Edgemont community members, including the leaders of the Edgemont Incorporation Committee. We are also thankful for Senate Majority Leader Andrea Stewart-Cousins' support of this study.

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Introduction

CGR was engaged by New York State to examine the potential fiscal and operational impacts of a new village incorporation in the Town of Greenburgh, Westchester County. The area in question is the hamlet of Edgemont, a community of nearly 8,000 residents known for its quality schools, high property values and central thoroughfare of Central Avenue.

The idea of incorporating Edgemont into the Town's 7th village has been explored for decades. It is a highly contentious issue in the community, with several petition campaigns and legal skirmishes. A vote has not been held, but a group of residents interested in incorporation, called the Edgemont Incorporation Committee, continues to push for it and is expected to file a new petition for a referendum. A new state law governing village incorporations exempts the advocates of the previous Edgemont incorporation attempts from its process that will require future incorporation efforts to get the approval of a state panel to move forward to a referendum of residents.

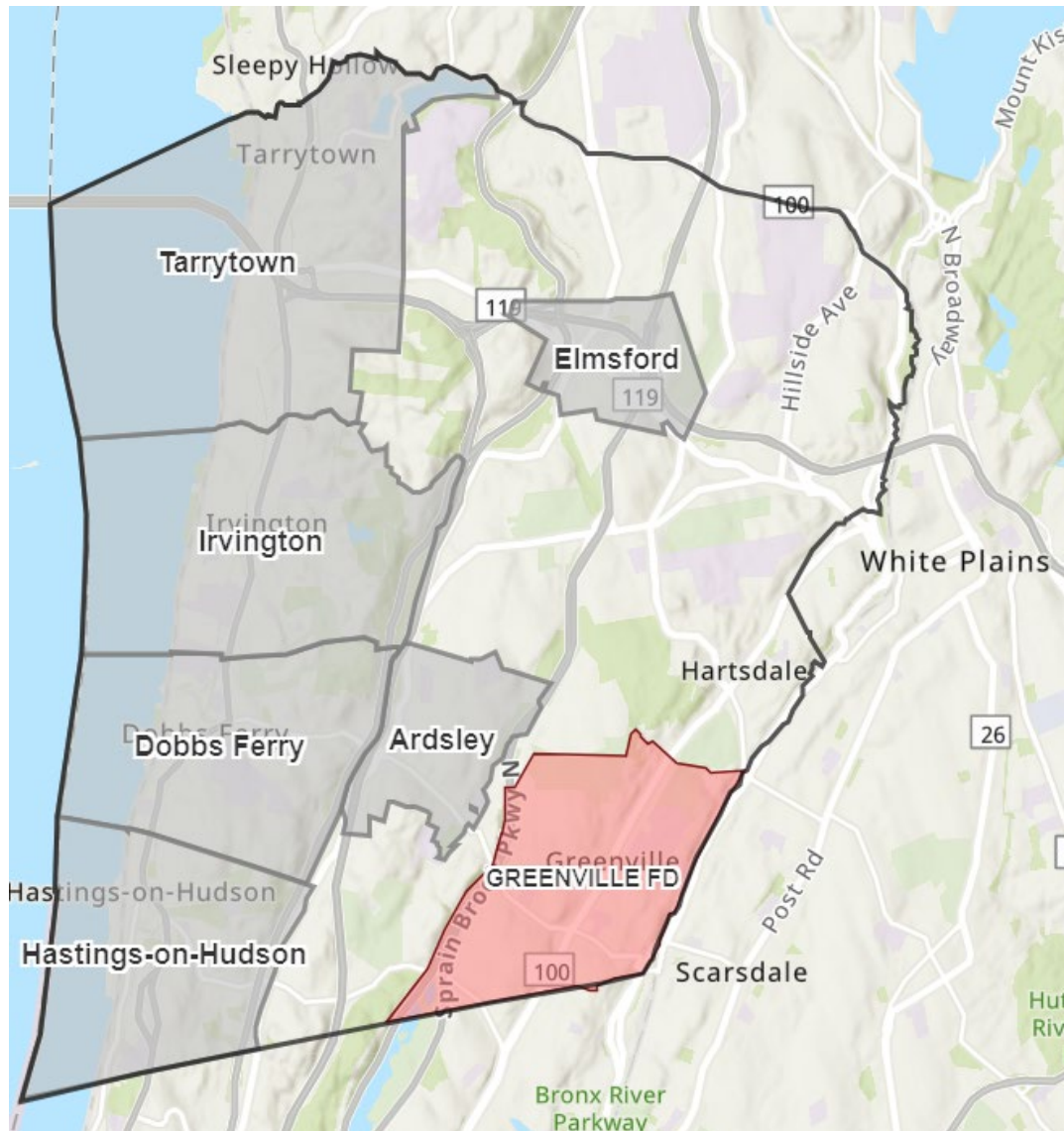
The sole purpose of this report is to inform both the residents of Edgemont and the broader community of the likely impacts of incorporation on municipal services and finances and taxpayers. CGR is not making a judgment on the issue of incorporation or any recommendations.

We do, however, have to make some judgment calls in the process of creating our analysis, and we explain the basis for those in the body of this report. Because the Village of Edgemont does not yet, and may never, exist, there is no mayor or village board to make decisions on the suite of services the Village offers or how those are provided. Therefore, our report is based on the intentions expressed by the Edgemont Incorporation Committee about what services the Village would offer and how it may provide them. It is important to understand that an actual Village Board could make different decisions which would lead to different impacts.

In addition, several issues related to this potential incorporation do not appear to us to be settled from a legal perspective. New villages are seldom created in New York State. In the last 25 years, only three new villages have been formed – the most recent being Mastic Beach on Long Island, which formed in 2010 and dissolved in 2016. Several of the most significant issues at play in Edgemont did not exist in those communities, so there is little precedent to work from in addressing some important questions. These issues are explored in detail in the sections below.

What Would Constitute a Village of Edgemont?

The area likely to be impacted by incorporation roughly follows the boundaries of the Greenville Fire District, shown on the map below displaying the Town of Greenburgh, its unincorporated area along with its six existing villages.¹ The exact boundaries of a proposed Edgemont Village are not yet known, as incorporation advocates have not yet filed a new petition that specifies them.



¹ View an interactive, online map at: <https://www.cgr.org/edgemontimpact/map/>

Who are the Affected Residents?

Population Demographics by Race/Ethnicity

The table below shows the total population and population by race/ethnicity for the Edgemont Union Free School District, Town of Greenburgh, unincorporated Town of Greenburgh (Town Outside Village, or TOV), the unincorporated Town of Greenburgh minus The Edgemont Union Free School District (TOV without Edgemont) and the current six villages in the town. The data is from the 2020 census.

Population by Race/Ethnicity	Edgemont School District	Town of Greenburgh	Unincorporated Town of Greenburgh (TOV)	TOV without Edgemont	Ardsley Village	Dobbs Ferry Village	Elmsford Village	Hastings-on-Hudson Village	Irvington Village	Tarrytown Village
Total Population	7,822	95,397	46,436	38,614	5,079	11,541	5,239	8,590	6,652	11,860
White alone	54%	55%	46%	45%	64%	67%	24%	74%	77%	59%
Asian alone	32%	12%	15%	12%	18%	9%	11%	6%	9%	7%
Hispanic	8%	18%	17%	19%	10%	15%	44%	11%	7%	24%
Black or African American alone	2%	11%	16%	19%	4%	4%	17%	3%	2%	6%

Edgemont's school district is the closest available proxy for the population that would likely be in an incorporated Edgemont Village, according to the incorporation advocates. Edgemont School District has a majority White population with a large Asian population (32%). If Edgemont were to incorporate, the remaining unincorporated Town of Greenburgh (TOV without Edgemont) would see a small decrease in White and Asian populations and an increase in Hispanic and Black or African American populations compared to the current Unincorporated Town of Greenburgh (TOV).

The table below shows the median age, median income and poverty rate for the Edgemont Union Free School District, Town of Greenburgh and the current six villages in the town (data for the unincorporated Town was not available). The data is from 2018-22 American Community Survey (ACS) which does not have data for the unincorporated Town.

	Edgemont School District	Town of Greenburgh	Ardsley Village	Dobbs Ferry Village	Elmsford Village	Hastings-on-Hudson Village	Irvington Village	Tarrytown Village
Median Age	44.1	42.3	43	39	35.1	45.3	41.1	42.9
Median Income	\$250,000+	\$145,468	\$243,594	\$144,000	\$120,301	\$161,908	\$184,569	\$109,945
Poverty Rate	1.9%	4.9%	1.7%	5.4%	8.7%	2.2%	1.8%	6.1%

The median age for the area that represents a possible Village of Edgemont has a higher median age than the Town of Greenburgh. The area also has the highest median income of \$250,000+,² followed by Ardsley Village at \$243,594. The poverty rate in the Edgemont school district is 3 percentage points lower than the Town of Greenburgh, similar to Ardsley and Irvington villages (1.7% and 1.8% respectively).

Assumed Approach to Village Services

Overview

The Edgemont Incorporation Committee (EIC) has outlined a vision for a possible Edgemont Village that would use a “skinny” form of local government, meaning that rather than create a full suite of village departments and services, Edgemont Village would contract with and receive services from outside entities for several major functions.

The primary motivation for incorporation is control over planning, development and land use so the EIC envisions contracting with the Town of Greenburgh or other public or private entities for services including road maintenance, sanitation, library and police services. The EIC also asserts that existing special districts that provide fire and emergency medical services (EMS), parking, and water and sewer will continue as is to provide services to Edgemont Village residents.

In this report, we use the EIC’s vision to a degree to design and cost out at a high level a possible Edgemont Village. However, we also independently researched key issues, benchmarked EIC’s planned expenses against similar villages and applied our own judgment about what is most likely and feasible in order to construct our model for a possible Edgemont Village. Some of our conclusions are at odds with the EIC and others are at odds with the views of the Town of Greenburgh and allies.

² The census bureau uses the plus sign with a note that the median falls in the highest interval of an open-ended distribution.

For each major function outlined below, we address:

- Services currently provided within the area of the proposed village, most of which are provided by the Town of Greenburgh.
- Services likely to be provided upon incorporation of the proposed village, and how such municipal services are expected to be provided.

Two parts of the Town of Greenburgh budget are regularly referenced below, the Town Wide, or A Fund, and the Town Outside Villages, or B Fund. The Town Wide budget funds services across Greenburgh and totals \$26 million. The Town Outside Villages budget funds the services for residents of unincorporated Greenburgh and is much larger at \$106 million.

We discuss the specifics of the model for Edgemont Village that we built in the section on Fiscal, Service & Taxation Assessment for the village.

In the description of Town departments below, we are not able to include employee benefit costs, however in our modeling of potential contracts and losses to Town revenue in later sections, we do.

General Government Functions

Administration

Edgemont residents are currently served by the Town of Greenburgh's administration, which consists of a Town Clerk, Town Supervisor and Town Board. All are elected positions. Upon incorporation, Edgemont Village would elect a governing board of a Mayor and Trustees. One of the first official acts of the Mayor would be appointing a Village Clerk and a Village Treasurer, subject to the consent of the Board of Trustees.

The Town Clerk's Office consists of a town clerk, deputy town clerk, and two permit clerks and part-time help. The Town Clerk's Office has a budget of about \$373,000 located in the Town Wide (A) budget and an additional \$50,000 in the Town Outside Villages (B) budget.

The Town Clerk's Office provides a variety of services to residents including responding to Freedom of Information Law (FOIL) requests, handling licensing and permits, records management, issuing vital records, preparing Town Board agendas and meeting notes and more.

The Town Clerk's Office does not have any overlapping services with the current villages in Greenburgh. The villages all have their own Clerk's office that handles village record keeping and other administrative tasks; however, they do not provide all of the licensing and permits that the Town does. For example, village residents come to the Town Clerk's Office to get a hunting and dog licenses. The Town Clerk's Office currently provides the following licenses and permits:

- New York State Licenses: Fishing, Hunting, Marriage and Handicap Parking Permits

- Town of Greenburgh Licenses: Cabaret, Canvassing/Peddlers & Solicitors, Dog Licensing, Filming, Going out of Business, Sanitation, and Taxicab and Taxi Driver.

Possible impacts for Edgemont: As mentioned above, an Edgemont Village would be mandated to have a Village Clerk. Town Clerk officials stated that they would likely provide the same services to a potential Edgemont Village as they do to the current six villages in the town.

Possible impacts for Town: The Greenburgh Town Clerk's Office would likely lose some revenue if Edgemont incorporates and collects its own fees for some services. However, Town Clerk officials do not anticipate any change in the functions of the department or reduction in staff since they believe the department is lightly staffed.

Town Supervisor

The Town Supervisor is elected for two-year terms. The 2024 budget for the Town Supervisor's Office is about \$272,000 in the Town Wide fund. The Town Supervisor is responsible for the administration of town affairs.

As the Town Supervisor's budget is in the budget, a possible incorporation would not directly affect the department's budget. If town staff decreased due to a loss of tax revenue after incorporation, the functions of the Town Supervisor may slightly alter.

Town Board

The Town Board is the governing and legislative body of the Town of Greenburgh. It consists of four elected council members who serve four-year terms and the Town Supervisor. The terms for the council members are staggered. The Town Board determines policy and appropriates funds for governmental functions and services in the Town of Greenburgh. The Town Board's 2024 budget is around \$261,000 in the Town Wide fund.

Possible impacts for Town: The election process, staffing, and budget of the Town Board would not be affected if Edgemont were to incorporate since it functions town wide.

Upon incorporation, the Town Board would have to re-evaluate how to appropriate funds due to the lost tax revenue from the Edgemont area. The Town Board would also likely undertake negotiations with the new Edgemont Village about purchase of services and agree to terms for any intermunicipal agreements.

Building Department

Edgemont residents are currently served by the Town of Greenburgh Building Department, which consists of 14 staff positions that help ensure compliance with state and local regulations and codes for the use, construction and occupancy of buildings in the unincorporated area of the Town of Greenburgh. At the time of CGR's interview, the department had four staffing vacancies.

The Building Department has a 2024 budget of about \$4,900,000 located in the Town Outside Villages Fund. There is an additional amount of around \$1,100,000 allocated to

Zoning and Planning in the fund. The department's budget is in the TOV fund because it does not provide services to village residents. All six current villages have their own building inspectors who enforce state and local codes as well as their village ordinances.

The Building Department's budget saw an increase in fee revenue of over \$2,800,000 from 2023 to 2024. This is attributed to the development of a Westchester campus in Tarrytown that will feature research, preclinical manufacturing, and support facilities for a biotechnology company. The increase will help not only fund a consultant for the project but also cover inspections for multiple years.

Enforcement of Planning, Zoning, and Land Use Regulations

One focus of the Building Department's current code enforcement efforts is smoke shops. The Town made recent changes to the code prohibiting smoke shops within 700 feet of a school and banning the sale of smoking products not regulated by the State. The department also adopted local legislation to regulate the massage parlors on Central Avenue, something residents often complained about, and were able to shut down about 6 of them.

Possible impacts for Edgemont: Control over planning, zoning and land use is a primary driver of the incorporation effort. An Edgemont Village would likely form a Building Department with multiple staff members to enforce and regulate state, local and new village codes. The EIC has expressed the desire for a new village to perform planning, zoning and building inspection functions themselves.

Residents and developers in a potential Edgemont Village would need to follow any village ordinances passed.

NYS Uniform Fire Prevention and Building Code and Energy Conservation Construction Code

The Building Department is also responsible for making sure the Town is meeting the requirements of the State's Green Initiative. The Town of Greenburgh has developed Green Building and Energy Conservation Construction standards followed by the Building Department that encourage resource and energy conservation, waste and greenhouse gas emission reduction, and energy efficiency³.

Possible impacts for Town: The Town's Building Department officials have expressed concerns about budget cuts due to lost tax revenue if Edgemont were to incorporate. Upon incorporation, the Building Department would likely cease servicing Edgemont Village, just as it does not service the other villages in the Town.

Public Works/Highway Department

Edgemont residents are currently served by the Town of Greenburgh's Department of Public Works consists of eight subdivisions: Bureau of Highway, Communications, Water & Sewer,

³ <https://ecode360.com/13704907>

Bureau of Sanitation, Equipment Repair Bureau, Building Operations (maintenance and cleaning), Code Enforcement, and Bureau of Engineering.⁴ The department is funded by both the Town Wide (A) budget (nearly \$1,390,000 for Public Works Administration and Traffic Control) and the Town Outside Villages (B) fund (over \$8,870,000 for Public Works Administration, Highway Garage, Street Lighting and Sanitation).

The Bureau of Highway consists of about 38 positions and is responsible for maintaining about 135 miles of Town roadway system. Some of the main duties for the bureau include catch basin cleaning and maintenance, tree trimming and brush clearing, roadway de-icing and snow removal, and maintaining Town waterways. The staff also maintains the Taxter Road Mulch Site Transfer Facility. The Bureau of Highway makes pavement repairs and a study estimated the annual need at \$5 million to catch up on necessary repairs. The Bureau has not achieved that in recent years due to capital funding restraints. To figure out which areas to prioritize, the Bureau follows the Bureau of Engineering's annual resericing plan to help ensure services are distributed fairly throughout the Unincorporated Town of Greenburgh.

Bureau officials stated that they have contracted with the villages in the Town before but only under special circumstances.

Traffic and Safety

The Traffic and Safety subdivision has around 5 positions and is funded in the Town Wide budget. The main responsibilities are to maintain and replace about 17,500 street signs within the unincorporated area and various villages in the Town. The subdivision is also responsible for pavement markings on roadways.

Water & Sewer

The Town of Greenburgh has a consolidated water district as well as a consolidated sewer system with about 22 employees. The Town's water system serves over 40,000 people with 10,500 service connections. The subdivision is responsible for maintaining and improving the Town water treatment facilities and the water and sewer system. Maintenance includes repairing or replacing broken water mains or sewer lines, water tank and sewer pump maintenance and routine water hydrant flushing and repair. Water and sewer services are provided through special districts discussed in more detail in the Special District Functions section of this report.

Equipment Repair Bureau

The Equipment Repair Bureau consists of about 13 employees. The Bureau's main responsibility is to service, repair and replace Town departmental vehicles and machinery, numbering about 360.

⁴ <https://www.greenburghny.com/DocumentCenter/View/7891/DPW-Presentation-for-Website?bidId=>

Building Operations

The Building Operations subdivision consists of around 18 employees. Main responsibilities are to maintain, clean and repair all the Town owned buildings. This includes:

- Community Centers
 - TDYCC
 - Lois Bronz Daycare
- Greenburgh Nature Center
- Town of Greenburgh Public Library
- Town Hall
- Town of Greenburgh Police Department
- Town Justice Court
- Water and Sewer Garage
- Secondary/Old Pump Stations
- Department of Public Works Yard at 100 Sprain Road

Code Enforcement

The Code Enforcement subdivision consists of one code enforcement officer that looks for code violations in public areas and works closely with the Police Department and Traffic Control.

Bureau of Engineering

The Bureau of Engineering consists of around six employees. The bureau's main responsibilities include preparing plans, cost estimates, and specifications on special construction contracts. The staff also directs or supervises special construction or maintenance projects. Other responsibilities include issuing permits for steep slope and stormwater projects and acting as a consultant to Town officials for engineering matters.

Communications/Lighting

The Communications and Lighting subdivision consists of three employees who are responsible for maintaining and improving Town radio communications, street lighting and electronic traffic control devices.

Possible impacts for Edgemont: Upon incorporation, the advocates of incorporation have indicated an Edgemont Village would likely contract with the Town's Department of Public Works for services. Other options include:

- Contracting with another municipality or private company
 - The EIC maintains that an Edgemont Village could negotiate contracts with neighboring municipalities for certain public work services (like street sweeping and snow plowing) and bid out other projects (like sidewalk building) to private providers.

- Creating a Village of Edgemont Department of Public Works

Sanitation

Edgemont residents are currently served by the Town's Bureau of Sanitation, which falls under the Department of Public Works. The bureau consists of over 35 employees that provide the Town of Greenburgh outside the villages with refuse and recycling collection. The bureau has a 2024 budget of over \$6,200,000 located in the Town Outside Villages (B) fund.

The sanitation bureau picks up yard waste, bulk collection, metal collection and sanitation for the residents of the unincorporated area of the Town of Greenburgh. Workers collect garbage from households twice a week. The Town provides single and double family homes with carts for garbage and recycling. The garbage and recycling collected is driven to a facility in Yonkers and then Westchester County charges the Town of Greenburgh. The bureau also manages two food waste drop-off sites and an e-waste drop-off site.

Possible impacts for Edgemont: The EIC has expressed a desire for a new Edgemont Village to contract with the Town of Greenburgh for sanitation services on the basis of population, household share, actual costs or another reasonable basis.

Possible impacts for Town: Depending on the results of a negotiation, residents in the rest of the unincorporated town could be unaffected by incorporation (if the Bureau maintained a similar budget and staff) or could experience changes in services or costs.

If an agreement could not be reached, the EIC has indicated the Village could contract with a private hauler as some other municipalities in the area do.

Courts

Edgemont residents are currently served by the Greenburgh Town Court, which consists of three Town Justices and eight administrative staff.

The Court adjudicates criminal and civil cases, vehicle and traffic offenses, landlord-tenant cases, small claims matters, town code violations and violations of environmental law.⁵ The court also schedules jury and bench trials when necessary. The Town Justices have a 2024 budget of around \$1,500,000 in the Town Wide (A) fund. Although all the current villages in the Town of Greenburgh have their own courts, the town has jurisdiction in all the villages.

Possible impacts for Town: Since the Town Court is funded through the Town Wide budget, the budget would most likely not be affected greatly upon incorporation. If a new Edgemont Village did not establish its own court, the Greenburgh Town Court may need to create a separate docket for the village's cases. There would also need to be separate accounting since fees collected for violations of local laws contained in Edgemont's Village Code would go

⁵ <https://www.greenburghny.com/252/Courts>

back to Edgemont Village. This could require the need for a small increase in staff and increased hours for the Town Court.

Town Attorney

The Town Attorney's Office consists of a Town Attorney, five Deputy Town Attorneys and paralegals and administrative staff. The office is responsible for defending the Town of Greenburgh against all claims and advising the Town's departments and Town Board on legal matters. The Town Attorney's Office prosecutes Town ordinance and vehicle and traffic violations in the Town Court.

The Town Attorney's Office has a 2024 budget of around \$1,600,000 in the Town Wide budget. The Town Attorney's Office communicates with attorneys for the current six villages (especially when dealing with tax certioraris) but the offices do not share services.

Possible impacts for Edgemont: Upon incorporation, Edgemont's Board of Trustees would appoint a Village Attorney and a Village Prosecutor. The EIC has indicated a plan to contract for legal services. This would provide the village with representation to handle personal injury claims, tax certioraris and vehicle & traffic violations. The EIC has not indicated it would establish a village court, so presumably matters would continue to be heard in Town Court.

Possible impacts for Town: The Town Attorney's Office does not foresee a significant impact on the budget or staffing level of the department if Edgemont were to incorporate. Upon incorporation, the Town Attorney's Office would likely be involved in negotiating purchase of services and IMAs as well as any possible disputes between the Town of Greenburgh and Edgemont Village.

Volunteer Boards

Edgemont residents are currently served by 11 volunteer boards of the Town of Greenburgh, including a Zoning Board of Appeals and Planning Board. Other boards include an Ethics Board, advisory boards for the Theodore D. Young Community Center, and a Police/Community Advisory Commission.

Possible impacts for Edgemont: A new Edgemont Village would need to create its own Zoning Board of Appeals and Planning Board and could create other boards as well. A consideration we heard expressed is whether the volunteer capacity of the Edgemont area, which has almost 8,000 residents, would be sufficient to supply the required numbers of volunteers. The EIC believes Edgemont has a long and demonstrated history of volunteerism and civic engagement and would have the capacity.

Public Safety

Police

Edgemont residents are currently served by the Greenburgh Police Department, which provides law enforcement in the town outside the six existing villages. The GPD provides a

broad range of services to the residents and community. GPD has a department of about 120 officers that patrol the community and respond to calls for service. There are also a number of specialized units including Investigations, Juvenile Issues, SWAT, Technical Rescue, Records, Discovery, Training and Professional Standards. GPD also operates a public safety answering point (911 Center) and dispatch center for calls in the town outside village. EMS, although integral to the Police, is discussed below.

GPD's effort is focused on the TOV area of Greenburgh. The department will assist the Villages as needed for specialized law enforcement areas. However, the department also supports several townwide functions including the SWAT Team, Technical Rescue, Animal Control and Civil Defense. The cost for law enforcement and related operations is about \$650,000 in the Town Wide budget and \$23.6 million in the Town Outside Villages budget. This figure includes TOV ambulance service costs.

Possible impacts for Edgemont: The advocates for Edgemont incorporation have indicated they do not envision an Edgemont Village creating its own police department but instead having the area continue to be served by GPD. Under Town Law Article 10, a town with a police department is responsible to provide law enforcement to a village as long as that village does not have a police department. Therefore, there is no need for a contract or intermunicipal agreement (IMA).

Possible impacts for Town and Edgemont: The GPD would continue to provide the services as it did before incorporation. However, a specific fund would need to be established to manage the revenue and expenses for this specific area. In our model, we call this the "Police Services Fund." This fund contains all the expenses related to law enforcement operations of GPD that are in the current Town Outside Villages budget. The revenue to support this fund is modeled as being entirely from property tax on assessed valuation in the area. In future years, the Police Services Fund would likely follow the practice of bonding for certain expenses and will be responsible for repaying that debt. That cost would be part of the operating budget for this fund. Debts that exist at incorporation would be paid as part of a debt repayment intermunicipal agreement.

Emergency Medical Services

The current Emergency Medical Services system in the Edgemont area is a tiered system involving a basic life support (BLS) first response delivered by the Greenville Fire District and ambulance service (both BLS and advanced life support (ALS)) delivered by the Greenburgh Police Department. The ambulance service is dispatched by GPD and the staffing includes a mix of civilian Emergency Medical Technicians (EMTs) and paramedics plus sworn police officer EMTs and paramedics. The GPD ambulance service primarily responds to the areas outside the existing villages. The ambulance service does charge for its services and that revenue goes to the Town to help offset the cost of the service. The ALS service responds to all areas of the Town including those served by several village-based ambulances. The GPD BLS ambulance service expenses are integrated into the police budget of the Town Outside Villages fund. The ALS service is part of the Town Wide fund.

The Greenville Fire District (GFD) provides the BLS first response service with paid fire fighters that are certified as EMTs. GFD is dispatched to its calls by Westchester County's central fire dispatch known as 60-Control. GFD is funded by a fire district tax.

Possible impacts for Edgemont: The advocates for Edgemont's incorporation have suggested that they would like to continue their existing EMS system. As discussed in the fire department section, the GFD is expected to become the fire department for the new Village of Edgemont. The ALS service would remain a townwide service. The BLS ambulance service is fully integrated with GPD and will continue to provide service to the new village as part of Police Services Fund.

Possible impacts for Town: The revenue from EMS transports for the TOV and Edgemont will help offset the expense of this operation. In short, nothing really changes in the event of incorporation.

Fire Protection

Greenburgh is served by nine fire departments. Each of the six villages has its own fire department and there are three fire districts (Fairview, Greenville, and Hartsdale) that each operate their own fire departments. The Greenburgh Town Board oversees six fire protection districts that serve to contract with fire departments, usually from an adjacent village, to serve areas of the TOV that are not part of one of the three fire districts.

The Greenville Fire District (GFD) is an independent special purpose government formed under Town Law Article 11 to provide fire protection to Edgemont area. The GFD is governed by a board of five elected fire commissioners. The GFD operates a fire department with 30 full-time firefighters of various ranks. The GFD has a single fire station at 711 Central Park Avenue. It operates an engine, a ladder truck, a rescue truck, a spare engine and several support vehicles. Roughly 40 percent of calls are for medical emergencies. The GFD has an annual operating budget of \$11.4 million in 2024. To fund this budget, there was a 3.4% increase in the tax levy for 2024.

Possible impacts for Edgemont: The planned boundaries for Edgemont, as shared by the EIC, are very similar to the boundaries of the GFD. Under state law, if the boundaries of a fire district are entirely within a newly formed village, the fire district will be dissolved and its fire department will become the village fire department. The Edgemont Village Board of Trustees would be responsible for the management of the fire department as laid out in Village Law Article 10.

All assets of the district and department would be transferred to the village. The employees of the district would become employees of the village. Current collective bargaining agreements would remain in effect until the new village has an opportunity to negotiate with the bargaining unit.

Parks and Recreation

Parks and Recreation

Edgemont residents are currently served by the Town of Greenburgh's Department of Parks and Recreation, which consists of 12 full-time employees who maintain about 630 acres of parkland and 7 pools, along with 20 office and management staff members.

The majority of the department's \$10 million budget is in the B fund since most of the department's parks and recreation programs are largely limited to residents of the unincorporated area of Greenburgh due to the Finneran Law (discussed in more detail below). There are two programs, whose budgets are in the A fund, that cover the villages as well as the unincorporated areas: special recreation programs and the nutrition program.

Two town parks, Crane's Park and the Greenburgh Nature Center, are located completely within the borders of a potential Village of Edgemont. Greenburgh Nature Center is operated by a nonprofit called Nunataks that receives about \$337,000 in Town funding support and generates the rest of its roughly \$1.8 million budget from admissions, memberships, tuition, grants and other sources.

The Finneran Law, passed by the New York State Legislature in 1982, restricts parks and recreation funding and participation mostly to unincorporated residents. It stemmed from a dispute over access to a new Town pool in the 1970s. Ardsley village residents wanted access but not to pay toward the pool, which the Town objected to. The Finneran Law is unique to Greenburgh and imposes a controversial division in services and funding that has been the subject of debate and litigation, including related to the Theodore D. Young Community Center.

Theodore D. Young Community Center

The Theodore D. Young Community Center (TDYCC) was built in the Fairview area of the Town of Greenburgh as part of the Federal Neighborhoods Facility Grant in 1969. TDYCC later became part of the Town of Greenburgh and is funded by the B fund. A 501(c)(3) organization called the Fairview Community Corporation helps financially support TDYCC programs. Although considered recreational, TDYCC is operated under the Department of Community Resources. TDYCC has a staff of about 22 full-time and 100 seasonal workers as well as volunteers who support the facility's activities.

TDYCC provides 240 programs, including educational, cultural, recreational, and social programs. This includes an after-school homework help program, summer camp, grocery trips and free tax services for seniors. The facility is home to a pool, built in 1981, and next to Yosemite Park which hosts a large pavilion, tennis and basketball courts, a spray park and a garden.

TDYCC is open to all residents of the Town of Greenburgh, however residents of incorporated villages pay a higher rate to use the facility and participate in programs. Federal funding that goes to TDYCC requires that it be open to village residents. The Edgemont Incorporation

Committee believes TDYCC is improperly classified under parks and recreation and that it would be more accurately characterized as a social services facility and moved to the A, townwide budget. Town officials say the courts have ruled against this and that few village residents use TDYCC.

Possible impacts for Edgemont: The EIC has stated its vision for incorporation does not include contracting with the Town for parks and recreation services. Since parks and recreation are funded by the B budget, residents of the new village would no longer pay taxes for these services.

Edgemont Village residents would lose access to some Town parks and recreation services under the Finneran Law, including Crane's Pond and to the pool and tennis courts at Anthony F. Veteran (AFV) Park. They would still be able to use the TDYCC but charged the higher rate. The access fee would increase from \$7 to \$36 for children and \$18 to \$36 for adults. The cost of each program would also increase (pricing depends on the program).

According to the Town, if incorporated, Edgemont residents would also lose access to Destani Plaza, East Irvington Nature Preserve, Presser Park/Webb Field, Secor Woods Park, Bob Gold Parklet, Washington Avenue Parklet, West Rumbrook Park, Old Tarrytown Road Parklet and Riley Pond Taxter Ridge Park Reserve. The EIC says the Town generally does not enforce this residency requirement.

In addition, the EIC does not envision creating and funding a village parks department, as members say most recreation activities in the area are run by private organizations such as PTAs, and youth soccer and lacrosse clubs that use Edgemont school district facilities. In addition, Edgemont Village residents could still use Westchester County's Sprain Ridge Pool.

Edgemont residents who are a part of the Cotswold Park district (a special district entirely within the borders of a potential Village of Edgemont) currently receive maintenance services (like grass cutting, removing trees and branches) from the Town Parks and Recreation Department. Upon incorporation, these residents may need to find a new service provider, or they could possibly negotiate an agreement with the Town and pay for maintenance services.

Possible impacts for Town: Town officials have stated the Town would not be able to afford continued investment in the parks in the Edgemont area if the village is incorporated. Town parks and recreation officials are additionally concerned that a loss of tax revenue from the Edgemont area upon incorporation would reduce their budget and lead to staff layoffs and possible reductions in programs, including at TDYCC. The quality of maintenance for parks may also decline.

Overall, it is not clear what might happen to the parks located within Edgemont: the Greenburgh Nature Center and Crane's Pond. The Town is obligated by contract to continue annual payments to the nonprofit operating the nature center through 2026. Giving up ownership of the nature center would require state legislation and consent of the U.S.

Secretary of the Interior under the acquisition agreement dating to 1974, and the Town would likely need state legislation to give up Crane's Pond as well.⁶

Library

Edgemont residents are currently served by the Greenburgh Public Library (GPL), which serves the residents of the unincorporated Town of Greenburgh and receives nearly \$4,500,000 from the TOV fund. GPL was formed by an act of state law in 1962 and is a Special Library District but it functions as the Town of Greenburgh's municipal library. This hybrid governance model has existed for decades where the Town Board sets the budget, bonds for capital expenses and appoints the Board of Trustees. However, unlike most municipal libraries, GPL's charter designates its service area as the unincorporated area of the Town rather than the whole town. Similarly, the funding for the GPL comes from the town outside budget. GPL has its own Board of Trustees which has seven to nine members empowered by the State Education Law to act as the governing body of the library.

Most of the current villages have their own libraries (except for Elmsford, which contracts with Ardsley), and village residents would not be able to receive a GPL library card. However, Westchester County Library card holders are allowed to take out certain material from GPL (high demand materials such as laptops or cameras are excluded). GPL is open for 56 hours a week and serviced nearly 187,000 people last year. GPL also provides residents with programs such as computer classes and one-on-one tutoring.

Because the language of the 1960 state law establishing the GPL specifies the service area as being outside of the existing six villages,⁷ it appears as though Edgemont residents may continue paying for and receiving services from the library as they do now. This could happen through the creation of a Library Services Fund, similar to the Police Services Fund described above. However, the actual charter document from the NYS Board of Regents specifies the service area as being the Town of Greenburgh outside of villages.

Upon incorporation if it were excluded from the GPL charter, Edgemont Village would be required to provide library services to its residents. The EIC has stated that they believe Edgemont residents are pleased with the services GPL provide and could enter an IMA with GPL to continue using the library. The EIC has estimated a \$1.1 million contract with GPL. The EIC also states that should Edgemont Village not enter into an IMA with GPL, the village would likely contract with the Village of Ardsley at a potentially lower cost.

GPL would likely receive less funding from the Town of Greenburgh due to a loss in tax revenue. GPL officials estimated that 20% of their cardholders are Edgemont residents. Losing funding and a significant number of card holders would likely lead to a reduction in staff and a decline in programming. GPL officials have expressed interest in contracting with

⁶ See: <https://parks.ny.gov/documents/publications/AlienationHandbook2017.pdf>

⁷ See: www.nysl.nysed.gov/libdev/libs/pldtools/chapterlaw/60-642-greenburgh.pdf

the potential Edgemont Village and officials stated that an IMA would need to be approved by both the Library Board and Town Board.

Special District Functions

Water, sewer and parking are three functions Edgemont residents receive by way of special districts. Water is the most complex of the three and discussed first in the section below.

Special districts are organized and created under Town Law to provide services within a defined area of a town and are supported by special assessments and/or user fees. When the boundaries of a special district and village are coterminous, or when a special district exists entirely within village boundaries, the district ceases to exist, and its assets automatically become village assets. When boundaries are not fully inside a new village or coterminous, other than during a statutorily prescribed transition period, a town special district is not permitted to operate or exist within the borders of an incorporated village unless the village expressly consents. Without that consent, the assets and liabilities of the district that are within the incorporated village are apportioned.

The apparently novel legal question that arises in the case of a village incorporation in Edgemont is whether a special district *must* continue serving a district if the village would like it to or if the Town could choose to diminish the district by removing the village.

Water

Legal Status of the Water District

The Edgemont area currently receives water from a special water district: Greenburgh's Consolidated Water District #1 (CWD#1), which is partially within and partially outside of the presumed Village boundaries. This district is under the control of the Town Board.

CWD#1 serves approximately 40,000 people through 10,500 service connections, including an estimated 8,000 Edgemont area residents served through approximately 2,000 service connections. Water customers are charged quarterly, \$8.26 per 1,000 gallons for the first 10,999 gallons registered during a quarterly billing cycle. Out of District customers are charged \$16.51 per 1,000 gallons per quarterly billing cycle.

In the event of Village incorporation, CWD#1 is subject to NYS Town Law and Village Law governing the disposition of special districts. Specifically, as a district that would be *partially* within Village boundaries, CGR believes that CWD#1 would be subject to Village Law 2-258,⁸ which provides for the apportionment of property and debt for a special district after village incorporation.

In its publicly available materials, website and communications with CGR, EIC has stated its belief that an Edgemont Village would have a unilateral right to remain in the CWD#1 district, if it chose to do so. The Town Board provided this statement: "The Town Board has studied

⁸ Village Law 2-258: <https://www.nysenate.gov/legislation/laws/VIL/2-258>.

and discussed this matter in depth and under no circumstances will the Town of Greenburgh Consolidated Water District accept any financial or maintenance responsibility/liability for the water delivery infrastructure and the sewer infrastructure located within the newly formed territory of EIC's proposed Edgemont Village." Both EIC and the Town provided CGR with statutes, case law and other legal references that they believe support their respective positions.

After reviewing the legal references and consulting with outside experts, including the New York Conference of Mayors, we conclude that the water issue would likely have to be settled in court if the Town and a new Village of Edgemont could not reach an agreement on an arrangement for providing Edgemont Village residents with water. A possible proactive alternative would be for the Town to ask the NYS Attorney General's Office for an informal opinion on the matter.⁹ It should be noted that, per Village Law 2-252(1)(b)¹⁰, the Town and any special district that is partially within Village boundaries would be responsible for continuing all previous services to the area for a transitional period after the date of incorporation of at least five months, up to a possible maximum of approximately 17 months, depending on when the date of incorporation occurs.

Options for Water Supply

Given this lack of clarity on how water services will ultimately be provided, we have identified four main alternatives for water provision: 1) the Town and Edgemont Village come to a mutual agreement (or are obliged by a judicial ruling) to re-establish or continue the services of the water district in its current footprint, post-incorporation, effectively recreating/continuing the previously existing arrangements; or 2) Edgemont Village separates from the water district and becomes a wholesale customer of CWD#1 and enters into an agreement similar to the one between CWD#1 and the Village of Irvington; or 3) Edgemont Village makes a new arrangement with a different water system for its water services; or 4) Edgemont Village manages its own water supply by reopening a connection to the Catskill Aqueduct, based on an agreement with NYC DEP.

The specific costs for alternative arrangements cannot be accurately projected at this time because most would involve negotiations and new contracts between multiple parties who are not willing to commit to any specific arrangements or pricing in advance of actual negotiations with an established Edgemont Village. However, we believe that those alternatives that differ from the existing status quo are likely to involve increased costs to Village residents.

Background

The NYC Water Supply Act of 1905, codified in New York City Administrative Code Section 24-360(a), provides that "[i]t shall be lawful" for certain enumerated upstate municipalities and water districts – including any in Westchester County – to "take and receive from any of the

⁹ <https://ag.ny.gov/libraries-documents/opinions/appeals-opinions-resource-center>

¹⁰ Village Law 2-252: <https://www.nysenate.gov/legislation/laws/VIL/2-252>.

reservoirs, aqueducts, conduits, streams or pipes of” the City of New York a supply of water for their uses and purposes.

The Town of Greenburgh’s CWD#1 is authorized and permitted under the Act to take and receive New York City water. CWD#1 purchases its water supply from the City of New York Department of Environmental Protection (NYC DEP) Bureau of Water Supply via the Catskill and Delaware aqueducts.

Any new water arrangement that involves Edgemont Village leaving the CWD#1 district would also involve the NYC DEP, which regulates the use of its water and establishes rates.

Possible Alternatives for Water Supply and Water Utility System Management

Alternative 1: Pursuant to mutual agreement or a judicial ruling, the Village and the Town enter into an agreement that essentially re-creates the existing arrangement – for example, by re-establishing or continuing the current footprint of CWD#1. In this scenario, nothing would effectively change: Edgemont residents would continue to be served as before, at rates comparable to previous rates and/or what other district customers are charged.

Alternative 2: If Edgemont Village is no longer part of the CWD#1 district, it could still contract with CWD#1 by entering into an agreement with CWD#1 and NYC DEP to authorize interconnections and permit CWD#1 to supply and sell water to the new Village of Edgemont, in a manner similar to the terms and conditions by which CWD#1 supplies and sells water to the Village of Irvington. Irvington’s base water rate is \$7.68 per 100 cubic feet, or approximately \$10 per 1,000 gallons. This rate includes purchased water from CWD#1 at a wholesale rate of \$2.75 per 1,000 gallons. Base water rates for CWD#1 non-district customers are currently twice (2x) the base water rates charged to in-district residents.

In this alternative, Edgemont Village would need to manage its water utility services. It could establish a water department to manage customer service, billing, operations, maintenance, and capital repair of its water distribution system. It could also pursue these services through agreements or service contracts with other public or private entities.

Alternative 3: Edgemont Village can enter into water supply and utility management agreements with other established districts.

One possibility is Westchester District 1 (WD1). Several area municipalities belong to this district, including a portion of the Town of Greenburgh, and three of its villages (Ardsley, Dobbs Ferry, and Hastings-on-Hudson). This district is owned and operated by Veolia, a private company. Veolia provides customer service, billing, operations, maintenance, and capital repair of the water distribution systems within WD1. Property owners within WD1 open customer accounts directly with Veolia to purchase water. Veolia’s source of supply is New York City, the same as CWD#1.

Another possibility is entering into water supply agreement with the Village of Scarsdale, through an interconnection authorization with the Village and NYC DEP. As in Alternative

#2, Edgemont will have to manage and operate its own water utility service. Among other considerations, the feasibility of options presented under such scenarios are predicated on the adequacy and availability of infrastructure.

Alternative 4: In this alternative, Edgemont Village would acquire its water supply by tapping the Catskill Aqueduct. Edgemont would enter into an agreement with the NYC DEP as a new upstate customer to purchase raw water at rates established for upstate customers.

For system Operations and Maintenance (O&M), Edgemont Village may choose to establish a water department to manage customer service, billing, operations and maintenance of its water distribution system. It can also pursue these services through IMAs or service contracts with public or private entities. However, since this source of water will not be disinfected or pretreated with corrosion inhibitors, system operators must possess advanced licenses to operate this distribution system.

Among other requirements, NYC DEP would require Edgemont Village to have a secondary source for its water supply for times when the aqueduct would need to be shut down for repairs or maintenance. This would likely require the Village to have a secondary agreement with another existing DEP water customer for a backup supply, essentially one of the previous options. Therefore, this option is likely to be the most costly and complex of the four options.

Anticipated Organizational and Operational Impacts

Possible impacts for Edgemont: In the event that Edgemont Village does not remain in the CWD#1 district, we anticipate the following impacts:

CWD#1 infrastructure and assets that can be apportioned will likely become assets of Edgemont Village. Infrastructure in CWD#1 that can be separated from the system would become Edgemont Village's assets. Infrastructure that cannot be separated would be apportioned between Edgemont Village and CWD#1. This would likely include all pipes, mains, pumps, tanks, hydrants, water meters (including new master meters), monitoring equipment, proportionate fund balances and accounts reserved for operational and maintenance expenses.

An IMA between CWD#1 and Edgemont Village would likely be reached to apportion assets that cannot be separated from the system. This might include, for example, the storage tanks and monitoring equipment that are operationally integrated. An Intermunicipal Agreement between Edgemont Village and CWD#1 could also address how the parties apportion any operations and maintenance (O&M) costs pertaining to the apportioned assets.

In the event that Edgemont Village and CWD#1, under the supervision of the Town Board, cannot come to a mutual agreement, apportionment would presumably be decided by the

courts following Village Law 2-258.¹¹ Debt would likewise be apportioned according to mutual agreement or by a formula specified by the courts. As of January 2024, CWD#1 had bonded indebtedness totaling \$34,001,614.

Alternatives 2, 3, and 4 would likely require a revisions to NYC DEP’s water supply agreement with CWD#1: Existing agreements between CWD#1 and NYC DEP’s Bureau of Water Supply would likely be amended in order to: (a) reflect a population reduction and change in quantity allowances to CWD#1; (b) authorize any interconnections that may be necessary at points of interconnection to Edgemont Village; and (c) permit alterations or modifications to any existing connections or facilities that may be required.

Under Alternative 2, and possibly Alternative 3, NYC DEP would likely enter into a Water Supply Agreement with Edgemont Village and its supplier: Edgemont Village would need to be a party to authorized interconnection agreements with NYC DEP and the water supplier (Town CWD1, Veolia, or another district). If Alternative 4 is pursued, Edgemont Village would need to enter into its own agreement with the NYC DEP’s Bureau of Water Supply for the purchase of water. Among other conditions, this agreement would establish population-based quantity allowances for Edgemont Village and authorize interconnections.

Edgemont Village would likely need to retain engineering services to determine the feasibility of supply and service alternatives, and to develop plans and specifications for infrastructure modifications that may be required: An evaluation of existing water systems and implementation costs would be necessary to determine the feasibility of pursuing supply and service alternatives. According to the Superintendent of Water for CWD#1, the existing water main infrastructure will require the installation of five master meters with bypasses to separate the Village and Town distribution systems.

Edgemont Village would likely incur immediate and long-term capital expenses: Immediate short-term capital expenses would likely be incurred for the installation of master meters, which the Town projects will cost \$2.5 million. Project costs would likely involve the development of plans and specifications, permit fees, awarding bid(s) and contracts for the purchase and installation of master meters as well as project management; and miscellaneous professional services fees incurred when acquiring capital funding, or when entering into agreements for construction easements.

In addition to Edgemont Village’s share of any capital expenses attributed apportioned CWD#1 assets, long-term capital expenses would likely involve the rehabilitation or replacement of water mains located within Edgemont Village (unless the water system is acquired by Veolia).

Operating permits and health standards compliance

Under Alternatives 2, 3 and 4, Edgemont Village would likely have to obtain an Operating Permit from WCDOH to operate a public water supply (unless the water system is

¹¹ Village Law 2-258: <https://www.nysenate.gov/legislation/laws/VIL/2-258>.

acquired by Veolia): To operate a public water supply (PWS), an operating permit is required from the Westchester County Department of Health (WCDOH). Edgemont Village must employ system operators who are properly licensed and can attest that the PWS is compliant with all regulatory requirements. Edgemont Village must operate its PWS in accordance with both WCDOH and New York State Department of Health Rules and Regulations.

The Westchester County Department of Health has specific requirements for obtaining a permit and maintaining a license to operate a PWS. Some of the key requirements include:

- **Compliance with regulations:** The public water supply system must comply with all local, state, and federal regulations related to water quality, treatment, distribution, and monitoring. This includes adherence to the Safe Drinking Water Act and other relevant laws.
- **Water quality testing:** The water supply system must regularly monitor and test water quality parameters to ensure that the water meets regulatory standards. This includes testing for contaminants such as bacteria, nitrates, lead, and other substances as required.
- **System design and maintenance:** The water supply system must be designed, operated, and maintained in a manner that ensures the delivery of safe and potable water to consumers. This includes proper maintenance of infrastructure, treatment processes, and storage facilities.
- **Emergency preparedness:** The water supply system must have an emergency response plan in place to address potential disruptions, contamination incidents, or other emergencies. This plan should outline procedures for notifying customers, responding to emergencies, and restoring service.
- **Reporting requirements:** The water supply system must submit regular reports to the Westchester County Department of Health, including water quality data, operational records, maintenance logs, and other relevant information. Timely and accurate reporting is essential for regulatory compliance.
- **Qualified personnel:** The water supply system must have trained and qualified personnel responsible for operating and maintaining the system daily. This includes having certified water treatment operators who have the necessary expertise and experience to ensure the system's proper functioning.

Enacting a local law to codify rules and regulations: The Edgemont Village Board of Trustees would be required to adopt a local law pertaining to the use and regulation of the Edgemont Village's water system and water supply. In addition to Edgemont Village's own rules and regulations, the law would have to reference certain NYC DEP and WCDOH rules and regulations, identify village officials responsible to enforce the local law, and contain penalties for violations.

Overall, obtaining a public water supply operating permit from the Westchester County Department of Health requires meeting a range of regulatory requirements related to water quality, system operation, emergency preparedness, and reporting.

Water utility responsibilities

Under Alternatives 2, 3 and 4, (unless the water system is operated by Veolia), Edgemont Village would need to provide and organize water utility services: Services can be provided by Edgemont Village employees, or by contracted services, or by a combination of both. A public water utility typically provides the following services:

- **Water treatment:** Public water suppliers are responsible for treating raw water to make it safe and potable for consumption. This may involve processes such as filtration, disinfection, and pH adjustment to remove contaminants. The water being sold by New York City to CWD#1 and Veolia (JWWD1) currently complies with Federal and State drinking water standards.
- **Water distribution:** The department must manage and maintain a network of water distribution pipes, pumps, and storage tanks to deliver treated water to homes, businesses, and other customers within the community. This includes monitoring water pressure, flow rates, and system performance to ensure reliable service.
- **Water quality testing:** A water supplier must sample and test water from various points within the distribution system daily, to monitor water quality and compliance with regulatory standards. This testing may include monitoring for bacteria, chemicals, metals, and other contaminants to ensure the safety of the drinking water supply.
- **Customer service:** Municipal water departments typically provide customer service to address inquiries, billing questions, service requests, and other issues related to water supply. This may include setting up new accounts, processing payments, and responding to customer concerns or complaints.
- **Leak detection and repair:** Public water suppliers are responsible for detecting and repairing leaks in the water distribution system to prevent water loss, maintain system efficiency, and minimize disruptions to service. This may involve using technology such as acoustic sensors or leak detection surveys to identify and address leaks promptly.
- **Emergency response:** Water departments are required to have emergency response plans in place to address water main breaks, contamination incidents, natural disasters, or other emergencies that may impact the water supply. This includes coordinating with other agencies, notifying customers, and implementing response measures to restore service quickly and effectively.

Possible impacts for Town: The Town DPW would have lower revenue but also less infrastructure to maintain. In the options above where there is a separation of the service systems, the Town would be involved in any engineering studies and the installation of the master metering but the expense for those initiatives would fall to the Village.

Sewer

Greenburgh uses two layers of sewer districts to operate its wastewater collection system. All residents of the Town are part of a Westchester County sewer district that operates and maintains the two primary sewer trunk lines that flow through the town. All taxable properties pay a fee to the Town based on taxable assessed value to support this fund. The Town Outside Village properties are also all in one of several separate sewer districts used to maintain the collection mains that feed into the trunk lines. The DPW is responsible for maintaining the collection mains including any capital replacement projects and cleaning in the town districts. The existing villages all maintain the collection mains in the villages. In Greenburgh, the sanitary sewers operate by gravity flow and do not require any lift stations.

There would be no change for the Village in regard to the Westchester County sewer district.

Possible impacts for Edgemont: The area of Edgemont is divided among several of the Town's sewer districts. Sewer maintenance is performed by Town DPW employees. If Edgemont incorporates and could not remain in the Town sewer districts, as the Town Board has indicated it would prefer to see, Edgemont could contract with a service provider or create a DPW.

Possible impacts for Town: The Town DPW would have lower revenue but also less infrastructure to maintain. The Town DPW would be involved in any engineering studies related to the separation of the systems.

Parking

Edgemont residents have access to commuter parking spaces through the Hartsdale Public Parking District (HPPD), a special district created in 1952 to provide parking services to the area around the train station. Unlike CWD#1, HPPD is an independent entity with its own board of commissioners and is not directly controlled by the Town. The Parking District encompasses six sites designated Site "A" through "F", as described HPPD's website.¹² Based on the presumed boundaries of an incorporated Edgemont Village, two of these sites would be affected: Site D, the Bronx River Parkway lot, would be entirely within the Village boundaries; Site E, the Pipeline Road lot, would have approximately three-quarters of its spaces within the Village boundaries. Site D also includes an area HPPD leases for a revenue-generating cell tower, which is budgeted to bring in approximately \$160,000 in licensing fees in 2024.¹³

District finances

HPPD is entirely self-funding, through a combination of meter fees, parking permit sales, and miscellaneous income, primarily from the cell tower leases. HPPD currently has an Intermunicipal Agreement with the Town to provide parking enforcement services. Under this agreement, HPPD provides payroll services, uniforms, training and supervision and the Town provides one full-time and one part-time enforcement officer and equipment (ticketing

¹² HPPD parking sites: <http://www.hartsdaleparking.com/sitelocationmap.html>.

¹³ HPPD 2024 budget: <http://www.hartsdaleparking.com/images/20231201115148.pdf>.

material, etc.). The Town receives all enforcement revenue and reimburses HPPD for wages and salaries of the enforcement staff. In Greenburgh's 2024 budget, this payroll reimbursement cost is budgeted for approximately \$100,000.

Possible impacts for Edgemont: In the event of an Edgemont Village incorporation, there are two main options for what would happen to HPPD and its parking spaces: 1) the Village would take control of the parking site areas within its boundaries and operate them itself for the benefit of Edgemont residents, or 2) the Village would come to an arrangement with HPPD to extend the district back into the Village or otherwise operate the Village's properties pursuant to some contract, essentially as before, which would largely return to the status quo ante, as far as the public is concerned.

As a special district, HPPD is subject to NYS Town Law and Village Law governing the disposition of special districts. Specifically, as a district that would be *partially* within Village boundaries, CGR believes that HPPD would be subject to Village Law 2-258,¹⁴ which provides for the apportionment of property and debt for a special district after village incorporation. If Edgemont Village controlled its portions of Site D & E, it would control roughly 40% of HPPD's parking spaces. Coincidentally, HPPD's manager estimates that about 40% of current permit holders are Edgemont residents. Two other points are also relevant: Site D currently contains metered spaces in addition to permitted spaces, and HPPD, in discussion with CGR, reported a decline in the number of total permit holders and commuters using its services and an increase in unused capacity since the pandemic. In other words, in the event of incorporation, Edgemont Village should have more than enough parking spaces to meet the current demand for permits from Edgemont residents, and it is likely that any overflow would be accommodated by HPPD, which would continue to have spare capacity outside the Village boundaries.

Based on CGR's modeling, if Edgemont Village decided to keep and operate its new properties itself, HPPD could be expected to lose approximately 31% of its total current revenue (see table below). As established through negotiation or judgement per Village Law 2-258, the new Village could also be responsible for a certain portion of HPPD's current debt service payments, which total \$450,100 a year through 2026. For example, if the Village took responsibility for 50% of the debt service starting from next year, this would represent approximately \$225,000 a year through 2026.

In either of the two scenarios, the parking areas would continue to be fully self-funded and current revenue exceeds the debt payment, fully covering it. Therefore, the outstanding debt would be fully offset by accompanying revenue and would not add to the prospective Village's debt load.

¹⁴ Village Law 2-258: <https://www.nysenate.gov/legislation/laws/VIL/2-258>.

HPPD 2024 REVENUES & IMPACT OF LOSS OF EDGEMONT-AREA PARKING SITES			
<i>Base figures drawn from HPPD 2024 budget</i>	HPPD Total Current	EV share post-incorp.	Remaining HPPD share post-incorp.
Meter Parking Income	\$653,330.01	\$131,590.75	\$521,739.27
Other income	\$650.00	\$260.00	\$390.00
Cell Tower Lease income**	\$160,324.59	\$160,324.59	\$0
Permit Parking Income*	\$712,145.88	\$177,606.40	\$534,539.48
Total revenues	\$1,526,450.48	\$469,781.74	\$1,056,668.74
Percent of current	100%	31%	69%
* <i>Estimating EV permit holders at 40% of current commuter permit holders.</i>			
** <i>Cell towers are entirely within EV boundaries</i>			

If the parking areas discussed above came under Village control, the Village would be responsible for making new arrangements for the staffing, operations, maintenance and enforcement of its parking areas. While this could likely be achieved with the existing revenues, it is likely that coming to an agreement with HPPD to effectively recreate the previously existing arrangements may represent an easier solution for the Village. However, both options appear viable without adverse impacts on the residents of a new Edgemont Village.

Possible impacts for HPPD: In contrast, Edgemont Village fully taking over parking operations may pose challenges for HPPD: the remaining district, post-incorporation, would be left with some of the more expensive infrastructure – such as multi-level parking structures – while losing the offsetting effect of low- or no-cost revenue gains from arrangements like the cell tower leases. It is expected that HPPD would reduce staff and operations, but whether it could reduce them proportionately to the expected loss of revenue while maintaining current service quality in the remaining areas is an open question.

In short, CGR believes that an arrangement between HPPD and the Village to effectively recreate as much of the status quo ante as possible is likely the easiest solution for both parties.

Current and Future Debts

The Town of Greenburgh has annual debt payments of about \$11.8 million related to the Town Outside Villages operation. The debt has been used for a very broad set of items - both operational and capital – that have benefited the entire Town Outside Villages over the term of the debt. The advocates for an Edgemont Village have suggested that they would support paying the share of the debt that existed at incorporation until it was retired.

In addition, the Town believes a new Village in Edgemont should contribute to current and potential future debts in three other categories: litigation settlements (arising from lawsuits of a variety of types), Other Post Employment Benefits (OPEB – mainly health insurance costs for retirees), and settlements of tax certiorari claims (when taxpayers challenge their property assessments). Its rationale is that the new Village was part of the Town when these liabilities were incurred (and made up roughly a quarter of the Town’s tax base) so it is only fair for Edgemont residents to continue to pay for a share of these costs. The Town reports open claims with possible costs of up to \$173 million. They also say Edgemont should have to pay about a quarter of OPEB liabilities (total cost estimated at \$278 million with an annual cost of benefits of \$9.4 million in 2024) as well as certiorari liability, discussed in more detail below.

We did not find a precedent or legal basis for this. Notwithstanding that, the Town and Village could negotiate these issues and possible payments, and the Town could potentially pursue the matters in court.

In addition, we note that the largest areas of OPEB costs are for police and DPW workers. Under the Police Services Fund that would be set up, Edgemont residents would continue to contribute at the same level to the GPD and all costs, including OPEB. An Edgemont Village could contribute to OPEB costs for DPW through a contract for services with the Town.

The Town has approximately 900 open tax certiorari claims at any given time and settles roughly 100 claims each year. When it settles a claim, it is required to refund the taxes that it previously collected based on the higher assessed value. Villages and districts are also required to refund taxes that were previously collected when a tax certiorari claim is settled. Over the recent few years, since a full revaluation of assessments in 2016, the Town has paid about \$1.2 million each year in refunds of TOV taxes. The Town argues that since the residents of Edgemont benefited from the increased tax revenue when it was received, they should share in cost of repayment. No legal precedent could be found regarding this scenario, but it might be appropriate for the Town to seek to include these costs when negotiating an intermunicipal agreement as part of paying debts.

Another open question is whether any of the Town’s fund balance would similarly be apportioned to an Edgemont Village. If the Town is able to impose a share of liability costs onto the Village, it could be argued that the Village is similarly entitled to a proportional share of the fund balance. We do not assume in any of our modeling that the Village receives part of the Town’s fund balance.

Possible impacts for Edgemont: Residents currently contribute to paying these costs through their TOV taxes. If the Town succeeded in imposing costs on Village residents post-incorporation, they would continue paying them either to the Village or to the Town.

Possible impacts for Town: If the Town was unsuccessful in negotiating or litigating these matters, residents of the unincorporated Town would pay the full costs of these liabilities post-incorporation.

Fiscal, Service & Taxation Assessment of the Proposed Village of Edgemont

We have developed three potential impact scenarios that seek to explore the range of outcomes that appear likely in the event of incorporation. For each of the scenarios, we use the current year budgets of Greenburgh and several peer communities to project what the costs would be if the model existed in 2024. A single year of appropriations and revenue is used to develop an illustration of the financial impact on the community, both in Edgemont and in the remaining unincorporated Town. The single year costs are likely to escalate going forward as salaries increase from collective bargaining agreements, materials and equipment prices increase and the expenses related to benefits continue to rise. The three models are described in greater detail below, but the key characteristics are:

- Scenario 1: Edgemont Village and Town of Greenburgh contract for most key services keeping most appropriations and revenues similar to the status quo;
- Scenario 2: Edgemont Village seeks some services from other providers and Greenburgh reduces appropriations based on reductions in service demand; and
- Scenario 3: Edgemont Village seeks services from other providers, Greenburgh reduces appropriations and receives funding from Village to support legacy liabilities for OPEB, litigation, and tax certiorari settlements.

Scenario 1 - Cooperative Negotiations - Estimated Cost of Village Operations

Overall Cost

Advocates of incorporation have proposed a relatively small village government that blends providing key services on its own with contracting for services with the Town of Greenburgh, or possibly other entities. Our model for operating the village and contracting for services is forecast to be \$23,632,450. In addition, an Edgemont Village will support its share of the Police Services Fund in the amount of \$7,986,821. This brings the total overall cost of bringing the general government services to the residents of \$31.6 million.

This scenario reflects our best estimate of costs once the Village is up and running. We do not include start-up costs, which could be significant, for items such as drafting local codes, creating labor contracts, litigation, IT, essential office supplies and equipment and the like. It is very difficult to estimate these one-time costs, but they may be in the range of \$500,000 to \$1.5 million for consultants and professional fees for the initial year or two of operations.

In addition, please note that the job titles in the tables below are illustrative of a possible structure for the organization. The actual mix of employees would be decided by the Village.

In the chart below, we summarize what we model would happen to each major service provided to Edgemont and the overall impact on both Village and unincorporated Town residents.

Service	Current State	Future State Assumption In Scenario #1	Effects / Notes
Police	GPD	GPD	No change. Police Services Fund – current services (including EMS, ALS and ambulance) continue at same cost to Edgemont/revenue to Town.
EMS (ALS and ambulance)	GPD	GPD	See above. No change to EMS service delivery.
Highway	Town DPW	Town DPW	No change. Intergovernmental agreement – current services continue at approximately same cost to Edgemont/revenue to Town.
Sanitation	Town DPW	Town DPW	Intergovernmental agreement – current services continue at approximately same cost to Edgemont/revenue to Town.
Building Inspection	Town Building Dept.	Village Building Dept.	Revenue loss to Town but demands for Town services will decline with loss of Edgemont.
Fire/EMS BLS	Greenville Fire District	Village Fire Department	GFD becomes Village FD; no change to fire or local BLS services or cost.
Water	Town DPW via water district	TBD	Multiple possible scenarios due to lack of clarity regarding Edgemont’s ability to stay in water district.
Sewer	Town DPW via multiple sewer districts & Westchester Co sewer district	Town DPW	No change. Intergovernmental agreement – current services continue at approximately same cost to Edgemont/revenue to Town.
Parks	Town Parks	Town Parks	Intergovernmental agreement for maintenance of parks in Village; Edgemont residents may lose access to some Town parks outside Village.
Library	GPL	GPL	No change. Intermunicipal agreement current services continue at same cost to Edgemont/revenue to Town.

The table below shows the expenses for the major categories of expense in the Village.

Category	Cost	Share of Village Budget
Administration	\$1,925,000	8.1%
Building	\$495,000	2.1%
Sanitation IMA	\$1,300,000	5.5%
Streets and DPW Administration	\$2,460,000	10.4%
Fire Department	\$11,400,000	48.2%
Library	\$1,125,000	4.8%
Parking Enforcement	\$40,000	0.2%
Parks and Recreation	\$400,000	1.7%
Shade Trees	\$120,000	0.5%
Miscellaneous/Special Items	\$104,000	0.4%
Employee Benefits	\$663,450	2.8%
Contingency/Judgements Clarins	\$700,000	3.0%
Debt	\$2,900,000	12.3%
Total Village Operations	\$23,632,450	8.1%
Share of Police Services Fund	\$7,986,821	
Total with Police Share	\$31,619,270	

Water and Sewer Costs

Water and sewer costs for the Village are in separate enterprise funds that support their operations. As noted in an earlier section of this report, we see two primary options for providing these services – either through continued participation in the existing districts or with an Edgemont Village providing the service. In the existing district model, the costs will remain the same. If the Village begins to provide the service, the costs would likely increase. The Greenburgh Town Board has stated it does not support the existing district model.

Cost by Service

Administration

The anticipated costs for the administrative portion of the Village budget are detailed below. The modeling was developed based on a combination of proposals outlined by incorporation advocates and benchmarking to similarly sized villages in Greenburgh.

Function	Forecast Cost	Explanation
Auditor	\$50,000	Amount for outsourced auditor
Celebrations	\$60,000	For various Village celebrations

Function	Forecast Cost	Explanation
Governing Board	\$25,000	Assumes Village board will be paid similar to other Villages
Information Services/IT/Data	\$100,000	Estimated cost for IT infrastructure and professional costs to maintain it. Based on other villages
Insurance – Unallocated	\$400,000	Insurance premiums for Village operations
Leased Property	\$150,000	Cost of leased space for Village Hall – 3,000 sq ft @ \$50/square foot per year
Municipal Association Dues	\$12,000	Various memberships
Municipal Attorney	\$500,000	Cost of legal services for counsel to all Boards, for prosecution of local code violations; for drafting local codes, and reviewing contracts, labor matters, etc.
Municipal Management – Village Manager or Administrator	\$280,000	3 FTEs for municipal leadership and support staff. Benchmarked staff size and compensation with similar Villages in Greenburgh
Publicity	\$25,000	Advertising of meetings and other Village activities
Clerk/Treasurer/Finance	\$320,000	3.5 FTEs for Clerk, Treasurer and Finance positions. Benchmarked staff size and compensation with similar Villages in Greenburgh
Zoning Board	\$3,000	Costs for supporting volunteer Zoning Board of Appeals. Professional Services are under Building Department
Administration Total	\$1,925,000	

Building

The Building Department would take over the function of building and safety inspections from the Town. This would require a full-service building department with the costs modeled below. There would also be revenues associated with fees that are discussed elsewhere. Fire Department staff would also be able to assist with inspections and might be able to reduce the size of the department.

Function	Forecast Cost	Explanation
Building Dept/Safety Inspection	\$300,000	4 FTE – 3 inspectors and 1 assistant to handle safety, fire and building.
Municipal Engineer	\$125,000	Potentially outsourced position to manage plan reviews as well as agreement with Greenburgh for providing DPW services
Planning Board/Planning Services	\$70,000	Advisory services
Building Total	\$495,000	

Department of Public Works

Advocates for an Edgemont Village are proposing to contract with Greenburgh to continue providing public works services to its residents. This includes the following services:

Service
Municipal Garage/Highway Garage/Central Garage
Public Works/DPW Administration
Sanitation/Waste/Refuse & Recycling
Snow Removal
Street Cleaning
Street Lights
Street/Sidewalk/Curb Maintenance

Although these services would be subject to a negotiation between the two parties, these services are regularly shared between municipalities. The agreement would be overseen by the Village Manager and a contracted municipal engineer. For modeling purposes, we calculate the cost of sanitation services based on the share of households in the Edgemont Village (17% of the TOV). For the other DPW services, the amount is based on an aggregated average of road and sidewalk miles, catch basins and streetlights (17% of the TOV). Using these assumptions, we generate figures for the Village's contracts of about \$1,300,000 for sanitation services and \$2,460,000 for other DPW services. Water is discussed above.

Fire Department

The Greenville Fire District (GFD) is modeled to become a village department as part of the creation of the Village. All 30 employees and the assets of the GFD would transfer to the Village. In addition to the firefighting personnel, a full-time administrative position works for GFD and would join the Village staff. The cost of operating the fire district is modeled as remaining the same when it becomes a part of the Village. The GFD budget is \$11,400,000. GFD has a modest fund balance that they used to help minimize tax increases. The Village

would have access to those funds and is modeled to use it in a similar manner. For our financial model, we use the \$450,000 of fund balance which is consistent with recent years.

Library

The advocates for an Edgemont Village have indicated that they prefer to continue to be able to use the Greenburgh Public Library. Since the GPL charter and enabling legislation are in conflict about if a new village would be excluded from GPL's service area, we have modeled that the Village and Town would need to negotiate an IMA for this relationship to continue. For modeling purposes, we use the current share of the GPL budget that is paid by this area of the Town through its property taxes. The amount in 2024, based on assessed value, is \$1,125,000.

Parking

As noted in the Special Districts section of this report, the Village would likely remain served by the HPPD. There is a small amount in the Town budget for parking enforcement on HPPD property. The expense is funded by parking fines. The expense is modeled to be \$40,000.

Parks and Recreation

The advocates for an Edgemont Village do not plan for the Village to have a Parks and Recreation function. They state that residents have access to the activities they desire through private organizations, county parks or the limited Town wide parks. Of note, incorporation advocates would like the existing Town parks in Edgemont, including the Greenburgh Nature Center, to remain under the ownership and operation of the Town. In recognition of the lack of clarity about who would be responsible for parks and recreation post incorporation, our model includes \$200,000 of funding to ensure that any existing parks that would be maintained and another \$200,000 so Edgemont could support some recreation activities. The Village is also modeled to have an expense of \$120,000 for shade trees. These funds would be used to care for trees on Village property. It is anticipated that these funds would be used to contract for services.

Police

The advocates for an Edgemont Village have indicated that they would like to keep the services of the GPD including communications, law enforcement and ambulance services. The method modeled for that to occur is that the Town would need to continue to provide those services if the Village did not create its own department for them. The funding of that service would be a function of the town charging the expense to the properties that receive the services. That is discussed under the Town section below. The properties would continue to fund that department going forward based on taxable assessed value.

Miscellaneous and Special Items

There are various relatively small items related to the operation of a municipal government that are not easily categorized elsewhere. These items include consultants, credit card fees, software subscriptions, furniture, costs to broadcast meetings, vehicles for use by manager,

building inspectors and code officers, and more. To account for these expenses, the model includes \$104,000.

Employee Benefits

There are 10 full-time Village employees included in this model who would likely receive a variety of benefits from health care to retirement. Using costs from the Town and several villages, an average cost per employee was developed. These figures would change depending on the actual salary of the employees. Firefighters' benefits are included in the total cost of the fire department provided above.

Category	Forecast Cost	Forecast Cost per Employee
Health Ins./Medical Insurance	\$370,000	\$37,000
MTA Payroll Tax	\$29,000	\$2,900
Social Security	\$55,000	\$5,500
State Retirement	\$170,000	\$17,000
Unemployment Insurance	\$450	\$450
Worker's Comp	\$39,000	\$3,900
Total Benefit Estimate	\$663,450	\$66,345

Contingency/Judgments/Claims

Municipalities must set aside money for the unexpected. For a general contingency for the new Village, we have set aside a figure slightly under 2 percent of its General Fund. In addition, with the history of Tax Certiorari claims in the community and the possibility the Village would be obligated to pay a share of the Town's claims, we have set aside an additional \$300,000.

Category	Forecast Cost	Explanation
Contingency Account	\$400,000	About 2% of the Village's general fund
Judgment & Claims (including Certiorari)	\$300,000	Calculated based on a 25% share of historical average claims paid out by Greenburgh.
Total Contingency	\$700,000	

Debt Service and Bond Anticipation Notes

Greenburgh has annual debt payments of about \$11.8 million related to the Town Outside Villages operation. The debt has been used for a very broad set of items - both operational

and capital – that have benefited the entire Town Outside Villages over the term of the debt. The advocates for an Edgemont Village have suggested that they would support paying a proportion share of the debt (based on assessed value) that existed at incorporation until it was retired. This cost is modeled to be \$2,900,000.¹⁵

Estimated Property Taxes

The overall property tax burden is forecast to increase 2.0% for Edgemont if it incorporates as a village and provides services as outlined in the model above. The Town Outside Village and Greenville Fire District taxes will be eliminated. Those taxes will be replaced with a Village of Edgemont Tax and Greenburgh Police Services Fund Tax.

Village Operations

The estimated property taxes have been forecast using the 2023 Taxable Assessed Value for the Greenville Fire District to serve as a proxy for the proposed Village. The value of that property is assessed at \$2,966,741,258. This represents 12.2% of the entire Town and 24.3% of the Town Outside Villages. Considering other sources of revenue, as outlined below, the new Village is modeled to need to raise \$18,884,767 in property taxes. The property tax rate would be \$6.365 per thousand of assessed value.

Police Services Fund

The Police Services Fund (PSF) would be a Town of Greenburgh fund used to support the operations of the Greenburgh Police Department. This fund would be created to manage the revenue and expense of GPD's law enforcement and ambulance in the Town Outside Villages plus the new Village. This fund will be assessed on those areas of town that receive these vital services. The value of that property is assessed at \$12,185,209,171. Considering other sources of revenue for the PSF, as outlined below, the Town is modeled to need to raise \$32,804,034 in property taxes. The total budget of the Police Services Fund is \$35.6 million. We outline the assumptions for this figure in the Police and EMS sections. The property tax rate would be \$2.692 per thousand of assessed value for the area of the Town Outside Villages plus the Village of Edgemont.

Town Wide, Refuse and Sewer Special District Taxes

Edgemont properties would still be subject to the Town Wide (A Fund) tax. In 2024, that tax was \$0.418 per thousand of assessed value. Similarly, Edgemont Village properties would remain subject to the Refuse and a Sewer district tax. As of this report, the 2024 rates were not available and the previous year's rates were used in the modeling. Refuse district tax is paid by all town residents and in 2023 it was \$0.31 per thousand of assessed value. There are several different sewer districts that are each charged to their properties. The average

¹⁵ The Town has stated it would push for the Village to pay this upfront rather than financed over time. In addition, total debt is expected to increase in 2024 but the amount is unknown at the time of this report. Another unknown is whether the Village would pay a share of the debt based on assessed value, or whether the share might be based on the capital improvements that occurred within the Village boundaries.

charge in 2023 was \$0.52 per thousand of assessed value. The charge for sewer maintenance in the Town Outside Villages in 2023 was \$0.21 per thousand.

Summary

The table below gives a summary of the property taxes levied and the forecast for post incorporation. The forecast is for the net property tax levy for municipal services to increase by about 2.7% from the current situation once an Edgemont Village is fully operational.

	Edgemont Village Area Property Tax		Tax Forecast for Home Valued at		
	Current	Post Incorporation Scenario 1	\$500,000	\$750,000	\$1,000,000
Townwide Tax	\$0.418	\$0.418	\$209	\$314	\$418
Town Outside Villages Tax	\$5.164	n/a	n/a	n/a	n/a
Police Services Fund	n/a	\$2.692	\$1,346	\$2,019	\$2,692
Village Tax	n/a	\$6.365	\$3,183	\$4,774	\$6,365
Fire District Tax (Greenville)	\$3.617	n/a	n/a	n/a	n/a
Refuse Disposal	\$0.310	\$0.310	\$155	\$233	\$310
Sewer Rate Avg.	\$0.520	\$0.520	\$260	\$390	\$520
Sewer Maintenance District	\$0.210	\$0.210	\$105	\$158	\$210
Town, Village, Fire Tax Total	\$10.239	\$10.516	\$5,258	\$7,887	\$10,516

Other Revenues

The Village of Edgemont would have numerous sources of revenue beyond the real property tax. The total estimated revenue would be \$4,297,683. The largest category would be an estimated \$2 million in shared sales tax revenue from Westchester County. We estimate that the Village would also receive significant revenue from Building and Electrical Permits, Telecommunications Franchise Fees, State Mortgage Tax distribution, and Fines and Forfeitures. In addition to revenues, we include a share of the Greenville Fire District's fund balance similar to what it has used in recent years.

Revenue Category	Amount	Rationale
Building & Electrical permits	\$750,000	17% share of long-term average of fees for Town of Greenburgh based on area of TOV
Telecoms franchise fees	\$205,565	Calculated as EV households representing 17% of GB TOV total
Cell Tower Property Rental	n/a	Not a separate line in GB budget; the cell tower revenue in HPPD presumably will continue to go to cover parking expenses, regardless of arrangement
Clerk/Treasurer Fees	\$2,040	Estimated based on similar villages in Greenburgh
Consolidated Highway Aid	\$160,000	Passed through to Greenburgh as part of IMA based on centerline miles and similar villages
Construction/Street opening permits	\$3,350	This is 13% of Greenburgh revenue based on share of road miles
Departmental income - Other	\$0	No GB TOV revs recorded in this category
Fines and forfeitures	\$150,000	Village will have some fines and forfeitures; this is similar to Greenburgh villages
Hotel Tax	\$0	Assuming that Village is not levying hotel tax and there are no hotels in Village.
Interest & Penalties on Taxes	\$50,000	Estimated based on similar villages in Greenburgh
Interest and earnings	\$0	Assuming Village won't have interest income to start
Minor Sales, Other	\$2,000	Estimated based on similar villages in Greenburgh
Non-prop tax dist. By County (sales tax)	\$2,000,000	Per capita estimate based on similar villages in Greenburgh
Parking fees	\$0	This revenue would be recorded by HPPD
PILOT payments	\$0	No pilots at time of incorporation
Waste/Garbage/Refuse & Recycling	\$817	Assuming 19% of former TOV sanitation customers, Fees for extra services passed on to Greenburgh

Revenue Category	Amount	Rationale
Rental of real properties	\$0	Assume EV does not have property to rent out
Supplemental Tax Bills	\$0	None forecast at this time
Special State Aid (AIM Payments)	\$51,000	AIM in Villages of Greenburgh average: \$6.20 per capita
State Aid Mortgage Tax	\$300,000	Estimate based on assessed value and number of households
Tree permits	\$510	17% of TOV fees.
Utilities Tax	\$120,000	EIC has stated Village would charge this tax; estimate is based on similar villages in Greenburgh
Planning + Zoning Fees	\$52,500	25% GB TOV amount based on TA.
Appropriated Fire Department Fund Balance	\$450,000	A portion of the Greenville Fire District Fund Balance consistent with long term average
Total Non Property Tax Revenue	\$4,297,682	

Scenario 1 - Cooperative Negotiations – Forecasted Impact to Greenburgh Outside of Villages

Much of the Town of Greenburgh operations remain the same after a potential incorporation of Edgemont. The Town Wide (A Fund) has only a minor change related to the operations of the Hartsdale Public Parking District. For the Town Outside Villages (B Fund) there are several substantial changes that are modeled below. The model is constructed under the assumption that Greenburgh and Edgemont will develop intermunicipal agreements (IMAs) to cover many of the key municipal services. We do model that Greenburgh will reduce its expenses by an estimated 7 percent in several parts of the Town operations because it will have fewer people and properties to serve. Additionally, Edgemont and the remaining Town Outside Villages will continue to receive law enforcement and EMS services from GPD in a Police Services Fund (PSF).

Revenue and Expenditures

Estimated Property Taxes

The overall property tax burden is forecast to remain level for the Town Outside Villages (TOV) part of Town taxes if Edgemont incorporates and provides services as outlined in the model above. These properties will be subject to the same taxes as before and they will also be subject to the new Greenburgh Police Services Fund Tax.

Town Operations

The estimated property taxes have been forecast using the 2023 Taxable Assessed Values. The value of the full town is \$24,246,445,488. The area outside the existing villages is \$12,185,209,171. If Edgemont incorporates, the new TOV value would be \$9,218,467,913. There are no material changes forecast in the Townwide budget and the property tax rate would remain the same at \$ 0.418 per thousand. There would be significant changes to the TOV budget with incorporation including moving police and ambulance costs to the Police Services Fund and a reduction in expenditures as detailed elsewhere. The result would be a TOV tax rate forecast to be \$2.472 per \$1,000. This tax rate will raise an estimated \$22,786,333 in revenue.

Police Services Fund

The Police Services Fund (PSF) is a Town of Greenburgh fund that is used to support the operations of the Greenburgh Police Department. This fund will be created to manage the revenue and expense of GPD's law enforcement and ambulance in the Town Outside Village plus the new Village. This fund will be assessed on those areas of Town and Village that receive these vital services. The value of that property is assessed at \$12,185,209,171. Considering other sources of revenue for the PSF, as outlined below, the Town is modeled to need to raise \$32,804,034 in property taxes. The total budget of the Police Services Fund is \$35.6 million. We outline the assumptions for this figure in the Police Services Fund, Law Enforcement and EMS sections. The property tax rate would be \$2.692 per thousand of assessed value for the area of the Town outside of the villages plus the Village of Edgemont.

Refuse and Sewer Special District Taxes

The Greenburgh TOV will remain subject to the Refuse and Sewer district taxes. As of this report, the 2024 rates were not available and the previous year's rates were used in the modeling. Refuse district tax is paid by all town residents and in 2023 it was \$0.31 per thousand of assessed value. There are several different sewer districts that are each charged to their properties. The average charge in 2023 was \$0.52 per thousand of assessed value. The charge for sewer maintenance in the Town Outside in 2023 was \$0.21 per thousand.

The Greenburgh TOV residents are all also subject to a fire district or fire protection district tax. The rates range from \$0.49 per 1,000 to \$5.38 per 1,000. The variation stems from whether the services are provided by volunteer village fire departments or fire districts with career firefighters. For illustration, the table below shows the cost of the Fairview Fire District at \$4.36 per thousand. The costs of fire service will not change with incorporation for TOV residents.

Summary

The table below gives a summary of the local tax currently due and the forecast for post incorporation. The forecast is for the net property tax due to be above level with the current situation once an Edgemont Village is fully operational.

	Greenburgh TOV		Tax Forecast for Home Valued at		
	Current	Post Incorporation	\$500,000	\$750,000	\$1,000,000
Townwide Tax	\$0.418	\$0.418	\$209	\$314	\$418
Town Outside Villages Tax	\$5.164	\$2.472	\$1,236	\$1,854	\$2,472
Police Services Fund	n/a	\$2.692	\$1,346	\$2,019	\$2,692
Fire District Tax (Fairview)	\$4.357	\$4.357	\$2,179	\$3,268	\$4,357
Refuse Disposal	\$0.310	\$0.310	\$155	\$233	\$310
Sewer Rate Avg.	\$0.520	\$0.520	\$260	\$390	\$520
Sewer Maintenance District	\$0.210	\$0.210	\$105	\$158	\$210
Town, Village, Fire Tax Total	\$10.979	\$10.979	\$5,490	\$8,235	\$10,979

Changes in Other Revenues

There are no substantive changes anticipated in the Town Wide budget revenues for Greenburgh in the case of incorporation. In several areas in the Town Outside Villages budget, we project reduced revenue in most cases mirrored by declining in expense. Below, we show areas of decreased revenue as well as revenue from anticipated intermunicipal agreements between the Village and Town.

Revenue Category	Amount	Rationale
Building & electrical permits	(\$750,000.00)	A decrease in the permits received as they would be paid to Edgemont for work in the Village. 17% share of long-term average of fees for Town of Greenburgh based on area of TOV.
Telecoms franchise fees	(\$205,566)	These are fees that the Town currently receives and will go to an Edgemont Village. Calculated as 17% of GB TOV total.
Clerk/Treasurer Fees	(\$2,040)	Decline in revenue as these fees would go to the Village. Estimated based on similar villages in Greenburgh.
Consolidated Highway Aid	(\$71,000)	Reduction of CHIPS funding but will receive about \$160k from Edgemont in IMA.
Construction/Street opening permits	(\$3,250)	This is 13% of Greenburgh revenue based on share of road miles.

Revenue Category	Amount	Rationale
Ambulance Fees	(\$1,600,000)	Ambulance transport fees. Moved to PSF.
Miscellaneous Income	(\$35,000)	A donation for police day camp is moved to the PSF.
Non-prop tax dist. By County (sales tax)	(\$2,000,000)	Reduction in sales tax shared by County to Town. Edgemont will receive this share.
Police Fees	(\$280,500)	Fees for alarms, finger prints, impounded vehicles, etc. – moved to PSF.
Police OT Reimbursements	(\$900,000)	This is overtime reimbursement for police special details. Moved to PSF.
Special State Aid (AIM Payments)	(\$65,000)	Forecast reduction in state per capita based on decline in TOV population.
Planning + Zoning Fees	(\$52,500)	Reduction in Planning and Zoning Fees based on reduction in TOV amount based on TAV.
Projected Reduction in Non-Tax Revenue in Town Outside Villages	(\$5,964,856)	
IMA for Sanitation Services	\$1,300,000	Based on number of households in Edgemont
IMA for Public Works Services (Streets, Admin, Trees)	\$2,460,000	Based on share of land area in TOV that would become part of Edgemont
IMA for Greenburgh Public Library	\$1,125,000	Based on TAV in Edgemont and that share of GPL budget
IMA for Debt Service	\$2,900,000	Based on share of outstanding debt
IMA for Parks and Recreation	\$400,000	Based on negotiated share of maintenance by Town for parks in Village and some recreation programs
Total of Projected IMAs	\$7,785,000	All subject to negotiation between Town and Village
Net Change to Non-Tax Revenue	\$1,820,144	

Use of Fund Balances

In 2024, Greenburgh plans to use nearly \$20 million in accumulated fund balances to support operations and reduce tax increases. The Town has budgeted to use \$7.4 million in the Town Wide budget and \$12.3 million in the Town Outside Villages budget. In our modeling, we include these same appropriations.

Estimated Changes to Operations

Overall Changes

As with the revenue section above, this portion of the report will focus on the areas that we anticipate will have changes to their operations. Departments and operations that are not discussed are presumed to have no substantial changes to their operations. Those with changes would be responding to reduced demand for service, reduced funding, or both. The actual changes will be made by the Town Board. For purposes of modeling, we use a 7% reduction in expenses to model a moderate reduction in staff that could potentially be accomplished through abolishing vacant positions when an incumbent left employment for retirement or other reasons.

In total, there are about \$37.2 million in changes to Town Outside Village budgets, however 85% of those changes relate to the separation of the police services into its own fund.

Administration

The costs of the administration in Greenburgh are split between Town Wide and Town Outside Village portions to the budget. None of the expenses in the Town Wide aspects are forecast to be reduced. However, some of the expenses in the Town Outside Villages fund are modeled to be reduced by 7 percent in response to the reduction in tax base and demand for services.

Expense Category	Current Amount	Reduction	Rationale
Central Services	\$450,000	(\$31,500)	A decrease in need for these services with a reduction in population and properties served.
Information Services	\$274,959	(\$19,247)	A decrease in need for these services with a reduction in population and properties served.
Unallocated Insurance	\$629,200	(\$138,424)	Moved to Police Services Fund in proportion to the overall budget
Municipal Clerk	\$ 52,600	(\$3,682)	A decrease in need for these services with a reduction in population and properties served.

Home and Community Services

These areas of the budget all see a reduction in staff and demand for services based on the smaller area they serve after Edgemont incorporates.

Expense Category	Current Amount	Reduction	Rationale
Zoning Board	\$1,121,184	(\$78,483)	Reduction in staff based on smaller demand for services
Building Department	\$4,874,574	(\$341,220)	Reduction in staff based on smaller demand for services
Emergency Tenant Protection Act	\$30,000	(\$5,000)	Reduction based on smaller proportion of town served
Miscellaneous Items	\$106,950	(\$8,050)	Reduction based on smaller proportion of town served

Culture, Parks and Recreation

Although the Edgemont incorporation advocates do not envision that an Edgemont Village would provide these services to its residents, we model an agreement between Edgemont and Greenburgh that would provide funding of \$200,000 for maintenance of the parks in the Village and \$200,000 for supporting recreation programs. This revenue is shown above in Other Revenues. There would still be a loss of taxable assessed value and fewer residents to serve resulting in a modeled reduction of 4% in this area.

Expense Category	Current Amount (TOV)	Reduction	Rationale
Recreation Administration Park Maintenance Anthony F. Veteran Park Nature Center Community Center Fairview Greenburgh Pool Narcotics Guidance Council Other community Services	\$9,991,553	(\$399,662)	Reduction of 4% across the total of this category

Police Services Fund

Greenburgh operates its police department, communications center and basic life support ambulance services out of the Town Outside Village budget. The Townwide budget supports the advanced life support and police special operations. The EIC has indicated that it would like to continue to have Greenburgh continue to provide both police and EMS services. Several expenses would move to this new fund. The fund is discussed in more detail below.

Expense Category	Current Amount (TOV)	Change	Rationale
Police and Constables Line from TOV Budget	\$23,582,745	(\$23,582,745)	This full cost will be moved to the Police Services Fund
Benefits for Police	\$10,878,365	(\$10,878,365)	Estimated cost of police benefits
Contingency Account	\$1,020,000	(\$1,020,000)	Share of contingency account for new contracts
Insurance-Unallocated	\$138,424,	(\$138,424)	22% of Unallocated Insurance based on Police Share of total budget
Estimated Total of Police Services Fund	\$35,619,534	(\$35,619,534)	PSF Total Expenses

Employee Benefits

The change in the employee benefits category is on the surface are large change to the TOV budget, but most of the change is related to a shift of expenses to the police services fund. The other reductions are tied to a forecast reduction in staff as outlined in the other departments.

Expense Category	Current Amount (TOV)	Change	Rationale
Health Ins	\$12,439,990	(\$6,162,490)	Staff reduction and police service fund
MTA Payroll Tax	\$96,000	(\$45,780)	Staff reduction and police service fund
Social Security	\$1,738,000	(\$817,300)	Staff reduction and police service fund
State Retirement	\$7,395,577	(\$4,214,977)	Staff reduction and police service fund
Unemployment Insurance	\$25,000	(\$17,467)	Staff reduction and police service fund
Worker's Comp	\$1,382,000	(\$729,140)	Staff reduction and police service fund

Other Expenses

Expense Category	Current Amount (TOV)	Change	Rationale
Judgments and Claims	\$1,200,000	(\$300,000)	Reduction in amount needed for Tax Certiorari

Impact of Police Services Fund

The Police Services Fund would be a new fund in the town budget similar to the Town Wide budget, Town Outside Villages budget and the Highway Fund. The fund would be developed with the specific purpose of operating the GPD for the TOV and Edgemont. All revenues and expenses related to the operations of GPD, except for those in the Town Wide budget, would be placed into this fund. In addition, \$1.0 million of the Contingency Account was placed into the PSF to account for the ongoing contract negotiations between the Town and the respective collective bargaining units.

Property Tax Revenues

The TAV for the fund in 2024 would be \$12,185,209,171. The property tax levy for the PSF is projected to be \$32,804,034. This leads to an estimated property tax rate of \$2.692 per thousand.

Other Revenues

GPD has several significant revenues beyond property tax. The revenues in total account for \$2.8 million, which is 8% of the GPD operating cost.

Category	Amount	Explanation
EMS/Ambulance Revenue	\$1,600,000	Patient billing revenue
Miscellaneous Income/Unclassified Revenues	\$35,000	Donation for police day camp
Police Fees	\$280,500	Alarm registration fees, prisoner transport reimbursement and traffic control charge
Police Reimbursements	\$900,000	Overtime for special details
Total	\$2,815,500	

Scenario 2 – Impact of No Service Sharing

The services in Scenario 1 are based on what could be achieved through negotiations between Greenburgh and Edgemont. Scenario 1 is built on a foundation of the two sides acting in good faith and arriving at compromises that result in service levels and costs similar to those that existed prior to the incorporation of Edgemont.

However, it is possible that the two sides will not arrive at an agreement similar to Scenario 1 or any agreements at all. The largest set of services are those provided by GPD (911, ambulance and law enforcement) and they are not subject to a bilateral agreement because Greenburgh would be mandated to provide police services to the Village if it does not create a police department. We do not consider a scenario where Edgemont begins its own police department or contracts with another agency because we think those are possible but highly unlikely. Other large services that may not have a successful intermunicipal agreement are sanitation, sewer service, streets and other public works, and the library. In the sections below, we explore scenarios for Edgemont to structure services in these areas, and outline the cost implications for one possible outcome. The financial model also includes some cuts to town departments as outlined in Scenario 1. For several of the departments, we project reductions in costs that would come from staff and other expenses.

Sanitation

Edgemont could either seek a bid from a private company to provide the services or create a sanitation department. The villages of Rye Brook and Pelham both use private contractors to provide sanitation services. Their levels of service may not be directly comparable to Greenburgh, but we believe they are at least somewhat similar to the existing service. Per household costs are about \$360 per year in Rye Brook and \$500 per year in Pelham. Modeled for Edgemont, this would range from \$864,000 to \$1.2 million, both less than the modeled IMA with Greenburgh, which was estimated at \$1.3 million.

Possible impacts to Edgemont: If Edgemont created a sanitation department, it would have substantial capital start-up costs in addition to ongoing operational costs. The new village department would need at least \$2.0 million in vehicle capital costs, plus a storage space for the vehicles.

The peer villages of Ardsley, Hastings and Irvington spend an average of \$330 per household on sanitation, excluding capital costs. That brings the cost to Edgemont of about \$792,000 for the operation of the sanitation function, plus additional costs for capital, vehicle maintenance and department leadership that are all bundled in the peer budgets.

For financial modeling, we estimated the cost to be \$1.3 million which would be for a contract with a private service.

Potential impacts to Greenburgh: The Town of Greenburgh would lose about 2,400 customers for its sanitation department. This represents about 14.5% of the households that it serves and about 25% of the revenue to support the operation which is based on taxable assessed value. There would likely be the elimination of several positions in the department, perhaps 5

of the 35 overall positions in various titles. The DPW would also need fewer vehicles and would need to reorganize its routes. For financial modeling, we reduced the expenses of this department by 15% (\$940,470).

Sewers

Possible impacts to Edgemont: If Edgemont were unable to remain in the Town's sewer districts, then it would need to identify a service provider to maintain and repair its collection mains. This could include the use of private contractors as needed or working with another municipality. The costs of sanitary sewers for the peer villages and Greenburgh average out to \$76 per household. This would be a cost of about \$182,000 annually for Edgemont. This is often an ancillary function for DPW staff as they only need to spend time periodically inspecting the collection mains, make repairs in the case of a collapse and supervise any capital improvements that are usually done by contractors. If Edgemont had to leave the districts, it would assume a share of the debts for the improvements in that area. For financial modeling, we hold the existing sewer district expenses level, but the Village's sewer enterprise fund would receive the revenue.

Possible impacts for Greenburgh: For the Greenburgh DPW, the departure of Edgemont would mean a reduction of about 2,400 households that feed into the collection mains in the oldest part of the Town. There would be a decreased workload for the DPW staff who work on sewers and a decline in revenues associated with those properties. This in itself is unlikely to impact staffing, but if it occurred with other changes it could lead to staffing reductions.

Streets, Sidewalks and Other Public Works

Public works staff provide several key tasks for any municipality. There are examples of municipalities contracting for services with other municipalities, but no full service contracts with private sector providers exist in the metro New York area.

Edgemont may be able to negotiate an intermunicipal agreement with a neighboring community. Possible partners include Ardsley, Dobbs Ferry, Eastchester, Hastings, Yonkers and Scarsdale.

Possible impacts to Edgemont: If Edgemont created its own Department of Public Works, it would likely cost about \$2.6 million annually, plus the necessary capital to establish an operation. This estimate of costs, which is the same as the estimated cost of a contract with Greenburgh, comes from an average of DPW costs per road mile among the per communities in Greenburgh. There would be a substantial upfront capital cost for establishing a public works facility and acquiring the necessary trucks and equipment. These costs would be substantial (we did not develop a detailed estimate) and likely would be bonded. Building a DPW garage would be extremely costly, assuming the Village could find an appropriate property. Looking at peer communities, an Edgemont DPW would need a staff of around a dozen full time workers plus likely seasonal help. There would be a variety of job titles in the department.

For a community the size and complexity of Edgemont, we have estimated a cost of \$2.6 million to either operate public works department or to contract with a neighboring municipality.

Possible impacts for Greenburgh: Greenburgh would lose responsibility for about 13% of its road miles, 20% of its sidewalks, 16% of its catch basins, and 22% of its households served. It would also lose about 25% of the taxable assessed value, and a number of pocket parks and shade trees that it maintains. The general public works workforce has more than 50 employees plus additional staff for administration and water. There would likely be cuts to the staff in all areas of public works and less infrastructure to maintain. To model this reduction, we have reduced public works expenses in all TOV lines by 15% (\$1.8 million).

Library

The EIC has stated that should Edgemont Village be excluded from the GPL service area, the village would likely contract with a neighboring municipality, likely Ardsley, Scarsdale, or Dobbs Ferry. Currently, the Greenville Fire Station (centrally located in Edgemont) is 4 miles away from GPL. The Ardsley Public Library is 2.5 miles away, the Scarsdale Public Library is 3.5 miles away, and the Dobbs Ferry Public Library is 4.2 miles away.

Although Edgemont residents could be closer or roughly the same distance away from a different municipality's library, they would not have as much access to library services under some options. GPL is open for 56 hours a week while Ardsley is open for 44.5. Dobbs Ferry is open for 54 hours a week from September through May but only open for 47 hours a week in the summer. The Scarsdale Public Library would give residents longer access hours as it is open 67 hours a week. The cost of contracting with another municipality would be negotiated with that municipality's library.

The Village of Elmsford has an agreement with the Ardsley Library to provide services to its residents. In 2021, the contract was for \$276,000 which works out to \$53 per resident. If Edgemont were able to negotiate a similar contract amount, then the cost would be \$417,000 for library services. As noted, the Ardsley Library is open for fewer hours than GPL.

Possible impacts to Edgemont: Edgemont Village could contract for library services with another municipality. The cost would be subject to negotiation and for our modeling is estimated to be \$750,000 -approximately the midpoint of an agreement with Ardsley on the same terms as Elmsford and the current cost of services from GPL.

Possible impacts for Greenburgh: GPL would likely receive less funding from the Town of Greenburgh due to the loss in tax revenue. GPL officials estimated that 20% of their cardholders are Edgemont residents. Losing funding and a significant number of card holders would likely lead to a reduction in staff, library hours, and a decline in programming. Although 25% of the existing tax base would leave, we forecast that the Town would seek to reduce the impact and only cut the funding by 12.5% (\$562,000).

Litigation

Because of the likelihood of litigation involving both Greenburgh and Edgemont, we have included a cost of \$300,000 for each municipality as an expense line in the budgets. This cost is anticipated to be for attorney's fees and not actual settlements or penalties.

Parks and Recreation

The EIC has indicated that it does not believe there is a need for the Village to provide for park maintenance or recreation programs because the residents will be able to receive the services still from the Town and also to use both private institutions and County parks. The Town has indicated that they would seek to alienate certain parks in Edgemont as part of an incorporation. However, existing laws in New York favor the status quo of Greenburgh operating the parks in the Village although residents are not necessarily eligible to participate in Town recreation activities.

Possible impacts for Edgemont: Edgemont Village would not pay for costs associated with the Town parks in its boundaries and not fund any recreation programs. Edgemont village residents would no longer be invited to participate in recreation activities.

Possible impacts for Greenburgh: The Town would pay for the operation of the parks in the Village on a TOV basis. The Town would continue to operate the recreation program as it does today but no longer allow participation of Edgemont Village residents.

Employee Benefits

Possible impacts for Edgemont: The costs of employee benefits for any new employees were included in the modeling.

Possible impacts for Greenburgh: Employee Benefits such as healthcare and retirement are bundled by the Town into a aggregated accounts rather than shown with each department. Therefore, to show the potential impact of the reduced cost of benefits that would accompany the departmental budget reductions, we modeled the elimination of 27 positions, about 15% of the TOV workforce that would be impacted by the cuts outlined above. This would result in the reduction of about \$1.7 million in employee benefits.

Property Tax Impacts

The amount needed to be raised by property tax in both Greenburgh and Edgemont will vary depending on a variety of factors, but the largest one will be the final intermunicipal agreements and portfolio of services developed by the governing boards. Under Model 2, the projection is that the two will not reach agreements for the services described above leading to Edgemont contracting for outside services, Greenburgh losing both revenue and service demand and a resulting decline in the size of some departments.

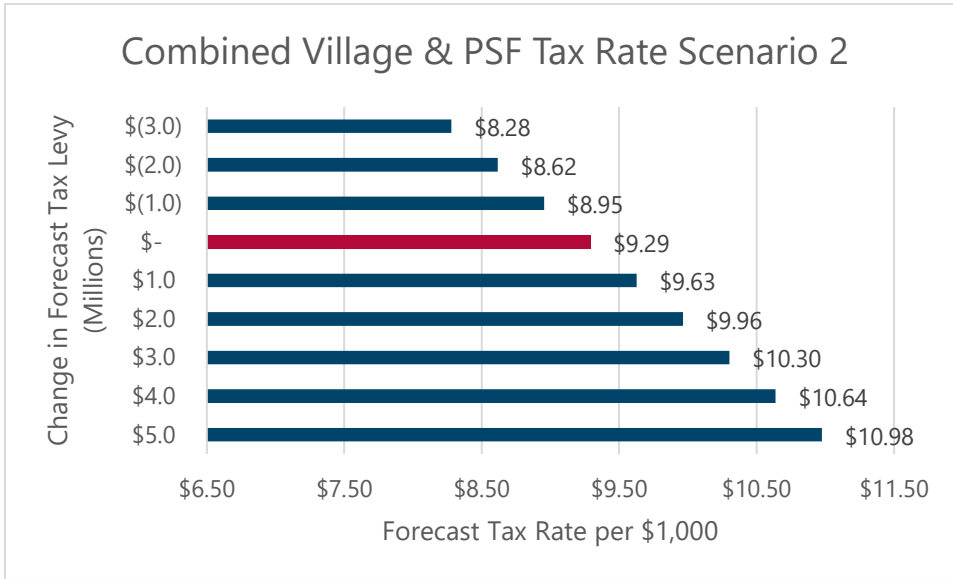
Edgemont

Under Scenario 2, the Village is raising about \$19.6 million in taxes to support an operation of about \$24.3 million. The Village tax rate is forecast to be \$6.598 per thousand. The Village

residents will also be in the Police Services Fund area and be charged \$2.692 per thousand for that leading to a total charge of \$9.290 per thousand for municipal services. As a Village, these costs do include the fire department operations.

	Edgemont Village Area Property Tax		Tax Forecast for Home Valued at		
	Current	Post Incorporation Scenario 2	\$500,000	\$750,000	\$1,000,000
Townwide Tax	\$0.418	\$0.418	\$209	\$314	\$418
Town Outside Villages Tax	\$5.164	n/a	n/a	n/a	n/a
Police Services Fund	n/a	\$2.692	\$1,346	\$2,019	\$2,692
Village Tax	n/a	\$6.598	\$3,299	\$4,949	\$6,598
Fire District Tax (Greenville)	\$3.617	n/a	n/a	n/a	n/a
Refuse Disposal	\$0.310	\$0.310	\$155	\$233	\$310
Sewer Rate Avg.	\$0.520	\$0.520	\$260	\$390	\$520
Sewer Maintenance District	\$0.210	\$0.210	\$105	\$158	\$210
Town, Village, Fire Tax Total	\$10.239	10.748	\$5,374	\$8,061	\$10,748

There is the potential for substantial variability in the amount of property tax needed to fund the village operations. A change in the property tax levy of \$1 million would lead to a change in the Village tax rate of \$0.34 per thousand. The graph below shows how the combined Village and PSF tax rate changes with changes in the levy.

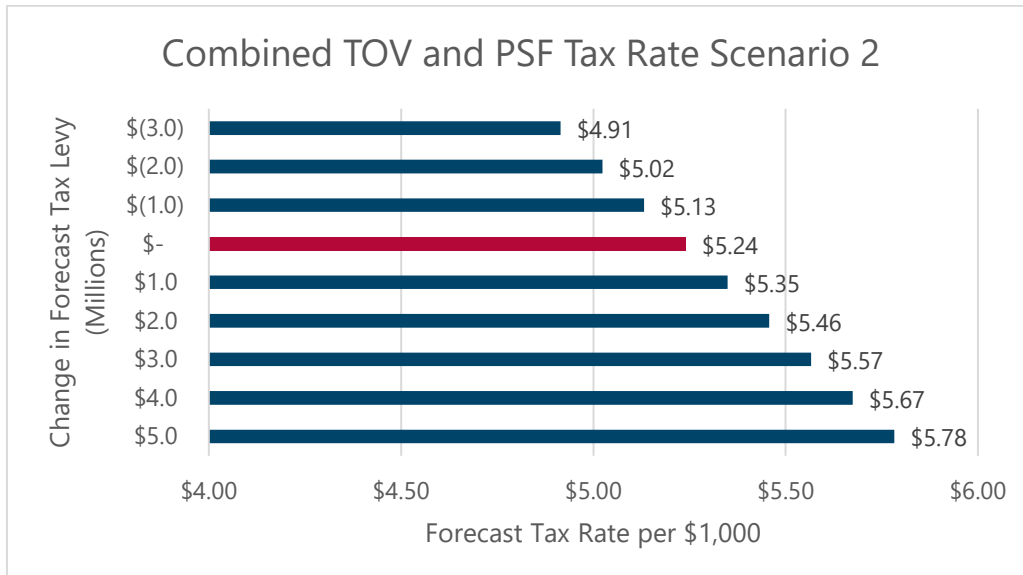


Greenburgh

Under Scenario 2, the Town is raising about \$23.5 million in taxes to support an operation of about \$63.8 million. The TOV tax rate is forecast to be \$2.548 per thousand. The unincorporated Town residents will also be in the Police Services Fund area and be charged \$2.692 for that leading to a total charge of \$5.240 per thousand for municipal services. As a Town, these costs do not include the fire department operations, which are in the \$3.62 to \$5.38 range for most properties.

	Greenburgh TOV		Tax Forecast for Home Valued at		
	Current	Post Incorporation Scenario 2	\$500,000	\$750,000	\$1,000,000
Townwide Tax	\$0.418	\$0.418	\$209	\$314	\$418
Town Outside Villages Tax	\$5.164	\$2.548	\$1,274	\$1,911	\$2,548
Police Services Fund	n/a	\$2.692	\$1,346	\$2,019	\$2,692
Fire District Tax (Fairview)	\$4.357	\$4.357	\$2,179	\$3,268	\$4,357
Refuse Disposal	\$0.310	\$0.310	\$155	\$233	\$310
Sewer Rate Avg.	\$0.520	\$0.520	\$260	\$390	\$520
Sewer Maintenance District	\$0.210	\$0.210	\$105	\$158	\$210
Town, Village, Fire Tax Total	\$10.979	\$11.056	\$5,528	\$8,292	\$11,056

A change in the property tax levy of \$1 million will lead to a change in the TOV tax rate of \$0.11 per thousand. The graph below shows how the combined Town and PSF tax rate would shift with changes in the levy.



If the Town chose not to reduce services as modeled in Scenario 2, it would need to raise about \$72 million (\$8 million more than the base in Scenario 2) in taxes which would increase the tax rate on TOV services about \$0.86 per thousand to \$3.408 per thousand. This would bring the combined TOV and PSF tax rate to \$6.100 per thousand, an 8.5% increase in the tax rate.

Scenario 3: Impact of OPEB and Liability Sharing

The foundation of Scenario 3 is Edgemont and Greenburgh establish service levels as laid out in Scenario 2 with Edgemont contracting with other providers and Greenburgh needing to reduce staff. However, in this model, Greenburgh is able to impose on Edgemont to pay for a portion of the ongoing costs for Other Post-Employment Benefits (OPEB), tax certiorari settlements and other litigation settlements.

The accrued OPEB liability for Greenburgh at the end of 2023 is estimated to be \$230 million. A quarter of the burden is associated with GPD and will continue to be paid as part of the ongoing costs of the Police Services Fund. The annual cost to the Town for OPEB is primarily for medical insurance for retirees, their spouses and survivors. The whole cost of that in 2023 was \$7.0 million. Excluding PSF, the costs are projected to be \$5.25 million. One quarter of that is \$1.3 million.

Tax Certiorari claims are settled by Greenburgh each year and the amount returned to tax payers varies significantly year to year. The Town Outside budget has \$1.2 million designated for these payments in 2024. The average actual payment for 2020 to 2022 was \$764,000. The Town budgeted \$2.0 million in 2021 and 2022 but only \$564,000 in 2020. Edgemont had received the benefit of the tax revenue when the funds were received and it is argued by

some that they should share in paying the refunds. A one quarter share of the 2024 budgeted amount is \$300,000.

The Town of Greenburgh, like most municipalities, is the subject of numerous ongoing lawsuits ranging from personal injury to wrongful imprisonment. The potential liability of these lawsuits is \$173 million in March 2024. The Town is likely to only pay a fraction of that potential liability and argues that Edgemont should be responsible for paying a share of that burden based on its taxable assessed value. Over the last three years, the Town has paid an average of \$1.8 million in Judgements and Claims under their Risk Retention budget. The modeled share for Edgemont is \$450,000 each year.

The tables below are based on Edgemont paying a total of \$2,050,000 annually for its estimated share of existing OPEB liabilities, Tax Certiorari claims and litigation payments based on its previous status as part of the Town Outside Villages.

Property Tax Impacts

The amount needed to be raised by property tax in both Greenburgh and Edgemont will vary depending on a variety of factors, but the largest one will be the final intermunicipal agreements and portfolio of services developed by the governing boards. Under Model 3, we use the same projection as Model 2 in that the two will not reach agreements for the services described above leading to Edgemont contracting for outside services, with the Town losing both revenue and service demand and a resulting decline in the size of some departments. However, we include that Greenburgh is able to compel Edgemont to pay a share of the annual OPEB expenses, tax certiorari settlements and litigation disbursements base on their TAV share of the Town Outside Village. These payments will be annual expense for Edgemont and revenue for Greenburgh.

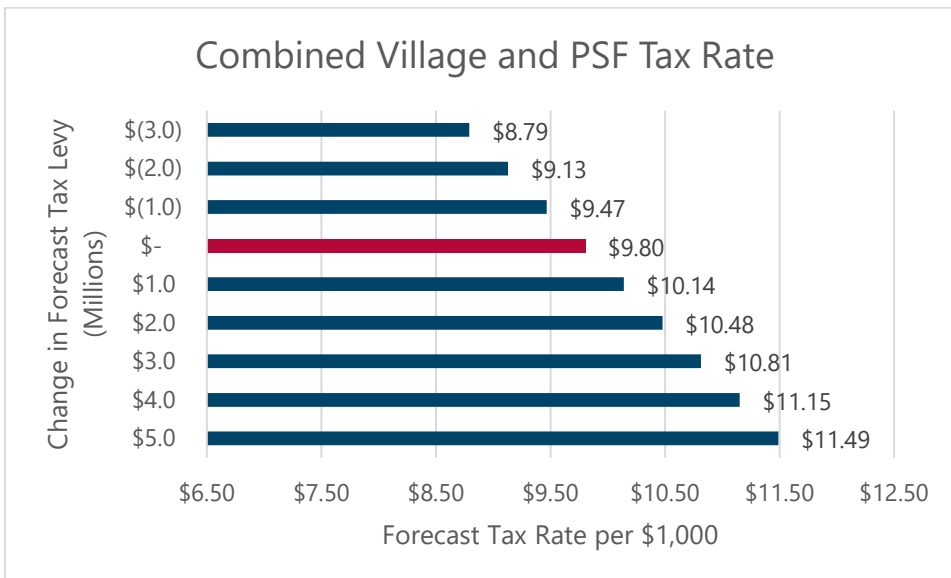
Edgemont

Under Scenario 3, the village is raising about \$21.1 million in taxes to support an operation of about \$25.8 million. The Village tax rate is forecast to be \$7.111 per thousand. The Village residents will also be in the Police Services Fund area and be charged \$2.692 for that leading to a net charge of \$9.803 per thousand for municipal services. As a Village, these costs do include the fire department operations. This represents a 10.0% increase over the current taxes for this area.

	Edgemont Village Area Property Tax		Tax Forecast for Home Valued at		
	Current	Post Incorporation Scenario 3	\$500,000	\$750,000	\$1,000,000
Townwide Tax	\$0.418	\$0.418	\$209	\$314	\$418
Town Outside Villages Tax	\$5.164	n/a	n/a	n/a	n/a

	Edgemont Village Area Property Tax		Tax Forecast for Home Valued at		
	Current	Post Incorporation Scenario 3	\$500,000	\$750,000	\$1,000,000
Police Services Fund	n/a	\$2.692	\$1,346	\$2,019	\$2,692
Village Tax	n/a	\$7.111	\$3,556	\$5,333	\$7,111
Fire District Tax (Greenville)	\$3.617	n/a	n/a	n/a	n/a
Refuse Disposal	\$0.310	\$0.310	\$155	\$233	\$310
Sewer Rate Avg.	\$0.520	\$0.520	\$260	\$390	\$520
Sewer Maintenance District	\$0.210	\$0.210	\$105	\$158	\$210
Town, Village, Fire Tax Total	\$10.239	\$11.262	\$5,631	\$8,446	\$11,262

There is the potential for substantial variability in the amount of property tax needed to fund the village operations. A change in the property tax levy of \$1 million would lead to a change in the Village tax rate of \$0.34 per thousand. The graph below shows how the combined Village and PSF tax rate changes with changes in the levy.

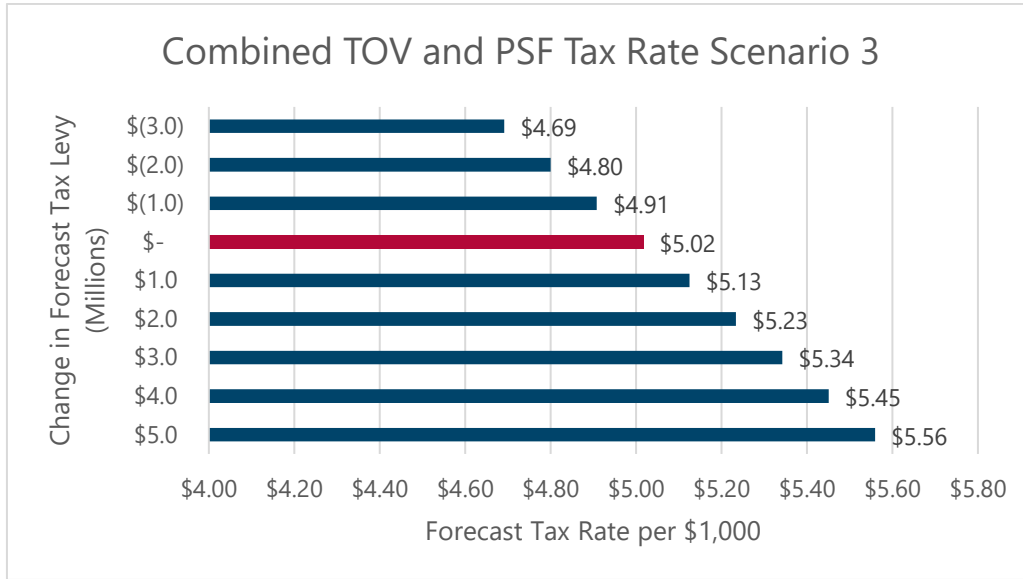


Greenburgh

Under Scenario 3, the Town is raising about \$21.4 million in taxes to support an operation of about \$63.8 million. The Town Outside Village tax rate is forecast to be \$2.325 per thousand, a decline of about 1.3% from the current rate. The unincorporated Town residents will also be in the Police Services Fund area and be charged \$2.692 for that leading to a net charge of \$5.017 per thousand for municipal services. As a Town, these costs do not include the fire department operations, which are in the \$3.62 to \$5.38 range for most properties.

	Greenburgh TOV		Tax Forecast for Home Valued at		
	Current	Post Incorporation Scenario 3	\$500,000	\$750,000	\$1,000,000
Townwide Tax	\$0.418	\$0.418	\$209	\$314	\$418
Town Outside Villages Tax	\$5.164	\$2.325	\$1,162	\$1,743	\$2,325
Police Services Fund	n/a	\$2.692	\$1,346	\$2,019	\$2,692
Fire District Tax (Fairview)	\$4.357	\$4.357	\$2,179	\$3,268	\$4,357
Refuse Disposal	\$0.310	\$0.310	\$155	\$233	\$310
Sewer Rate Avg.	\$0.520	\$0.520	\$260	\$390	\$520
Sewer Maintenance District	\$0.210	\$0.210	\$105	\$158	\$210
Town, Village, Fire Tax Total	\$10.979	\$10.832	\$5,416	\$8,124	\$10,832

A change in the property tax levy of \$1 million will lead to a change in the TOV tax rate of \$0.11 per thousand. The graph below shows how the combined Town and PSF tax rate would shift with changes in the levy.



Conclusion

We modeled three scenarios for Edgemont Village incorporation.

Scenario 1: The new Village contracts with the Town for highway, sanitation and library services, and the Town minimizes tax impact by reducing funding by 7% in other service areas. In this scenario, residential property taxes for municipal services in the Village increase about 2.7% and taxes in the unincorporated Town remain about level.

Scenario 2: The new Village contracts with other entities for services, and the Town reduces funding to highway, sanitation and library to make up for the revenue loss. In this scenario, residential property taxes for municipal services in the Village rise 5.0% and taxes in the unincorporated Town rise 0.7% when accompanied by significant (7% to 15%) cuts in most TOV departments. Without the cuts to departments, the TOV taxes would increase about 8.5%.

Scenario 3: In this scenario, we add to Scenario 2 a cost shift from the Town to the Village for a share of liabilities for litigation settlements, property tax refunds, and retiree benefits. Here, residential property taxes for municipal services in the Village rise about 10.0% and taxes in the unincorporated Town would decrease about 1.3% when accompanied by significant (7% to 15%) cuts in most TOV departments. Without the cuts to departments, the TOV taxes would increase about 6.5%.

The actual impacts could be different than our models for two main reasons: a Village board could make different decisions about how to structure services than what we modeled, and key issues affecting incorporation, including liabilities and special districts, do not appear settled from a legal perspective. These issues would need to be resolved either through negotiation, or if the two governments could not agree, through litigation.