



Evaluation of Potential Impact of Village Dissolution

An Analysis for the Village of South Nyack and the Town of Orangetown

November, 2020

Prepared for:

The Village of South Nyack and the State of New York Department of State

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Summary

In August of 2020, the Village of South Nyack was presented with a petition to request a referendum on the dissolution of the Village. The process of dissolving a village in New York takes many months and requires a formal plan to transition services. However, under a petition-driven dissolution vote, a village has a limited time window to hold the vote and does not have the time to develop a formal plan.

In an effort to inform the residents of the likely impacts, this report will explore how the existing services would likely be continued after dissolution, the impact of the service changes on finances, and other potential impacts. **This report is structured to give an approximation of the impacts to help voters make an informed decision. If the decision is made to dissolve, a formal plan will be made with involvement from citizens and government officials that will provide a more accurate picture of the various impacts.** Residents will have the chance to review that plan and would have the option to petition to stop it, should they view it to be detrimental.

Many services provided to the residents of South Nyack will remain unchanged regardless of the outcome of dissolution. For example, there will be no change in the school district, fire protection, emergency medical services, library, postal delivery, water, sewer or utilities. The area will still receive the Town, County and State services that it receives today. However, services that are provided primarily by the Village will change in how they are delivered, including: police, public works, justice court, planning, zoning, building inspection and administrative services. Also, the elected offices for the Village will no longer exist. The following sections discuss the current situation and a likely scenario for post dissolution. These scenarios were developed in consultation with relevant officials from both the Village and Town, although they might be adjusted as part of a formal dissolution plan.

The following is an overview of service impacts that would occur with dissolution. For additional detail on the bullet points below, review the full report.

- Elected Officials – Village positions eliminated, Town becomes closest level of government.
- Administration – Village positions are eliminated, Town would likely add two positions with an annual cost of \$93,500.
- Police – South Nyack Grandview Department would dissolve, Orangetown would provide the service. OPD would likely add 5 officers to cover the area at a cost of \$591,000.
- Public Works – Village DPW would be eliminated and most responsibilities would be picked up by Highway Department. Orangetown would add 3 positions. The estimated cost is \$331,000. Residents would need to contract on

their own for refuse removal under Orangetown's agreements at a cost of about \$360 per year.

- Building Inspections – Village positions would be eliminated and Town would likely add two positions to handle the increased workload. The cost is estimated at \$211,500 per year.
- Planning and Zoning – These Village boards would be disbanded and the Town would assume the responsibilities. The costs associated are covered above under Building. Village law remains in effect for two years or until modified by the Town.
- Legal Services – The Village costs associated with legal services would be eliminated, but the Town may need to add costs associated with this area particularly related to land use.
- Justice Court – The Village of South Nyack Justice Court would be dissolved, although the impact on the shared service with Grand View-on-Hudson is unclear at this time.

The Village is one of several entities that taxes properties in the Village. The others include the Nyack School District, Rockland County, the Town of Orangetown, Nyack Ambulance, and the Nyack Joint Fire District. The dissolution would only impact Village and Town taxes. The others which make up more than 75% of the tax bill would remain unchanged. It is forecast for a house with an assessment of \$200,000 and a market value of about \$480,000 would save \$1,440 annually in property taxes after dissolution. The actual savings could be impacted by the final dissolution plan and the use of additional state aid. The project website has a property tax calculator at www.cgr.org/southnyack. In addition to tax changes, Village residents will be responsible for contracting for their own refuse removal for about \$360 per year.

Village residents have several non-financial factors to consider in their decision about dissolution. Being a voter in a village offers a certain level of direct say in services and decisions made by the village government. As a Town voter, South Nyack residents would of course have a say in the future of Orangetown, too, but their role would be less direct than they may be accustomed to in the Village. In other words, a South Nyack voter would no longer be one of about 1,900 voters in a village, but one of about 38,000 in a town.

Under New York State's Village Law, unless provided otherwise in a dissolution plan, local laws in place today in South Nyack would remain in effect for two years following the dissolution of the Village, "as if same had been duly adopted by the town board and shall be enforced by the town within the limits of the dissolved village."¹ This includes Village zoning and subdivision rules; the two-year period would become effective on the date of actual dissolution.

¹ New York State Village Law, Section 19-1910.

Under Section 78 of Civil Service Law, candidates that have been appointed through civil service can have their positions transferred between municipalities. In this scenario, if the Town adds positions to provide a service specifically after dissolution, then Village employees covered by civil service would have the right to apply for transfer into those positions on a preferential basis. A plan for these position transitions would be developed as part of the dissolution planning process.

Village residents will vote on December 17th to dissolve or keep their Village government. If the decision is to dissolve, the Village Board will need to create a dissolution plan that will describe the actions that will be undertaken to dissolve the Village and provide service to the residents after dissolution. Village residents will have an opportunity to engage in the development of the dissolution plan. The plan must be adopted by the Village Board within 180 days of the dissolution vote. After it is adopted, the plan is presented to the public and is subject to both revision and a referendum. The time between a vote for dissolution and the actual dissolution varies depending on the process but is usually more than a year. There are state grants available to defray costs specifically related to dissolution.

Acknowledgements

During the course of the project, CGR interacted with many members of the governments of South Nyack and Orangetown. The list below are village and town officials who had extensive conversations with our project staff.

Village of South Nyack

Bonnie Christian, Mayor
Jill Schwarz, Clerk
Sokuna Mam, Deputy Clerk
Maryann Baietti, Treasurer
Scott Fine, Building Inspector
Daniel Wilson, Police Chief
James Johnson, Superintendent of Public Works
Lawrence Lynn, Police Board (Mayor of Grandview)
James Birnbaum, Village Attorney
Robert S. Knoebel, Jr, Village Attorney for Planning and Zoning
Jerry Ilowite, Planning Board Chairman
Roger Seiler, Zoning Board of Appeals Chairman

Town of Orangetown

Teresa Kenny, Supervisor
Donald Butterworth, Police Chief
Rosanna Sfraga, Town Clerk
Jeff Bencik, Finance Director
Jim Dean, Highway Superintendent
Jane Slavin, Director of Building, Zoning, Planning, Administration and Enforcement
Brian Kenney, Tax Assessor

Staff Team

Paul Bishop and David Riley conducted the interviews and created this report. The project website was developed and maintained by Katherine Bell. Michael Silva assisted with data analysis, report preparation and development of the website.

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Introduction

In August of 2020, the Village of South Nyack was presented with a petition to request a referendum on the dissolution of the village. The Village engaged CGR to develop an impact report to inform the residents of the potential changes that would likely occur if the village were to dissolve. The process of dissolving a village in New York takes many months and requires a formal plan to transition services. However, under a petition-driven dissolution vote, a village has a limited time window to hold the vote and does not have the time to develop a formal plan.

In an effort to inform the residents of the likely impacts, this report will explore how the existing services would likely be continued after dissolution, the impact of the service changes on finances, and other potential impacts. **This report is structured to give an approximation of the impacts to help voters make an informed decision. If the decision is made to dissolve, a formal plan will be made with involvement from citizens and government officials that will provide a more accurate picture of the various impacts.** Residents will have the chance to review that plan and would have the option to petition to stop it, should they view it to be detrimental.

Impact on Services

Many services provided to the residents of South Nyack will remain unchanged regardless of the outcome of dissolution. For example, there will be no change in the school district, fire protection, emergency medical services, library, postal delivery, water, sewer or utilities. The area will still receive the Town, County and State services that it receives today. However, services that are provided primarily by the village will change in how they are delivered, including: police, public works, justice court, planning, zoning, building inspection and administrative services. Also, the elected offices for the Village will no longer exist. The following sections discuss the current situation and a likely scenario for post dissolution. These scenarios were developed in consultation with relevant officials from both the Village and Town, although they might be adjusted as part of a formal dissolution plan.

Elected Officials

Dissolution of the Village would result in the transition of all elected leadership responsibilities to the Town of Orangetown. The position of Mayor and the Board of Trustees would be eliminated, and residents of the former Village would be represented by the Town Supervisor and Town Board.

Costs associated with these functions were minimal in the Village's 2020-21 budget: the Board of Trustees represents \$17,000 in personal services costs, and the Mayor's Office \$11,300 in personal services costs and contractual expenses.

Administration (Clerk and Treasurer)

The Clerk and Treasurer positions would be eliminated and key functions would be managed by the Town Clerk's Office and Finance Department, respectively. The Village currently has a Clerk, Deputy Clerk and Treasurer. The Clerk's Office fulfills a wide variety of functions in South Nyack, including its role as a central hub for fielding and directing phone calls and inquiries from residents who need to do business with the Village. Staff are responsible for collecting taxes, managing accounts receivable, keeping death and birth records, and processing applications for various types of Village permits, among other responsibilities. The Treasurer assists with accounting, accounts payable and overseeing retirement benefits, among other things. The Deputy Clerk position also has responsibilities for the Building department, but all of her costs are contained in the Clerk's budget.

In 2020-21, these two offices represented about \$202,400 in both personal services costs and contractual expenses, not including benefits. All benefits for village employees are contained in a pooled line.

It is likely that as the Town absorbs additional administrative duties associated with these offices, it may need to add a position to either its Clerk's or Finance office. CGR's model for potential dissolution impacts assumes the addition of a full-time Secretary Assistant II position to the Finance Department at an annual cost of about \$93,500, including both salary and the estimated cost of fringe benefits. This cost would be assigned to the General Fund.

Police

As in many municipalities, the Police Department represents one of the largest cost centers in Village government, at \$1.6 million in 2020-21. It includes six full-time officers and 10 part-time officers. The Department serves both South Nyack and the Village of Grand-View-on-Hudson, and is overseen by an administrative board with representation from both villages and authority to appoint patrol officers and the chief of police. The six full time officers includes a chief and a sergeant. There is typically one officer on duty patrolling the Village, but during the day the chief and sergeant are available and during other busy times, additional staff will be scheduled. There is not a formal investigative unit, but several of the officers have investigative training and some of the part time officers have retired from positions that included investigative responsibilities.

The Police Department has an agreement with the Patrolmen's Benevolent Association running through May 31, 2024 and a letter outlining the terms and conditions of employment with the current police chief that also end on May 31, 2024. Neither agreement addresses the prospect of dissolution of the Village or joint Police Department.

The Police Department is technically a separate legal entity from either Village. The local law forming the Police Department contains a clause that indicates either village can initiate the dissolution of the joint department. While a legal opinion would be advisable, a layperson's interpretation is that by choosing to dissolve the Village of South Nyack, the voters are also choosing to dissolve the joint Police Department as specified in the local law forming the Department.

Dissolution would not eliminate the need for continued law enforcement services in South Nyack, which is relatively densely populated, especially in comparison to the surrounding Town. The former Village would be integrated into the operations of the Town for policing, including patrol, investigations, crime prevention and supervision.

CGR projects a need for the Town of Orangetown to add five full-time officers at an estimated annual cost of about \$591,000, which includes both salaries and fringe benefits. This estimated cost includes a mix of entry-level and more experienced officers. This cost would be assigned to the Town's B (Town Outside Village) Fund. This change would be needed to provide a single officer dedicated to patrol the former Village. While this patrol service would be similar to what is received now, the Village would receive service from a larger department that is headquartered several miles away. The larger department does have additional resources available, but being a part of the town wide service might change the service delivery characteristics, such as the officers assigned to the area, the frequency of them being pulled to other parts of the town, and the availability of specialty services.

The Department's fleet is in overall good condition and the Town may be able to make use of a portion of Village vehicles in the scenario of a dissolution.

Public Works

The Village Department of Public Works provides a variety of services to residents, including street paving and maintenance; seasonal brush and leaf pickup; ad-hoc large item pick up, park maintenance, twice annual electronic waste collection events; and snow plowing, among other functions. Highway-related costs represent about \$787,100 in the Village's 2020-21 budget, plus about \$37,500 for road salt and for snow removal equipment.

The Village has a contract with a private hauler for trash and recycling services. The contract is paid by the Village and residents pay for this service through their Village tax bill.

Under dissolution, South Nyack residents would have to pay for trash and recycling services directly, rather than as part of their property tax bills. Under the current bid, this is a cost of about \$30 per month. The basic services such as street maintenance and plowing would be absorbed by the Town of Orangetown Highway Department. The Village residents would fall under the existing rotation used by the Town to gather residential brush and leaf pickup in the former Village. Residents would need to participate in the Town's program for electronic waste and work with their refuse hauler for bulk items.

CGR assumes a need to add three drivers or motor equipment operators (MEOs) at an annual cost of \$331,000, including both salaries and estimated fringe benefits. This cost would be assigned to the Town's D (Highway-Town Outside Village) Fund. The Town would also get additional funding from the state's Consolidated Local Street and Highway Improvement Program (CHIPs) program for the streets in South Nyack.

The Town would assume the ownership and operation of the Village's streetlights in much the same way as other Town Outside Village streetlights are handled. Both the Town and Village are transitioning their ownership and operation of streetlights, making modelling of future expenses difficult.

Building Inspection

The Village has a Building Department with a full-time Building Inspector as well as a part-time Assistant Inspector to enforce requirements for building permits and code enforcement, among other responsibilities. The Assistant Village Clerk also provides administrative support. The Department's budget was \$70,600 in the 2020-21 Village budget, although the Assistant Clerk's expenses are in the Clerk area.

Anecdotally, Town building and planning staff is already busy reviewing development activity. CGR assumed the need to add an Assistant Inspector and a Secretary Assistant II position to the Town's Office of Building, Zoning, Planning, Administration and Enforcement. These positions would be expected to both manage ongoing inspection responsibilities in the former Village and support to both the Town office and its Planning Board and Zoning Board of Appeals as they manage applications and review projects in the former Village. The combined two positions would cost an estimated \$211,500 per year, including both salaries and fringe benefits.

Planning and Zoning

The Village has a Planning Board and a Zoning Board of Appeals that receive limited staff support from a shared part-time secretary and an attorney. Both boards have five members and two alternates appointed by the Mayor, subject to approval by the Board of Trustees. The Planning Board is responsible for reviewing applications for site plans and subdivision of land, and is empowered to prepare a Master Plan, recommend updates to the Village Zoning Code, and make investigations and recommendations related to planning and development. The Zoning Board of Appeals primarily reviews applications for variances from the terms of the Village Zoning Code. The Village Board of Trustees is ultimately responsible for enacting or amending land use laws or regulations.

The Planning Board meets monthly and typically reviews 2 to 4 projects per month – most for modest modifications to existing residential properties. The Zoning Board of Appeals typically has one case about every other month, per its chairman. Many parcels in the Village have non-conformities under the Zoning Code, and as such, many project reviewed by the Planning Board also require review by the Zoning Board of Appeals.

Combined, the boards were budgeted at about \$20,300 in the 2020-21 Village budget. This cost would be eliminated under dissolution. As noted above, we assume that an Assistant Secretary II position added to the Town Office of Building, Zoning, Planning, Administration and Enforcement would at least partially support the Orangetown Planning Board and Zoning Board of Appeals in managing projects in the former Village of South Nyack.

The Town also may wish to consider appointing members of the Village Planning and Zoning boards as alternates to the parallel Town boards, if openings are available, to assist with reviews of projects in South Nyack, particularly during a post-dissolution period in which Village laws and regulations would remain in effect.

Legal Services

The Village engages an attorney for general legal services and an attorney to support the activities of Planning and Zoning Boards. The current costs for the Village Attorney are \$15,000 annually and the attorney for the Planning and Zoning Boards bills hourly for about \$15,000 a year. There are also costs associated with issuance of bonds and special land use concerns such as the sale of Nyack College. After dissolution, the Town may need to increase their legal costs for the additional work but a reasonable estimate could not be developed for this report.

Justice Court

The Village Justice Court is shared by South Nyack and Grand View-on-Hudson. It has an elected Justice, a Court Clerk, and a part-time deputy clerk and prosecutor, per the Village budget. Along with contractual expenses largely related to parking, the Justice Court is budgeted at \$118,333 in 2020-21. The South Nyack portion of the court would be eliminated if the Village were dissolved. The impact of the dissolution on Orangetown and Grand View would need to be further explored as part of the dissolution plan.

Impact on Finances

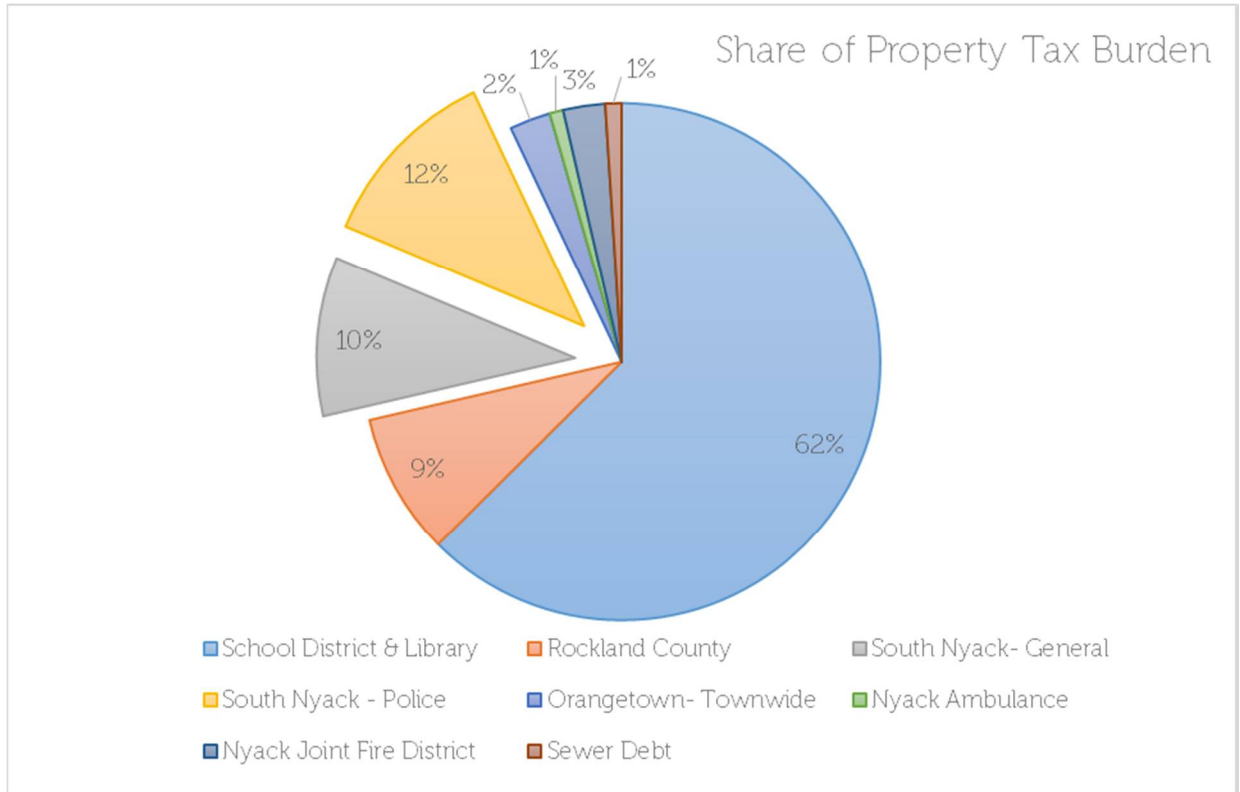
The impact on property taxes is a factor that is considered by most residents when deciding on dissolution. The Village is one of several entities that taxes properties in the Village. The others include the Nyack School District, Rockland County, the Town of Orangetown, Nyack Ambulance, and the Nyack Joint Fire District. In order to estimate the impact on property taxes, we model the changes of the dissolution on the most recent year of the budget as if the dissolution had occurred in that year. Therefore, all the changes that are discussed are based on the Town's 2020 budget and the Village's 2020-21 budget. These budgets are based on the tax assessment rolls from 2019.

Existing Tax Impact

The total tax burden on a homestead² property in the Village of South Nyack is about \$82.00 per assessed thousand dollars³. The largest share, 62% goes to the school and library districts. The Village is responsible for the next largest share at about 22%. The county is 9% and town about 2%. The remainder goes for fire, sewer debt and EMS. Non-homestead properties pay more to the School and Town, but their Village and special district rates remain the same. In the Village, there are 654 homestead properties with an assessment of about \$137 million and 103 non-homestead properties with an assessment of about \$25.6 million.

² A homestead is defined under New York Real Property Law Article 19 as "all separately assessed real property parcels or parts thereof used as one-, two-, or three-family residential dwellings, including so much of the abutting land as is reasonably necessary for residential purposes," For further explanation, visit this website: https://www.tax.ny.gov/research/property/equal/assessrpt/b_define.htm

³ See Appendix for explanation of assessments and equalization.



The table below gives additional details and includes the rates for properties outside of the villages in Orangetown. These properties pay for police, highway and some general town services. After dissolution, properties in South Nyack would be subject to these charges. The Town has assessed all its properties at an estimated 43% of the full market value of the home. For example, a home with a market value of \$500,000 is assessed at about \$210,000.

Table 1. Current (2020) Property Tax Regime

Tax Bill Rate Per Thousand (unless noted)	Homestead	Non-Homestead
School District & Library	\$51.285	\$67.955
Rockland County	\$7.250	\$7.250
South Nyack- General	\$8.135	\$8.135
South Nyack - Police	\$9.547	\$9.547
Orangetown- Town wide	\$2.098	\$3.421
Nyack Ambulance	\$0.697	\$0.697
Nyack Joint Fire District	\$2.147	\$2.147
Sewer Debt	\$0.831	\$0.831
Sewer OPS (unit)	\$264.810	\$264.810
R C Transfer (unit)	\$19.740	\$19.740
Orangetown- TOV Police	\$7.244	\$10.538
Orangetown- TOV Other	\$0.575	\$0.899
Orangetown- TOV Highway	\$1.7836	\$2.792
Total Local Services (excludes School & Library)	\$30.705	\$32.028
Total – Including School & Library	\$81.990	\$99.983

Forecast on Tax Rates

In an effort to forecast tax rates in a post dissolution scenario, we model changes to the Orangetown budget consistent with the additions in staffing that would be necessary for the Town to provide the expanded services. The Town provided estimates for the costs of the additional positions. With the impacts to services described above, the Town would need to add about \$1.3 million in additional expenses for additional police officers, building personnel, highway staff and administrative support. Those costs would be shared with every property in the Town Outside Villages, not just the former South Nyack. The Assessed Value of the Town Outside Villages would also increase by the value of the former village.

The result of these changes is the tax rates for the areas outside of the villages in Orangetown would decline a small amount. A property in South Nyack would no longer need to pay the \$17.68 per thousand in Village tax, but they would need to pay TOV taxes for Police, Highway and Other Services. Those newly levied taxes are estimated at \$9.40 per thousand for homestead properties. The total local services tax rate for a property in South Nyack would be \$22.42 for homestead and \$28.45 for non-homestead.

Debt

In the 2020 Budget, the Village set aside \$359,856 to pay for its debt. However, that included a new bond issue for property acquisition that was put on hold as a result of the dissolution process. The actual debt service obligation is about \$175,000 through 2024 and then it drops to \$85,000 for five more years. The total outstanding debt is \$975,000. Under General Municipal Law, the debt of the Village would stay with those properties until it is retired. Therefore, the Town would create a district for this purpose. We estimate that for the next several years, the cost of servicing the debt would be about \$1.10 per thousand. That would drop in half in 2025.

Citizen's Empowerment Tax Credit

As part of State Finance Law Chapter 54, a town where a village dissolves will receive additional aid to municipalities (AIM) after dissolution and in subsequent years. The Citizen's Empowerment Tax Credit (CETC) is equal to 15 percent of the combined tax levies of the Town and Village general funds in the year before dissolution. There is a \$1 million limit to the additional aid. Under existing law, it would continue perpetually to benefit the Town of Orangetown if the Village chose to dissolve. If the Village dissolves in 2021, the town could expect to receive the CETC aid in 2022. The CETC is estimated at the maximum of \$1 million, or 35 percent of the village's whole tax levy. This has not been included in any of the tax rate calculations. If this was received by the Town, 70 percent would need to be used to reduce taxes. The CETC is a considered an enhancement to Orangetown's state aid and is perpetual.

Tax Bill Changes

The tax rate for local services (Town, Village, County and public safety) for a South Nyack property would drop from \$30.70 per thousand to about \$23.50 for a homestead property, a savings of about 23% on those services. For non-homestead properties, the rate would drop from about \$32.03 to about \$29.52.

Table 2. Tax Bill Changes

Rate Per Thousand (unless noted)	Current Homestead	Current Non-Homestead	Hypothetical Post Dissolution Homestead	Hypothetical Post Dissolution Non Homestead
School District & Library (excluded from local services calculation)	\$51.29	\$67.95	\$51.29	\$67.95
Rockland County	\$7.25	\$7.25	\$7.25	\$7.25
South Nyack- General	\$8.14	\$8.14	\$0.00	\$0.00
South Nyack - Police	\$9.55	\$9.55	\$0.00	\$0.00
Orangetown- Townwide	\$2.10	\$3.42	\$2.10	\$3.42
Nyack Ambulance	\$0.70	\$0.70	\$0.70	\$0.70
Nyack Joint Fire District	\$2.15	\$2.15	\$2.15	\$2.15
Sewer Debt	\$0.83	\$0.83	\$0.83	\$0.83
Sewer OPS (unit)	\$264.81	\$264.81	\$264.81	\$264.81
R C Transfer (unit)	\$19.74	\$19.74	\$19.74	\$19.74
Orangetown- TOV Police	\$7.24	\$10.39	\$7.00	\$10.30
Orangetown- TOV Other	\$0.57	\$0.89	\$0.60	\$1.00
Orangetown- TOV Highway	\$1.78	\$2.75	\$1.80	\$2.80
Village Debt	\$0.00	\$0.00	\$1.08	\$1.08
Local Services for Village	\$30.70	\$32.03	\$23.50	\$29.52
Total Property Taxes including Schools & Library	\$81.99	\$99.98	\$74.79	\$97.48
Shaded cells have a change during dissolution for Village properties.				

This would result in a projected property tax reduction for every property owner in South Nyack. This would be an annual savings of about \$1,440 for a home assessed at \$200,000 (approximate \$480,000 market value). For a non-homestead property at \$200,000, the reduction would be about \$500. To estimate the impact on a specific property, please visit the project website (www.cgr.org/southnyack) and look for the Property Tax Estimator. The actual savings could be impacted by the final dissolution plan and the use of additional state aid (CETC).

Other Revenues

The Village collects the Utilities Gross Receipts Tax (UGT) which is equal to 2% of the gross operating income for regulated utilities that are provided in the village. This brings in about \$24,000 annually to the Village. This revenue would not transfer to the Town because it is not eligible to collect it.

The Village collects franchise fees on cable service providers in the Village. The Town collects a similar fee and would receive the revenue upon the dissolution of the village.

Rockland County distributes sales tax to each municipality based on population. After dissolution, the Town would receive the share for South Nyack which was budgeted at about \$45,000 in 2020. The actual amount received in 2019 was \$79,256.

The Town's aid from the State will increase upon dissolution based on the increase of population for the Town Outside Village area.

Transfer of Assets

At the dissolution of the Village, all real and personal property owned by the Village would transfer to the Town. Key items on that list include the Village Hall, the Department of Public Works building, Franklin Street Park, the fire station at 90 Depot Place, the streetlights, all DPW equipment and all Police equipment. However, the Village could, as part of their dissolution plan, choose to sell off their assets to retire any outstanding debts or transfer to other appropriate organizations such as the Nyack Joint Fire District. This would typically be done in coordination with the Town to ensure that appropriate assets are kept to ensure service to the Village.

Other Impacts

Representation and Enfranchisement

Village residents have several non-financial factors to consider in their decision about dissolution. Being a voter in a village offers a certain level of direct say in services and decisions made by the village government. As a Town voter, South Nyack residents would of course have a say in the future of Orangetown, too, but their role would be less direct than they may be accustomed to in the Village. In other words, a South Nyack voter would no longer be one of about 1,900 voters in a village, but one of about 38,000 in a town. South Nyack residents would be represented by elected officials who would consider the best interests of the former Village along with other areas of the community, and Orangetown as a whole. Appointed boards, including the town's Planning Board and Zoning Board of Appeals, would similarly consider development projects and their impacts on a larger scale than their parallel boards at the Village level. That said, South Nyack residents are free to run for elected office or

seek appointments to boards in the Town of Orangetown today, and they would be free to do so in the future if they choose to dissolve the Village, too.

Becoming residents of a Town only also would likely have non-financial effects on services delivered to South Nyack residents. For example, some Village residents may be accustomed today to knowing Village employees on a personal level and expect services to be delivered in a certain way or at a specific level. Town services appear to be of high quality, but some would certainly be delivered differently, and generally by a larger workforce responsible to a larger community. For example, South Nyack residents might still have the opportunity to get to know Town police officers who would be assigned to patrol the former Village, but those officers might sometimes be responsible for answering calls in other parts of the Town.

Local Laws

Under New York State's Village Law, unless provided otherwise in a dissolution plan, local laws in place today in South Nyack would remain in effect for two years following the dissolution of the Village, "as if same had been duly adopted by the town board and shall be enforced by the town within the limits of the dissolved village."⁴ This includes Village zoning and subdivision rules; the two-year period would become effective on the date of actual dissolution. That said, the town would have the power at any time "to amend or repeal such local laws, ordinances, rules or regulations in the manner as other local laws, ordinances, rules or regulations of the town."

This provision makes clear that if voters choose to dissolve the Village, it would be in both parties' best interest to fully explore and address potential conflicts or areas of confusion in advance of dissolution. We have not endeavored to explore all of these areas in this report, but offer zoning as one example of an area that would deserve deeper attention in a dissolution scenario.

South Nyack's zoning code has not been comprehensively updated since 2005, and by several accounts, it is due for updates. The Village also has not adopted a new Comprehensive Plan since the late 1960s. Meanwhile, the Town is seeking to develop a new Comprehensive Plan of its own. If Village voters were to vote to dissolve, the Town would need to consider whether and how to incorporate South Nyack into its ongoing planning efforts, as well as how to address any differences or areas of concern in zoning before dissolution takes effect. For example, the Village Code allows the Village Planning Board an opportunity to offer its opinion on matters before the Village Zoning Board of Appeals, but no such provision appears to exist at the Town level. Working out differences such as this one may help Orangetown to avoid logistical or procedural headaches in the future if the Village were to dissolve.

⁴ New York State Village Law, Section 19-1910.

Post-Employment Benefits

The Village maintains health benefits for a dozen former employees as part of long standing practice for general village employees (3 retirees and 1 survivor) and as part of contractual obligations for the retired police officers (8 retirees). In calendar year 2020, the Village will spend about \$210,000 on these benefits. Dissolution law does not obligate the Town to continue these benefits after dissolution. There are three potential paths. The benefits could stop when the Village dissolves. The Town could continue to provide the benefits, as they currently do for their retired employees and levy the cost on the former Village. Or the Village could make a lump sum payment to the individuals as part of a dissolution plan. The Village would need to work with the Town as part of a dissolution plan to formalize this process.

Transfer of Positions

Under Section 78 of Civil Service Law, candidates that have been appointed through civil service can have their positions transferred between municipalities. In this scenario, if the Town adds positions to provide a service specifically after dissolution, then Village employees covered by civil service would have the right to apply for transfer into those positions on a preferential basis. A plan for these position transitions would be developed as part of the dissolution planning process.

Undetermined Impacts

This report focused on the most visible services provided to the residents of South Nyack by their village government. As part of a formal dissolution plan, the Village Board would need to address all services they provide and have a plan for continuation. Examples that were not explored in this report include vital records, park maintenance, sidewalks, and parking.

Dissolution Process

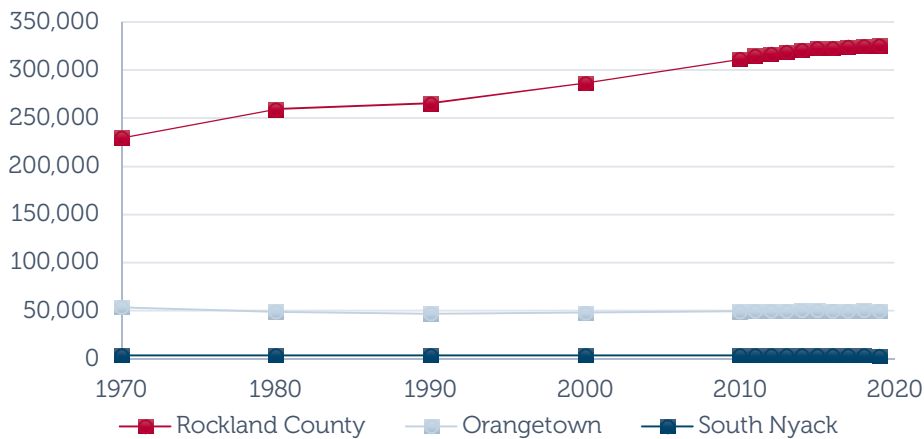
Village residents will vote on December 17th to dissolve or keep their village government. If the decision is to dissolve, the Village Board will need to create a dissolution plan that will describe the actions that will be undertaken to dissolve the village and provide service to the residents after dissolution. Village residents will have an opportunity to engage in the development of the dissolution plan. The plan must be adopted by the Village Board within 180 days of the dissolution vote. After it is adopted, the plan is presented to the public and is subject to both revision and a referendum. The time between a vote for dissolution and the actual dissolution varies depending on the process but is usually more than a year. There are state grants available to defray costs specifically related to dissolution.

Demographics

Population Trend

While the population of Rockland County has grown over the last 50 years, the population of Orangetown and South Nyack are largely unchanged. Recent population estimates produced by the U.S. Census Bureau indicate that the population in Orangetown and South Nyack might be decreasing from 2010 levels.

Total Population



Source: U.S. Census Bureau, Decennial Census and Population Estimates

Table 3. Total Population, 2010-2019 (estimated)

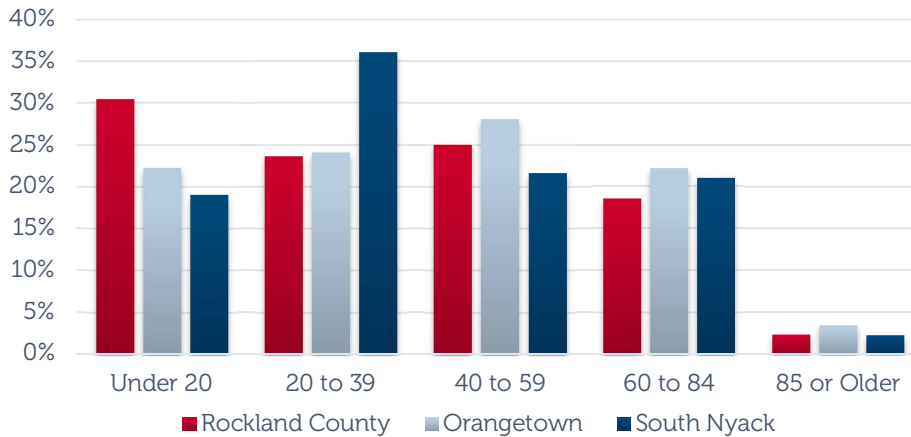
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Rockland	311,687	315,452	317,196	319,284	321,119	322,919	323,258	324,622	325,522	325,789
Orangetown	49,212	49,705	49,759	49,901	50,062	50,044	49,841	49,906	49,937	49,833
South Nyack	3,510	3,560	3,575	3,558	3,523	3,431	3,425	3,430	3,326	3,316

Age Distribution

The South Nyack population appears to be significantly younger than the Town of Orangetown and Rockland County. This is due to the fact that the Census figures for the Village still include the residents of Nyack College and the closure of the campus is not reflected in these figures. Even with this bias in the data, the share that is 60 or older in South Nyack is up from where it was in 2000 by 9%, indicating that the population has been “graying,” like most of New York State. South Nyack has been

graying faster than Orangetown or Rockland County, which has experienced only a 5% increase in their 60+ population.

Age Distribution



Source: U.S. Census Bureau, American Community Survey (2018)

Income Distribution

More than half of the households in South Nyack have a six-figure income. This is also true in Orangetown, however recent estimates of median household income indicate that Orangetown residents (median household income of \$105,000) are slightly better off than those of South Nyack (median household income of \$101,000).

Table 4. Percent of Household by Income Class (in thousands)

	< \$10	\$10- \$14.9	\$15- \$24.9	\$25- \$34.9	\$35- \$49.9	\$50- \$74.9	\$75- \$99.9	\$100- \$149.9	\$150- \$199.9	\$200+
Rockland	3.6	3.2	7.3	6.4	8.9	13	11	18	12	16
Orangetown	2.5	2.1	6.2	4.6	7.3	14	12	17	13	22
South Nyack	0.8	3.6	3.5	6.0	13	15	7.4	16	10	24

Racial and Ethnic Make-Up

South Nyack is a more diverse community than Orangetown or Rockland as a whole. While 65% of the residents are white, this share is smaller than Orangetown, which is 81% white and Rockland which is 71% white.

Table 5. Share of the Population by Race/Ethnicity

	Asian	Black or African American	Hispanic	White
Rockland County	6%	12%	17%	71%
Orangetown	7%	7%	11%	81%
South Nyack	4%	22%	12%	65%

South Nyack has been becoming more diverse. The number of white residents has decreased by 8% from their levels in 2000. This is in sharp contrast to Orangetown and Rockland County. They both posted an increase in the number of white residents by 1% and 4% respectively. The Hispanic population is the fastest growing non-white group. The Census counts Hispanic as an ethnic group, not a race, and therefore totals in the table above exceed 100%.

Appendices

Taxable Assessed Values and Equalization Explanation

Adapted from New York Department of Taxation and Finance webpage

(<https://www.tax.ny.gov/pit/property/learn/asmts.htm>)

Your property's assessment is one of the factors used by your local governments and school district to determine the amount of your property taxes. All real property, commonly known as real estate, is assessed. Real property is defined as land and any permanent structures attached to it.

Examples of real property:

- Houses
- Office buildings
- Farms
- Factories

Personal property (cars, jewelry, etc.) is not subject to property taxes in New York State.

Assessments and market value

A property's assessment is based on its market value. Market value is how much a property would sell for under normal conditions.

Assessments are determined by the assessor, a local official who estimates the value of all real property in a community. Most assessors work for a city or town, though some are employed by a county or village. Orangetown does all the assessments in the Town.

All properties in your municipality are required to be assessed at a uniform percentage of market value each year. In other words, all taxable properties in Orangetown must be assessed at market value or at the same percentage of market value.

For example, if the market value of your home is \$200,000, and assessments in your community are at 30 percent of market value, your assessment should be \$60,000. In Orangetown, properties are at about 43 percent of market value.

In communities assessing property at 100 percent of market value, your assessment should equal roughly the price for which you could sell your property. In communities

assessing at a percentage of market value, the estimated market value of each property is listed on the tentative assessment roll.

Check your assessment annually

You should check your assessment on the tentative assessment roll each year. (In most communities, the tentative roll is made public on May 1, but you should check with your assessor for the specific date for your community.)

If your assessment or the estimated market value for your property is higher than the price for which you can sell your home, you should discuss it with your assessor.