

# Village of South Nyack, New York

## Dissolution Plan Development



PHOTO COURTESY OF MYSOJOURNERPHOTOGRAPHY.COM

**PUBLIC MEETING – MARCH 4, 2021**



# LABERGE GROUP INTRODUCTIONS

## MUNICIPAL SOLUTIONS EXPERTS



**BEN H. SYDEN, AICP**  
VICE PRESIDENT



**KATHLEEN A. ROONEY**  
LOCAL GOVERNMENT  
SPECIALIST



**NICOLE T. ALLEN, AICP**  
PLANNING SERVICES  
MANAGER



**DAVID P. GILMOUR,**  
**AICP**  
SENIOR PLANNER

# EXTENSIVE DISSOLUTION EXPERIENCE



Well versed in the development AND implementation of dissolution plans.

- Former Village of Mastic Beach / Town of Brookhaven, Suffolk County, NY
- Former Village of Port Henry / Town of Moriah, Essex County, NY
- Former Village of Salem / Town of Salem, Washington County, NY
- Former Village of Van Etten / Town of Van Etten, Chemung County, NY (implementation only)

The State's **MOST** experienced team in dissolution implementations.



# VILLAGE DISSOLUTION PROCESS

---

## HOW WE GOT HERE – A SUMMARY REVIEW

- **AUGUST 14, 2020:**  
The electorate of the Village of South Nyack submitted a petition calling for the Dissolution of the Village.
- **AUGUST 24, 2020:**  
The petition was certified as valid by the Village Clerk. This initiated a process mandated in Article 17-A of New York State General Municipal Law, including setting a date for a public referendum on whether or not to dissolve.
- **NOVEMBER 24, 2020:**  
A Dissolution Impact Report was published to inform the public about the potential impact of dissolution to assist voters in making an informed decision when voting in the referendum.
- **DECEMBER 17, 2020:**  
The electorate of the Village of South Nyack voted for dissolution in a public referendum. The vote was 508 to 292.
- This initiated the next steps in the process mandated in Article 17-A, including the requirement that the Village develop a formal Dissolution Plan.

# DISSOLUTION PROCESS

---

## WHERE WE ARE NOW – EARLY IN THE PROCESS

- **NEXT STEP IN THE PROCESS MANDATED BY GENERAL MUNICIPAL LAW:**
  - The Village of South Nyack must – BY LAW – develop a formal Dissolution Plan
  - This Plan must address 12 components at a minimum:
    1. The name of the municipality to be dissolved;
    2. The territorial boundaries of the municipality;
    3. The type and/or class of the municipality;
    4. A fiscal estimate of the cost of dissolution;
    5. A plan for the transfer or elimination of public employees;
    6. The municipality's assets, including but not limited to real and personal property, and the fair value thereof in current money of the United States;
    7. The municipality's liabilities and indebtedness, bonded and otherwise, and the fair value;
    8. The manner and means by which the residents of the municipality will continue to be furnished municipal services following the entity's dissolution;
    9. Terms for the disposition of the municipality's assets and the disposition of its liabilities and indebtedness, including the levy and collection of the necessary taxes and assessments;
    10. Findings as to whether any local laws, ordinances, rules or regulations of the municipality shall remain in effect after the effective date of the dissolution or shall remain in effect for a period of time;
    11. The effective date of the proposed dissolution;
    12. The time and place or places for a public hearing or hearings on the proposed dissolution plan.

# DISSOLUTION PROCESS

---

## WHERE WE ARE NOW – EARLY IN THE PROCESS

### CURRENT PROCESS GOES ABOVE AND BEYOND MINIMUM REQUIREMENTS TO:

- Establish optimal buy-in from the Town through collaborative planning and consensus-building (The Town of Orangetown is not bound to abide by the plan – more detail later).
- Foster a smooth transition through implementation planning with Town and Village leadership and department members – **can't just flip a switch.**
- Collaboratively develop solutions to:
  - Establish a plan for the effective continuity of services
  - Identify staffing needs and, if possible, the process of transferring and/or hiring current Village staff
  - Determine disposition of Village facilities, equipment, land, and supplies
  - Determine the post-dissolution status of Village laws, codes, and land use regulations
  - Address the transfer of records: security, system compatibility, storage, and retrievability

# HOW ARE WE DEVELOPING A DISSOLUTION PLAN?

---

## STEERING COMMITTEE

Michael Hogan, Trustee, Village of South Nyack

Michael Lockett, Trustee, Village of South Nyack

Teresa Kenny, Supervisor, Town of Orangetown

Denis Troy, Board Member, Town of Orangetown

Vicki Schwaid, Citizen Representative

# HOW ARE WE DEVELOPING A DISSOLUTION PLAN?

## Subcommittee / Workgroup

- **Police/Justice Court**
- **Administration and Finance**
- **Public Works**
- **Land Use Planning and Zoning**

Note: Subcommittees / Workgroups are primarily comprised of Department Heads, elected officials and subject matter experts who:

- Will be responsible for doing the work of implementation
- Have the data, expertise, and experience with specific governance issues



# HOW ARE WE DEVELOPING A DISSOLUTION PLAN?

---

## Our charge is to:

- Develop a plan to dissolve, shut down and transition the Village into the Town.
- Provide for the continuity of services.
- Plan for the transition of staff, if possible.
- Plan for the disposition of assets and liabilities.
- We are not charged with developing a plan to “Save the Village” and this is not a community vision.

**Communicate – Coordinate – Collaborate**

# DISSOLUTION PLAN TIMELINE

---

## ➤ February

- Departmental Interviews (Village and Town)
- Steering Committee Meeting
- Four Sub-Committee Meetings
- Initial Data Requests and Research

## ➤ March

- First Public Information Meeting
- First Set of Public Office Hours
- Additional Steering Committee Meetings
- Additional Sub-Committee Meetings
- Development of Plan Outline

## ➤ April

- Develop Draft Dissolution Plan with Steering and Sub-Committees

## ➤ May

- Draft Plan Submitted to Village Board for review
- Second Public Information Meeting
- Second set of Public Office Hours

## ➤ June

- By June 19: Tentative date for Village acceptance of the Plan

# DISSOLUTION PLAN TIMELINE

	Minimum*	Maximum
Village will meet to : review plan, and approve it by resolution	N/A	Saturday, June 19, 2021
<p>No later than 5 business days after the plan is approved, the approved Dissolution Plan must be displayed on a website and readily accessible to the public for inspection in a public place or places; publish a descriptive summary of the proposed Dissolution Plan at least once a week, for four successive weeks, and mail a certified or registered mail copy of the Dissolution Plan to the Town. See Article 17-A, Title 3 §783.</p>		
Proposed Plan must initially be posted no later than:	Friday, June 25, 2021	Friday, June 25, 2021
<p>The Village Board shall hold one or more public hearings on the proposed Dissolution Plan. These hearings may be held no less than 35 days and no more than 90 days after the proposed Dissolution Plan is approved. The public hearing or hearings shall be held on notice of at least 10 days, but not more than 20 days, published in a newspaper having general circulation within the Village, and displayed on the Village website. See Article 17-A, Title 3 §784.</p>		
Public Hearing held in no less than 35 days; not more than 90 days	Friday, July 30, 2021	Thursday, Sept 23, 2021
Public Notice (10-20 days) (Used 15 days in both scenarios)	Thursday, July 15, 2021	Friday, Sept 03, 2021

\* The Minimum Dates Assume the Minimum Legal Timeframe; however assume the maximum amount of legal time is used

Note: The timeline shall be updated upon any decisions or approvals reflected in the timeline.

# DISSOLUTION PLAN TIMELINE

	Minimum*	Maximum
<p><b>Note: After the final Public Hearing, the Village Board may amend the Dissolution Plan. See Article 17-A, Title 3 §784(3). The Village Board must approve the Final Amended Plan within 60 days of the close of the last public hearing. (See Article 17-A, Title 3 §784(3). The maximum approval date would be:</b></p>		
<b>Adoption 60 days from public hearing:</b>	<b>Tuesday, Sept 28, 2021</b>	<b>Monday, Nov 22, 2021</b>
<p><b>No later than 5 business days after approving the proposed Dissolution Plan, the Village Board shall cause a copy of the plan, along with a descriptive summary thereof, to be displayed and readily accessible to the public for inspection in a public place or places; and displayed on a website maintained by the village, town and/or county in which the entity is located. (See Article 17-A, Title 3 §784(4 a and b)</b></p>		
<b>The Final Plan must be posted by (5 days):</b>	<b>Sunday, Oct 03, 2021</b>	<b>Saturday, Nov 27, 2021</b>
<b>Petition for Permissive Referendum must be received within 45 days after the Village Board approves the final plan:</b>	<b>Friday, Nov 12, 2021</b>	<b>Thursday, Jan 06, 2022</b>

\* The Minimum Dates Assume the Minimum Legal Timeframe; however assume the maximum amount of legal time is used

Note: The timeline shall be updated upon any decisions or approvals reflected in the timeline.

# TIMELINE IMPLICATIONS

---

- **Due to this timeline, a December 31<sup>st</sup> deadline, while legal, is not practical or advisable for a smooth transition from a Village to a Town**
- **The Steering Committee is reviewing options and will include the date of dissolution in the Dissolution Plan including:**
  - March 31, 2022 – last day to get CETC in September
  - May 31, 2022 – last day of Village FY
  - December 31, 2022 – last day of Town FY

# DISSOLUTION PLAN PROGRESS

## ➤ Steering Committee Kickoff

- Dissolution Plan Process & Organizational Structure
- Steering Committee Role
- Review Required Elements of Dissolution Plan & Plan Approach
- Timeline
- Preliminary Identification of Critical Issues
  - Joint South Nyack-Grandview Police Department
  - Highway Functions
  - Streetlights
  - Water
  - Waste Water
  - Joint Nyack Fire District
  - Justice Court
  - Planning Board, Zoning Board of Appeals & Building Inspector
  - Facilities
  - Refuse Collection
- Next Steps

VISIT [www.labergegroup.com/southnyack](http://www.labergegroup.com/southnyack)  
“Public Information and Meetings” tab to view meeting video

# DISSOLUTION PLAN PROGRESS

## ➤ Police/Justice Courts Sub-Committee Meeting #1

- Sub-Committee Purpose
- Review of Current South Nyack-Grandview on Hudson Police Operations
- Discussion of Potential Post Dissolution Police Service Delivery Options
- Personnel
- Programmatic Items
  - School Resource Officers/DARE Program
  - Records Management
  - Equipment/Vehicles
  - Other
- Additional Items For Discussion
- Next Steps

# DISSOLUTION PLAN PROGRESS

## ➤ Public Works Sub-Committee Meeting #1

- Sub-Committee Purpose
- Review of Current Public Works Staffing and Operations
- Discussion of Post-Dissolution Service Delivery Options:
  - Highway
  - Parks
  - Sewer and Water
  - Programmatic Items: Snow & Ice Control; Village Snow Removal; Brush Removal; Street Sweeping; Leaf Pick Up; Sidewalks; Maintenance; Snow Removal; Parks Maintenance; Village Beautification & Tree Maintenance; Bus Shelters; CHIPS
- Equipment/Vehicles
- Village Facility
- Additional Items For Discussion
- Next Steps



# DISSOLUTION PLAN PROGRESS

## ➤ Administration & Finance Sub-Committee Meeting #1

- Sub-Committee Purpose
- Update on Meetings to Date
- Review Standing Items
  - Personnel
    - › Identified Town staffing needs
    - › Village employees
    - › Post-employment health insurance
  - Village Records
  - Village Properties
  - Village Equipment
  - Post-Dissolution Impact
  - Transition and Post Dissolution Implementation Costs
  - Village Liabilities and Assets: Identification and Plan for Disposition
- Other Items (Outside Other Committees)
  - Operation of the Village Parking Lot; Joint Fire District; Water Services; Refuse Service; Codes (Other than Land Use); Other
- Next Steps

# DISSOLUTION PLAN PROGRESS

## ➤ Land Use, Planning and Zoning Sub-Committee Meeting #1

- Sub-Committee Purpose
- Review of Dissolution Process
- Review Current Village Operations
  - Zoning Board of Appeals
  - Codes: General, Identification of priority issues; Process; Staff Support
- Planning Board
  - Codes: General, Identification of priority issues; Process; Staff Support
- Building Inspector
  - Village Scope and Activity
  - Staffing & support
- Outline Potential Post-Dissolution Service Delivery Options
- Potential Next Steps
  - Town review of Village Code
  - Staffing needs identified
  - Other

# EMERGING TOPICS AND KEY TOUCHPOINTS

- Date of Dissolution
- Level of Services (i.e.: Police, DPW)
- Staffing for services
- Land Use and Zoning (i.e.: current laws, timing, procedures)
- Snow and Ice Winter Maintenance
- Ownership and Transfer or Disposition of Assets, Equipment, and Legacy Costs
- Retiree Healthcare
- Transfer and Compatibility of Records
- Archiving and Retrieval of Permanent Records

MAKE DECISIONS BASED UPON INPUT FROM THE TOWN AS TO HOW THEY'RE GOING TO DELIVER SERVICES

# WHERE ARE WE GOING FROM HERE?

- Reporting back to Steering Committee on Subcommittee meetings
- Scheduling second set of Subcommittee meetings to delve into emerging topics and key touchpoints
- Expanding topics to include conversations with Civil Services, Personnel Offices, and Town and Village IT Departments
- Scheduling first draft of the Dissolution Plan for the end of April
- Final draft Plan available end of May in conjunction with a second Public Information Meeting to review the draft
- Fine tune and finalize the plan in June and set a date for the official Public Hearing
- Two Sets of Office Hours in March (March 11<sup>th</sup> and 18<sup>th</sup>)
- 3rd Office Hours in April (date TBD), 4th Office Hours in May (date TBD)
- Update FAQ weekly – [www.LabergeGroup.com/SouthNyack](http://www.LabergeGroup.com/SouthNyack)

# WHAT VILLAGE RESIDENTS SHOULD KNOW

## ABOUT DISSOLUTION PLAN DEVELOPMENT AND IMPLEMENTATION

---

- **While the Village is required by law to develop a Dissolution Plan, it is really not Village issue but a Town issue.**
- **Collaboration with the Town:** Town leadership has embraced the process, been fully involved in the development of the Plan, and partnering in Subcommittees – all toward the aim of a smooth transition – though they're NOT obligated to do so.
- **Town Role in Dissolution Plan Development:** The Town had NO input on the dissolution decision. The Town did not ask for dissolution, did not have a vote in the referendum, but is now responsible for managing a great deal of NEW OBLIGATIONS on a limited budget. With this in mind, the Village and Town are coordinating to determining the “what,” “who,” and “how” of the myriad services provided – ROADS | SIDEWALKS | PARKS | POLICE...
- **Town Role in Service Provision:** Upon dissolution, the Town will supply services at the same level as is currently provided within the Town. Zoning will be folded into the Town. Road maintenance, snow removal, policing – all will be folded into Town processes.
- **Realistic Plan Development:** Coordinated development by both Town and Village rather than a Village “wish list.” The Town is NOT BOUND by the plan, but is actively participating to smooth the transition.

# PROCESS TRANSPARENCY

## PUBLIC MEETINGS (3)

- Share facts and dispel misconceptions
- Answer any questions
- First step toward building consensus, finding common ground, and collaborating on solutions

## QUESTION & ANSWER FORMS FOLLOWING MEETINGS

- Q&A forms available online to address questions and concerns
- Documents, Steering Committee meetings, and FAQ on the project website

## PUBLIC OFFICE HOURS

- Additional public access to the project team to voice questions and concerns
- 4 session of 2 hours each
- 2 scheduled during day and 2 in the evening to improve accessibility

***TRANSPARENT***

***AVAILABLE***

***ACCESSIBLE***

# Q&A GUIDELINES

---

➤ **This is not a debate.**

➤ **Q&A following this presentation:**

To allow time for the maximum number of attendees to participate:

- Please limit your question to 3 minutes.
- Questions will be answered on a first-come / first served basis.
- If we run out of time to address all questions, we will post the Questions / comments link again at the end of the Q&A session so that you can ask your question there.
- To provide the greatest opportunity for the largest number of community members to be heard, please refrain from asking a question that has already asked

# SUBMITTED QUESTIONS

---

We WILL be addressing questions asked tonight.

- Please click the “chat button” to let us know that you have a question. Please also let us know your name so that we can call on you when your turn comes up.
- Questions will be addressed on a first-come, first-served basis. If time runs out, additional questions can be submitted online.

We will begin with questions submitted online this week.

- What are the options for the South Nyack Town (Village) Hall and Firehouse and, in particular, can these facilities be retained for the benefit of the residents of the locality after dissolution?
- Why are there no “civilian “ village residents (i.e. not elected officials or employees) on the Police and Public Works subcommittees? Someone cited access to salary, benefits, etc. details but that is public information. There are residents on the other three committees but not on those two.



# SUBMITTED QUESTIONS

---

- What are the current liabilities and debt facing the Village of South Nyack?
- What is the estimated worth of its tangible assets (Village Hall and Parking Lot, DPW property and equipment, Police equipment and vehicles, Village Park, Village Court and Firehouse, etc.).
- Would selling parts or all of the assets of the Village cover these liabilities?
- How will Laberge Group advise the Board about settling the debt of the Village?
- In a letter to the Board of December 28, 2020, I recommended several goals for dissolution. They are as follows:
  - We should preserve as many jobs of the Village as we can.
  - We should look to substantially reduce or eliminate Village debt before dissolution.
  - We should try to negotiate the best deal we can to reduce future tax burdens on South Nyack citizens.
  - We should be candidly clear about the challenges posed to the Village and its zoning code by the sale of Nyack College.

As a body, the Board has yet to endorse any concrete set of goals. How do plan to advise the Board regarding the establishment of goals for dissolution?

# SUBMITTED QUESTIONS

---

- I am opposed to dissolution. We will lose many services. I believe orange town will fight against development of college property regardless. We have much to lose. Could we have a bond to raise money and buy some of property?

# ONGOING Q&A OPPORTUNITIES

---

➤ **Questions and Comments page on the Web:**

[www.LabergeGroup.com/SouthNyack](http://www.LabergeGroup.com/SouthNyack)

Click on the “Public Information and Meetings” tab at the top and click on the button labeled “Submit Question or Comment” to fill out a form that will be sent to a Laberge Group team member.

➤ **Office Hours:**

[www.LabergeGroup.com/SouthNyack](http://www.LabergeGroup.com/SouthNyack)

Click on the “Public Information and Meetings” tab at the top and click on the button labeled “Sign Up for Office Hours” to reserve a Zoom time-slot to speak to a Laberge Group team member one-on-one.

- 15 minute time slots available on March 11<sup>th</sup> and March 18<sup>th</sup>.

Laberge  
ENGINEERING  
ARCHITECTURE



Group  
SURVEYING  
PLANNING

*Thank you!*

WE LOOK FORWARD TO CONTINUE  
PARTNERING WITH YOU  
ON THIS IMPORTANT ENDEAVOR