

City & Town of Batavia

PRESS RELEASE

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Plan for Consolidating the City & Town of Batavia in One Government Goes to City Council & Town Board

Consolidation Committee Recommends Council & Board Approve Joint Charter Commission & Pursue Vote in November 2011

Batavia, NY – July 29, 2009 – The Batavia City/Town Consolidation Study Committee presented its *Plan for Consolidating the City & Town of Batavia in One Government* to a joint City Council and Town Board meeting at Town Hall. The Plan includes a proposed timetable for consolidation and the Committee's recommended approach. Along with information on www.cgr.org/bataviaconsolidationplan, the Committee website, the Plan constitutes the Committee's final report to the Council and the Board.

The Committee proposes the new consolidated government be a city rather than a town because there are clearly more advantages – fiscal and administrative – for the new Batavia under this structure. Creating a new city will require development of a detailed charter, thus the Committee recommends that the Council and Board pass local laws to create a Joint Charter Commission.

This Commission would begin work in late 2009 and be tasked with presenting a comprehensive charter by year-end 2010. Subsequently the City and Town would request authority from the NY Legislature to approve putting the charter on the November 2011 ballot. The Town and City voters would then have to independently vote to approve the new charter. If both approve, the year 2012 would be the transition year to prepare for integrating the two governments. In November 2012, voters in the community would vote on the new elected leaders. The new single government would become effective January 1, 2013.

Committee's Plan is Conceptual Framework for Consolidation

The Plan is designed to provide a conceptual framework for envisioning how one government could be designed that would provide cost-effective services to the area currently served by the City and Town governments. Since it is a conceptual Plan, the Committee did not present detailed recommendations about how the Plan would be implemented. The Joint Charter Commission would be responsible for providing the details such as the form of government and the size and composition of the elected body.

The Committee proposes that the new government be a city rather than a town because under state law a

city has greater flexibility in determining the guidelines for how it is organized and administered; state aid per capita is significantly higher for a city; and only a city has pre-emption authority to collect sales tax. In addition, if the current City Court were to become a town court the local community would have to fund about \$675,000 in annual personnel and non-personnel costs that are now covered by the state.

The Committee also recommends that the Joint Commission consider having the governing body be a seven-member council consisting of a mayor elected at large and six members elected from wards. The Committee proposes one ward be in the existing City, one in the existing Town, and four include parts of both the existing City and Town – a structure that would help ensure that no area was under-represented in the new government.

However, it will ultimately be the Joint Charter Commission's role to decide and recommend the size of the governing body. These details would be presented in the Commission's report and incorporated into a proposed charter presented to voters. Thus, residents would have, before they vote, a clear understanding of what the new government would look like and the legal framework for setting up the government so it serves and protects the interests of all citizens in the unified government.

Other features of the proposed consolidated government, such as having tiered service zones and taxpayers taxed only for the services provided in their own zone, remain unchanged from June, when the Committee published its first report to the community and held public forums. Information on total projected annual cost savings from consolidation – \$943,000 in year one of consolidation and likely higher in future years – mirrors the information presented at the forums and on the Committee website.

Recommended Timetable & Approach

Key components of the Plan's proposed timetable and approach for consolidation follow:

- August 2009 – The Council and Board each pass local laws to create a Joint Charter Commission. The Commission's mission would be to draft a new charter for a consolidated city, per the Committee's recommended Plan. The City and Town also jointly apply for a non-competitive high priority grant from the state's Local Government Efficiency program to assist with legal fees and costs associated with developing the charter.
- September 2009 – The Council and Board establish an interview committee responsible for determining who will serve on the Commission. This committee would consist of the Town Supervisor and City Council President plus two Town Board representatives selected by the Board and two Council representatives selected by the Council.

At the same time, a 30-day application period begins for residents who are interested in applying to serve on the Joint Charter Commission. Applicants would be 18 years or older and not elected or appointed officials or spouses of elected or appointed officials.

- October 2009 – From among the applicants, the interview committee selects four Town residents and four City residents to comprise the Joint Charter Commission.
- November 2009 – The Town and City enter into an intermunicipal agreement appointing the Commission members.

- December 2010 – The Joint Charter Commission completes work on the new charter.
- Spring 2011 – After accepting the charter, the Council and Board jointly request from the New York Legislature the authority to vote on consolidating the City and Town by placing the new charter on the November 2011 ballot.
- Late Summer / Fall 2011 – Both the Town and City hold the required public hearings on the proposed new charter.
- November 2011 – The City and Town hold separate votes. In order to pass, approval of the charter requires a majority in the City and a majority in the Town.
- 2012 – If voters approve the charter, the year 2012 becomes the transition year for planning the actual implementation of the merger. If voters in either the City or Town reject the charter, consolidation would be rejected.
- November 2012 – General elections are held for the new consolidated City of Batavia council, per the adopted charter.
- January 1, 2013 – The new Batavia begins.

Comments from Town & City Leaders

Town Supervisor Gregory Post and City Council President Charlie Mallow commended the Study Committee for “a thorough, well researched” Plan.

“I’m very pleased,” said Post, “that the Plan takes into account key points raised at the recent public meetings on consolidation. It clearly describes a vision for a unified Batavia. While it will be two years before voters can weigh in, the Committee has built in time to develop a charter that will not only streamline government but also maintain the diversity and character of the existing City and the more rural Town.”

Mallow said, “I’m enthusiastic about the Plan and excited that by fall 2011 voters will have a concrete proposal on which they can decide if they wish to move forward as a single consolidated government. This Plan is action-oriented and a bold step forward for our community.”

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Editor Notes:

The Plan for Consolidating the City & Town of Batavia in One Government will be posted on the Committee website (www.cgr.org/bataviaconsolidationplan) on Thursday, July 30.

Consolidation Study Committee members are Lynn Freeman, Sally Kuzon, Steven Lockwood, Beverly Mancuso, Jason Molino, Steven Mountain, and Jeffrey Scott.