

Village of Johnson City  
Dissolution Report and Plan Addendum  
August 31, 2009

**Village of Johnson City**  
*Dissolution Study Committee*

This report was prepared with funds provided by the New York State Department of State under the Shared Municipal Services Incentive Grant Program.

## INTRODUCTION

The Johnson City Dissolution Study Committee conducted a public hearing before a large audience in the Johnson City High School Auditorium from 7-9:00 PM, on Monday, August 10, 2009. At the hearing, the committee heard testimony from 45 people. In addition, the Committee received 12 letters and written comments and 10 people posted questions and comments on the Johnson City Dissolution Committee webpage ([www.cgr.org/johnsoncity](http://www.cgr.org/johnsoncity)). The attendance at the hearing and the number of comments and questions that the committee received provide strong evidence that the residents of Johnson City care deeply about their local government and the services it provides, are studying the issues and the Committee's report and plan carefully, and want to have a voice in the future of local government. We are pleased that our Plan has generated such strong interest and we welcome the debate over Johnson City's potential dissolution that will continue in the weeks to come. These discussions are the basis of democratic decision-making in a free country. Whatever the outcome of the dissolution election, we are convinced that democracy in Johnson City, the Town of Union, and the entire region will be strengthened by this exercise.

The Committee has reviewed all the questions and comments we received. The Plan has not changed. This addendum to the original report includes all the materials the Committee received and it provides answers and/or clarifications to all the questions. It is not our role to respond to opinions either supporting or opposing the Plan. Those opinions are included in this addendum as part of the dialogue between voters as they determine how they will vote in the dissolution election. Similarly, we elected not to respond to suggestions that we revise the plan because in our judgment, the Plan we prepared meets the needs of Village residents and should be the basis for the dissolution decision. If voters decide to dissolve the Village, officials in the Village and Town will be able to fine-tune the plan during the transition year of 2010. We also grouped similar questions together in order to facilitate the completion of this addendum in time for the Village Board of Trustees to review it prior to their September 2, 2009 hearing at the Johnson City High School. Our hope is that we faithfully recorded the interest and concern of residents and addressed as many open questions as possible.

The Committee recognizes the disruption and apprehension caused by the possibility of the dissolution of the Village (especially to the employees), and therefore strongly recommends the proposition be voted on in the November 3rd election.

JC DISSOLUTION COMMITTEE  
RESPONSES TO COMMENTS AT PUBLIC HEARING

	TOPIC	# OF COMMENTS	SUMMARY OF COMMENTS	RESPONSE
1.	Police Protection	9	<p>1. Will a 170% increase in arrests w/only 42% increase in staff result in overtime?</p> <p>2. Were experts consulted?</p> <p>3. Will cutting police dept. in half be “seriously detrimental to quality of life”?</p> <p>4. Sheriff’s plan is financially attractive but not adequate - will it make streets less safe?</p> <p>5. What guarantees that NYS will allow police district?</p> <p>6. What if 21 officers are not enough?</p> <p>7. Will 21 officers be dedicated to Village when there is an emergency elsewhere?</p> <p>8. How will overtime costs be covered?</p>	<p>See attached Committee Chair letter to Sheriff Harder clarifying the police protection plan and the Sheriff’s response.</p> <p>According to the Plan, all the costs associated with police protection (including overtime) will be borne by the Police District.</p>
2.	Additional time to review	4	<p>“Need more time to review.”</p> <p>“Not much time to review and it’s a complicated decision.”</p> <p>“A couple of months more needed to make an important decision.”</p>	<p>The Study Committee was appointed by the Mayor and the Board of Trustees in 2007 with the goal of providing a plan for dissolution to be placed in the November, 2009 ballot. A timeline was created and published that required a final report to be published by July, 2009. It also provided detailed dates for presentation by village and town officials to educate both the Committee and the public, as well as time to obtain and analyze the data required for development of the various service scenarios. All meetings were open to the public and comment sheets were provided at each meeting to accumulate comments from the public. Additionally, the public was</p>

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				invited to ask questions and provide comments openly during April, May, and June of 2009.
3.	Debt	4	<ol style="list-style-type: none"> <li>1. Why turn over assets and continue to pay debt via TOVE?</li> <li>2. Where is \$830K and \$275K that Johnson City bonded for in 2009?</li> <li>3. Are there cancellation charges on existing contracts?</li> <li>4. Debt will be transferred to town, but will it be taxed to JC residents (library/ambulance/parks/highway)?</li> </ol>	<ol style="list-style-type: none"> <li>1. Under the plan, the Town of Union will take responsibility for the outstanding debt of the Village meaning that in return for control of the assets, all Town residents outside the Village of Endicott will share in paying off the debt. With the expansion of the tax base, and the new revenues flowing to the town, the tax burden on Village residents for tax relief will be reduced.</li> <li>2. These debts are included in the Bond Anticipation Notes section of the Plan on Page 40.</li> <li>3. All contracts would need to be reviewed during the transition period, but a preliminary review indicates that there will not be significant cancellation charges.</li> <li>4. The Plan document reflects the value of the assets being transferred to the Village on pages 26-39. The dollar value of JC assets listed are "insured value", which in many cases exceed the market value. For example, the Village hall is valued at \$3,256,620, but might be sold for much less than that.</li> </ol>
4.	Town of Union's Implementation of	4	<ol style="list-style-type: none"> <li>1. Will Town of Union carry out the plan and not modify it?</li> </ol>	A memorandum of understanding (MOU) is an

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	Plan		<p>2. Lots of details left up to Town of Union.</p> <p>3. Is the Plan “non-binding”?</p> <p>4. Could the Town modify the Plan?</p>	<p>agreement in principle between two or more municipalities. New York State Law allows for an MOU on any portion of the Dissolution Plan. The Committee expects that legally binding memoranda of understanding will be completed before the plan is voted upon by Johnson City residents. Memoranda of Understanding are legally binding, but they are written to provide parties with some latitude to deal with unforeseen circumstances in their implementation.</p> <p>4. According to the Sec. 19-1914 of the Village Law the town “shall assume the duties and functions of the dissolved village and continue to provide the services theretofore provided by the village.” The MOU will discuss how the town will allocate their costs in accordance with the Plan.</p>
5.	Employees/Retirees	3	<p>1. Why do employees lose seniority and have to be new employees at the Town?</p> <p>2. What if Town of Union wants to hire someone else?</p> <p>3. Have dept. heads agreed to the plan?</p> <p>4. How will current retiree benefits be paid?</p> <p>5. How many employees will the Town need to hire?</p>	<p>1 and 2. By law, upon dissolution of the Village, employee contracts also terminate. According to the plan, “Consideration of hiring current Village employees will be given in accordance with a memorandum of understanding approved by the Town Board.” (Page 18). The jurisdictions hiring former Village employees will do so on the basis of their own hiring procedures and policies and Civil Service Law.</p> <p>3. Some Village department heads have publicly expressed</p>

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RESPONSES TO COMMENTS AT PUBLIC HEARING

	TOPIC	# OF COMMENTS	SUMMARY OF COMMENTS	RESPONSE
				<p>their opposition to the Dissolution plan. While the Committee consulted extensively with department heads, there is no requirement that these officials endorse the plan before residents vote on it.</p> <p>4. The Plan allocates funds for retiree health benefits in the police and fire special districts or the Town Outside the Village of Endicott.</p> <p>5. The Plan outlines the workforce requirements for other municipalities if the Village dissolves (page 6). The wage scales will be determined by the hiring municipality in accordance with their policies and procedures.</p>
6.	Level of Services	3	<p>1. Willing to pay for the services.</p> <p>2. Moved into JC because of services; will sell, if JC dissolves.</p> <p>3. Are the services comparable?</p>	<p>1 – 3. According to the plan, all of the core services that are presently provided by the Village government will be continued.</p>
7.	Re-establishment of Village	3	<p>1. How to re-establish JC, if dissolution doesn't work?</p> <p>2&amp;3. Can we get Village back if we dissolve?</p>	<p>1. Village Law permits residents of an area to incorporate. Nothing would prevent the former village from reincorporating at a future date.</p> <p>2&amp;3 - Village Law incorporation by petition</p>
8.	AIM	2	<p>1&amp;2. What guarantees that AIM continues?</p>	<p>New York State law specifies that municipalities which have completed a dissolution will receive an annual supplement to their Aid Incentives to Municipalities grants. The amount of this increase in Aid is calculated by a formula, which in this instance would result in \$1,000,000 per year.</p>

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9.	Buildings	2	1. What if buildings don't get sold?	1. All Village property which is not sold becomes the property of the Town of Union.
10.	Fire Department	2	1. What if Endicott dissolves and their fire dept. goes away? 2. Does revenue from Westover & Fairmont go to Town of Union general fund or to fire district?	1. The creation of a Fire Protection District means that the Town of Union will contract with a Fire Department or Fire Company for fire protection service in the former Village of Johnson City. The Plan calls for this contract to be with the Village of Endicott. If the Village of Endicott cannot provide satisfactory fire protection, the Town will be able to contract with another organization. 2. The Plan calls for Fire Department revenues of \$256,000 to be retained in the new Fire District.
11.	Public Works	2	1. Why are two positions eliminated? 2. JC water guys have expertise.	Water and Sewer rates for current Village residents would not be significantly different than those in effect at the time of dissolution. The Town plans to retain the water and sewer districts as they are currently structured.  The staffing level for the Refuse department was adjusted so as not to include hiring three more employees above the current combined number of Johnson City and Town staff. The plan on page 21 does note that depending on the post-dissolution service outcome of the newly established routes, the Town could consider adding two or three additional laborers.  2. Page 19 of the Plan states

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				“The Town intends to establish the following positions, with titles approximating those currently in the Village: 1 Deputy Superintendent of Water, 1 Water Foreman, 2 Water Technician III, 5 Water Technician II, 1 Account Clerk, and a Director to manage the provision of water services to former Village customers.” The Town intends to offer to hire current Johnson City employees on the basis of their own hiring procedures and policies and Civil Service Law.
12.	TOVE Tax	2	1. Lots of TOVE taxes and what does “fairly allocated proportional costs” mean? 2. How does TOVE tax work?	A detailed discussion of the Town Outside of the Village of Endicott taxes pre- and post-dissolution is attached.
13.	Grants	1	1. Will existing grants be lost upon dissolution?	The continuation of any grants which extend beyond the transition year will be determined by the terms of their contracts.
14.	Parks/Landmarks	1	1. Will landmarks like library and carousel (which are gifts to JC) be lost?	If parks or landmarks include restrictions as to use, those restrictions would be binding on the Town. For park lands, New York State requires special legislation called “alienation” in order to discontinue parks.
15.	Refuse	1	1. Will the Plan result in additional cost to small businesses, negating their tax savings and increasing the cost to do business in JC?	The Plan addresses higher refuse fees for residences with high assessments and commercial properties. Since the Plan was published, Village refuse rates have been increased (from \$42/quarter for residences to \$62/quarter, and for commercial properties from \$84 per quarter to \$104 per quarter. Thus, any impacts on businesses are less

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				than the plan originally assumed, as well as those for homeowners resulting in greater savings in most cases.
16.	Representation on Town Board	1	<p>1. What guarantees representation on Town Board?</p> <p>2. Should the Town of Union apportion based on census?</p>	Village dissolution would eliminate the Village Mayor and Board of Trustees and policy decisions would be made by the Town of Union Board. Presently, the Town of Union's Board members are elected at-large. Town Law Section 81(2)(b) has a procedure for establishing town wards, either by petition or on the board's own motion. For first-class towns, such as the Town of Union, a ward system can be established (or abolished) by board action or by petition and it has to be voted on at a special or biennial election. A petition must be signed by qualified town voters totaling at least 5% of the number of votes cast for governor in the last general election.
17.	Sales Tax	1	1. Is sales tax revenue spread over entire Town of Union?	Sales tax revenues would be distributed to the Town Outside of the Village of Endicott.
18.	Sewage Treatment Plant	1	What is JC's equity?	Page 20 of the Plan states that Sewage Treatment Plant Facilities and Equipment will be transferred to the Town. Thus, the Village's 45.2% ownership of the Sewage Plant (and associated obligations) will become an asset of the Town (including Village residents).
19.	Youth Recreation	1	1. What guarantees that Town of Union will add staff to run JC's	The Plan allocates funding for continuation of the Johnson City

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			programs?	Youth Programs. (Page 9).
20.	Miscellaneous Comments	5	<ol style="list-style-type: none"> <li>1. Will Town of Union re-assess JC properties?</li> <li>2. Will there be a drop box in the Village to pay taxes?</li> <li>3. Is there a need for legislation for urban areas?</li> </ol>	<ol style="list-style-type: none"> <li>1. Property assessment is already a function of the Town of Union.</li> <li>2. Issues such as this will be addressed in the transition.</li> <li>3. The Code Continuation chart in the Plan (Pages 41-54) address this question.</li> </ol>
21.	Library	1	How will Library services be affected by dissolution?	The Library District is already a town special taxing district. The expenses associated with the Library District will continue to be charged to the Library District. The Plan lists Your Home Public Library among the assets transferring to the Town of Union (page 28). If the Village dissolves, the Town of Union would become responsible for the maintenance of the library property and facilities.
22.	Comments in favor	7	<ol style="list-style-type: none"> <li>1. Is the current situation sustainable?</li> <li>2. What is the best we can afford?</li> <li>3. Not enough courage to change?</li> <li>4. In favor because State Comptroller wants it.</li> <li>5. In favor of consolidation; many redundant governments.</li> <li>6. Do increased taxes discourage people from moving into JC?</li> <li>7. Doing nothing is not an option.</li> </ol>	

## **Effects on Property Tax Rates and Tax Savings for Johnson City and Town Outside of Village Residents**

Several people commenting at the dissolution committee's public hearing expressed concerns or had questions regarding the Town Outside of the Village of Endicott (TOVE) property tax levies. In reviewing the Plan to respond to these questions, the Committee learned that it had not properly allocated the TOVE and Town-wide taxes that Village residents would pay upon dissolution. Committee members consulted with Town of Union officials, and state government officials in preparing the attached tables which detail how Village and current Town Outside of Village residents' property taxes may change if the Village of Johnson City dissolves. These numbers are Committee estimates.

Dissolution of a village with the size and complexity of Johnson City into a Town with multiple villages has never been proposed in the State of New York before. While the Committee has great confidence that dissolution will realize a savings of \$4.6 million over the cost of services currently provided by the Village, there are multiple ways that those savings could be distributed among Johnson City and Town of Union taxpayers. For everyone involved in the study, this has posed unique challenges, and uncertainty remains about how all of the details will ultimately be worked out. For example, the Plan calls for the Town of Union to assume payment of its debt. The Village Law states that this is permissible:

### **§ 19-1912 Village obligations.**

Unless the plan shall provide otherwise, the outstanding debts and obligations of the village shall be assumed by the town and be a charge upon the taxable property within the limits of the dissolved village, and collected in the same manner as town taxes. The town board shall have all powers with respect to such debts and obligations as the board of trustees would have had if the village had not been dissolved, including the power to issue town bonds to redeem bond anticipation notes issued by the village.

However, it is also possible that the Town would assign debt to special districts, based on the purposes for which the borrowing occurred. The Committee determined that it would be prudent to inform Johnson City residents of these possible distributions as they consider dissolution. We have prepared two options; the first presents a worst case estimate of the benefits to be gained by Johnson City residents and the second presents an alternative that illustrates the most likely benefits for Johnson City residents. Both include the new property tax levies for highway and parks. See Tables A1 and A2.

Police and Fire Services: The village property tax for its general fund will be replaced by a new fire protection district and a new police protection district. The fire protection district rate is estimated to be \$110.02 per \$1,000 assessed value and the Police District will be assessed at \$87.77 per \$1,000. The variation for these rates from the original plan is due to a change in the Village's assessed valuation if it becomes part of the Town Outside of Village upon dissolution.

Highways and Parks: The Village's costs for highways and parks are paid by the general fund. In contrast, the Town of Union has separate property tax levies for these functions. Revenues for highways and parks, along with the Town Outside of Village tax for General Purposes, will appear as new tax lines for Village of Johnson City residents. The addition of the Johnson City to the Town Outside of Village will increase the tax base for these funds by \$32,051,500 and the rates associated with them will decline. While these represent new taxes for Village residents, it is not true that Village residents would pay the current rates, but lower recalculated rates.

Refuse Services: The Village and the Town of Union also use different methods to pay for refuse services. The Village charges a per-unit fee of \$248 (raised from \$168 in July, 2009), while the costs for refuse services are included in the Town's General Purposes property tax.

Other Property Tax Levies: Property taxes that village residents pay now will continue after dissolution including the General Full-Town, the Library special district, the Ambulance District, and the School District.

**Option 1:**

This option, a worst case scenario, assumes that all village debt is assigned to the former village in the form of a debt retirement district, and no Aid Incentives for Municipalities (AIM) funds are allocated. In this case, the property tax rate for former Village residents will decline from \$368.78 per \$1,000 assessed to \$289.45, a \$79.33 decrease or 21.51%.

**Option 2:**

In this option Village debt is assigned to the Village and Town, based upon the use of the associated assets, and AIM funds are distributed to offset the Village's debt (\$597,207), maintain the Town-wide property tax with the balance designated to TOVE general/highway to offset refuse costs. This option represents the most likely savings for current Village of Johnson City residents. The decrease would be \$107.61 per \$1,000 assessed or 29.18 percent.

In short, the ultimate savings that will be enjoyed by the residents of the Village and the Town of Union are largely dependent upon how the Town Board allocates the \$4.6 million in total cost savings presented in the Plan. Final determination of the allocation of the savings will be subject to review by the state comptroller's office after a positive dissolution vote. However, based on conversations with Town and State officials, the Committee expects the eventual tax savings from dissolution to fall by 29.18 percent for Village residents and 22.44 percent for current Town of Union Outside the Village of Endicott residents.

**Table A1**

**Village of Johnson City Tax Rates Post & Pre Dissolution Comparison  
Based on 2009 Budgeted Rates**

<b>Tax Line</b>	<b>Johnson City Tax Rate</b>		
	<b>Pre-Dissolution</b>	<b>Post-Dissolution Option 1</b>	<b>Option 2</b>
<b>Johnson City</b>			
General Village Total (Includes Highways and Parks)	288.23	-	
Johnson City Fire Protection District	-	110.02	110.02
Johnson City Police District	-	87.77	87.77
Johnson City Special District (Debt)		27.50	0
Refuse - Total Budgeted Cost Converted to Prop. Tax Rate	52.89	Inc. in TOVE	Inc. in TOVE
Subtotal - Village Only	341.12	225.29	197.79
<b>Town of Union (Townwide)</b>			
General Full-town	15.91	17.07	15.91
Library Special District	9.81	9.81	9.81
Ambulance District	1.94	1.94	1.94
Subtotal - Total Townwide	27.66	28.82	27.66
<b>Town Outside Village of Endicott (TOVE)</b>			
Johnson City: General + Highway (includes refuse costs)	-	22.37	22.75
Johnson City: Parks costs		12.97	12.97
Total TOVE	-	35.34	35.72
<b>Total Tax Rate</b>	<b>368.78</b>	<b>289.45</b>	<b>261.17</b>
Change in Tax Rate		<b>-79.33</b>	<b>-107.61</b>
Percent Change in Tax Rate		<b>-21.51</b>	<b>-29.18</b>

**Table A2**

**Town of Union Tax Rates Comparison Based on 2009 Budgeted Rates  
(for Town of Union Taxpayers Currently Outside the Two Villages)**

	Pre- Dissolution	Post-Dissolution Option 1	Option 2
General Full-town	15.91	17.07	15.91
Library Special District	9.81	9.81	9.81
Ambulance District	1.94	1.94	1.94
General - Outside	11.27	10.37	10.37
Highway - Outside	40.03	22.37	22.75
Parks - Special District	16.13	12.97	12.97
<b>Total Tax Rate</b>	<b>95.09</b>	<b>74.53</b>	<b>73.75</b>
Change in Tax Rate		<b>-20.56</b>	<b>21.34</b>
Percent Change in Tax Rate		<b>-21.62</b>	<b>-22.44</b>

# Appendix 1

## Correspondence with Sheriff

# Village of Johnson City

## *Dissolution Study Committee*

August 19, 2009

Sheriff David Harder  
Broome County  
Public Safety Facility  
155 Lt. VanWinkle Drive  
Binghamton, NY 13905

Dear Sheriff Harder:

The August 10, 2009 Public Hearing on the Village of Johnson City Dissolution Report and Plan generated a number of comments and questions regarding police coverage should the Village be dissolved. Specifically, residents raised the following concerns:

- 1) A net reduction of 20 positions from current Johnson City Police Department staffing levels may harm the ability of the police department to address the Village's safety needs.
- 2) Sheriff deputies designated for duty in Johnson City may be assigned to emergencies in other parts of the county in the event of emergencies and reduce coverage in the Village.
- 3) New York State's legislature may not approve a request to create a Police District in the former Village of Johnson City.
- 4) No experts were consulted in the drafting of the plan.

The purpose of this letter is to clarify aspects of the proposed plan with you. This letter and your response will be included in an addendum to the Plan which will be presented to the Village Board of Trustees prior to the September 2, 2009 Public Hearing.

### **Staffing**

Working from the attached organizational chart provided by the Village of Johnson City dated February 18, 2009 the Plan will do the following:

- 1) Eliminate the Chief of Police Position with functions to be carried out by the Sheriff.

- 2) Leave the Assistant Chief position unfilled and have those administrative functions carried out by the Undersheriff.
- 3) Create three new detective positions in the Sheriff's department to augment the 12 detectives already working in the Sheriff's Department. Thus, while there is a net reduction of six detective positions from the Johnson City payroll, there will be three dedicated detectives located in the Johnson City substation, and the other 12 detectives will be available for assignment to Johnson City cases as needed. Furthermore, the Sheriff already has an agreement to call upon the nine City of Binghamton Special Investigations Unit (SIU) detectives as needed.
- 4) Eliminate the Johnson City Patrol Division Commander with the existing Captain from the Sheriff's Department assuming those responsibilities in addition to his current duties.
- 5) Replace the Village of Johnson City's 19 patrolmen plus one school resource officer who works in the Johnson City School District during the school year with 18 deputies to work shifts in Johnson City.
- 6) Eliminate the Traffic Division Supervisor and replace with a Sheriff Department staff person who already carries out these functions.
- 7) Replace the Training Officer with the Sheriff Department's Training Director.
- 8) Eliminate the DARE officer position.
- 9) Replace five patrol administrative positions (3 sergeants and 2 Lieutenants) with five existing supervisory personnel in the Sheriff's department.
- 10) Continue several functions such as evidence control, DWI, juvenile and narcotics officers are also carried out by Sheriff Department personnel who can assume responsibility for those activities in Johnson City in addition to their current duties.

To conclude, the plan will not reduce the number of officers assigned to patrol by more than one or two positions, and the balance of the personnel cuts should not result in a loss of service because the Sheriff's Department has personnel trained and capable of fulfilling those responsibilities.

### **Mutual Aid**

The metropolitan police departments and the Sheriff's Department already have extensive mutual aid arrangements. Today, it is not uncommon for Johnson City Police Officers to assist officers in other jurisdictions in the event of an emergency, or for police from Binghamton, the Sheriff's Department or other municipalities to provide assistance to Johnson City on occasion. These mutual aid arrangements will continue to support the municipalities' emergency needs if the Village dissolves.

### **A Special Police District**

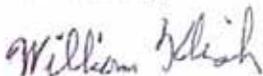
If the JC voters opt for dissolution, then the Town of Union would need to create a special police district during the transition year and obtain state legislation to do so. In that event, the Village would work cooperatively with the Town to complete that process and to support the legislation through our local representatives. The support of your office in the creation of that district and the legislative process would be integral.

### **Expertise**

The Johnson City Dissolution Study Committee developed this plan in close consultation with you and Chief Potts of Johnson City, and the conclusions were largely affirmed by the City of Binghamton's suggested plan for providing police services upon dissolution.

I would appreciate it if you would review this letter and determine whether it and the Johnson City Dissolution Study Committee's Plan addresses the residents' concerns regarding police protection if they vote to dissolve the Village on November 3, 2009. It would be very helpful if you could complete your review prior to the Village Board of Trustees' Public Hearing on September 2, 2009 so that any public misunderstandings or misconceptions could be resolved by that time.

Sincerely,



William Klish

Johnson City Dissolution Study Committee Chair

BK/ts

## Office of the Sheriff



David E. Harder  
Sheriff

Gary F. O'Neill  
Undersheriff

155 Lt. VanWinkle Drive  
Binghamton, New York 13905

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August 28, 2009

Mr William Klish  
Village of Johnson City Dissolution Study Committee Chair  
243 Main St  
Johnson City, NY 13790

Dear Sir:

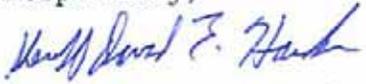
Here are our thoughts on your letter concerning the Sheriff's Office plan regarding police protection.

In reference to the concerns raised by the residents:

- The reduction of position in the Johnson City Police Department would be filled by supervisors or other personnel from the Sheriff's Office that already have similar positions.
- The number of occasions that the police patrols would leave the Village for emergencies would be no more than the patrols leave now.
- I do not believe that there is any reason that State Government would not support a special tax district, when the aim of State Government is to reduce and consolidate. There is a State Grant that offers up to \$400,000.00 for implementation of a consolidated agency.
- The New York State Sheriffs' Association hired a consultant to help prepare the Sheriff's proposal.
- Regarding Mutual aid, we believe that the practice now in place would continue as before.

- The Sheriff's proposal is planned on providing police protection at a minimum staffing level only. The Town of Union could add positions to this plan and still show considerable savings.

Respectfully,



Sheriff David E. Harder

## Appendix 2

### E-Mails and Letters Received by the Committee

## Village of Johnson City Dissolution Study Committee Webpage Comments Received

This is a very well thought out and comprehensive plan. I do have a question about law enforcement coverage. Can I ask it here or do I have to attend the public meeting? The plan calls for 21 DEDICATED officers.  
The Press/Sun Bulletin in an article dated 7/26/ quoted Sheriff Harder as saying the officers would stay in Johnson City unless there was a major emergency. Does the possibility exist that Johnson City would be without coverage if such an emergency occurred? from Rodney Jewett

Thank you all for your wonder work and all the information you have provided. We used to live in Endwell and had no issues with any of the services. I believe with this type of savings this will be the best option for the Villiage to go into the Town of Union. Again, thank you.  
If I can be of any assistance, please let me know. Warmly, Andrea Gerich

I am a retired police officer- my concern is the medical benefit package I have thats was given to all retired employess. All retirees worked their time and per contracts, this benefit was given to them. Thank You  
- Ron Nolan

i thought posting the web address on the report in a place that was easier to find would help.possibly the front cover would be a good place  
- frank berton

From: Robert Buholski  
Sent: Tuesday, August 11, 2009 6:35 AM  
Subject: Johnson City Dissolution Study - Study Team Message

As a T/union resident,I stand against the dissolution. I beleave in the years to come my taxes will go up to support your area.I don't like or trust this thing called special districts for fire and police. I think the last contract the fire dept. received was a joke and and totally unprofessional on JC's part. It was probably done because of this dissolution it's the only way it could be supported. And what about the phrase we will assume your debts!!!! What are they!!!!!!!!!! I bet most of the jobs will stay just as they are, take for example the courts I don't see any consolidation there. You left when things were good now stick with it. If you want things to change then it's going to have to be all of Broome County, not just a few suckers. Look at these library taxes how we are being ripped off by them. I think it's time the politicians started earning there money and doing whats right for the people. What gives JC the right to tell me what there going to do after being gone all these years.

**From:** Rev. Janet Abel  
**Sent:** Tuesday, August 11, 2009 4:37 PM  
**Subject:** Johnson City Dissolution Study - Study Team Message

I currently live on Hudson St in Johnson City. Not a great neighborhood and it's getting worse. Also the tap water is undrinkable. The businesses along Main Street have been disappearing. Things will only be improved by dissolving the village, eliminating waste, improving services and lowering the property taxes. Thanks

Ed Dunscombe

Has anyone given any consideration to what happens with the library? The Village now appoints the library trustees. The prime motivation of these trustees is to provide the best quality library service possible for the residents. I assume the Town will gain appointment power if the Village dissolves. Given the Town's decades-long hostility towards the libraries, and the fact that it has caused the expenditure of a ton of taxpayer money by dragging the libraries into court through illegal attempts to curtail or eliminate library funding, I imagine the Town would move quickly to appoint trustees whose prime motivation would be to continue this attack on library service in the Town. The Town should be required to make a public statement about what its stance would be toward the libraries well in advance of November 3

**From:** Kelly Neferis  
**Sent:** Tuesday, August 11, 2009 6:00 PM  
**Subject:** Johnson City Dissolution Study - Study Team Message

My biggest concern is that there will not be ample police coverage. I live in one of the highest crime areas of JC (Grand and Hudson St. area). The crime is not getting any better in this area. I do have to say that the police are a lot more visible in this area as of late and it does help. It makes you feel more secure. There is a lot of obvious drug activity in this neighborhood. I am concerned for my family's safety. We have lived here 15 years and I tell you things will not get better if the police force is reduced. It is needed now more than ever. Drug activity and crime will definitely increase if the criminals are aware that areas will be patrolled a lot less than before - in both areas. It will take a lot of solid reliable information for me to be swayed to vote for the consolidation. Thank you for your time.

**From:** Jim Ewqanco  
**Sent:** Tuesday, August 11, 2009 5:40 PM  
**Subject:** Johnson City Dissolution Study - Study Team Message

Attn:Mr.Klish & committee: An excellent job for a thankless task. Your fair & comprehensive assessment should be a model for this state (and Endicott). Indeed, local politics, nepotism & greed had got us here & you have cut to the chase. GREAT WORK. Endwell NY

From: don adams  
Sent: Wednesday, August 12, 2009 8:58 PM  
Subject: Johnson City Dissolution Study - Study Team Message

The committee did an outstanding job. Their efforts will save the residents of Johnson City an enormous sum of money over our lifetime. Opposition at the public hearing was far less than I expected. The statements made were largely emotional and not substantiated by fact. Arguments may be made for minor adjustments in the figures in the report. However the savings are so great that it is an easy decision to vote for dissolution.

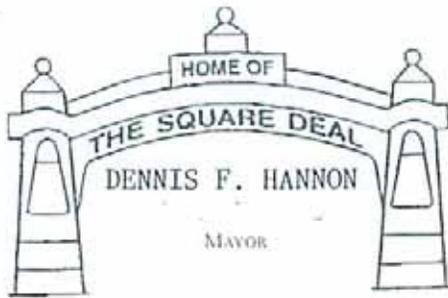
**From:** Robert Donahue  
**Sent:** Wednesday, August 12, 2009 2:05 AM  
**Subject:** Johnson City Dissolution Study - Study Team Message

I am 43 and I live a few houses from the Hospital, I have been gone living around the east coast for a number of years and moved back here 5 years ago because it is where I was born (and my Son) and I have never seen anything like this in my life, its all like a bad B-Rated Movie #1) I cant believe anyone is doing this because of taxes, the taxes here are even less then I have paid elsewhere and only for a small savings if any, there has to be some sort of scam here somewhere, some one stands to make money on the dissolve? we really do not have anything to gain, and there are many losers ie: the people about to lose their job in this already poor economy, so it all leads me to wonder who is about to profit or who already has â€ Who is really pushing for this dissolve and what are their motives, this sounds like a lot of work just to save the average tax payer \$1 a day, sounds Crazy to me anyway! Itâ€™s like saying, give me the keys to your car because with me it will get better gas mileage? How could any city take this on if we are already failing and make it work for less, and or why would they want to??? I have been gone long enough to almost consider myself an outsider, but back long enough to call it My Town, and I can tell you as an outsider, something going on here is strange and as this is my town .... I donâ€™t like it. Me Bob

**From:** Denise Stoughton  
**Sent:** Thursday, August 13, 2009 6:56 PM  
**Subject:** Johnson City Dissolution Study - Study Team Message

After reviewing the proposal in depth and attending the public meeting, I would like to make a recommendation to the committee. I believe the reductions you are making to the police department are too great and the reductions to the fire department are too few. There are many volunteer fire departments surrounding JC that can be called in anytime there is a fire. Obviously there is not the same level of support for police services and there is much more crime than fire here. I believe the police reduction should be 10 rather than 20+ policemen and the fire reduction

should be at least 10 more. This will save us more money since the fire wages and benefits are significantly greater than the police. I believe this would go a long way toward mitigating many of the resident's fears expressed at Monday evening's meeting.



DIRECTOR OF PUBLIC SERVICES  
**VILLAGE OF JOHNSON CITY**

124 BROWN STREET • JOHNSON CITY, NEW YORK 13790

PHONE (607) 797-3031

FAX (607) 798-1811

E-MAIL: [jedops@stny.rr.com](mailto:jedops@stny.rr.com)

August 10, 2009

William Klish, Chair  
Village of Johnson City Dissolution Committee

Dear Mr. Klish:

At the initial meeting of the Dissolution D.P.W. sub-committee, held on October 15, 2008 and attended by yourself, Fred Sheehan, Charles Zettek, Jr., Supervisor John Bernardo, the Town of Union Department heads and myself, it was stated that the Department Heads time, efforts, experience and input toward the study was appreciated and that the Committee's intent was to develop and present a viable plan that would be supported by the Department Heads.

The Refuse collection plan that was prepared by Town of Union personnel indicated that 40 employees would be required to collect garbage and recyclables in the "New Town". The Town currently has 30 Refuse employees and Johnson City currently has 10 Refuse employees. It was also determined that on a daily average within the two departments that there are five employees off due to vacations, sick leave or work related injuries. This meant that 5 additional employees would be required, in order to have 40 Refuse employees on any given day. However, the Department Heads chose to present an additional 3 employees with the rationale that vacation time could be controlled to reduce the number of employees off on a daily average. The Refuse Plan resulted in a schedule in which the Johnson City area of the "New Town" would be collected on Tuesdays and that the entire "New Town" yard waste would be collected on Wednesdays.

The Refuse Plan was presented to and accepted by the D.P.W. sub-committee. During the presentation the following questions were asked;

- Where will the Refuse Department be stationed? Town of Union personnel stated that for the Plan to work all Refuse personnel and vehicles would need to be centrally located at the Town's Scarborough Drive facility.
- Is there adequate room at the Scarborough Drive facility for the additional employee lockers and the Johnson City vehicles? Town personnel indicated that additions would be required for both and that these costs would need to be determined and included in the report. These additions would increase the Town's current Refuse rate of \$28.86 per \$1,000 of assessment.
- How will commercial properties and multi-unit apartments having greater than 5 units be affected? Town personnel indicated those commercial properties that produce more than 6 items of garbage and any parcel that has greater than 5 living units would require Refuse collection by commercial contractors and that these parcels would still

be charged in their property taxes for Refuse at the Town Refuse rate. The Dissolution Report & Plan states "Going to commercial contractors under the Town procedures will increase refuse collection services to these businesses; however, the financial impact will have to be determined by each business customer." The following is list of some of those financial impacts:

#### REFUSE COST COMPARISION

Parcel / Area	Current JC collection	Br. Co. Assessmt	T.O.U tax charge @ 28.86/1000	Commercial contractor rate/yr.	New Town total / year	JC rate per year
Press Bldg.	no	712,800	\$20,571.41	N/A	\$20,571.41	\$168
Vision's Credit Union	yes	56,550	\$1,632.03	\$840	\$2,472.03	\$336
Indian Ridge Apts.	no	613,228	\$17,697.76	N/A	\$17,697.76	\$168
Salamida's Warehouse	yes	9,200	\$265.51	\$1200	\$1,465.51	\$336
Dellapenna Sub-Division west of Reynolds Road Area	yes	8,500 to 13,600	\$245.31 to \$392.50	N/A	\$245.31 to \$392.50	\$168
Nadine Way Deborah Dr.	yes	10,500 to 29,500	\$303.03 to \$851.37	N/A	\$303.03 to \$851.37	\$168

Why does the Dissolution Report & Plan not show the impacts when there is an increase in the cost of supplying the services through the Town's regulations?

During the Sub-committee meeting regarding water the question of water rates was discussed. In previous meetings with Town personnel, it was evident that the Town expected to create one unified water rate for Johnson City, Fairmont Park, Westover and Choconut Center. Prior to developing a unified water rate structure, I requested that the committee confirm with the Town that this was the intent. Upon obtaining this verification the following table was developed, reviewed with and agreed upon by the Town of Union Comptroller at which time it was presented to the D.P.W. Sub-committee: (The 2592 cubic feet amount is the average water consumption of a residential customer).

	JC rate	Outside rate	Choconut Center	"New Town" Rate
First 1000 c.f.	\$20.00	\$30.00	\$80.00	\$35.00
Next 6000 c.f.	1.68 per 100cf	2.27 per 100cf	3.55 per 100 cf	1.31 per 100 cf
Next 1,993,000 c.f.	1.55 per 100cf	2.05 per 100cf	3.25 per 100 cf	1.21 per 100cf
Over 2,000,000 c.f.	0.92 per 100cf	0.92 per 100cf	0.77 per 100 cf	0.61 per 100 cf
Average Rate at 2592 c.f. per quarter	\$46.75	\$66.14	\$133.33	\$55.86

The Plan is vague about the water district. Does the Town propose to keep the current 3 separate districts with separate rates? If the Town proposes to keep the 3 separate districts for now, what assurances are there that the Town will not transition into a single unified district and rate structure? Or does the Town propose to create one unified district with the above rate structure that was developed as part of the original submittal to the Dissolution committee?

Another water issue that was discussed is that the Town's labor agreement currently has no job descriptions for water department personnel. In order to hire the current Johnson City water department employees the Town would need to re-open the agreement with the labor union. Have there been any discussions between the Town and their labor union?

The Highway / Street Department plan began with the Town Highway Superintendent performing a ratio comparison of the two departments. The Town has slightly more than twice the mileage of roads that Johnson City has. Therefore, in order to supply a similar level of service, it was determined that since the Town has 32 highway employees, 8 additional employees would need to be added to the 8 current employees in the Johnson City street department, for a total of 16. Subsequent discussions and a review of the Johnson City response to snow, ice and sleet events of December 2008 and January 2009 concluded that in order to supply a similar level of service to the Johnson City area that the initial 16 could be reduced to 12 employees being added to the Town's highway department.

During a February 17, 2009, D.P.W. sub-committee meeting, in which I believed the discussion was to finalize the highway plan, the Town of Union Commission of Public Works stated that the Town's dissolution plan for supplying the same level of service of Public Works is to eliminate 2 supervisory positions and employee the remaining 34 Johnson City D.P.W. and Water employees. When I questioned this plan, the Commissioner stated that the Town realizes that there will be issues and that they will deal with them as they arise.

Since that February meeting I have continued to inquire as to what happen to the plans that were developed by the Town department heads and myself. Upon reviewing the Dissolution Report & Plan, those questions still remain. What happened to the plans that were developed by the Town and Village D.P.W. department heads?

Sincerely,

A handwritten signature in cursive script that reads "R. A. Bennett".

Robert A. Bennett, P.E.  
Director of Public Services

August 10, 2009

Dissolution Committee  
c/o Jen Kakusian  
Village of Johnson City

To The Dissolution Committee,

As Director of Your Home Public Library, I've been reading through the dissolution plan with a rather singular focus. I understand that ownership of the library building and grounds would transfer to the Town of Union. There are some other issues, however, that seem unclear.

Currently, the Village of Johnson City performs several key services to the library. These services include plowing the parking lot, mowing the grounds, and the occasional building repair. More importantly, the Village also provides payroll and accounting services and library employees are included with other non-union village employees for health insurance purposes. These services have been provided for some time, probably since the Village took possession of the library building in 1938.

There are passages in the plan that describe the operation of the library after a positive dissolution vote as independent and self-sufficient. On page 9, bullet number 20 asserts that 'the plan assumes no change in the Library function, costs, and revenues.' Should it be taken, then, that the Town of Union will provide those services currently performed by the Town? If the library were required to contract for those services, it would have a dramatic impact on the library's ability to provide its services to the community.

I imagine that the committee is besieged with questions and concerns these days and that there are some gray areas inherent in an undertaking such as this. I do hope that my concerns can be addressed. I am more than willing to meet to discuss my concerns. I can also be reached by phone at (607) 797-4816 and by e-mail at [JC.Steve@4cls.org](mailto:JC.Steve@4cls.org). I thank you very much for your time.

Sincerely,



Steven J. Bachman  
Director





August 19, 2009

Bill Klish  
Attn: Dissolution  
260 Zoa Ave.  
Johnson City, NY 13970

Dear Mr. Klish,

Enclosed is the Greater Binghamton Chamber of Commerce Memorandum in Support of the Dissolution Plan for Johnson City. Please add our memo to the public comment record.

Regards,

A handwritten signature in blue ink that reads "Lou Santoni".

Lou Santoni  
President and CEO



MEMORANDUM IN SUPPORT  
August 19, 2009  
Village of Johnson City Dissolution Report & Plan

*"Our goal was to develop a plan that would provide comparable services in the community to those currently enjoyed."*

---

The Greater Binghamton Chamber of Commerce, representing over 800 businesses that employ over 50,000 people in the Southern Tier of New York (including more than 90 Johnson City-based employers) endorses and commends the work of the Village of Johnson City Dissolution Study Committee and urges Johnson City voters to vote for dissolution of the Village this November. By doing so, Village property taxpayers will **save** \$4.6 million annually and **cut** their property taxes by 30 percent. Such action will also **cut** Town of Union property taxes outside of Johnson City by nearly \$1.9 million a year.

Every dollar a Village or Town taxpayer doesn't have to spend on taxes and bureaucracy is a dollar that can be spent on real goods and services to improve his or her quality of life and to boost local business. Every dollar a local employer doesn't have to send to the government is a dollar it can use to expand its business and hire new workers. Every dollar not spent on increasing the size of government can be used to grow the local economy by reducing the cost of doing business and of acquiring and maintaining local property.

Using benchmark data compiled by the Office of the New York State Comptroller, the Village of Johnson City can be seen to out-tax and out-spend other large upstate villages, sometimes by very large margins. For example Total Spending per Capita for the Village is \$1,826 some 56% higher than the upstate large village average. The Debt per Capita of \$2,381 is 164% higher than the upstate large village average. The situation is bad now and will only get worse as time passes, when Village payroll and pension costs increase and the tax base shrinks.

Consolidation of duplicative and excessive governmental services, while not the entire answer, is a giant leap in the right direction. We urge the Mayor and Village Trustees not to let this historic opportunity languish but to embrace this much-needed change. We urge the voters to vote for dissolution and show all of New York that it's time for change and that Johnson City leads the way.

To Whom It may Concern:

8/10/09

This letter is in regards to the  
hopeful dissolution of Johnson City.  
I can't attend the meetings as I work  
nights.

Johnson City has been going downhill  
for so long it's hard to grasp.  
Born & raised here, it has been a  
very sad journey down that hill.  
All the elected officials that  
promised growth and better living  
threw us down the river, and  
here we are, nothing. Paying taxes  
many can't afford, living in a valley  
of nothing. All the businesses once  
on main street are gone to a better  
place, and who can blame them.

Believe me I wouldn't want to be  
a Fireman or police officer, but to  
ask for outrageous pay increases is  
unthinkable. However, how many  
live in the valley and have to pay  
our taxes? I still remember when  
Mr Lewis was raising our water bills  
he "suggested" businesses charge customers  
for the water served. How cute was  
that? But then what's who had our  
livelihoods in his hands. That's who  
Cared.

Johnson City needs a Government  
that isn't a political clique.  
Yes, Johnson City is just that.



Binghamton-Johnson City  
JOINT SEWAGE BOARD



Eugene Hulbert, Sr.  
Luke Day  
Edward Crumb

Kenneth E. Kinsman  
Thomas R. Augostini  
John Chauncey

August 18, 2009

Mr. William Klish, Chairman  
ATTN: Dissolution Study Committee  
260 Zoa Avenue  
Johnson City, New York 13970

RE: **Observations and Questions Pertaining to 7/20/09 Dissolution Report & Plan**

Dear Mr. Klish:

I write on behalf of the Binghamton-Johnson City Joint Sewage Board ("Board") in relation to the Village of Johnson City Dissolution Study Committee's July 20, 2009 *Dissolution Report & Plan*.

From the outset, we want to make it clear and emphasize that the Board absolutely does **NOT** have an opinion or take any position regarding whether the residents of the Village of Johnson City should dissolve their Village or not. **That decision is entirely theirs.**

Nevertheless, given our duties and responsibilities to possess, operate and maintain the facilities of the Joint Sewage Project – 45.2% of which is owned by the Village of Johnson City – we felt we would be remiss if we did not at least raise the questions and points listed below in order to facilitate complete analysis, study, and discussion of all aspects pertaining to the Joint Sewage Project that may be germane to or affected by dissolution before a decision is reached by the Village's voters. Further, because the Board and/or the Joint Sewage Treatment Facilities benefit in many ways – both directly and indirectly – from services provided by or through the Village of Johnson City, we need to know for planning purposes if we might experience a change in these services so that we can prepare in a proactive way in the best interests of the Joint Sewage Project.

- 1) The fifth paragraph on page i states that the administrative services of the Village clerk/treasurer will be provided by the Town of Union (the "Town"). In relation to the Village's role as Lead Agency for the Phase III Improvements at the Joint Sewage Treatment Facilities ("Phase III Improvements"), the clerk/treasurer provides significant services, both administrative and fiscal, and the Board benefits from these services to some extent. Has the Committee inventoried or itemized these services and determined their value/cost as well as planned for post-dissolution accomplishment of this work? Is the Town aware of the nature and extent of these services?

Catherine P. Aingworth, Superintendent  
Binghamton-Johnson City Joint Sewage Treatment Facilities  
4480 Old Vestal Road, Vestal, New York 13850  
Phone: 607-729-2975 Fax: 607-729-0110  
Email: bjcwwtp@stry.rr.com

RE: Observations and Questions Pertaining to 7/20/09 *Dissolution Report & Plan*

- 2) The third paragraph on page 2 discusses Memoranda of Understanding (“MOUs”). Presently, there is an informal allocation of responsibility as between the Board, the Village, and co-owner City of Binghamton under the various Consent Orders with the New York State Department of Environmental Conservation (“NYS-DEC”) pertaining to an ongoing Flow Management process, and the Owners and Board co-hold the NYS-DEC State Pollution Discharge Elimination System (“SPDES”) Permit governing the facilities’ discharge into the Susquehanna River. Further, the Village holds SPDES Permits for two combined sewers overflow structures that are directly subject to the Flow Management process presently being overseen by the Board. Does the Committee’s plan and the MOU with the Town encompass these aspects? Further, should a MOU be obtained from the City of Binghamton as co-owner of the Joint Sewage Project as to these matters? Should a MOU also be obtained from the NYS-DEC in this regard? Additionally, the Board is responsible for billing user municipalities in relation to facility operational costs, “local systems charges”, and Owner debt service, the latter being in the form of bonding and construction financing obtained from the New York State Environmental Facilities Corporation (“NYS-EFC”). Has the Committee researched whether this debt is transferable? Should a MOU be obtained from the NYS-EFC in relation to transferability of outstanding bond debt and construction financing debt the Village has incurred which is applicable to the Joint Sewage Treatment Facilities?
- 3) The sixth paragraph on page 8 discusses legal services, but it does not mention substantial legal services provided by the Village in relation to the Inter-Municipal Agreements (“IMAs”) for the Joint Sewage Project (especially Section 4 of Inter-Municipal Agreement III), as Lead Agency for the Phase III Improvements (including construction contract legal issues and warranty claims/litigation), or in relation to compliance matters such as various NYS-DEC Consent Orders binding on the Village in relation to the Joint Sewage Project. The Board directly benefits from these services to a large extent. Has the Committee inventoried or itemized these services and determined their value/cost as well as planned for post-dissolution accomplishment of this work? Is the Town aware of the nature and extent of these services?
- 4) With respect to the discussion on page 17, we note that the Village Director of Public Services (the “Director”) as principal representative of the Village in its role as Lead Agency for the Phase III Improvements, or others under his direction, spend significant time and render a very large amount of services for the benefit of the Board and the Owners. As we view them, these services are not of a “sewer operations” character. Although much of the construction work was to have been finished by 2007, the Phase III Improvements are not completed yet and, even if completed in 2010, may include significant warranty servicing work and post-construction remedial work based on construction defects which have been discovered to date. Has the Committee inventoried or itemized these services and determined their value/cost as well as planned for post-dissolution accomplishment of this work? Is the Town aware of the nature and extent of these services? (Additionally, we note footnote 16 on page 23 which suggests that the cost of the Director – presently a Village Sewer Fund expense – would be absorbed by the Town Water Fund. Did the Committee [i] perform a feasibility analysis to determine whether the Lead Agency work of the

RE: Observations and Questions Pertaining to 7/20/09 *Dissolution Report & Plan*

Director could be accomplished by the Town or other Sewer Department personnel of the Village whose positions will be transferred to the Town or [ii] otherwise plan for how this work will be accomplished if dissolution occurs?)

- 5) The third sentence of the bolded fourth paragraph on page 18 states, "The Town will become legally and fiscally responsible for the Village's obligations for the jointly-owned sewage treatment plant." The word "plant" refers to only a portion of the Joint Sewage Project's facilities, so in the interest of full disclosure we wish to note that the Joint Sewage Project includes other non-plant vehicles, equipment, and facilities such as the Terminal Pumping Station serving the Village of Johnson City and connected Outside Users. (The same observation applies to item 36 in the chart on page 50, as well).
- 6) The second sentence of the last paragraph on page 19 mentions 60 miles of sewer pipe, but the September 2008 Flow Management Evaluation Report commissioned by the Board inventoried only 45 miles of sewer pipe within the Village of Johnson City. Do your report's figures include sewer pipes serving "outside users" referred to in the next sentence that do not belong to the Village?
- 7) The fourth sentence of the last paragraph on page 19 parenthetically mentions an erroneous "45.8%" as the Village's share of ownership of the "Joint Sewage Treatment Plant". The correct percentage is 45.2% as set forth in paragraph 5 of Inter-Municipal Agreement I (and other provisions of subsequent IMAs).
- 8) The last sentence of the last paragraph on page 19 states, "The Village's contractual obligations for the Joint Plant at the time the Village dissolves will transfer to the Town." Does the Committee's understanding of "contractual obligations" include the work presently performed by the Village to support the Board's billing functions by separately accounting for the operational and maintenance cost of the portion of the Village's sewer collection system charged to "Outside Users" of the Joint Sewage Project on a prorated basis as a "Local Systems Charge"? If so, has the Committee inventoried or itemized these administrative/financial services and determined their value/cost as well as planned for post-dissolution accomplishment of this work? Is the Town aware of the nature and extent of these services?
- 9) The first sentence of the first paragraph on page 20 discusses the creation by the Town of a "sewer district corresponding to the current Village operations". What are the boundaries of this district under the Committee's plan? Under the Committee's plan, does this district (and only this district) continue to benefit from the "Owner's rate" for Joint Sewage Project billing purposes? (In contrast, areas of the Town outside of the Village presently pay an "Outside User rate" for Joint Sewage Project billing purposes under bills prepared by the Board).
- 10) In the discussion and charts beginning on page 25 as to the disposition of land, buildings, and related assets of the Village, we note that no mention is made of the Village's 45.2% ownership

RE: Observations and Questions Pertaining to 7/20/09 *Dissolution Report & Plan*

interest in the Joint Sewage Treatment Plant campus, buildings, and facilities at 4480 Old Vestal Road (Town of Vestal Tax Map Parcel No. 159.10-1-6) or the Village's 45.2% ownership interest in the Terminal Pumping Station grounds, buildings, and facilities at 3936 Gates Road (Town of Vestal Tax Map Parcel No. 143.17-1-3).

- 11) In the discussion and charts beginning on page 25 as to the disposition of land, buildings, and related assets of the Village, we note that no mention is made of the Village's interest in an easement between the Joint Sewage Treatment Plant campus and the Terminal Pumping Station grounds or the Village's sole ownership of a sewer force main buried within the easement.
- 12) The chart beginning on page 55 ("Agreements Between the Village and Third Parties") lists, as item 17 – without a trailing asterisk/star (*see*, footnote 23) – "Various agreements regarding Joint Sewage Treatment Plant" and, as item 63, one of the Inter-Municipal Agreements with the City of Binghamton. Does this listing include reference to various inter-municipal agreements between the Village and the City of Binghamton, on one hand, and various "Outside Users" of the Joint Sewage Project's facilities, on the other, such as the Town of Binghamton, Town of Conklin, Town of Dickinson, Town of Fenton, Town of Kirkwood, Village of Port Dickinson, Town of Union, and the Town of Vestal/Vestal Central School District, or should these agreements be added to the list? If not, should the description of items 17 and 63 be made clearer for the benefit of the target audience reading this report?
- 13) Section 15 of Inter-Municipal Agreement I for the Joint Sewage Project provides that, should the Village of Johnson City establish "the office of Comptroller", then the office of Fiscal Officer of the Board shall alternate annually between the Comptroller of the City of Binghamton and the Comptroller of Johnson City. Under the Committee's plan – should voters of the Village of Johnson City vote to dissolve – would the Comptroller of the Town become the Fiscal Officer of the Board for the year beginning January 1, 2011 or the year beginning January 1, 2012?

Thank you for considering these topics.

Sincerely,



Edward Crumb,  
Chairman

cc: Board Members (*via e-mail only*)  
Catherine P. Aingworth, Superintendent  
Michele Cuevas, Board Secretary  
John L. Perticone, Esq., Co-Counsel (*via e-mail only*)  
Alfred Paniccia, Jr., Esq., Co-Counsel (*via e-mail only*)  
John Cox, Board Fiscal Officer (*via e-mail only*)

About 2-3 yrs ago, in the middle of the night  
I heard a crash in my basement, not  
knowing if it was someone breaking in, I  
called the (state police), it took them approx  
40 mts to come to my home. I am a  
woman who lives alone & it was pretty  
frightening to not know if someone was  
in my basement. Finally, when the police  
~~finally~~ arrived, they checked out my basement  
& found it was window that crashed down.  
How well will "response<sup>time</sup>" be when sheriffs Dept  
has to take on JC residents. Will someone like  
me have a "response time" of 2-3 hours  
before I get help? I live in T of Union in

Fairmount Park. I think JC needs to  
Keep ~~have~~ <sup>their</sup> police protection in full. It will be  
pretty scary for us women who live alone  
to have to wait for police response as long as  
I had to and longer if this comes in effect.

Kathleen Dickerson  
32 OAK St  
Johnson City, NY 13790

**To the Dissolution Study Committee, and the people of Johnson City.**

8/10/09

My name is Ron Jones and I am a former resident of Johnson City.

Do you really want the Town of Union taking care of your local needs? What experience do they have. What do you get now for the taxes you pay to the Town of Union? Do you really want the Sheriff's department patrolling the streets of JC?

When I served on the Board I found that approximately one third of the budget was paid out on healthcare costs, including health insurance premiums for existing employees and retirees. If the village had a single payer healthcare program instead, the savings could amount to between 25 -30%.

The City of Kingston, NY commissioned a study which showed that if they had a single payer system such as HR 676, now before the U. S. House of Representatives, they could reduce their property taxes by 31% and their School taxes by 23%....Those are huge numbers! Do the math yourself. If the same figures applied to JC, a home with a \$3,000 property tax bill would instead be paying \$2,070 AND everyone would have a fully covered healthcare plan. School taxes would go down similarly.

So, before you throw away your local services of trash pickup, water and sewer, road plowing, fire and police protection by dissolving the village, give it a couple more years and put your energies into healthcare reform. Tell your state and national politicians you want single payer healthcare.

**Keep your village! Dissolve the Town instead!**

**Vote no to dissolution.**

Let me start off by thanking the dissolution committee, village employees and agencies that helped to put this plan together.

Your time and expertise is appreciated.

That being said, I find this plan to be good for the Town of Union and for the residents that don't want to be burdened with the costs of a community if it doesn't directly benefit them.

I have two pages of comments and questions. I'll just mention two here.

- Page 14: The Police Services plan is completely inadequate!! What is the difference between the road patrol and an enhanced level of service? What guarantee do you have that the state will grant a new district, especially with the push for consolidation and elimination of independent districts?
- Page 39: You have our assets value listed at, if my math is correct, \$35,948,920.00 not including the Sewer Plant. Point of interest: You are missing over 2 million in assets which includes the carousel horses among other items. Adding all our assets and subtracting all our debt, we still have equity of \$50.67 million dollars. (\$77,078,920.00 assets including the BJCJSTP - \$26,410,000.00 total debt = \$50,667,797.00)

I have copies of my comments if anyone would like them and I also have voter registration forms if there is anyone who needs to register before the vote in November. I will be in the lobby after this hearing concludes.

I'll close by saying that I believe this plan will save money in the short term but at what cost in services and safety to the residents and thousands of visitors each day here in Johnson City.

Bruce King

729-5058

8/10/2009

Bruce King

Trustee, Village of Johnson City

[King2005@stny.rr.com](mailto:King2005@stny.rr.com)

607-729-5058h 607-798-9803 x273 Village Hall

#### QUESTIONS AND COMMENTS

- Page i : Do you have a draft of the inter-municipal agreement between the TOU and Broome County on police coverage?
- Page i : Do you have a draft of the inter-municipal agreement between the TOU and Endicott on fire coverage?
- Page i : Under public works services do we have it in writing that there will be little or no change in services?
- Page ii : If all the buildings and assets transfer to the TOU along with the debt, what happens to our millions of dollars of equity in the assets and buildings?
- Page ii : Will all of our employees get a preference in being hired? If so, is that in writing?
- Page ii : Will the retirees get a letter stating that the TOU will not change their benefits?
- Page ii : What is the median tax rate for Johnson City taxpayers? Also, what is the percentage of tax payers who own homes over \$150,000?
- Page ii : Why is all the excess revenue being used to lower TOU taxes instead of reducing the cost of the Police and Fire Districts?
- Page 3 : The last sentence indicates that the expectation is that the TOU will honor the plan, how long do you think that will last? Is there an agreement to that effect?
- Page 5 : Again states that it is the understanding of the committee that the new employers will give preference to current JC people but that isn't in writing, correct?
- Page 6 : You indicate that 32 jobs plus 5 elected positions will be eliminated. We have been working under staffed in all departments for many months and even years as is the case in DPW. There is a back log of work waiting in all departments and you are telling us that the new agencies in charge can do the job and get caught up? If all these agencies can absorb the clerical and supervisory positions then why are they currently overstaffed? Cut a few and save us on our TOU and County taxes.
- Page 6 : Under retired employees you indicate that we the JC taxpayers will pay for the current retiree's health insurance, where is that tax and how much is it?
- Page 7 : Line 3 & 4 Are there any services that the TOU won't provide right from the start?
- Page 8 : It appears that in #11 that you are eliminating another 1/2/ time code officer when code enforcement personal should be increasing. The back log keeps growing.
- Page 9 : Financial impact. Just an FYI: The Mayor and Board Members do not get any benefits!!

- Page 10 : Under shared services alternatives you indicate that closing up the court and moving it to the TOU is an alternative but you also indicate later in this report that there is no savings in transferring it to the TOU, which is it?
- Page 12 : It appears that if we pay Endicott for fire protection that we will be reducing Endicott taxpayers cost of fire protection. How much is that?
- Page 13 : Footnote 7 According to your math a Firefighter costs the Village \$74,333. Where did you get that number?
- Page 14 : The Police Services plan is completely inadequate!! What the heck is an enhanced level of service? What guarantee do you have that the state will grant a new district, especially with the push for consolidation and elimination of independent districts?
- Page 15 : Substation costs: What is a nominal fee? Costs plus ??
- Page 17 : You indicate that all DPW departments share workers to meet the needs of the Village but that is not the case in the TOU. How will they ever get our streets plowed in the winter when they can't even do their own roads so the school buses can get through?
- Page 18 : Does the TOU seriously have supervisors and clerical personnel that are not busy?
- Page 19 : Why would the outside water users stand for the same rate, or more, when current JC Village customers enjoy a lesser rate?
- Page 19 & 39 : Sewer Fund. The Joint Sewage Treatment Plant has been recently appraised at 85 Million dollars. Our 45.8% equates to 38.93 Million Dollars. If you subtract our debt from the asset value (\$38,930,000.00 - \$16,585,000.00 = \$22,345,000.00) that's 22.345 Million Dollars of equity that we lose to the TOU. Does that seem fair?
- Page 39 : You have our assets value listed at, if my math is right, \$35,948,920.00. Point of interest: You are missing over 2 million in assets which includes the carousel horses among other items. Adding all our assets and subtracting all our debt we still have equity of 50.67 million dollars. (\$77,078,920.00 - \$26,410,000.00 = \$50,667,797.00)
- Page 21 : What is going to be the impact on our already struggling business when the TOU starts charging them \$28.86 per thousand of assessed value and don't even pick up their refuse?
- Page 21 : Taking into account the rate increase in refuse did you also take into consideration the rate reduction in sewer fees? If 90% of our residents get a reduction in costs that must leave a large increase on our businesses and larger home owners, correct?
- Pages 22,23 : If you're only cost savings are from eliminating supervisors who is going to supervise the employees when they are here in JC?
- Page 24: We already looked at Parks and our costs go up because of the number of employees the TOU has in each department. Since none of their departments share workers, where is the savings going to come from?
- Page 25 : If the TOU sells assets, even post dissolution, if we the resident of the Former JC have an existing equity in that asset? Could it not go to just JC taxpayers?
- Page 61 : table 4 It looks like JC taxpayers will be giving up 2.2 million in sales taxes to the TOU. Also the County stands to get \$100,000.00 more in their coffers.
- Appendix A: **The COMMITTEE has assumed the allocations shone in Appendix A will be how the TOU proceeds, BUT the TOU will determine how to allocate costs and revenues between the Town and the TOU!!!!!!**

George Kalba Jr.

If we only ~~cut~~ cut the police dept by 10 instead of 20 how much would it decrease or savings

38 Rose Lane  
Johnson City, New York 13790  
August 9, 2009

Dear Mr. Klish and Dissolution Study Committee:

We would like to commend you and the Committee on the excellent plan that was produced to dissolve the Village of Johnson City. As volunteers appointed by the Village Board, you clearly reviewed all implications and the plan methodically reflects each of those findings.

It is obvious that a lot of investigation, thought, visioning, time and hard work went into the plan. We definitely feel that you created a balance with the issue of the future of employees of Johnson City, which surely must have been a challenge to address.

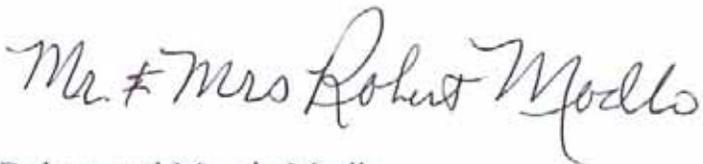
Just as cost cutting is occurring in most of our remaining industries and businesses resulting in adjustments in employment, so too is cost cutting required at all levels of government... especially, the layer known as the Village of Johnson City.

A second notable area (despite the rumors abounding) is that you were able to actually write a plan that results in property tax *reduction* for Town of Union taxpayers.

The plan's tax savings, and accompanying evidence to support your figures should convince ALL residents to support the plan . The savings, plus potential for improved services, ( i.e. our sadly looking parks, roads, and infrastructure), should be reason enough to vote to dissolve the Village and combine it into the Town of Union.

We expect that in addition to the obvious cost savings and improved services, that a positive vote for dissolution will then create a Johnson City which we can, once again, be proud.

Our sincere thank you for a job well done!

A handwritten signature in cursive script that reads "Mr. & Mrs. Robert Modlo". The signature is written in dark ink and is positioned above the printed name.

Robert and Marcia Modlo



IT IS MY UNDERSTANDING THAT AT LEAST 10 FIREMEN AND 10 POLICEMEN HAVE SUBMITTED RETIREMENT PAPERS IN CASE DISSOLUTION IS APPROVED.

① IF DISSOLUTION IS APPROVED AND THESE 20 MEN RETIRE, WOULD NOT THE SAVINGS BE HIGHER THAN 4.6 MIL.?

② HOW WOULD THEY BE REPLACED?

③ WHAT WOULD YOUR BEST GUESS AS TO WHAT THE SAVINGS WOULD BE IF THEY WERE REPLACED BY NEWER (AND LESS COSTLY) PAID FIREMEN.

John Edwan

To Each Member of the Dissolution Committee,

8/10/2009

I imagine that it must be difficult to hear the public's arguing and criticisms, but to me it all sounds like music to my ears. It's the sound of democracy at work. I hope you can learn to think of it that way.

I first want to thank you for putting in countless, unpaid hours in this effort. We little know what sacrifices you may have given up to pursue this. I regret that I couldn't attend every meeting. I hope you can take heart. You will always have the knowledge and experience to take with you.

There is so-o-o much wrong with this Dissolution Plan that I hardly know where to begin. Never could I say it all in only two minutes.

First of all, and perhaps most important, you and I both know that despite all your hard work, the Town of Union can choose to ignore ALL of it. This makes the whole effort literally not worth the paper it's printed on. It can just be so much more trash to throw away. It thus becomes a work of fiction – a dream, and in some aspects, a nightmare.

The effort to obtain Memorandums of Understanding is noble but likewise utterly useless if the Town decides differently 2 minutes from now. AND, where are these MOUs? Do they actually exist? Why weren't these signed documents included in the printing to prove their existence and to let us read exactly what these elected officials are agreeing to do? (By the way, rumors have it that the Mayor of Endicott has said that he never agreed to allow the Endicott Fire Chief to run Johnson City's Fire Dept.)

Another thing missing from this Report is a chart listing exactly what new employees the Town will need to hire and what their salaries / benefits will cost the JC taxing district. Supposedly, an AIM grant, IF we get it, may cover the initial costs, but how much exactly will those costs be? If we don't know that, how can we know how much of the AIM grant will be left over to lower the Town's taxes, supposedly? This was not detailed at all. Certainly there are not now Town employees that just twiddle their thumbs waiting for something to do. What are the costs of hiring computer programmers to reconfigure the changes in computer software needed in the Town offices? They don't come cheap. Also, what will be the *ongoing* extra costs *for years and years to come*, for the JC taxing district, long after the AIM grant has been spent?

Even though figures never lie, we all know that figures can certainly be manipulated to prove anything at all.

Another group of statistics that is missing from this Plan is how it would affect Democracy. Where "We, the people" have the most democracy is at the LOCAL level of government.

The general population of the US gets all excited about the "horse race" election of the US President, where their one vote is like a spit in the ocean. But . . . it is the smallest unit of government where we, the people, have the most influence and the loudest voice. The quote that pops into my mind is "I'd rather be a big fish in a small pond than a little fish in a big pond."

I obtained these statistics from the Br. Co. Board of Elections today, Monday August 10, 2009, so it is very up-to-date.:

Registered Voters in the Village of Endicott:	6,670
Registered Voters in the Village of Johnson City:	8,204
Total Reg. Voters in entire Town of Union:	33,606

In chart form these statistics look like this:

I've heard DEMOCRACY defined as "The greatest number of people having the greatest amount of voice and influence in how they are governed".

Elected officials listen most to those that have the power to take them out of office. So what matters MOST is how many voters elect those officials. When you vote for the Town of Union Town Council, you have one vote out of 33,606. When you vote in the Village of Johnson City, you have one vote out of 8,204 – which means you have a much louder voice and more influence about how you are governed in the Village than you do in the Town. That matters very much to me.

This Plan does not address this Loss of Democracy because this Plan is all about money and totally ignores protecting the people's Democracy.

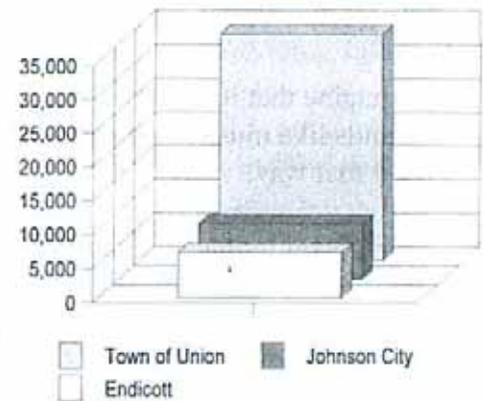
### **There are things you can count that do not matter and there are things that matter that cannot be counted.**

Any resident of Johnson City can attend a Board of Trustees meeting and voice their personal opinions, at every meeting. They don't have to travel to Endwell. They don't have to be content to read some reporter's "sound bite" impression of what happened. They can see and hear all of it for themselves. This proposal will severely limit the people's political power, our democracy – because it will put us into a bigger pond.

I have heard that those who propose this change, had to work really hard going door to door to get the necessary signatures for the petition. They needed the signatures of one-third of the voters of Johnson City and I heard complaints about how difficult that was. But just for a moment think of how difficult it would have been if they had to get the signatures of one-third of the voters of the Town of Union!! It would have taken a much larger group of people, more persuasion, much more time spent, and far more expense for flyers and gasoline, because they would have had much more territory to cover. Have you looked at a map of the Town of Union? Their voices might not have been loud enough to even been given this chance for a change. That's what I mean by a loss of democracy!!

I haven't been able to attend all the meetings of the committee, but I WAS present one evening when the discussion was about this PLAN the Committee has to write. You were discussing how The Plan would go into effect. Some had definite ideas on how the Town of Union should implement The Plan. Suddenly there was a stunned silence as the committee members realized that once Dissolution became a "done deal", the Town of Union could do *whatever* it pleased, not only immediately, but well into the future for years and years to come. The stunned silence in the room spoke volumes about what I call the "loss of control" the committee and, indeed, all Johnson City voters, would experience. The Dissolution Committee members themselves would all become smaller fish in a much bigger pond and *their* vision of the future could be totally ignored.

Registered Voters as of 8/10/2009



The impact of Dissolution extends well beyond how much tax we pay.

### **There are things you can count that do not matter and there are things that matter that cannot be counted.**

Another one of those things that matter that can't be counted, is Public Safety in the form of adequate fire and police protection. In times of economic downturns, it is well known that crime increases. Haven't we suffered enough crime lately? Think of the American Civic Assoc., the big drug bust, and the recent JC murder. All these took place with the current number of police. It looks to me as though we ought to be increasing our police force instead of cutting it in half.

### **Health Insurance Benefits is the problem we need to fix.**

The root cause of rising tax rates cannot be cured by dissolving our local government. Granted that our tax rate has been rising at an alarming rate. Have we truly looked at **the root cause**? I suggest that the root cause for this rise is increasing health insurance rates that're added to the benefits of firemen, police, and even school employees. One person (employed by a private company) said that every year when he gets a raise, it disappears entirely due to increased health insurance rates. That's the cause. I'm sure of it.

If ever higher insurance rates can be fixed, not only the village and town taxes could be lowered, but also the school taxes. As a senior citizen, I know first hand how well Medicare works and it does it all without taking a profit.

Now for the spoken two minutes:

I commend you for giving highlights of JC's Code Provisions. What caught my eye is #8 - Chapter 96 on Animals; requiring permits for livestock, birds, and exotic animals. Do we want horses, chickens, pigs or pet boa constrictors wandering downtown? I don't think so! This and other provisions point up the need for legislation for urban areas that are unnecessary for the rural areas. How can the Town create legislation that would discriminate against some residents of the town but not others? Would the Town have to establish Special Discrimination Districts? How could that be legal?

Early on in this process, I heard Sheriff Harder say that he had asked the Br. Co. Legislature for 21 more deputies and they only gave him 3. Three out of 21!! If we later find that 21 are not enough for JC, good luck on getting more. Not only that; I have just learned WHY the County Executive may be one of the Dissolution pushers. It seems that NYS REQUIRES the County to have, you guessed it -- 21 more deputies. Isn't that funny? That just happens to be the same number the Plan proposes that Johnson City taxpayers pay for, through our special taxing district. So the County will meet it's requirements on the backs of Johnson City taxpayers.

Respectfully submitted,

Barbara Thompson  
94 Miriam St.  
Johnson City, NY  
August 10, 2009

bthompson9955@msn.com

To Whom It may Concern:

8/10/09

This letter is in regards to the hopeful dissolution of Johnson City. I can't attend the meetings as I work nights.

Johnson City has been going downhill for so long it's hard to grasp. Born & raised here, it has been a very sad journey down that hill. All the elected officials that promised growth and better living threw us down the river, and here we are, nothing. Paying taxes many can't afford, living in a village of nothing. All the businesses once on main street are gone to a better place, and who can blame them?

Believe me I wouldn't want to be a Fireman or police officer, but to ask for outrageous pay increases is unthinkable. However, how many live in the village and have to pay our taxes? I still remember when Mr Lewis was raising our water bills he "suggested" businesses charge customers for the water served. How cute was that? But then what's who had our livelihoods in his hands. That's who cared.

Johnson City needs a Government that isn't a political clique.  
Yes, Johnson City is just that.

As I said, born and raised  
here and there's a lot that's  
been covered up and put away.

It's time for a change, we  
deserve a break. We haven't had  
one in a long time thanks to the  
broken promises that took us down.

Ann M. Szili  
56 Avenue A  
Johnson City, NY 13798

# Village of Johnson City

## *Dissolution Study Committee*

August 28, 2009

Mr. Robert Bennett  
Director of Public Services  
124 Brown Street  
Johnson City, NY 13790

Dear Mr Bennett:

The approach to providing Public Works Services was initially conceived as a collaborative effort between the Johnson City Director of Public Services and the Town of Union Department heads. Upon further review, adjustments were made by the Town which included these changes:

- 1) The Town decided to continue to use the current public works facilities.
- 2) Water and Sewer rates for current Village residents would “not be significantly different than those in effect at the time of dissolution”. The Town plans on retaining the water and sewer districts as they are currently structured.
- 3) The staffing level for the Refuse department was adjusted to not include hiring three more employees above the current combined number of JC and Town staff. The plan on page 21 does note that “Depending on the post dissolution service outcome of the newly established routes, the Town could consider adding two to three additional Laborers”.
- 4) The plan does address higher refuse fees for residences with high assessments and commercial properties. Since the plan was published, Village refuse rates have been increased (from \$42/qtr for residences to \$62/qtr, and from \$84/qtr for commercial properties to \$104/qtr). Thus any impacts for businesses are less than original assumed, as well as those for homeowners (in most cases greater savings).

The Town has not begun formal discussions with labor union(s), and plans to do that as necessary if the Village residents vote to dissolve the village.

If the Village dissolves, the Town has the ultimate responsibility to provide comparable services to the current Village residents, and has set staffing levels where they feel appropriate. The Committee recognizes that the Plan as it has evolved has changed somewhat from the initial discussions as noted above. The Town management team also recognizes that minor adjustments may be required as the new departments are established and experience is gained. However, they are optimistic operating efficiencies will be achieved. Please note that the plan contains monies that were added as a contingency to deal with the need to make some adjustments.

Please feel free to contact me with additional questions or comments.

Sincerely;

Bill Klish - Chairman

Village of Johnson City, 243 Main St., Johnson City, NY 13790