

Governance and Service Options Village and Town of Malone

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DRAFT

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Village of Malone

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Between the fall of 2011 and the summer of 2012, the members of the Malone Study Committee put in a tremendous amount of personal time to explore viable options for improving delivery of government services to residents and taxpayers of the greater community. Committee members were as follows:

Village of Malone

Shawn Fournier
Todd LePine, Mayor
James McKee
Don Merrick
Joe Riccio, Village Trustee
Martha Weaver

Town of Malone

Mary Scharf, Town Councillor
Hugh Schickel

We deeply appreciate the generous assistance provided by many members of the Village and Town staffs. In addition, the diligent work of the Committee work groups has made a significant contribution to this report.

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SUMMARY

Background

The Village of Malone was founded in 1805 and is located in Franklin County, New York, just a few miles south of the Canadian border. In 2010, the population of the Village was 5,911, making it the largest population center in Franklin County. The Town of Malone had a total population of 14,545, including a prison population of 4,542. The area outside of the Village had a population of 4,092.

In the fall of 2011, the Village Board of Trustees appointed the Village of Malone Dissolution Study Committee to oversee a dissolution study. These eight Malone residents come from both the Town and Village and are working together to present a study that addresses two key questions:

- What would happen to service delivery and tax burden in both Village and Town if the Village of Malone as a municipal entity ceased to exist because voters elected to dissolve the Village?
- If Village leaders and voters do not choose to dissolve the village, are there opportunities to change how municipal services are delivered that would benefit Village and Town residents?

The goal of the study is to ensure that Village of Malone residents have the information needed to make an informed decision about Village dissolution and to inform the greater Malone community about alternatives to the status quo that may improve the delivery of municipal services.

The Dissolution Study Committee consists of the following members:

Village Representatives: Shawn Fournier, Todd LePine, James McKee, Don Merrick, Joe Riccio and Martha Weaver

Town Representatives: Mary Scharf, Hugh Schickel

The Village of Malone requested and received a grant to support this study from the New York State Department of State under the Local Government Efficiency Grant (LGE) program.

What the Study and Plan Cannot Anticipate

This document includes a Dissolution Plan that outlines how the surviving Town of Malone can continue providing needed and desired services within the area currently served by the Village government. It is not intended to be a highly detailed transition and implementation document. Detailed implementation would be worked out between the two boards during the two year transition period if the Village voters choose to dissolve.

The services and functions described in the Plan remain subject to final implementation by the Town at its discretion. The Town Board may determine that certain elements of the plan should be modified in order to meet the best interests of the Town as a whole, within the requirements of local, state and federal law.

Committee Recommended Dissolution Plan

A summary of the Committee's recommendations are provided below. Greater detail is available in this report and in the full Dissolution Plan, which can be found at the end of this document.

Elected Representation: The Village Board and related expenses will be eliminated. The Committee recommends increasing the size of the Town Board from five to seven Councilors.

General Administration: No changes recommended. Village positions could become Town positions. Town and Village offices will be maintained. Combining both offices in one building could occur following the initial transition.

Highway / Department of Public Works: No changes recommended. Village positions could become Town positions. Both garage sites will be maintained at the outset. Possible site changes could occur following the transition.

Utilities: Current Village water and sewer operations become special districts that include the former Village as well as other users in the Town. These districts will remain self-supporting by services as at present. Existing water debt will continue to be paid by water users in the newly created water district.

Police Services: The Committee recommends the creation of a police district that would provide service in a portion of the Town and be supported only by properties located within the district. This will require the Town to make a home rule request for special legislation. Village police officers could become Town police officers in the new district.
NOTE: This is subject to state approval.

Code Enforcement: No changes recommended. Village positions could become Town positions.

Codes and Ordinances: All local laws, ordinances and codes associated with the Village will remain enforceable by the Town of Malone for a minimum period of two years, unless otherwise changed by the Town Board.

Special Taxing Districts: The former Village would retain some service costs through the creation of special taxing districts for street lighting and

leaf and brush pick-up. Post-employment obligations for retirees will also be paid for by the former Village.

Financial Impact of Dissolution

This plan projects that tax rates in the Village and the Town will decrease upon dissolution. In the Village, tax rates will decrease from \$23.50 per \$1,000 of assessed value to \$19. For an average home of \$75,000, this means taxes will go from \$1,750 to \$1,400 for a savings of \$350. In the Town outside the Village, tax rates will decrease from \$8 per \$1,000 of assessed value to \$7.60. For an average home of \$75,000, this means taxes will go from \$610 to \$570 for a savings of \$40.

Committee Recommended Alternatives to Dissolution

In the event that the Village does not dissolve, the Committee also explored alternatives for delivering Village services through collaboration with the Town. A summary of these possibilities is provided below.

- The Town and Village administration performs some similar tasks (e.g. register births and deaths). The Town and Village could consider collaborating where both organizations are performing similar tasks.
- The Town and Village could explore collaborating on the financial administration of their organizations.
- The Town and Village may wish to consider sharing office space.
- The Town Highway Department and the Village Department of Public Works may wish to co-locate their garages.
- The Village may wish to explore new ways to provide police services at lower cost.
- The Town and Village could consider collaborating on the responsibilities of the coding department. Combining this service could also result in the elimination of one set of planning and zoning boards.
- The Village could implement an employee suggestion program to enable cost-saving ideas to be generated from within the organization.

COMMUNITY OVERVIEW

I. Introduction and Context

This document is a report to the community by the Malone Dissolution Study Committee (committee). The first section provides an overview of municipal services and financial information for the Village of Malone and the Town of Malone, New York. This is followed by consideration of the service and fiscal impacts should the Village choose dissolve as well as alternatives to consider for greater collaboration. This report was prepared with technical assistance from the Center for Governmental Research (CGR)¹.

Dissolution Study Process

The Village Board of Trustees appointed the Village of Malone Dissolution Study Committee to oversee a dissolution study. The Board initiated the study following a petition from residents in the fall of 2011. Residents and the Village Board have been looking for new ways to find efficiencies for some time. Recently, the Village and the Town combined their court function and there was interest in the community to continue to explore even more possibilities for collaboration or greater efficiency.

The Malone Dissolution Study Committee is comprised of eight residents from both the Town and Village who are working together to present a study that addresses two key questions:

- 1) What would happen to service delivery and tax burden in both Village and Town if the Village of Malone as a municipal entity ceased to exist because voters elected to dissolve the Village?
- 2) If Village leaders and voters do not choose to dissolve the village, are there opportunities to change how municipal services are delivered that would benefit Village and Town residents?

The goal of the study is to ensure that Village of Malone residents have the information needed to make an informed decision about Village dissolution and to inform the greater Malone community about alternatives to the *status quo* that may improve the delivery of municipal services. Thus, the committee has endeavored to understand the functions of the Town government as well as the Village government, so that the committee could identify additional shared services or consolidation opportunities beyond those services already jointly shared by the Village and Town.

¹ CGR is a nonpartisan, nonprofit consulting firm that works with local governments and nonprofit organizations throughout NYS. More information can be found at www.cgr.org

The Dissolution Study Committee consists of the following members:

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The Village of Malone requested and received a grant to support this study from the New York State Department of State under the Local Government Efficiency Grant (LGE) program.²

Content of the Report

The committee's report will discuss all services currently provided to Village residents. For each major service, the report explores

- The consequences of Village dissolution, including
 - Will the service continue?
 - If so, how will it be provided? What entity will take responsibility?
 - Finally, what are the tax consequences of dissolution for residents of the Village and Town?
- Alternative service delivery options that would not involve dissolving the Village.
 - Do opportunities for collaboration exist that would reduce the *per unit* cost of existing public services?
 - Do opportunities for collaboration exist that will improve the effectiveness of existing public services without increasing cost?

Limitations of the Study

The committee is not charged with the responsibility of evaluating existing services provided by either the Village or the Town. Nor is the committee empowered to recommend the creation of new services nor the elimination of existing services. By studying the possible dissolution of the Village, the community has an opportunity to explore whether some services currently offered might be eliminated or scaled back. The committee's work can help identify the potential fiscal consequences of eliminating one service or another.

² Contract No. T-108804

II. Background Information

Geography

Founded in 1805, Malone is located in Franklin County, New York, just a few miles south of the Canadian border. Malone consists of the Town of Malone and the Village of Malone, serves as the County seat, and is the largest population center in Franklin County. Flowing through the middle of the community is the Salmon River. Nestled at the base of the Adirondack Mountains, Malone is just a few miles north of the six million acre Adirondack State Park.

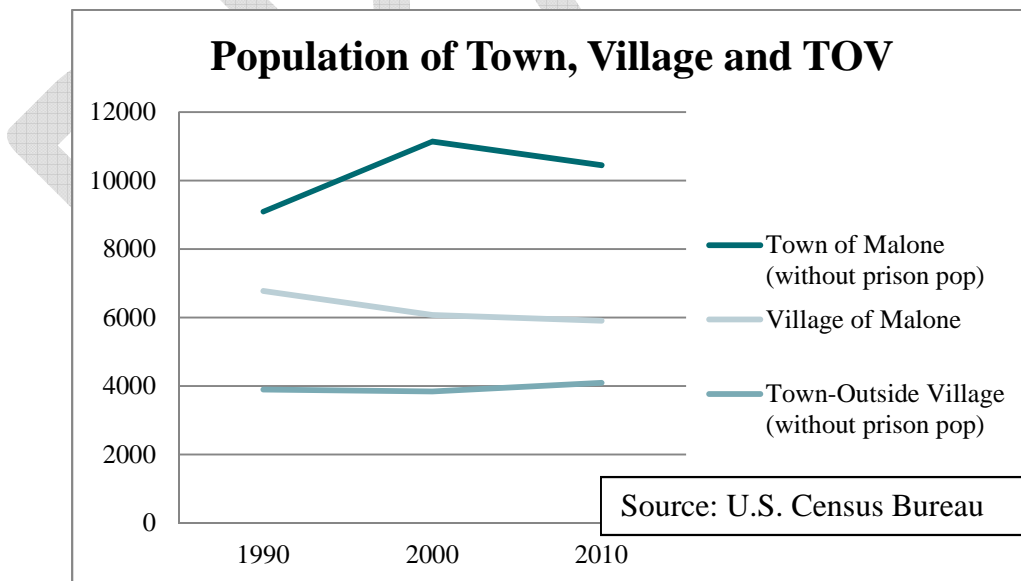


Population Trends

The 2010 U.S. Census estimated that 14,545 residents lived in the Town of Malone with 5,911 of those living in the Village of Malone and 8,634 living in the Town-Outside-Village (TOV) 4,542 of which were in state prison. Table 1 indicates that from 1950 to 2010, the population in the Village has declined by nearly 40%. Excluding the prison population, the TOV has grown slightly over the period. The Village population currently makes up just over 40% of the total population of the Town and nearly 60% of the population when the prison population is excluded.

Population of Town, Village, and Town-Outside-Village				
	Town of Malone	Village of Malone	Town-Outside-Village	Town-Outside-Village (w/o prison pop)
1950	12644	9501	3143	-
1960	11997	8737	3260	-
1970	11400	8048	3352	-
1980	11276	7668	3608	-
1990	12982	6777	6205	3893
2000	14981	6075	8906	3844
2010	14545	5911	8634	4092

Source: U.S. Decennial Census



As a large portion (52%) of the Town-Outside-Village (TOV) population is composed of state prison inmates or other institutionalized persons, there are nearly 900 more households in the Village than in the TOV, despite the TOV having the larger population. The prisons were opened in the 1980s and 90s.

Number of Households in Town and Village

Village of Malone	2,570 Households
Town-Outside-Village	1,676 Households
Town of Malone (Total)	4,246 Households

III. Financial Overview

The information in this section is provided to assist Village and Town residents to understand the relationship of Village and Town taxes to the total property tax burden.

Local Taxation: Sources & Uses

Property owners in the Town of Malone, both Village residents and Town-Outside-Village (TOV), pay several different levels of taxes depending on where they own property and the types of services they receive. The table below illustrates the many layers of local taxation within the municipalities (excluding federal and state taxes).

Current Town and Village Property Tax Rates per \$1000 of Assessed Value- FY 2012

	Village	Town-Outside Village
County	\$4.83	\$4.83
Malone Central SD*	\$18.75	\$18.75
Town-wide	\$2.81	\$2.81
<i>General</i>	\$1.58	\$1.58
<i>Highway</i>	\$1.23	\$1.23
TOV	n/a	\$4.28
<i>General</i>	n/a	\$0.39
<i>Highway</i>	n/a	\$3.89
Village	\$19.64	-
Malone Fire Protection District	\$1.04	\$1.04
Board of Election	\$0.14	\$0.14
Village Board of Election	\$0.06	n/a
Total	\$47.27	\$31.84

Source: Town 2012 Budget, Village 2011-12 Budget

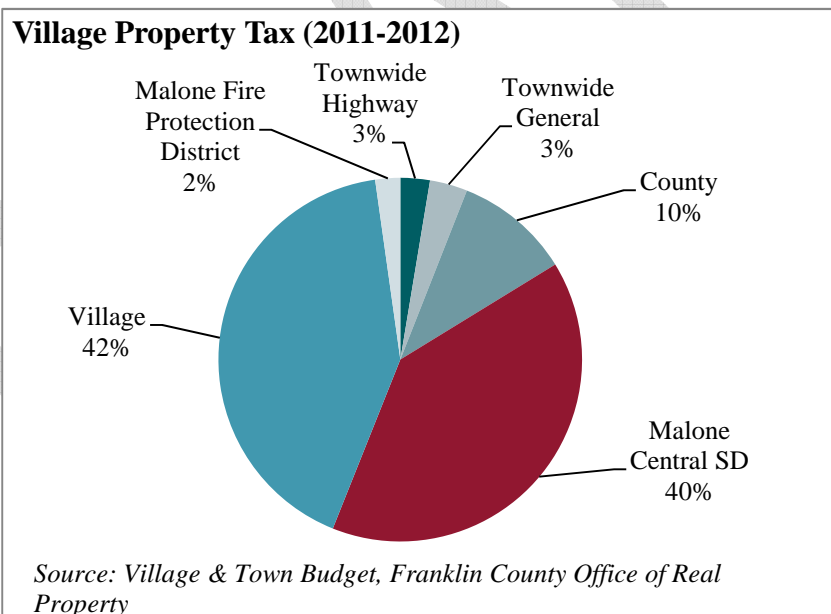
*Malone CSD Tax Rate for 2011

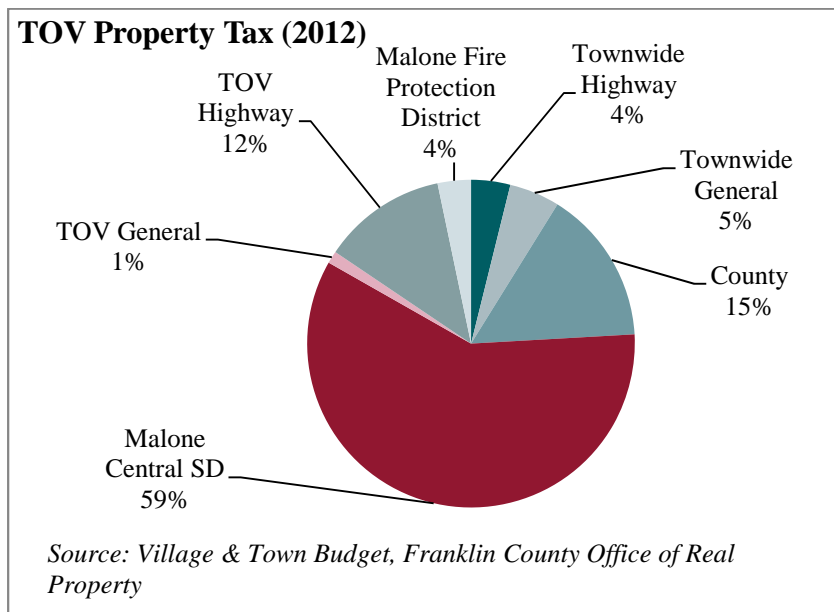
Where Your Tax Dollars Go

Residents in the Town of Malone are subject to different tax rates as a result of whether they live in the Village of Malone or in the Town-Outside-Village (TOV) and the corresponding services they receive. Village residents pay a Town wide tax for Town wide services and a Village tax for services associated with the services and functions of Village government. Town Outside Village (TOV) residents pay the same Town wide tax as Village residents and pay separate TOV taxes for services provided within the Town but outside of the Village (for example, highway services). Residents of the Villages and TOV may also be subject to additional local and special district taxes such as school, county, fire, sewer, water, and street lighting.

As the table above shows, in 2011-12, the overall property tax for a Village resident was \$47.27 per \$1,000 of Taxable Assessed Value. For a Town-Outside-Village resident, the overall rate was around \$31.84 per \$1,000 Taxable Assessed Value.

The two biggest contributors to the overall tax load in the Village are the Village and school taxes at 42% and 40%, respectively. The two biggest contributors to the overall tax load in the Town-Outside-Village are school and county taxes at 59% and 15% respectively.





How Property Tax Rates are Calculated

The property tax rate is expressed as dollars owed per \$1,000 of a property’s assessed valuation. The tax rate is designed to apportion the municipality’s costs among taxpayers according to their share of total property value. The rate is calculated by dividing a municipality’s total tax levy (the sum required to provide services) by its total taxable assessed value (TAV). The result is the levy per dollar of assessed value. This is multiplied by \$1,000 to convert to the familiar “\$ per \$1,000 of assessed

$$\frac{\text{Tax Levy}}{\text{Total Taxable Assessed Value}} = \text{Share of Levy per \$ AV} \times \$1000 = \text{Tax Rate (\$ owed per \$1000 AV)}$$

value” rate.

Tax Levy

The 2011-12 tax levy (property tax) for the Village is \$3,016,156, while the 2012 tax levy for the Town-wide general and highway funds is \$1,046,621. The tax levy for the Town-Outside-Village (TOV) general and highway funds is \$960,571. The combined tax levy for the Village and Town, including all funds, is \$5,023,348. Additionally, the tax levy for the Fire Protection District is \$427,000. The East Side and West Side Water Districts also raised \$32,316 and \$39,000, respectively, through special assessments on users.

EXEMPTION CODE-----	VILLAGE-----	COUNTY-----	TOWN-----	SCHOOL
TAX DESCRIPTION	TAXABLE VALUE			
SPECIAL DISTRICTS	ACCOUNT NO.			
***** 112.34-3-5.100 *****				
				2.-163-05
Combat Vet 41132	0	11,125	0	0
COMBAT VET 41133	0	0	11,125	0
COMBAT VET 41137	11,125	0	0	0
AGE TN&SCH 41806	0	0	16,688	22,250
SR STAR 41834	0	0	0	22,250
VILLAGE TAXABLE VALUE		33,375		
COUNTY TAXABLE VALUE		33,375		
TOWN TAXABLE VALUE		16,687		
SCHOOL TAXABLE VALUE		0		

Taxable Assessed Value

Both Village and Town properties are assessed by the Town Assessor. The assessed value of a property is often lower than the market value, as it is difficult to continually update all assessed values to keep up with changes in the market. The tax roll is perfectly fair, however, if all properties are assessed at the same *proportion* of market value. The Taxable Assessed Value (TAV) of property within each municipality is the base by which the tax levy is shared across the community.

Some properties are exempt from taxation (either partially or wholly), particularly nonprofits like churches or hospitals, properties owned by the public and properties owned by classes of individuals, e.g. the elderly or veterans. Some of these exemptions are conferred by state law while others are conferred at the discretion of the taxing jurisdiction.

In order to determine *Taxable Assessed Value*, the total assessed value of tax exempt properties is subtracted from the total assessed value of all properties. The remaining assessment comprises the taxable assessed value (TAV), or the value of those properties that share the property tax burden in a community.

While a property in the Village is assigned a common assessed value for Village and Town taxing purposes, the two taxing jurisdictions have approved different property tax *exemptions*. The taxable assessed value (TAV) used to share the Village levy among Village property owners is based on the Village exemption policies. TAV used to share the Town levy is based on the Town exemption policies.

In the property described above, the Town and Village both grant a 25% “combat veteran” exemption off the total assessed value of \$44,500. The Town and school district confer an additional 50% exemption based on the age of the owner (a further reduction of \$16,688 for the Town and \$22,250 for the school). The owner also receives a 50% Senior STAR exemption for school tax purposes, reducing the assessed value for school taxes to \$0.

Current Tax Roll

The 2012 tax roll indicates that the total assessed value for the Town of Malone is \$615 million, \$262.4 million in the Village of Malone and \$352.7 million in the Town-Outside-Village (TOV).

Total Assessed Value (2012)		
	Total Assess. Value	% of Total
Village	\$262,387,757	43%
Town-Outside-Village	\$352,739,142	57%
Total Town	\$615,126,899	100%

Source: Franklin County Office of Real Property Service

Exempt Value (2012)		
	Exempt Value	% of Total
Village (for Town taxing purposes)	\$109,727,357	46%
Town-Outside-Village	\$128,237,775	54%
Total Town	\$237,965,132	100%

Source: Franklin County Office of Real Property Service

Taxable Assessed Value (2012)		
	Taxable Assessed Value	% of Total
Village (for Town taxing purposes)	\$152,660,400	40%
Town-Outside-Village	\$224,501,367	60%
Total Town	\$377,161,767	100%

Source: Franklin County Office of Real Property Service

Equalizing Property Assessments Across Assessing Units

Fractional assessment—the practice of assessing properties at a fraction of market value—does not change how the tax levy is distributed among property owners within a single assessing jurisdiction (e.g. the Town of Malone). It does matter when sharing tax burden *across* assessing jurisdictions. The Malone Central School District, for example, includes a number of towns other than Malone. The Town of Malone assesses property at about 86% of market value. The Town of Burke, however, assesses property at about 66% of market value. Thus a home worth \$50,000 in Malone would be assessed at \$43,000 but would be assessed at \$33,000 in Burke. Without adjustment, it would appear that the Malone property is a larger share of Malone Central School District's taxable assessed value than the Burke property.

Working with local assessors, the State of New York assigns an “equalization rate” to each assessing jurisdiction that permits these differing assessed values to be converted into what is called “full value,” just as the U.S.-Canadian exchange rate is used to convert U.S. dollars into Canadian dollars. For purposes of apportioning the Malone Central tax levy, both of the \$50,000 properties in Malone and Burke can be treated the same.

Sample Property Tax Bill

The table below offers an example of the amount of property tax a Village or Town-Outside-Village (TOV) resident pays on a property with a taxable assessed value of \$75,000. Residents of the Village of Malone pay for and receive more services than those living outside the Village in the Town. In 2011-2012, a property valued at \$75,000 would have paid \$1,776 in taxes (in addition to county and school taxes) whereas a property with the same taxable assessed value in the TOV would have paid \$620 (in addition to county, school, and, potentially, special water district assessments).

Current Town and Village Tax Rates - FY 2012

Tax Category	Village		Town-Outside-Village	
	Tax Rate per \$1,000	Property Tax on \$75K Village Property	Tax Rate per \$1,000	Property Tax on \$75K TOV Property
General	\$1.58	\$118	\$1.97	\$148
<i>Town-wide (A)</i>	<i>\$1.58</i>	<i>\$118</i>	<i>\$1.58</i>	<i>\$118</i>
<i>TOV (B)</i>	<i>n/a</i>	<i>n/a</i>	<i>\$0.39</i>	<i>\$29</i>
Highway	\$1.23	\$92	\$5.12	\$384
<i>Town-wide (DA)</i>	<i>\$1.23</i>	<i>\$92</i>	<i>\$1.23</i>	<i>\$92</i>
<i>TOV (DB)</i>	<i>n/a</i>	<i>n/a</i>	<i>\$3.89</i>	<i>\$292</i>
Village	\$19.64	\$1,473	n/a	n/a
Malone Fire Protection District	\$1.04	\$78	\$1.04	\$78
Board of Election	\$0.14	\$11	\$0.14	\$11
Village Board of Election	\$0.06	\$5	n/a	n/a
Total	\$23.69	\$1,776	\$8.26	\$620

Source: Town 2012 Budget, Village 2011-12 Budget

*Malone CSD Tax Rate for 2011

Revenue & Expenditure: Town and Village

The Town and Village of Malone have combined operating budgets of nearly \$10 million. The Village of Malone is a \$6.7 million operation that is comprised of five funds: General, Water, Sewer, Joint Recreation and

Debt Service. For the 2011-12 fiscal year budget, Village expenditures for the General Fund total \$3.8 million. Water and Sewer had the next highest expenditures at \$1.3 million and \$1.1 million, respectively.

Town operations are comprised of seven funds totaling \$3.3 million. Town funds include Town-wide General Fund (A) of \$1.1 million and the Town-Outside Village General Fund (B) of \$120,253. Town-wide highway operations (DA fund) totaled \$533,928 and Town-Outside-Village highway operations (DB fund) totaled nearly \$1 million. Town funds also include West and East Side Water and Fire Protection.

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Town of Malone and Village of Malone Budget Summaries

	Town 2012 Budget	% of Total	Village 2011- 2012 Budget	% of Total	Combined Budgets	% of Total
Expenditures	\$3,277,874		\$6,681,727		\$9,959,601	
Town-wide General Fund (A)	\$1,113,513	34%	\$3,849,257	58%	\$4,962,770	50%
TOV General Fund (B)	\$120,253	4%			\$120,253	1%
Town-wide Highway (DA)	\$533,928	16%			\$533,928	5%
TOV Highway Fund (DB)	\$994,668	30%			\$994,668	10%
Village Water and Town West Side Water (F)	\$41,706	1%	\$1,292,335	19%	\$1,334,041	13%
East Side Water (FE)	\$46,806	1%			\$46,806	0%
Sewer (G)			\$1,143,257	17%	\$1,143,257	11%
Joint Recreation (J)			\$149,191	2%	\$149,191	1%
Fire Protection (SF)	\$427,000	13%			\$427,000	4%
Debt Service (V)			\$247,687	4%	\$247,687	2%
Revenue	\$371,366		\$3,137,829		\$3,509,195	
A	\$345,420	93%	\$448,426	14%	\$793,847	23%
B	\$7,350	2%			\$7,350	0%
DA	\$400	0%			\$400	0%
DB	\$1,000	0%			\$1,000	0%
F	\$2,706	1%	\$1,292,335	41%	\$1,295,041	37%
FE	\$14,490	4%			\$14,490	0%
G			\$1,000,190	32%	\$1,000,190	29%
J			\$149,191	5%	\$149,191	4%
V			\$247,687	8%	\$247,687	7%
Appropriated Fund Balance	\$401,000		\$527,742		\$928,742	
A	\$185,000	46%	\$384,675	73%	\$569,675	61%
B	\$25,000	6%			\$25,000	3%
DA	\$70,000	17%			\$70,000	8%
DB	\$121,000	30%			\$121,000	13%
F					\$0	0%
FE					\$0	0%
G			\$143,067	27%	\$143,067	15%
Property Tax Levies	\$2,505,508		\$3,016,156		\$5,521,664	
A	\$583,093	23%	\$3,016,156	100%	\$3,599,249	65%
B	\$87,903	4%			\$87,903	2%
DA	\$463,528	19%			\$463,528	8%
DB	\$872,668	35%			\$872,668	16%
F (special assessment)	\$39,000	2%			\$39,000	1%
FE (special assessment)	\$32,316	1%			\$32,316	1%
SF	\$427,000	17%			\$427,000	8%

For the 2011-2012 fiscal year, the property tax levy makes up 85% of Town revenue and 49% for the Village. To balance the budgets, the Town anticipates applying \$401,000 in fund balance and the Village anticipates applying \$527,742.

Retiree Expenditures

The Village of Malone contributes to the health insurance costs for 33 retirees for a total annual cost of about \$300,000. The Town's annual cost is about \$40,000 on behalf of 6 retirees and 2 surviving spouses³.

Village and Town Fund Balances

At the end of each fiscal year, every municipality either over or under spends relative to the revenue it receives. These surpluses or negative amounts are tracked over time in an accounting format known as fund balance. Tracking fund balance is a helpful tool to analyze how well a municipality is budgeting and how it handles excess (reserve) resources in future years. According to the Government Finance Officers Association (GFOA) and the Office of the State Comptroller (OSC), a local municipality should have a fund balance of approximately two months of expenditures in order to properly manage financial affairs for the community.⁴ On average this would be between 5 – 15 percent of the municipalities' budget.

Based on the 2011-2012 budget, the Village of Malone has reserve funds on hand for at least three months of Village expenditures. The Village reserve fund balances at the end of the 2011 fiscal year are provided below.

Village of Malone Fund Balances (as of 5/31/11)

	General Fund	Water Fund	Sewer Fund
Unassigned Fund Balance	\$1,495,983	\$563,948	\$415,805
Appropriated for 2011-2012 Fiscal Year	(\$384,675)		(\$143,067)
Balance Remaining	\$1,111,308	\$563,948	\$272,738

Village and Town Debt

Debt and outstanding liabilities for both the Town and Village are presented below. These debts will remain with their respective water customers regardless of whether or not the Village dissolves.

³ The Town offers health insurance coverage to its retirees at a 50% - 50% rate of contribution for individual coverage and 30% - 70% for family coverage. Some highway department retirees and one retiree from the assessor and code department were granted 100% health insurance payment coverage by the Town.

⁴ <http://www.gfoa.org/downloads/caafr-appropriate-level.pdf>

Village of Malone Water

	Outstanding balance, end of 2011	Amount paid in 2011	Maturity date of the loan	Interest rate
Water	\$380,000	\$40,909*	8/1/2030	5.625%
Water	\$3,515,209	\$206,778	11/1/2027	0%
Total	\$3,895,209	\$247,687		
<i>Source: Village Financial Report, Year Ended May 31, 2011</i>				
<i>* This includes \$19,000 toward the principal and \$21,909 for interest.</i>				

Town of Malone Water

	Outstanding balance, end of 2010	Amount paid in 2011	Maturity date of the loan	Interest rate
East Side Water Project	\$105,000	\$10,000	10/1/2020	0%
West Side Water Project	\$98,000	\$10,500	11/1/2020	0%
Total	\$203,000	\$20,500		
<i>Source: Town Financial Statements, Year Ended Dec 31, 2010</i>				

In addition to the debts listed above, the Village has outstanding liabilities that include uncompensated absences for employees. This means that if an employee retires or leaves their position, they are compensated for unused sick time and or vacation time. An approximate estimate for the total amount of uncompensated absences for employees with the Village of Malone is \$157,500.

Shared Services

Several functions are currently shared between the Town and Village, either through formal agreements or more informal arrangements to share equipment. Current shared functions and services include:

- **Property assessment** in the Village is handled by the Town of Malone Assessment Office.
- The Village of Malone **Justice Court** dissolved on November 30, 2010 and the Town of Malone absorbed responsibilities for Village cases.
- **Recreation services** are provided collaboratively by the Village and Town through the Malone Joint Recreation Fund. The costs are shared by the participants at 40% for the Town and 60% for the Village. An 8-member, unpaid Joint Recreation Commission made up of Town and Village residents provides guidance and planning assistance to the Town and Village Boards for recreation activities.
- **Fire protection** is provided for Town and Village residents through a contract with the Malone Callfiremen. The Malone Callfiremen has been

fully responsible for all fire protection in both the Town and Village since 1979, when the paid Village Fire Department was phased out. The Callfiremen own the fire station on Finney Boulevard. Among the ranks of the Callfiremen are 65 volunteers who respond to upwards of 1,000 fire and rescue calls annually.

- **Emergency transport** services are provided by a subsidiary of the Malone Callfiremen. **Dispatch** is handled by the Franklin County 911 Dispatch Center, which takes in all fire and EMS calls (for 18 independent agencies) and transfers all police related calls to either the New York State Police or the appropriate village police agency.
- **Trash collection** is not a municipal service in either the Village or the Town. There are also a handful of trash collection companies, all of whom do pick up on different days.
- Both the Town and Village of Malone are part of the **Wead Library System**, which is chartered as a school district library. The revenue for the library is not collected through either Town or Village taxes. The purpose of highlighting this service in this report is simply to note that it will be unaffected should dissolution occur.

Services Unique to the Town

Town of Malone Industrial Development Agency

The Town of Malone Industrial Development Agency meets on the second Wednesday of the month before regular Town Board meetings. The 6-member body facilitates development in the Town of Malone to improve economic conditions. The IDA is empowered to buy, sell or lease property and provide tax exempt financing for projects. By providing these financial incentives, the IDA works to attract, retain and expand businesses within Town limits.

Malone Dufort Airport

The Town of Malone Dufort Airport and Airport Administration Building were opened in 1949 through a joint effort between the Town of Malone and the Civil Aeronautics Board. In 2012, Townwide expenses for this service amounted to \$24,500.

The Malone Dufort Airport is a public-use airport categorized by the FAA as a general aviation facility. In calendar year 2007, the airport handled approximately 8,700 aircraft operations, with an average of 23 per day. At that time, there were 14 aircraft based at the airport, 86 percent of which were single-engine craft.

The Town Airport Manager is appointed by the Town Board. Duties of this position include fielding airport user complaints, collecting rental payments, leasing hangar space, dealing with engineers and contractors when projects are done at the airport, and making sure that the airport provides a safe environment for pilots.

WORK GROUP REPORTS BY FUNCTIONAL AREA

This section of the report presents information about the services that are currently provided by both the Town and the Village. In order to delve into certain areas of municipal operations in greater detail, the Committee established five work groups. The information presented in this section is informed by the discussion and analysis of these work groups. The information is organized according to the following work groups:

- Administration/Facilities/Other
- DPW / Highway
- Public Safety
- Utilities: water & sewer
- Planning/Codes/Zoning

I. Administration / Facilities / Other

Work group: Mary Scharf, Shawn Fournier, Joe Riccio

Please note – the DPW building will be addressed by the DPW committee.

Legislative Staffing Overview

Mayor and Board of Trustees

The Village of Malone is governed by a Mayor and a four-member Board of Trustees, all of whom are elected to four-year terms. The Mayor is paid a \$12,000 annual stipend and around \$1,500 in benefits. The Trustees are each paid \$8,000 annual stipends and benefits for the Mayor and Board totals \$2,650. The total cost of legislative personnel for the Village is \$52,159.

Village of Malone: Cost of elected government

	Total Cost
Board*	\$34,743
Mayor*	\$14,407
Municipal association dues	\$3,009
Total	\$52,159

* includes personal services, contractual costs and benefits (e.g. social security and Medicare; participation in the NYS retirement system is optional)

Town Supervisor/Town Council

The Town of Malone is governed by a Town Supervisor and a four-member Town Council. All The Town Supervisor and all Town Councilmembers are elected to four-year terms.

The Malone Town Supervisor serves as comptroller or Chief Fiscal Officer of the Town, and as such is the custodian of all town moneys, disbursing them within the limits of the Annual Budget upon direction of the Town Board. He is the Chairman and a voting member of the Town Board.

Town Council members are each paid annual salary of \$5,500 for an annual total of \$27,483 (including contractual costs and social security). The Supervisor is paid an annual salary of \$13,750 that amounts to \$21,602 (including contractual costs and social security).

Town of Malone - Legislative Personnel Costs

	Total Cost
Board	\$27,483
Supervisor	\$21,602
Municipal association dues	\$1,100
Total	\$50,185

* includes wages, contractual costs and benefits (i.e. social security); participation in the NYS retirement system is optional

Administrative Staffing Overview

The Village and Town of Malone provide an array of municipal services in a variety of ways. Town and Village office staff offer the services that many people think of as vital to local governance, and often also serve as the “face” of the municipality, the individuals that residents most often encounter when they call the offices or come in to take care of business.

The Town and Village both have clerks, registrars and tax collectors, who serve as support for the elected boards, collect taxes, handle vital statistics, manage public/legal notices, monitor and track day-to-day accounting functions, and support the general operations of the two municipalities. Greater detail about these positions is provided below.

Village

Clerk/Registrar

The Village Clerk is a full-time employee. The Clerk’s duties include keeping the minutes of the Village Board meetings, maintaining records of adopted Village Ordinances and Local Laws, Oaths of Office, proofs of publications, annual budgets and zoning ordinances and maps. The Clerk also fills the human services/personnel function for the Village, keeping records pertaining to employees of the Village of Malone and working with the Franklin County Civil Service Program/Personnel Office at the court house. The Clerk also issues New York State licenses/permits for such things as conservation, bingo and handicapped parking.

The Village Clerk also serves as the Village Registrar of Vital Statistics and, as such, is the keeper of all birth and death records within the Village.

Additionally, the Clerk is annually appointed to a one-year term as the Village's Receiver of Taxes.

A Deputy Clerk, Deputy Registrar, and sub-registrar work in the Clerk/Registrar's Office to supplement all of the above activities. These employees are all full-time and listed as Account Clerks/Typists.

Finance

One full-time Village employee serves as both the Village Treasurer and Village Budget Officer. The Village Treasurer/Budget Officer is the chief fiscal officer of the Village, acting as purchasing agent and handling the investment of Village funds. The Village Treasurer's Office also processes payroll and pays all bills to vendors. The Village Treasurer/Budget Officer completes the annual financial statement of the Village's revenues, expenditures and outstanding debt. The Village's fiscal year runs from June 1 to May 31.

Village Attorney

The Village Attorney is a part-time contractual position. The Attorney counsels the Mayor and the Village Board of Trustees, assists Village employees and works with the Planning Board and Zoning Board of Appeals. The Village Attorney is appointed to serve a one-year term. In 2010-2011, expenses for this position amounted to approximately \$18,000.

Town

Town Clerk/Registrar/Receiver of Taxes

The Town Clerk is an appointed position serving a two-year term. Within the Clerk's Office, the Town Clerk is a full-time position and the Deputy Clerk is a full-time position (30 hours per week).

The Town Clerk serves in the following capacities for the Town: recording secretary, records management officer, filing officer, licensing officer, election officer and registrar of vital statistics. In addition to traditional clerk duties, the Town of Malone Clerk is appointed as the Town Receiver of Taxes every two years. In that position, the Clerk is charged with collection of current Town and County Taxes and unpaid school or Village taxes from the prior year. Collection of Town and County taxes takes place from January 1 through March 31 each year.

Finance

As stated above, the Town Supervisor also fills a treasurer role. A full-time Town of Malone Budget Officer is appointed to a four-year term and serves also as the Confidential Secretary and Bookkeeper to the Supervisor. The Town Supervisor works with the Budget Officer to disburse town moneys and issue purchase orders according to the limits set forth in the budget. The Town of Malone abides by the calendar year as its fiscal year.

Town Attorney

The Town of Malone has a part-time attorney. Based on the 2012 budget, expenditures for this for this position amount to approximately \$36,000.

Staffing Levels

Excluding elected leaders, a total of 84 employees work for Village and Town government (these numbers are based on the Village budget for 2011-2012 and on the Town budget for 2011). The count does not include contract arrangements for services such as the attorney or planner.

Municipal Staff by Function Overview					
	Village		Town		
Area	Full Time	Part Time	Full Time	Part Time	TOTAL
DPW/Highway	13	3**	12	1	26
Water	6				6
Sewer	7				7
Police	14	4		1	19
Court				4	4
Administration	5		4	1	10
Building Maint/Clnr		1			1
Code Enforcement	0*	2	1	1***	5
Health				1	1
Crossing Guard		5			5
TOTAL	45	12	17	9	83
* Village clerk is listed as FT under administration, but also works in Code Enforcement					
** 2 PT positions are seasonal					
*** This is a very part-time position					

Administrative Personnel Costs

The table below provides information about the costs of administrative staff for both the Village and the Town.

Administrative Personnel Costs, 2011-2012			
	Wages	Benefits	Total
Village of Malone	\$189,398	\$108,620	\$298,018
Town of Malone	\$144,280	\$75,858	\$220,138

Source: Village and Town wage and benefit information, 2011-2012

Retirees

In 2011-2012, there are 33 retirees from the Village of Malone receiving health benefits for a total of \$295,143. Retired employees include 16 police, one fireman, 12 DPW staff, one Clerk, one Treasurer and two clerical staff. During the 2010 fiscal year, there were six retirees in the Town and two surviving spouses receiving health benefits for a total of \$38,067 (the contribution rate varies for different employees).

Collective Bargaining Unit Contract Comparisons

The table below compares key aspects of current Town and Village collective bargaining agreements. The benefits are similar, as would be anticipated. One notable exception is the length of the workweek. Pursuant to the NYS statute governing village dissolution, all collective bargaining agreements of the former Village become null and void upon dissolution. Should former Village workers be hired by the Town, they would receive benefits under the Town contract then in effect.

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	Village of Malone		Town
	CSEA - DPW	CSEA - Clerical	CSEA
Workday/ Workweek	8 hours/day; 40 hours/week	7 hours/day; 35 hours/week	8 hours/day; 40 hours/week
Overtime	Time and half or time in lieu above 40 hours; can't accrue more than 24 hours of compensatory time within 3 pay periods	Time and half or time in lieu above 35 hours	Time and a half if more than a 40 hour week (unless it's b/w Memorial Day and Labor Day when 10 hour shifts are worked)
Retirement	NYS retirement plan	NYS retirement plan	NYS retirement plan
Retirement Health & Vision	If 30 years of service, Malone will cover health insurance costs at 100% for retiree and 75% for dependent; less than 30 years, Malone will pay 100% for retiree and 50% for family/dependent	If 30 years of service, Malone pays 100% for retiree and 75% for dependent; less than 30 years, Malone will pay 100% for retiree and 50% for family/dependent	Employees hired before 04/01/77 receive health insurance coverage paid for by employers. Employees hired after 04/02/77 offered health coverage at the 50%-35% (additional criteria apply (e.g. years of service).
Holidays	13 paid holidays ; if work on holiday, take holiday later and get paid time and half	13 paid holidays	13 paid holidays; if work on holiday, receive holiday pay plus time and half
Health Insurance	EPO K Plan; employees may be required to pay 15% of premium costs; Vision coverage provided by employer; also various flex health plans (e.g. spending account).	EPO K Plan; employees may be required to pay 15% of premium costs; no cost to employee for vision; also various flex plans (e.g. spending account)	Employees hired after 02/24/04 pay 65% of family plan medical coverage for 10 years; after ten years, employer pays 60%. Dental and Vision coverage provided and paid for by employer.
Health insurance Buy- Out	\$1,500 annually; \$2,500 for dual coverage opt-out; \$3,000 annually for family health opt-out	\$1,500 annually; \$2,500 for dual coverage opt-out; \$3,000 annually for family health opt-out	N/A
Disability Insurance	NYS Disability Benefits paid for by employer	NYS Disability Benefits paid for by employer	NYS Disability Benefits paid for by employer
Sick Leave	8 hours/month for a total of 96 hours/year. Unused sick leave can be accumulated to a maximum of 1,480 hours (185 days). Can cash-in unused sick time upon retirement depending on years of service.	7 hours/month for a total of 84 hours/year. Can cash-in unused sick time upon retirement depending on years of service.	8 hours/month. Can accumulate up to 185 sick leave days.
Vacation	2-5 years - 2 weeks	2-5 years - 2 weeks	1 year - 1 week
	6-10 years - 3 weeks	6-10 years - 3 weeks	2 years - 2 weeks
	11-15 years - 4 weeks	11-15 years - 4 weeks	5 years - 3 weeks
	26 years - 6 weeks	15-19 years - 5 weeks	15 years - 4 weeks
		20 or more years - one additional day per year	
Unused Vacation	Unused vacation time can be paid out but not carried over	Unused vacation time can be paid out but not carried over	Unused vacation time can be paid out but not carried over

Facilities

For a complete list of facilities, please see Appendix A.

Village of Malone

The Village of Malone owns, operates and maintains a number of properties and buildings. These properties are not taxed. They include:

- Department of Public Works building
- Chasm Falls Water Plant
- Wastewater Treatment Plant
- Police Department
- Recreation Park, Arsenal Green Park, and Memorial Park
- Municipal playgrounds located on West Street
- Village Board Meeting Room / storage at 16 Elm Street
- Village Offices at 14 Elm Street: These premises are leased and the property owner pays property taxes on this building. In 2011-2012, the monthly rent is \$1,422.79 or \$17,073.46 annually.
- Two water towers

Town of Malone

The Town of Malone also owns, operates and maintains a number of properties and buildings. These properties are also not taxed. They include:

- Town Hall
- Highway Department building
- Malone Dufort Airport and Airport Administration Building
- Golf Course
- Pump House
- Water storage (Porter Road)

Agreements & Contracts

Village of Malone

The Village of Malone has agreements and contracts with several different organizations and entities. The Village's notable agreements and contracts include:

- **Elan Planning, Design and Landscape Architecture:** The Village has been working to implement components of the Local Waterfront Revitalization Program. This agreement is for the preparation of design and construction documents for the proposed "Mill Park on Salmon River". The outcome of this project will include the creation of a new park adjacent to Main Street.

The project is a joint effort between Elan Planning, Design and Landscape Architecture, the Village of Malone DPW and the Franklin County Soil and Water Conservation Service. The DPW will provide labor to complete construction improvements necessary to make the park accessible by the public and the Franklin County SWCS will provide topographical surveying and assist with the acquisition of necessary permits. The project is not yet complete.

- **Intermunicipal Cooperation Agreement with the County of Franklin Solid Waste Management Authority (CFSWMA):** This agreement provides for the disposal of sewage sludge by the Village into the Franklin County landfill. It also provides the CFSWMA with the authority to dispose of leachate into the Village's waste water treatment plant.
- **Malone Minor Hockey League:** The Malone Minor Hockey League leases the arena from approximately September 1 to August 31. The Joint Recreation Commission pays the Malone Minor Hockey League an annual sum of \$43,300 for the provision of recreation services. This is a four-way agreement between the Village, Town, Joint Recreation Commission and the Minor Hockey League.
- **Joint Recreation Commission:** The Village and the Town jointly established the Malone Joint Recreation Commission in 1969. The Village and Town fund the operations and programs of that the Commission runs at the Malone Recreation Park.
- **Malone Economic Development Corporation (MEDCO):** This agreement provides that MEDCO will administer the Village's Community Development Block Grant Program. This organization was originally funded by a Community Development Block Grant but is now self-sustaining.
- **Franklin County Jail Water & Wastewater Services:** This agreement provides for the sale of water and the collection of wastewater to the county jail.
- **NYS Department of Correctional Services (DOCS):** This agreement provides for the sale of water and the collection of wastewater to the DOCS correctional facility.
- **Cornerstone Telephone Company:** – telecommunications and data services
- **Hughes, Stewart and Race:** – legal services
- **North Country Labor Relations Associates:** – negotiates labor agreements on behalf of the Village
- **Malone Adult Center**
- **Malone Chamber of Commerce**
- **American Legion**
- **Malone Garden Club**

- **North Country Animal Shelter**

Town of Malone

The Town of Malone also has agreements and contracts with a number of organizations and entities. The Town's notable contracts to organizations include agreements with:

- **Joint Recreation Commission**
- **Malone Callfiremen**
- **Malone Golden Age Club**
- **Malone Adult Center**
- **North County Animal Control Center**
- **The Chamber of Commerce of Malone**

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II. Highway / DPW Operations

Work group: Mayor Todd LePine, Don Merrick, Shawn Fournier

Note that greater detail about the water and sewer is included in the utilities section below.

Current Services

The Town Highway Department (THD) and the Village Department of Public Works (DPW) offer a wide array of services to their respective areas. In comparing the two departments, it's helpful to think of the built environment in which both departments operate. Some of the features of the built environment in the Village include roads, sidewalks, curbs, fire hydrants, street lights, parks, trees and water drains on the streets. Some of the features of the Town include highways, ditches, fire hydrants and trees (there are no sidewalks or curbs). These similarities and differences impact the kinds of services provided by the Town and the Village as well as the way in which they are delivered.





The Village Department of Public Works (DPW) and the Town Highway Department (THD) often work collaboratively on an informal basis as the need for equipment or assistance arises.

Residents of more densely populated communities typically expect more services from local government.

Services provided only by the Village DPW include the following:

- **Leaf and brush pickup** is conducted by the Village for three weeks in the fall and again in the spring. The Village also cleans up as necessary following a storm. The Town doesn't do leaf and brush pickup.
- **Sidewalk installation and maintenance** is conducted by the Village DPW. The Village has the equipment required for these tasks. The Town doesn't require, install or maintain sidewalks. Town sidewalks are maintained by individuals.
- **Park maintenance:** The Village maintains Arsenal Green Park, Memorial Park, playgrounds and parking lots. The Recreation Park is maintained by the jointly-funded Recreation Commission. Town parks include the Bill King Memorial Park and the Lower Park Street Boat Launch.
- **Street lighting:** The Village maintains lighting for 37 antique lights along Main Street and has an agreement with National Grid for the remainder of the Village lights. The Town also has a contract with National Grid for street lights.
- **Sanitary sewer** maintenance and **water supply** system is entirely maintained by the DPW.

Services provided by both the Village DPW and Town Highway Department include:

- **Fire Hydrants** are maintained by both departments.
- **Street sweeping** begins in earnest in the spring. The DPW flushes sidewalks of sand and the collects the sand from the roads. The THD also does street sweeping in the spring, mostly focusing on intersections.
- **Mowing** is conducted by both departments. THD is involved primarily with maintaining the landscape along the highway roadside while the DPW mows all Village owned properties and parks. The equipment used to mow the side of the highway is different from that which is required to mow the park. The DPW, does however, have some ability to do more heavy duty mowing on a smaller scale in order to maintain access near the Water Treatment Plant.
- **Snow plowing, sanding and salting** is conducted by the DPW on all Village streets, some sidewalks and parking lots. The Town plows snow and sands and salts on highways. Typically, the snow removal trucks are equipped differently in the Village and the Town. In the Village, the trucks have blades that are rubbing against the curb, they need to make tight corners and dispose of snow in a safe manner. These same considerations do not necessarily apply to the equipment used by the Town.
- **Tree maintenance** is conducted by both departments. They remove dead, dying and dangerous trees from right-of-ways on an as-needed basis.
- **Facilities, vehicle and equipment maintenance** is conducted by both departments as appropriate.
- **Street and Road repairs**, repaving, and capital projects are conducted by both departments as needed.

Services provided only by the Town include:

- Malone Dufort Airport roads are maintained by the THW (i.e. snow is plowed in the winter and the grass along the runways is mowed, time permitting).

Facilities

Village Department of Public Works

- **Village garage:** The Village maintains a service garage with a storage building, truck shed, administrative office, and two salt sheds on a seven-acre property. The garage and the pond were originally built as an ice shed for the storage of ice (that was cut from the pond). The building is functional and has a central location. However, it has many problems that are in need of attention.
- **Chasm Falls water plant:** This building is located uphill five miles to the south of the Village of Malone. The plant is located on a 300 acre

Village owned property. The Village pumps the water from underground wells and sends it downhill to one of two reservoirs. Two wells currently serve the water needs of the community. A third well may need to be drilled in the future to serve as backup.

- **Waste water treatment plant:** This building is located to the north of the Village. The plant has been upgraded but may need some new equipment in the future.

Town Highway Department

The Town of Malone Highway Department maintains one highway garage and a fleet of Town trucks and other equipment. This building was built many years ago and is not energy efficient and does not have very much space for storage. There is enough available land to add an additional building, if needed.

Staff and Budget

In the Village, one full-time Department of Public Works Supervisor oversees the activities of the Department of Public Works and the Water Department. The full-time Account Clerk who serves as Deputy Registrar in the Clerk/Registrar's Office also serves as the Village Water Account Clerk and, as such, processes billing and fees and answers all related inquiries and forms/requests.

The Department of Public Works employs five laborers, one Senior Mechanic, one Street Foreman, one Assistant Street Foreman, and five Motor Equipment Operators (MEOs), all of whom are full-time. Two part-time laborers are employed seasonally on an as-needed basis. In addition to those workers, two full-time Water Plant Operators, one full-time Account Clerk/Typist, two full-time MEOs, and one full-time laborer are charged with maintaining the Village's water system. Three full-time Wastewater Treatment Plant Operators, two full-time MEOs, and one additional full-time Account Clerk/Typist take care of duties related to the Village sewer system.

In total, the Village DPW includes 26 full-time equivalents (FTE) and three part-time laborers (this includes two seasonal laborers and one cleaner). 13 out of the 26 DPW staff work on water and sewer.

The Town Highway department employs one full-time Highway Superintendent who is elected for four years. Additionally, one full-time Deputy Highway Superintendent is employed by the department. In total, the Town High Department includes 13 FTEs and 1 part-time staff.

Staffing	Village DPW		Town Highway	
	#	Title	#	Title
supervisory staff	1	Supervisor	1	Highway Superintendent
	1	Street Foreman	1	Deputy Highway Superintendent**
	1	Asst Street Foreman		
office/clerical	2	account clerk		
equipment operator	5	motor equipment operators (MEOs)	3	heavy equipment operators (HEOs)
			6	motor equipment operators (MEOs)
Mechanic	1	senior mechanic	2	Mechanic
full time laborer	5	laborer		
part time laborer	2	laborer	1	Laborer
part time cleaner	1	cleaner		
Water system	2	plant operators		
	2	motor equipment operators (MEOs)		
Sewage treatment plant	3	plant operators		
	2	motor equipment operators (MEOs)		
TOTAL FULL TIME	26		13	
TOTAL PART TIME	3		1	

The following table provides a brief summary of related DPW and Highway expenses. Village sewer and water costs are not included in this table.

Highway Expenditures

	Town-wide	Town-Outside-Village	Village
Highway Salary	\$287,500	\$297,000	\$446,618
Highway Equipment	\$0	\$272,263	\$226,139
Highway Contractual	\$214,850	\$229,600	\$351,419
Highway Employee Benefits	\$176,528	\$195,805	\$251,141
Total Hwy Expenditures	\$678,878	\$994,668	\$1,275,317

Source: Salary, Equipment, and Contractual costs are from Town 2012 and Village 2011-12 budgets. Town benefits are from Town 2012 Budget. Village benefits are from wage and benefit information provided by Village for 2011-12.

Note: Town benefit costs include workers comp and unemployment insurance. Village benefit costs do not, as the highway portion of these costs has not been separated out from the overall budget line.

III. Utilities: Water & Sewer Services

Work group: Mayor Todd LePine, Don Merrick, Shawn Fournier

Current Services

The Village of Malone has a centralized water and sewer system that serves the entire Village. In recent years, the Town and Village have worked together to expand service to parts of the Town. New water districts have been created to the east and west of the Village boundaries to accommodate new development, including at the Town's industrial park.

According to the *Town and Village Economic Development Plan*, published in 2009, the capacity of the water and sewer systems as follows:

- The water system meets the needs of the Village and the Town and can accommodate the addition of new, small users. However, if a new large user were to be added to the system, it would probably be necessary to dig a new well.
- The sewer system has a maximum capacity of approximately 3.1 million gallons per day. The average system usage is around 2 million gallons per day. While there is more excess capacity in the sewer system than in the water system, an assessment of the treatment plant's capacity would need to be undertaken if a very large new user were to come online.

Currently, there is an engineering study being completed on the sewer system and the Waste Water Treatment Plant. As a result of this study, there may be renovations or upgrades to the wastewater treatment plant.

The number of water and sewer users is outlined in the table below. Note that NYSDOC refers to the New York State Department of Corrections.

Water and Sewer	# of customers
Village water users	2080
Village sewer users	2045
Outside village water users	326
Outside village sewer users	58
Town East and West water districts	142
NYSDOC - prisons (water)	3
NYSDOC - prisons (sewer)	3
<i>Source: Village of Malone</i>	

Facilities

Chasm Falls water plant: This building is located uphill five miles to the south of the Village of Malone on a 300 acre Village owned property. There are two wells that currently serve the water needs of the community.

Waste water treatment plant: This building is located to the north of the Village. The plant has been upgraded but may need some new equipment in the future.

Staffing

Water and sewer are part of the DPW department. To operate the water and sewer systems, the Village employs a DPW Supervisor, 11 FTEs and two account clerks (one of whom also serves as Deputy Registrar in the Clerk/Registrar Office), although many of these individuals also support other DPW functions.

Village of Malone Water and Sewer Staff

Staffing	# FTE	Title
Supervisory staff	1	DPW Supervisor
Office/clerical	1	account clerk
Laborer	2	laborer
Water system	2	plant operators
	1	motor equipment operators (MEOs)
	1	working foreman
Sewage treatment plant	3	plant operators
	1	motor equipment operators (MEOs)
	1	working foreman
TOTAL FULL TIME	13	

* The Village Water Account Clerk processes billing and fees and answers all related inquiries and forms/requests (also serves as Deputy Registrar in the Clerk/Registrar's Office)

Budget

Water

The Village is responsible for the operation and maintenance of the water system. It bills all water users in both the Village and the Town. The water rate captures administrative and operational expenses, debt service and a capital reserve. The water rate is established by the Board. Town residents pay higher rates. For instance, metered rates inside the Village, per quarter, are \$3.00 per 1,000 gallons compared to \$4.80 per 1,000 gallons outside the Village.

In the 2011-2012 budget, the total expenditure for water in the Village is estimated at \$1,292,335. The Village will raise most of the necessary

revenue through water sales and service charges that are applied to all water users, including those in the East and West water districts. The budget assumes that the expenditures and revenues will balance (see table 19, below).

The 2009-2010 actuals for the Village show both higher revenue and expenditure than in the 2011-2012 budget. The Village captured a surplus of approximately \$240,000 from the water service in 2009-2010.

The Town assesses a tax on those properties in the East and West water districts for related purposes (e.g. debt recovery, capital improvement, administrative expenses, etc.). In the 2012 budget, the total expenditures in the East and West water districts are expected to be \$46,806 and \$41,706 respectively.

Water Expenditures and Revenue (2011-2012 budget)			
	West Side Water (TOV)	East Side Water (TOV)	Village
Expenditures			
Water Personnel Salary	\$4,000	\$4,000	\$368,028
Water Employee Benefits	\$306	\$306	\$205,474
Water Equipment	\$0	\$0	\$26,119
Water Contractual	\$25,400	\$30,000	\$375,026
Water Bonds	\$10,000	\$10,500	\$247,688
Water Reserve	\$2,000	\$2,000	\$70,000
Total Water Expenditures	\$41,706	\$46,806	\$1,292,335
Revenue			
Water Sales, Service Charges, Interest & Penalties	\$0*	\$0*	\$1,157,749
Other Gov't Rev	\$0	\$0	\$101,321
Interest & Earnings	\$20	\$20	\$250
Rental of Real Prop	\$0	\$0	\$33,015
Refund (Prior Year)	\$2,686	\$14,470	\$0
Special Assessment	\$39,000	\$32,316	\$0
Total Water Revenue	\$41,706	\$46,806	\$1,292,335
*Fees and charges attributable to the East and West Water Districts are reflected in the \$1,157,749 collected by the Village.			

Water Expenditures and Revenue (2009-2010 Actual)			
	West Side Water (TOV)	East Side Water (TOV)	Village
Expenditures			
Water Personnel Salary	\$4,000	\$4,000	\$419,896
Water Employee Benefits	\$306	\$306	\$193,152
Water Equipment	-	-	\$11,476
Water Contractual	\$23,312	\$10,436	\$292,002
Water Bonds	\$10,000	\$10,500	\$895,756
Water Reserve	-	-	\$26,500
Total Water Expenditures	\$37,618	\$25,242	\$1,838,782
Revenue			
Water Sales, Service Charges, Interest & Penalties			\$1,225,271
Other Gov't Rev	-	-	\$101,321
Interest & Earnings	\$8	\$10	\$10,183
Rental of Real Prop	-	-	\$31,430
Refund (Prior Year)	\$1,097	\$4,927	\$683
Other Revenue	-	-	\$2,549
Special Assessment	\$34,190	\$28,660	-
Appropriated Fund Balance & Use of Reserve			\$710,212
Total Water Revenue	\$35,295	\$33,597	\$2,081,649
Difference (Revenue - Expenditures)	(\$2,323)	\$8,354	\$242,867

Sewer

As with water, the Village is responsible for operation and maintenance of the sewer system. The Village bills the Town a flat rate for sewer from the Industrial Park and bills other users directly. The Town does not bill or tax sewer users. In the 2011-2012 budget, the Village's total expenditure for sewer are expected to be \$ 1,143,257. The budget assumes that the expenditures and revenues will balance. See the table below).

Sewer Expenditures and Revenue (2011-2012 budget)

Expenditures	
Sewer Personnel Salary	\$367,625
Sewer Employee Benefits	\$234,690
Sewer Equipment	\$176,367
Sewer Contractual	\$316,535
Sewer Contingency Account	\$34,000
Sewer Reserve	\$14,040
Total Sewer Expenditures	\$1,143,257
Revenue	
Sewer Rents, Charges, Interest & Penalties	\$999,940
Interest & Earnings	\$250
Appropriated Fund Balance	\$143,067
Total Water Revenue	\$1,143,257

The 2009-2010 actual for the Village indicate that the Village captured a surplus of approximately \$270,000 from the sewer service.

The Town and Village are currently negotiating an inter-municipal agreement (IMA) for sewer and as such, some of the terms of the current arrangement may change. It is CGR's understanding that an IMA could enable the Village to request payment for outstanding sewer bills from the Town (for properties located in the Town). The Town would then have the ability to collect the outstanding amount through property taxes.

Sewer Expenditures and Revenue (2009-2010 Actual)

Expenditures	
Sewer Personnel Salary	\$323,968
Sewer Employee Benefits	\$180,522
Sewer Equipment	\$34,613
Sewer Contractual	\$243,540
Sewer Contingency Account	\$0
Sewer Reserve	\$34,700
Total Sewer Expenditures	\$817,343
Revenue	
Sewer Rents, Charges, Interest & Penalties	\$1,044,524
Interest & Earnings	\$8,228
Other Revenue	\$891
Appropriated Fund Balance	\$34,203
Total Water Revenue	\$1,087,846
Difference (Revenue - Expenditure)	\$270,503

IV. Public Safety

Work group: Joe Riccio, Jim McKee, Martha Weaver

Current Services

Police Department

The Village of Malone Police Department is one of only three local police departments in Franklin County, the others being located in Saranac Lake and Tupper Lake. The Franklin County Sheriff's Department exists solely to oversee operations at the Franklin County Jail. The New York State Police answers calls across the rest of the County, including the Town of Malone outside the Village boundary.

The department employs 14 full-time sworn officers, including the Police Chief and four sergeants and two part-time officers. This is a reduction from 19 sworn officers in 1999. Three part-time dispatchers and one part-time cleaner are among the staff, along with five seasonal part-time school crossing guards. The officers generally work 12 hour shifts, from 6 am to 6 pm with one to two officers patrolling at night.

Village of Malone: Police Department Staffing

Position	Civilian / Sworn	Number	FT/PT
Chief	Sworn	1	FT
Sergeant	Sworn	4	FT
Police officer	Sworn	9	FT
Police officer	Sworn	2	PT
Dispatcher	Civilian	3	PT
Crossing guards	Civilian	5	PT
Cleaner	Civilian	1	PT
TOTAL		25	
<i>Note: Data for FY 2011-2012</i>			

Due to Malone's proximity to the Canadian border, the Police Department reports that a large percentage of the department's workload is dedicated to handling drug-related incidents.

The Police Department also offers an informal tutor program for at-risk youth who have fallen out of traditional programming. The program has been successful with getting youth back on track and provides a unique mentoring program that is otherwise not available.

The Village Police Department primarily partners with the New York State Police when the occasion arises, and to a much lesser extent the US Border Patrol/Customs. State police will assist with processing crime scenes, especially major crimes, which typically occur two to three times per year. New York State Police will also assist on routine traffic stops,

motor vehicle accidents and other incidents where a village officer is occupied with another call.

Policing services in the unincorporated section of the Town of Malone are provided by the New York State Police Troop B, Zone 1.

Work Load

Village of Malone: Police 2011 Workload				
	Calls	Arrest	Tickets	Parking Tickets
January	310	50	82	32
February	290	80	66	12
March	309	89	65	36
April	318	60	84	2
May	430	84	97	5
June	383	112	105	13
July	308	198	133	6
August	370	119	172	6
September	339	122	133	1
October	320	99	135	0
November	306	139	102	20
December	261	54	96	37
Annual Total	3944	1206	1270	170

Source: Data provided by the Malone police department.

Expenditures

The total costs for providing Police for the Village is \$1,380,216.

Village of Malone: Police Department Costs	
Item	Cost
Police Salary	\$829,435
Police Equipment	\$15,327
Contractual Costs	\$61,920
Employee Benefits	\$473,534
Total Police Cost	\$1,380,216

Source: Salary, Equipment and Contractual costs based on budget lines in 2011-12 Village Budget. Employee benefits total based on wage and benefit information provided by Village for 2011-12.

Retirees

There are currently 16 police retirees receiving health benefits through the Village at a cost of \$210,498 per year. The Village pays 100% of the cost for the retiree and their spouse and 50% (dependents may be included, depending on the plan, for 50% coverage). This expense is an ongoing obligation and would continue to be paid for by Village residents in the event of dissolution.

Police Contract

A summary of the most recent police contract is provided below.

Summary of Malone Police Department Contract (June 1, 2011-May 31, 2016)

Workday/Workweek	Seven 12 hour shifts for a total of 84 hours in 14 consecutive days
Overtime	Work between 80-84 hours accrues as time-off equivalent to 6 hours per pay period in lieu of pay. Work beyond 84 hours is paid at time and a half.
Retirement	Police retirement plan 384D and 384E. Officers can retire after 20 years of pensionable service. Upon retirement, a police officer who worked more than 20 years shall receive, for each year of service in excess of 20, an additional pension which shall be equal to one-sixtieth of his or her final average salary.
Retirement Hospitalization / Medical	If the officer chooses the same plan as other Village employees, then the Village will pay 100% of the monthly premium for the officer and spouse and 50% for dependent coverage. Or, if officer continues under police coverage, the Village will pay up to 100% of monthly premium cost for an officer with single coverage and 50% for dependent coverage (up to a specified limit). The Village does not pay more for costs for health insurance coverage for police retirees than for other Village retirees.
Holidays	13 paid holidays. If an officer works on a holiday, they earn double time. If they work on Christmas, Thanksgiving or Easter, they earn double time and an extra day off.
Hospitalization / Medical	In 2012, officers receive medical, dental and vision coverage from the Teamsters Council Health and Hospital Fund at no cost to the officer. Coverage is for each officer and dependents. From 2011 - 2016, officers will contribute to the cost of the total premium of this benefit (e.g. 2016, officers will pay 8% of total premium and new hires will pay 10%). for each officer and dependents.
Sick Time	12 hours per month of FTE for a total of 144 hours per year.

Unused Sick Time	Unused sick time may be accumulated to a max of 1,320 hours by time of retirement. Unused sick time can be used for retirement purposes; be used toward health insurance premiums; be paid up to 960 hours; combination of these options.
Personal Leave	Officers are entitled to five days of personal leave annually.
Vacation	Years 2-5: 7 days (84 hours)
	Years 5-10: 10.5 days (126 hours)
	Years 10-15: 14 days (168 hours)
	Years 15-20: 17.5 days (210 hours)
	Years 20+: additional 12 hours per year (e.g. Year 20: 18.5 days / 222 hours)
Unused Vacation	Can carry up to a maximum of 25 unused vacation days over from one year to the next. Unused vacation days up to a max of 25 days is paid out at separation from service.
Salary	Wages will increase 2% each year for the first four years of the contract. In 2012-2013, a starting patrolmen without certification will earn \$14.62 an hour.

Fire/EMS

Fire protection is provided for Town and Village residents through a contract between the Town and the Malone Callfiremen. The Malone Callfiremen has been fully responsible for all fire protection in both the Town and Village since 1979, when the paid Village Fire Department was phased out. The Callfiremen own the fire station on Finney Boulevard and own and operate 10 apparatus. Among the ranks of the Callfiremen are 65 volunteers who respond to upwards of 1,000 fire and rescue calls annually.

The Malone Callfiremen was founded in 1938 in order to assist the Village of Malone Fire Department with manpower, and contracted with the Town in 1939 to be sole provider of fire protection since Village equipment was not available at that time to fight fires in the Town.

Emergency transport services are provided by a subsidiary of the CallFiremen. Dispatch is handled by the Franklin County 911 Dispatch Center, which takes in all fire and EMS calls (for 18 independent agencies) and transfers all police related calls to either the New York State Police or the appropriate village police agency.

V. Planning/Codes/Zoning

Work group: Mary Scharf, Don Merrick, Hugh Schickel

Overview

The Village of Malone

The Village planning and zoning provisions are laid out in the Village Code. Permits are required for new construction, renovation, signs, heating appliances, demolition, and fences. The table below outlines the numbers and types of permits issued by the Village for the past 4 years.

Permits issued by the Village of Malone				
Type of Permit	2008	2009	2010	2011 (until Nov)
Building	65	74	83	77
Heating	59	12	26	31
Sign	9	12	15	14
Fence	12	9	9	6
Demolition	10	10	4	4
Filling & grading	0	2	2	0
Vehicle storage	0	0	1	1
Total	155	119	140	133

The Zoning Board of Appeals and the Village Planning Board are both comprised of five members who serve five-year terms (these are volunteers). Both boards meet on an as-needed basis. In 2011, the Zoning Board of Appeals held three meetings and the Planning Board held eight. The Code Officers attend if the Mayor and Board members request their presence.

The role of the Planning Board is to protect and provide for reasonable and efficient development of all tracts of land within the Village. The Village Planning Board is appropriated \$6,500 annually by the Village (\$1,000 for personal services and \$5,500 for other expenses, including admin costs and hiring outside experts).

The Zoning Board of Appeals hears and decides upon all matters concerning the Village of Malone zoning code, including appeals or requests made by residents and businesses, and decisions or appeals made by the Building Inspectors, the Planning Board, or any other administrative official or officials in regards to code enforcement matters.

Zoning Board of Appeals appropriations in the Village Budget are relatively minimal, amounting to \$545 in the 2011-2012 budget. However, actual expenditures on the Zoning Board in 2009-2010 were

approximately \$8,000 (these expenses include admin costs, the production and maintenance of maps, etc.).

The Town of Malone

The Town's zoning and land use regulations are outlined in the Town of Malone Code. The Town Comprehensive Plan was updated under advisory from SUNY Plattsburgh in 2007, but has not yet been adopted.

Permits are required for burning, new construction, renovation, installation of swimming pools, woodstoves, chimneys, and installation or repairs of septic tanks. The majority of permits are issued for buildings and additions. The table below outlines the number of permits issued by the Town for the past 3 years⁵.

Permits issued by the Town of Malone			
	2009	2010	2011 (through Nov)
Number of permits	480	218	192

The Planning and Zoning Board is made up of five members who serve five-year terms. Board members receive a stipend of \$35 per meeting and \$45 per meeting for both the Chair and Secretary. The Board meets on an as-needed basis.

Professional planning functions are provided through contractual agreements with planners on an as-needed basis.

Staffing

The Village Code Enforcement Office employs two part-time Code Officers/Building Inspectors. One full-time Account Clerk splits time carrying out administrative tasks for the Clerk/Registrar's Office and acting as a Village Code Secretary. The Town employs one full-time Code Enforcement Officer. The table below provides information about the cost of coding personnel.

Coding Personnel Costs, 2011-2012			
	Wages	Benefits	Total
Village of Malone	\$35,270	\$6,723	\$41,993
Town of Malone	\$57,250	\$12,933	\$70,183

Source: Village and Town wage and benefit information, 2011-2012

⁵ Permits are not listed by function as this information is not easily available.

The duties of the **Village Code Officer** include the following:

- Code Officer
- Fire and safety inspector
- Building Inspector
- Multiple Residence Inspector
- Zoning Officer
- ADA enforcement – construction (Alterations and Conversions)
- NYS Energy Code
- NYS DOH; NYS DEC
- Planning and Variance Board
- NFPA Life Safety Code
- Right to Know – DOH contact
- Confined Spaces – OSHA Training
- DEC – Mining Permit Investigation
- Flood Hazard Inspector

The duties of **Town Code Officer** include the following:

- Plan reviews of all building permits
- Issue building permits
- Inspections of footers, forms for basement, pouring of basement, framing, plumbing, insulation, sheeting of walls, roofing, heating, and final inspection and issuing a certificate of occupancy for the building
- Building site inspections
- Septic inspections
- Zoning issues and enforcement
- Fire and building Inspections
- Day Care and foster parent inspections
- Call outs for fire calls by 911
- Code issues and complaints
- Issue Burning permits and answer violation reports
- Site Plan review
- Review contractor's insurance coverage before issuing bldg. permits
- Flood Plain Administrator
- Fire Marshall Duties
- Attend Planning Board meetings and Variance Board Meeting

DRAFT OPTIONS AND ALTERNATIVES

This section sets forth options for continuing services in the event of dissolution. The Committee has considered these options and where there is a choice, the preferred option will be included in the draft dissolution plan. It is important to note upfront that the Committee recommends that all staff positions be re-hired by the Town should the Village dissolve. Following the transition, staffing reductions may occur through attrition and should be considered on a case-by-case basis.

Where possible, this section also identifies viable alternatives for delivering Village services through collaboration with the Town.

Administration / Facilities / Other

Elected Representatives: Under village dissolution, the Village board will no longer exist. No additional resources will be allocated to the Town Board or Town Supervisor. Savings from the elimination of the Village board and mayor expenses, including associated benefits, contractual costs and NYCO village dues is \$56,399. There are no shared service opportunities here.

Additional recommendation: The Committee recommends that the Town of Malone increase the size of its board from five to seven following dissolution. Having two additional Town councilors on the board will provide additional help and support for Town governance during the transition.

Administrative Staffing

Initially, the Town would need to retain all Village administrative staff in order to handle the additional workload (this assessment is based on discussions with the Village and Town). Over time, administrative staff positions may be realigned or reassessed based on the new workload. This may provide the Town with an opportunity to reduce staff through attrition.

Shared services opportunities: The Committee noted that the Town Budget Officer is eligible to retire in the next couple years which may provide an opportunity for the Village Treasurer to manage the finances of both organizations. Upon further discussion with the Village Treasurer, however, one person is not likely able to manage both operations. Currently, the Village Treasurer is assisted on a part-time basis by the water clerk. The Treasurer is responsible for a range of activities including payroll and budgeting, which requires more than one FTE in the Village alone.

In addition to finance, there are other aspects of Village and Town administration that both organizations perform. For instance, both issue hunting and fishing licenses and register births and deaths. Combining these functions in one organization, however, would not likely result in staff reductions as it would not reduce the workload. However, greater role specialization may enable staff to increase efficiencies over time. For example, a full-time records registrar responsible for both the Town and the Village records may be able to create new procedures to streamline processes. This is not to suggest that current operations need to be streamlined, only that a dedicated records person might find new ways of doing things as a result of having just the one area of focus.

Retirees

The Village has 33 retirees receiving health benefits. Although the Village funds this obligation on a “pay-as-you-go” basis (i.e. it budgets each year’s annual cost), there is a long-term liability associated with this benefit. In the event of dissolution, this obligation would continue to be paid for by the former Village.

Facilities

Unless otherwise provided for in the dissolution plan, all real property becomes the property of the Town upon dissolution. The Town will take title to the Village property with the understanding that it will honor all existing leases, agreements or other arrangements between the Village and lessees or other users of Village property.

Currently, neither the Village nor the Town has sufficient space to combine the administration into one building. The Village leases office space at 14 Elm Street for approximately \$17,000 a year. The Village owns the neighboring building at 16 Elm Street and uses it for the Village Board Meeting Room and storage. This building is wheel chair accessible on the ground floor and was recently appraised at approximately \$250,000. The Village plans to put this building up for sale.

The Town owns office space at 27 Airport Road. This building currently provides space for staff, a conference room, storage and the court offices. The building has a basement that is unusable because water gets in easily. An addition for the court is currently under construction.

There are seven employees that work out of both the Village and Town offices. Both offices provide an average of 276 square feet per employee. The combined staff of both organizations would require approximately 4,000 square feet of space based on current space usage.

In considering different options for office space under dissolution, the Committee noted that it would be preferable for the administration of a combined operation to be in one building. Additionally, the downtown

Village location is an ideal site because it makes it easy for residents to walk-in and talk to the Village staff.

Options for addressing office space under dissolution could include the following:

- Maintain the *status quo* and continue to operate out of separate facilities.
- Renovate 16 Elm Street rather than sell it and combine both offices in this building. The building has been recently appraised at \$240,000. The total square footage of this building is 6,926, of which 5,526 is usable (according to the appraisal). On the first floor, there is approximately 1,600 square feet of space. While there may be sufficient space throughout the building should all floors be used, the building could require some work to make it more accessible (e.g. possibly by installing an elevator). This is a historical building, which may impose additional costs should renovation be required.
- Combine operations at the Town Office. There are two rooms that could be turned into office space -- an empty storage room that is currently used as a holding area for prisoners waiting to go to court (1269 feet) and a conference room (672 square feet). Both of these rooms are in use at the moment, which means that shifting them to office space may create other space requirements for the operation of the Town. Putting that aside for the moment, these two rooms could yield up to a maximum of 1941 square feet, or seven new offices (based on the average square footage currently allocated to staff in both the Village and the Town). Given that these rooms will need to be reconfigured, that additional space for storage and for waiting prisoners will need to be found and that the Town offices are located out of the downtown, this option is not ideal.
- Build additional space at the Town Office. There is sufficient land at the Town office site that additional space could be constructed (assuming approval from the Federal Aviation Administration). Building an additional 2,000 square feet to accommodate former Village staff at an estimated \$75/square foot, would cost \$150,000.
- Rent new space for the combined staff at the County Office on Catherine Street. In two to three years, the County anticipates that the Nursing Home will be merged with the private sector and the existing nursing home facility at 184 Finney Blvd will become available. At this time, the County is considering turning the nursing home into office space and consolidating its other Malone offices into this facility (the County currently leases a building on Main Street and on Catherine Street). There are a number of variables that could affect this timeline, so the Committee could anticipate that Catherine Street might be available to lease in three to four years.

For the purposes of the dissolution plan, the Committee has assumed that the facilities will not be changed in the short term. This assumption provides the most realistic and conservative estimate of the impact

dissolution will have on tax rates. Over the medium or long term, however, the Town can continue to explore new facilities opportunities, as there are many choices, as noted above.

Shared service opportunities: Regardless of whether or not the Village dissolves, it can continue to explore the options noted above for finding a combined office space for both the Village and the Town.

Agreements and Contracts

During the transition to dissolution, the Village agreements and contracts will require legal review and analysis. Some agreements may need to be amended to shift responsibility to the Town while others may no longer be applicable.

The agreements with the following organizations would require legal review during the transition:

- Malone Economic Development Corporation
- The Malone Minor Hockey League
- Malone Housing Authority
- Franklin County Jail Water & Wastewater Services (likely to be linked to the water district)
- NYS Department of Correctional Services (DOCS) (likely to be linked to the water district)

The following agreement will no longer be relevant:

- The Joint Recreation Commission will no longer be a joint function following dissolution. The Town could continue to operate the service under a new Town of Malone Recreation Commission or it could assume direct oversight and control of this service.

The following agreements may no longer be required:

- Hughes, Stewart and Race legal services
- North Country Labor Relations Associates
- Cornerstone Telephone Company

DPW / Highway

Staffing

Under dissolution, streets, roads, etc. of the Village will be added to the Town road system and will be operated and maintained by the Town on a Town-wide basis. The Village DPW department will be eliminated. Both the Town Highway Superintendent and the Village DPW head indicate their belief that there are no efficiencies to be gained from merging departments and that a merged department will require all former Village staff in order to maintain current service levels.

Shared service opportunities: Since the Town and Village currently collaborate on an as needed basis there are no additional opportunities for sharing staffing.

Equipment / Vehicles

Currently, equipment and vehicles are shared informally as needed. Both the Town Highway Superintendent and the Village DPW head indicate their belief that there would be no equipment redundancies in the event of a merger. Nonetheless, were the Village were to dissolve it seems likely that the combined department would reduce some equipment/vehicle redundancy over time.

Shared service opportunities: Going forward, the Village and Town could formally coordinate their large purchases of vehicles and equipment. This might reduce duplication over the long term for those items that both communities use.

Buildings

The Town and Village each maintain their own garages. Neither garage is big enough to house a combined DPW/Highway operation. The working group noted that the Village garage is made of concrete and the Town garage is made of metal. Neither of these buildings is well insulated and tends to use extensive amounts of fuel in the winter. Last year, the heating bill for the Village garage was \$26,000. The combined square footage of the Village DPW buildings is approximately 30,000.

Additional site considerations relate to the environmental concerns regarding the Village garage. The working group noted that if the garage were moved, then the site could be remediated and the park and fishing pond would be available to taxpayers⁶. In light of these considerations, there are a couple of options to consider should the Village dissolve. In short, the Town could:

- Maintain the *status quo* and continue to operate out of separate facilities. This is a short-term solution as the Village DPW garage will eventually need to be either remediated or moved.
- Build additional space on Town property adjacent to the existing garage. This option would enable all DPW related activities to operate from a centralized location. The location of the Town garage is inconvenient for some Village services (e.g. sidewalk equipment, curbing equipment and materials and lawn mowers). As such, the working group noted that a small site would need to be maintained in the Village for some

⁶ For more information about this proposal, see page X of the Town and Village of Malone Local Waterfront Revitalization Plan:
<http://www.malonevillage.com/PDF/Town%20and%20Village%20of%20Malone%20Final%20LWRP.pdf>

equipment. Building additional 30,000 square feet to accommodate the former Village, at \$35 a square foot is estimated to be \$1,000,000. The exact amount of square footage required at this site would need to be determined, since not all of the former Village equipment would move to the Town site.

- Move both departments to a new location. This new location should be conveniently located for former Village related services. The working group noted that the William Mansion Nursing Home was a possible future location. This location would not be available immediately upon dissolution. The Town would need to consult with the County about the possibility of being incorporated into its plans for this site.

For the purposes of the dissolution plan, the Committee has assumed that the facilities will not be changed in the short term. This assumption provides the most realistic and conservative estimate of the impact dissolution will have on tax rates.

Shared service opportunities: Regardless of whether or not the Village dissolves, the Town and Village departments could be co-located. By sharing space, there may be opportunities for greater economies of scale and further collaboration between staff over time.

Services

The Village currently receives the following services that are not offered in the Town:

- The Village provides street lighting at a cost of \$111,825 per year or \$0.73/\$1,000 (based on Town the taxable assessed value for the Village).
- The Village provides leaf and brush pick-up services at a cost of \$63,638 annually or \$0.41/\$1,000 (based on Town the taxable assessed value for the Village).

The Committee considered eliminating these unique services, extending them to the whole town or providing for ongoing servicing by the Town. The Committee recommends that the services will be continued by the Town upon dissolution. Former Village residents will be taxed for them through newly created taxing districts within the boundary of the former Village (e.g. sidewalk district, lighting district and refuse district). Village residents will be taxed for these additional services based on the cost of providing the service.

Public Safety

Fire and Emergency Services

Fire protection and emergency services are not affected by dissolution and will continue to be provided by the Malone Callfiremen, private ambulance companies and Franklin County.

Police

The information presented in the previous section of this report indicates the costs of the Malone Police Department as well as some basic information about the services the department is providing. The State Police provide policing in the Town-Outside-Village.

If the Village dissolves, the Town would be responsible police services in the former Village. There are four options for this service:

1. Eliminate a dedicated police force within the former Village and rely on State Police to provide coverage as the currently do for the Town-Outside-Village and for smaller villages and hamlets in Franklin County.
2. Create a Town police department. This would require all Town property owners to be taxed for the Town department, as the department would be providing service to the entire Town. The Town police department could of course assign patrol activities as needed to higher demand areas (presumably the former village area), but the department could not exclusively dedicate its resources to just one section of the Town. At this time, the Town has not expressed an interest in creating a police department.
3. Create a police protection district, governed by the Town Board just as they govern water districts in the Town. Only properties within the district boundaries would pay for the police services on their property taxes. The Town could provide police services within the district by creating a Town Police Department that is dedicated only to the district (similar to Town water district operations). ***In order to create a police district, the Town will have to seek special state legislation. Initial inquiry with state legislative representatives indicates that this is a possible option, especially since the State encourages village dissolution and could be expected to offer necessary support.***
4. Create a police protection district, governed by the Town and taxed as above. The Town would contract with the Franklin County Sheriff Department for police services. While the County does not currently have the capacity to staff this option, initial contact by the Public Safety work group indicates that this is an avenue worth pursuing further.

The boundary for the Police district could capture the former Village area or it could capture a slightly larger area. A police district whose boundary captures an area larger than the former Village would benefit by having a larger tax base on which to share the tax burden of this service. In addition, it would provide greater police coverage to areas immediately adjacent to the current Village. The boundary of the district would be determined by the Town, prior to requesting the special state legislation.

The Committee has determined that creating a police protection district is the preferred option. For purposes of this report, the Committee has assumed that the cost and staffing of a new district police department would be the same as the current Village department. This is a

conservative estimate that undoubtedly underestimates likely savings that would occur through new contract negotiations, or through other cost or service changes that the Village could currently achieved.

The Committee further recommends that the possibility of contacting with the Franklin County Sheriff Department be actively pursued as this appears to hold the possibility of actual cost savings.

Shared service options: If the Village does not dissolve, the Village Board could choose to reduce the size of the department to meet budget constraints. While it is beyond the scope of this project, the public safety work group has begun to explore the police service levels in other communities. Based on Bureau of Justice data Village police operating costs per sworn officer and number of officers per 1000 residents are comparable to those of communities of similar size. However, with one chief, 4 sergeants, 9 FT officer, plus 2 PT officers, span-of-control is lower than average.

Regardless of whether or not the Village dissolves, the Board may wish to consider alternative configurations for police operations, particularly with respect to supervisory staff (i.e. perhaps one sergeant position could be eliminated).

The Village of Potsdam also recently went through a dissolution study process in which the cost of police was an important part of the conversation. While the Village ultimately decided not to dissolve, it prompted council to initiate a police department cost study with the goal of moderating the short term and long term cost of the Village police force. The mayor of the Village of Potsdam, Steve Yurgartis, notes on his website that the study is not “intended to be a criticism of our force. Rather, it is a sober recognition of a growing financial problem in the village, one that I think we would do better to face now rather than later.”⁷

In addition to reducing the Village police budget, the Village may also wish to explore the possibility of shared police administration with another municipality (e.g. Cambridge and Greenwich, NY). In Franklin County, the Village could consider collaborating with Saranac Lake (which is 44 miles away) or Tupper Lake (which is 59 miles away).

Utilities

As the Town does not currently operate either water or sewer, there are no efficiency gains to be had for these services (i.e. we can't consolidate services, share equipment or contract for service).

⁷ The Mayor's website is located here: <http://www.yurgartis.net/index.html>

In the event of dissolution, the Town will establish Water and Sewer Districts for the Village as provided by Article 12 of the NYS Town Law (note that the new Water District would be in addition to the existing East and West Water Districts in the Town-Outside-Village). The Town Board will assume the responsibilities of the new Water and Sewer Districts for maintenance and repair of all existing water and sewer lines. The Village employees responsible for the water and wastewater treatment facilities will transfer to the Town.

The boundaries of the new Water District would include all water users, both inside the former Village and in the TOV. This boundary will ensure that operational costs, including debt payments for the water system incurred by the Village, continue to be funded system-wide and not just within the former Village. The Town will continue to operate the existing Town East and West Water Districts until the related debt is retired and these Districts are no longer necessary.

Given that the Town will be operating the water system, it is likely that it will choose to equalize the rates. The Village currently pays \$3.00 per 1,000 gallons compared to \$4.80 per 1,000 gallons outside of the Village. A new rate that applies to all water users would likely fall between this range and will mean an increase in the rates for former Village residents and a decrease in the rates for former Town residents.

It should be noted that the Village may change rates in the future regardless of dissolution. The Village is currently in the process of introducing water meters in two phases. In the first phase, businesses and rental units were required to pay for the installation of their own meters. In the second phase, residential properties will also be metered, although the Board would like to find a grant to cover the cost of installation. Until the introduction of meters is complete, the Board has chosen not to adjust the rates.

The boundaries of the Sewer Districts will be the boundaries of the existing Village of Malone.

There are no shared service opportunities here.

Planning/Codes/Zoning

Village Code

If the Village were to dissolve, the General Municipal Law Article 17A section 789 provides that all local laws, ordinances, rules and regulations will remain in effect for a period of up to two years following dissolution. These may be enforced by the Town Board within the limits of the dissolved Village. The Town Board has the power to amend or repeal (or take other action, as allowed) these local laws and ordinances at any time.

During the two year transition period, the Committee recommends that the Town review and adopt many of the current Village codes to protect the interests of the more densely populated area. The Town may incur additional legal expenses in order to enact these changes.

The following Village laws will not become part of Town law because the Village will no longer exist, thus the laws are no longer relevant.

Chapter	Title
7	Assessment
13	Compensation of local officials
34	Officers and employees
61	Village liability
68	Zoning board of appeal
69	Planning board
54A	Traffic violations bureau
43	Recreation commission

In some cases, both the Town and the Village have adopted laws of a similar nature. In these instances, the Town will review these Village laws and incorporate additional provisions into existing Town laws as needed.

Chapter	Title
1	Code adoption
3	Alcoholic beverages
22	Fire prevention and building code
24	Flood damage prevention
31	Junk dealers
53	Taxicabs
10	Bingo
57	Unsafe buildings
5	Auctioneers, hawkers and peddlers
4	Animals
59	Vehicle and traffic

As there is no comparable Town law, the Town will review the following Village laws and consider adopting them Town-wide or within the boundary of the former Village.

Chapter	Title
2	Procedures for adoption of local laws
12	Community development program
12A	Portable storage units
16	Curfew

Chapter	Title
19	Fences
20	Electrical standards
20A	Exposure of persons
21	Environmental quality review
21A	Filling and grading
23	Fireworks
24A	Garage, yard and barn sales
25	Garbage and rubbish collection
28	House trailers and trailer camps
29	Housing
31A	Littering
32	Meetings
33	Minibikes
33A	Nuisances
35	Poles and wires
37	Pollution
37A	Protest policy
37B	Property maintenance
38	Public hearing
40	Public health
42A	Records
44A	Rental property
44	Recreation park regulations
45	Sewer use
46	Sewer rents
46A	Sex Offenders
47	Sidewalks and streets
48	Signs
51	Swimming pools
52	Tax on Utility Services
54	Theater and shows
55	Trees
63	Water
65	Wood burning stoves
66A	Subdivision of land
66	Zoning
70	Inoperable and junk vehicles
76	Police regulations

Staffing

Based on conversations with Village and Town staff, the Committee has determined that Village staff will be needed to absorb the additional work in the Town following dissolution.

Boards and Committees

Upon dissolution, the Village Planning and Zoning Boards will cease to exist (and the work will flow to the Town Planning and Zoning Board).

The Town will have two options with respect to the Joint Recreation Commission following dissolution – it can either continue to provide recreation through a new Town of Malone Recreation Commission (pursuant to General Municipal Act section 243) or it can assume full responsibility for the management and operation of recreation.

Shared service opportunities: If the Village does not dissolve, the Village and Town code departments could be merged. Sharing office space and resources could result in greater staff coverage for both communities, as both the Town and Village currently have part-time staff. This option has been considered by the communities in the past and was expected to occur following the merger of the court.

Combining this service would also enable the communities to eliminate one set of planning and zoning boards reducing the total number from four to two. This would also free up some staff time currently spent supporting these boards for other tasks.

Items Not Covered by Work Groups

Village of Malone Housing Authority: This organization is established by state statute (Public Housing Act). It stands apart from the municipality, although they do have a board whose members are appointed by the Mayor. The Village has a cooperative agreement with the Housing Authority.

Village Books and Records: Upon dissolution of the Village all its records, books and papers shall be deposited with the Town Clerk and they shall thereafter become part of the Town records.

Village Debt: Village debt is related to the water service and totaled \$3,895,209 at the end of the 2011 fiscal year. Water users, including Village residents, will continue to pay for this debt through the new Town water district (which will be created upon dissolution of the Village and whose boundary will include all water users).

Insurance Costs: Upon dissolution, The Town will still need to provide insurance for its operations. Since the Town will assume more staff, buildings and liabilities, its insurance costs are unlikely to decrease as a

result of dissolution. In addition, there may be an additional cost to the Town as a result of the differences in the coverage offered by different insurance companies for employees. The Village of Malone currently uses Excellus Blue Cross Blue Shield health insurance (except for the Police Department, who use Teamsters) while the Town uses Empire.

General Fund Balance: If Village voters choose to dissolve, any remaining general fund balance is to be used to benefit Village tax-payers prior to the date of dissolution. Any remaining balance could transfer to the Town upon dissolution.

Additional Revenues: Upon dissolution, revenues the Village now receives in state aid, Consolidated Highway Improvement Program (CHIPs) funding and mortgage tax would all become Town revenues.

Implementation Considerations

Civil Service Procedures

Civil service employees are afforded certain rights in the transfer of function should the Village dissolve and the Town assume delivery for former Village services. The general rule of thumb is that if the same or similar service is performed to the benefit of the current municipality but the service is performed by a different municipality, the employees of the current entity shall be afforded the opportunity to work for the new entity.

Civil Service Law section 70(2) outlines requirements for the transfer of employees upon a transfer of function between municipalities. The Law also identifies the rights of those employees subject to the transfer and/or who choose not to transfer.

The Town and Village will need to work closely with their municipal civil services division to assure that procedures are followed. Franklin County Personnel Office provides civil service functions to all Franklin County municipal governments, including the Town and Village.

Current employees that are “substantially engaged in the function to be transferred” will be identified and placed on a list. The municipality receiving the function will be responsible to determine how many people will be hired to perform the consolidated function and with what titles. Titles in competitive classes will be ranked by seniority with priority given to employees with greater seniority. Positions will be filled using the list until it is exhausted and then the position(s) will be posted for new applicants.

In some cases, employees will not choose to transfer. If they so choose, their position will be recorded with the municipal civil service division and should the position/title become open again within the municipality currently losing the function, their name would appear on a list for priority consideration.

Employees discontent with their placement on a list may protest their placement (or lack thereof) on the list. There is a formal grievance hearing procedure that must be followed should this occur. If employees are selected for transfer into the new consolidated single entity, the new entity may determine how to compensate employees for unused sick/vacation/personal time provided the arrangement is consistent with law. Salary, benefits, title and seniority will be determined as a result of collective bargaining agreements and New York State law.

Additional Questions Regarding Civil Service Law

The Municipal Services Division of the NYS Department of Civil Service provides guidance and close technical assistance to local officials in implementing the provisions of Civil Service Law.

DRAFT

ESTIMATED TAX IMPACT

This section of the report explores the impact of dissolution on tax rates for existing Village taxpayers and town taxpayers living outside the village. These are not projections of future tax rates. Rather, they use 2011-2012 figures to assess how the distribution of tax burden in 2011-12 would be different under the new structure.

Summary of Estimated Impact

The elimination of the Village of Malone will make it possible for the Town of Malone to reduce the total cost of service delivery over time. As discussed above, however, several services are already provided jointly by the Town and the Village (e.g. courts and recreation). Other services are provided to both by a third party (emergency services). Still other services are currently provided only to Village residents, a pattern that the Committee recommends continue after dissolution through the creation of special districts. Thus the immediate reduction in the cost of delivering public services to the Village of Malone residents is modest.

Administrative & Legislative Cost Savings

The sole immediate savings is the cost of the Village Board, Mayor and the direct expenses associated with these functions. The reduction in expenditures for 2011-12 would have been \$56,399.

Administrative costs—e.g. the work of the clerks and the treasury function—are likely to decline over time through attrition as incumbents leave their positions. Even so, the total cost of these services in the Village is \$298,018. Even a 50% reduction in these costs would total a modest \$149,000.

Public Works

The greatest potential for eventual savings rests with the improved coordination of Village public works and Town highway services. Relocating the Village DPW to land adjacent to the Town Highway Department would require a significant investment in a new building. Whether this is financially viable rests on two unknowns:

- Is there a market for the Village DPW garage site? This is an attractive site, nestled along the river.
- The site is known to be contaminated to some degree. It is unclear what the cost of remediation would be in advance of a sale.

If the Village were able to sell the site for something approximating the cost of new construction, relocation to Town lands, and site remediation, co-location or outright consolidation would likely spur some incremental savings from the elimination of duplication of labor and equipment. These savings could reduce the tax burden over a period of time. The Committee's recommendation is that the dissolution plan recommend no such change at time of dissolution.

Other Expenditures

Although a number of possible cost saving options are discussed above (e.g. elimination of leaf and brush pick-up within the former Village), the Committee recommends that services now provided to Village residents be continued in some form, preferably through the creation of special districts. There would be no cost saving as a result; neither should the cost of service provision rise.

Changes in Revenue

Gross Utility Tax

Following dissolution, the Town will not be eligible to receive the Gross Utility Receipt Tax that was previously collected by the former Village. At the same time, Village utility customers will no longer be charged for this tax (which is approximately 2-4% of electric/phone bills). This results in a revenue reduction of \$62,900 and a savings to utility payers of 2-4% on their monthly bill.

Citizens Empowerment Tax Credit

If the Village dissolves, the consolidated community will be eligible for the Citizens Empowerment tax Credit (CETC). This is equal to 15% of the combined Village and Town tax levies in the year prior to dissolution. The combined tax levy figure includes only the General and Highway levies, not special district levies. At least 70% of the CETC aid must be used for direct property tax relief while the remaining amount can be used for general municipal purposes.

The CETC is subject to annual appropriations in the state budget process, just like every other annual state revenue source (for example, CHIPS highway funding). It has clearly been an important public policy objective of the Governor and State Legislature for the past five years to support efficiency initiatives by funding the CETC (and its predecessor programs) each year in the annual state budget. It is reasonable to project that such funding will continue in future years. Communities like Pike and Limestone that recently voted to dissolve continue to receive CETC funding. Going forward, other communities like Seneca Falls, Randolph, East Randolph and Perrysburg will receive CETC funding this year as they have only recently chosen to dissolve.

However, to account for the potential that the CETC could be eliminated in future years, the tax rate projections are shown both with, and without the CETC.

If the Village of Malone dissolves, the Village is effectively consolidating with the Town. This means that the new Town would qualify for the CETC funding. Based on 2011-2012 figures, this grant would provide the new Town with \$753,500 a year, which results in a \$2.00 reduction per \$1,000 of assessed value for all Town residents. The calculations of the CETC grant are provided in the table below.

Calculating Projected CETC

Village Tax Levy (2011-2012)	\$3,016,156
Town Tax Levy (2012)	\$2,007,192
Total Combined Levy	\$5,023,348
15% of Total = CETC	\$753,502
CETC Tax Rate Reduction /\$1,000 total taxable assessed value	(\$2.00)

Net Impact on Total Cost

The combined reduction in cost, therefore, is very nearly matched by a reduction in revenue (technically, a net increase in expenses of \$6,501 for the Town as a whole), excluding the application of the state incentive for consolidation. The table below summarizes the projected fiscal change that will occur as the result of the dissolution process outlined in the draft plan.

Summary of Dissolution Impact on Current Budget - Village and Town of Malone

Description	Amount
Elimination of Village Board, Mayor and related expenses	(\$56,399)
Loss of Utilities Gross Receipts Tax revenue	\$62,900
TOTAL Net Change due to Dissolution	\$6,501
CETC Incentive from NYS	\$753,502
Total Net Change with CETC	\$747,001

Special Taxing Districts

As part of the Dissolution Plan, several services will be charged to property owners within the boundary of the former Village. A special taxing district is not a governing body rather it is a taxing mechanism to properties which receive additional services within the Town. This draft dissolution plan is based on having five special taxing districts in the former Village to pay for the following:

- Village street lights
- Village leaf and brush pick-up
- Village water (including Town water users)
- Village sewer
- Village police (the police district is subject to special legislation).

Tax Impact of Dissolution on Village and Town Taxpayers

Village taxpayers pay two local property tax bills, one for the Village and one for the Town. The Town is required to tax all taxpayers within the Town for certain expenses. The Village taxpayers pay the Town-wide property tax rate that pays for these Town-wide expenses.

The Town is also required to allocate certain expenses and revenues to properties that are located outside of the Village. These properties are referred to as Town-Outside-Village (TOV). TOV taxpayers pay the Town-wide property tax rate (the same rate that is charged to Village taxpayers) and the TOV property tax rate.

The following table shows current tax rates for taxpayers in the Town and in the Village. In 2011-2012, a Village property owner paid \$23.48 per \$1,000 of assessed value and a Town-Outside-Village property owner paid \$8.12 per \$1,000.

Current 2011 Tax Rate per \$1000 Assessed Value		
	Village	TOV
Town-wide	\$2.81	\$2.81
TOV	-	\$4.28
Village	\$19.64	-
Malone Fire Protection District	\$1.04	\$1.04
Total	\$23.48	\$8.12

Source: Town 2012 Budget, Village 2011-12 Budget

Does not include school, federal, state or county taxes

Several enhanced services (as described above under “special taxing districts”) and former Village obligations will be assigned to property owners within the former Village boundaries.

The table below details the specific costs which make up the projected \$18.78 tax rate/\$10,000 assigned to the former Village district.

2011 Tax Rates, if the Village Had Been Dissolved		
	Former Village	Former TOV
Town-wide	\$8.57	\$8.57
Former Village Police District	\$10.02	
Former Village Brush & Leaf Pickup District	\$0.42	
Former Village Street Lighting District	\$0.73	
Malone Fire Protection District	\$1.04	\$1.04
Total	\$20.77	\$9.61
Impact of CETC	-\$2.00	-\$2.00
Tax Rate including CETC Impact	\$18.78	\$7.61

The following table summarizes the changes in the property tax rates for current Village and Town Outside Village property owners (assuming a police district is created). When the CETC grant is taken into account, former Village taxpayers will see a decrease of 20% in their tax rates (or \$4.71/\$1,000) compared to a 6% decrease in the TOV (or \$0.51/\$1,000).

Tax Impact Summary (assumes police district)		
	Village	TOV
Current	\$23.48	\$8.12
Dissolution (w/o CETC)	\$20.77	\$9.61
Total tax rate change	-\$2.71	\$1.49
% total tax rate change	-12%	18%
Dissolution (with CETC)	\$18.78	\$7.61
Total tax rate change	-\$4.71	-\$0.51
% total tax rate change	-20%	-6%

The table below summarizes the changes in the property tax rates if a police district is *not* created and police costs are absorbed Town-wide. Given that police costs form a large portion of the Village budget, spreading this cost across the tax base of the entire Town will decrease the tax rate for Village residents and increase it for Town residents. When the CETC grant is taken into account, former Village tax payers will see a 45% decrease in tax rates (or \$10.67/\$1000) compared to a 44% increase for the Town-Outsid-Village (or \$3.54/\$1,000).

Tax Impact Summary (assumes Town-wide police)		
	Village	TOV
Current	\$23.48	\$8.12
New Town (without CETC)	\$14.81	\$13.66
Total tax rate change	-\$8.68	\$5.54
% total tax rate change	-37%	68%
New Town (with CETC)	\$12.81	\$11.67
Total tax rate change	-\$10.67	\$3.54
% total tax rate change	-45%	44%

Yet another possibility with respect to police is to create a police district with a boundary that is slightly bigger than the former Village. This boundary could include the commercial areas immediately adjacent to the former Village. This option would spread the cost of police to a slightly larger tax base and decrease the tax rate for former Village residents, while increasing the tax rate for those properties that are included in the district. Details TBD.

2011 Tax Impact Shown for Property Assessed for \$75,000

The table below shows the impact of dissolution for a property owner in the former Village and the Town-Outside-Village based on the median household price of \$75,000 (according to the American Community Survey for 2006-2010, the median household price in the Village of Malone was \$75,100). The table below excludes county and school taxes as well as water and sewer charges billed separately to residents.

If a police district is established, then both the former Village and the Town will see a decrease in their property taxes once the CETC grant is factored in. A home in the former Village valued at \$75,000 will see a \$350 property tax decrease whereas a comparable house in the Town-Outside-Village will see a \$40 decrease.

Tax Impact on a \$75,000 Property (assumes police district)

	Former Village	TOV
New Town (without CETC)	(\$203)	\$111
New Town (with CETC)	(\$353)	(\$38)

If a police district is not established and police continue to be provided on a Town-wide basis, then a home in the former Village valued at \$75,000 will see an \$800 property tax decrease whereas a comparable house in the Town-Outside-Village will see a \$265 increase.

Tax Impact on a \$75,000 Property (assumes Town-wide police)

	Former Village	TOV
New Town (without CETC)	(\$651)	\$416
New Town (with CETC)	(\$801)	\$266

Dissolution Transition Costs

The estimate for the onetime cost of dissolution is approximately \$277,500. This includes the following anticipated expenses:

- \$18,000 for legal fees to assist the Village with the transition
- \$2,000 for miscellaneous expenses
- \$157,500 for accumulated compensated absences (i.e. unused vacation time)

- \$100,000 for unused sick time if eligible employees choose to retire rather than transition to the Town (note that unused sick time is paid out upon retirement rather than at the end of service)

Dissolution transition costs will have to be funded by the Village. Sources for this funding include using available fund balance, obtaining grant assistance from the State or other Village revenue sources.

It should be understood that the estimated \$157,500 liability for accumulated compensated absences is a Village obligation whether or not the Village dissolves. However, the \$157,500 estimate is an estimate of the cash cost to the Village of having to pay a lump sum for those obligations prior to the official dissolution date.

Potential Longer Term Tax Impact

As part of the dissolution study process, this report includes calculations regarding the immediate impact on tax payers should the Village of Malone dissolve. The Committee has recommended no changes to staff levels in the short term, especially during the transition period. In the longer term, however, there may be opportunities to reduce staff levels through attrition or through re-alignment of functions as the larger Town government passes through the transition and as opportunities become available.

It is difficult to project which positions might become available or where savings could be found down the road. For illustrative purposes only, this section of the report includes information about the tax impact should a handful of positions be eliminated. The rationale for including this information is simply to suggest that there may be additional savings that may accrue over the long term.

Given that there will be some duplication of function should the Village dissolve, the report estimates the savings should the positions of Village Clerk, half of the work of the Village Treasurer⁸, DPW Superintendent and two machine equipment operators be eliminated. Based on these parameters, it is estimated that there could be an additional savings of approximately \$250,000 - \$300,000 per year. These changes would serve to further reduce the town-wide tax rate from approximately \$8.60/\$1,000 (after dissolution) to \$7.80/\$1,000. This savings could result in a tax rate in the former Village of approximately \$18/\$1,000 and of \$6.85/\$1,000 in the former Town-Outside-Village.

⁸ Only half of the Village Treasurer position is included because this position is also linked to the administration of water and sewer, for which there is currently no Town counterpart.

2011 Tax Rates, if the Village Had Been Dissolved		
	Former Village	Former TOV
Town wide	\$7.81	\$7.81
Former Village Police District	\$10.02	
Former Village Brush & Leaf Pickup District	\$0.42	
Former Village Street Lighting District	\$0.73	
Malone Fire Protection District	\$1.04	\$1.04
Total	\$20.01	\$8.85
Impact of CETC	-\$2.00	-\$2.00
Tax Rate including CETC Impact	\$18.01	\$6.85

For a home valued at \$75,000, this means that taxes would be reduced in the Village by approximately \$400 and by \$100 in the Town-Outside-Village.

Tax Impact on a \$75,000 Property (assumes police district)		
	Former Village	Former TOV
Without CETC	(\$261)	\$54
With CETC	(\$410)	(\$96)

CONCLUSION

The Committee has considered many alternatives to the services and costs that are presented in this Plan. What is presented here offers the best option to Village and Town residents in the event that voters choose to dissolve the Village. The information in this report should provide voters with information needed to make an informed decision should the opportunity be given to vote on this matter.

This Plan will be delivered to the Village Board which will be responsible for determining whether it is indeed in the best interest of Village residents to put this matter to a vote. If they make that determination, they could launch the public referendum process as early as July 2012 that will place the option for dissolution on the ballot in November 2012.

DRAFT DISSOLUTION PLAN

This document sets forth, in detail, the draft Dissolution Plan of the Village of Malone as developed and [approved] by the Malone Dissolution Study Committee. Following submission of the Plan to the Village Board, it will be up to the Board to decide whether to adopt the Dissolution Plan to present to Village voters. If the Board decides to do so, the question of dissolution could be put before voters on November 6, 2012. If a proposition is put forward and is approved by a majority of Village voters, the Village of Malone would dissolve as of December 31, 2014.

1. The local government entity to be dissolved shall be the Village of Malone, New York.

2. The territorial boundaries of the Village of Malone are shown in the map in Appendix C of this report. The Village of Malone is located entirely within the Town of Malone which is in Franklin County, New York.

3. The type of entity is a village as defined in New York Village Law.

4. The fiscal estimate of the cost of the dissolution is estimated to be approximately \$72,000. This includes the following cost components:

- Consultant fees to assist the Village in preparing the Plan and related documents and processes: \$52,000 (funded primarily with a New York State Local Government Efficiency grant)
- Legal fees to assist the Village researching legal issues: \$18,000
- Miscellaneous advertisement fees, public referendum fees, etc.: \$2,000

A complete fiscal and tax impact analysis of dissolution is presented in the previous section of this report.

5. The plan for the transfer or elimination of the current employees of the Village is shown below. All current Village employee positions will be eliminated. The Town will assume responsibility for the work provided by current Village employees as follows:

- The Mayor and Village Board positions will be eliminated. (*Estimated savings of \$56,399*).
- The expense for all Village administration, Department of Public Works, code and police staff will be assumed by the Town. This plan assumes that there will be no reduction in staff size or requirements following dissolution. It will be a Town decision whom to hire or contract with to do this work (pursuant to NYS Civil Service Laws).

6. All real property improved or not improved will become the property of the Town of Malone. Water and sewer facilities will be assigned to the

Malone water and sewer districts. The Town will take title to the Village real property with the understanding that the Town will honor all existing agreements or other arrangements between the Village and other users of Village property. Real property transferred to the Town will be done without consideration⁹ and the Town will, at its option, prepare any and all deeds for the Village to execute prior to the date of dissolution.

- Village-owned property and fair value (based on current assessed value), according to the Franklin County Office of Real Property, are listed in the table in Appendix A.

Village fund balances remaining upon Village dissolution will be transferred to the Town as follows:

- The Village Sewer Fund, which totaled \$415,805 as of 5/31/11, will transfer to the Malone Sewer District fund and be managed by the Town.
- The Village Water Fund, which totaled \$563,948 as of 5/31/11, will transfer to the Malone Water District Fund and be managed by the Town.
- Upon an affirmative vote to dissolve but prior to the effective date of dissolution, the Village of Malone will use any remaining general fund balance to benefit Village tax-payers during the transition period. Any remaining balance will be transferred to the Town upon dissolution of the Village. The Village general fund, totaled \$1.5 million on 5/31/11 (note that \$385,000 was allocated in the budget for the 2011-2012 fiscal year).

7. The Village liabilities and indebtedness are as follows:

- Liabilities – none known at this time. There are no current lawsuits or proceedings against the Village.
- Indebtedness – As of 12/31/11, the Village had \$3.9 million in outstanding water debt. A debt of \$380,000 will be paid off in 2030 and a debt of \$3,515,209 will be paid off in 2027.

8. The Village and the Town currently have no agreements in order to carry out the dissolution. This Plan was developed with the expectation that if dissolution of the Village is ultimately approved by voters that the succeeding Town government will provide for and comply, to the extent possible, with the Plan as set forth in this document (or as subsequently amended by the Village Board). At the same time, the members of the Committee recognize that future municipal government needs and responsibilities cannot be predicted.

⁹ Without consideration means a complete transfer of Village property to the Town without cost to the Town.

9. *Continuation of services:* Services formerly provided by the Village government will be provided by the Town in the following manner:

- *Elected Representation:* Local government representation will be provided by the Town Board.
- *Clerical and Administrative Services:* Formerly provided by the Village Clerk, Treasurer and office staff will be provided by staff assigned to the Town Clerk and Town Supervisor.
- *Code Enforcement Services:* Formerly provided by the Village will be provided by the Town.
- *Roads, Water and Sewer Services:* Formerly provided by the Village Department of Public Work employees will be provided by the Town Highway Department. The Town will create a new Sewer districts for the former Village and a new Water district for all water users (including the former Village).
- *Courts:* Court services will continue to be provided by the Town.
- *Fire Services:* Fire protection will continue to be provided by the Malone Callfiremen (through a contract between the Town and the Callfiremen).
- *Recreation Services:* Formerly provided by the Joint Recreation Commission will be provided by the Town.
- *Brush and leaf pick-up:* This service will be continued within the former Village but the costs will be levied by a Town through a special assessment district that will include all former Village properties.
- *Street lighting.* Street lighting within the former Village will be continued by the Town, but the costs for street lighting will be levied by a Town through a special assessment district that will include all former Village properties.

10. The Village will dispose of those assets remaining on the effective date of the dissolution by turning them over to the Town to become Town assets. The Village knows of no liabilities at this time that would become the responsibility of the Town upon dissolution of the Village. The Village cannot project whether or not there may be uncollected taxes upon the date of dissolution; however, any uncollected taxes will have been turned over to the County per current practice.

11. Appendix D reviews the current Village local laws, ordinances, rules and regulations. As shown in the appendix, several of the laws have been superseded or are no longer applicable, and so will not become part of Town law. There are 41 Village laws that would need to be rewritten as Town laws. There are 11 Village laws that closely correlate to existing Town laws and may be either reconciled or repealed. After two years, all Town laws apply to the former Village, in accordance with GML Article 17-A §789. See Appendix E for listing of Village codes and laws.

12. The Village will be dissolved effective at 12:00 a.m. on December 31, 2014.

13. The public hearing on the Proposed Voter Initiated Dissolution Plan was held at [INSERT DATE]. The hearing was held at [INSERT LOCATION].

14. Specific service impacts of the Plan, other than those identified above, are as follows:

- *Police Services:* Will become a special police district within the boundary of the former Village, subject to State legislative approval. Costs associated with police services will be assigned to this special taxing district. Police expenditures for the 2011-2012 fiscal year, included benefits and equipment totaled \$1,380,216. Based on current taxable assessed value of the Village and current costs, the estimated cost of the separate levy for those services is approximately \$10 / \$1,000.
- *Water Service:* The \$3.9 million in Village debt related to water will be paid for by all water users, both inside the former Village and in the existing Town of Malone East and West Water Districts.

APPENDIX A – LIST OF TOWN AND VILLAGE OWNED PROPERTY

Property Owned by Town of Malone					
Location of Prop	Tax ID	Street Name	Class #	Property Class	Total AV*
Malone	83.-1-12.600	Bare Hill Rd	314	Rural Vac	\$1,000
Malone	84.-1-49	L Park	330	Vac Comm	\$3,700
Malone	97.-1-41.1	No Bangor Hangar	449	Other Storage	\$144,000
Malone	97.-1-41.2	No Bangor Hangar	439	Sm park gar	\$30,000
Malone	97.-1-41.100	Airport Rd	844/652	Air Transport/Gov. Bldg.	\$1,035,400
Malone	97.-1-41.101	No Bangor Rd	120	Field Crops	\$379,000
Malone	97.-1-41.102	No Bangor Rd	844	Air transport	\$115,000
Malone	97.-1-41.200	Creighton Rd	853	Sewage	\$105,600
Malone	98.-2-58	Lower Park St	720	Mine/Quarry	\$46,700
Malone	111.-2-4	State Route 11 (W)	651	Hwy Garage	\$620,000
Malone	111.-2-5.200	State Route 11 (W)	822	Water Supply	\$1,124,400
Village of Malone	112.32-2-4	West Main St	682	Rec Facility	\$725,000
Malone	113.-2-38.200	Porter Rd	822	Water Supply	\$602,000
Malone	113.-3-1	Porter Rd	312	Vac w/Imprv	\$150,000
Malone	126.-1-21.200	Golf Course Rd	552	Golf Course	\$1,813,300
Malone	155.-1-89	Duane Rd	593	Picnic Site	\$15,500

Property Owned by Village of Malone

Location of Prop	Tax ID	Street Name	Class #	Property Class	Total AV*
Malone	98.-1-3.100	Brand Rd	852	Landfill	\$6,600
Malone	98.-1-27	Lane St	853	Sewage	\$1,592,600
Malone	98.-1-35.100	West St	314	Rural Vac Land	\$10,800
Malone	98.-1-62	Bare Hill Rd	323	Vac Rural	\$3,000
Village of Malone	98.80-4-5	Factory St	311	Res Vac Land	\$3,300
Village of Malone	98.83-1-1	Hawley Ave	311	Res Vac Land	\$10,100
Village of Malone	98.83-2-9	Beman St	311	Res Vac Land	\$4,300
Malone	112.-2-9	State St	963	Municipal Park	\$15,000
Village of Malone	112.25-2-8.200	Elm St(off St)	330	Vac Comm	\$2,500
Village of Malone	112.25-2-9	Elm St	652	Gov't Building	\$174,000
Village of Malone	112.25-2-10	Elm St	652	Gov't Building	\$142,500
Village of Malone	112.25-3-14	Park Pl	662	Police/Fire	\$410,400
Village of Malone	112.25-4-1	E Main St	963	Municipal Park	\$15,000
Village of Malone	112.26-1-49	Morton St	311	Res Vac Land	\$6,900
Village of Malone	112.26-1-58	Main, Arsenal Green E	963	Municipal Park	\$100,000
Village of Malone	112.27-1-11	E Main St	330	Vac Comm	\$17,000
Village of Malone	112.32-5-11	Duane St Corner Of	438	Parking Lot	\$93,000
Village of Malone	112.33-8-1	E Main St	330	Vac Comm	\$24,000
Village of Malone	112.33-8-10	Mill St	330	Vac Comm	\$3,000
Village of Malone	112.33-8-24	W Main St	821	Flood Cntrl - Dam	\$50,000
Village of Malone	112.33-9-1	Harrison Pl	330	Vac Comm	\$3,400
Village of Malone	112.33-9-2	Harrison Pl	330	Vac Comm	\$1,600
Village of Malone	112.33-9-7	Duane St(off St)	330	Vac Comm	\$16,600
Village of Malone	112.33-9-12	Duane St	312	Vac w/Imprv	\$6,000
Village of Malone	112.33-9-15	Duane St	311	Res Vac Land	\$1,800
Village of Malone	112.33-9-19	Duane St	312	Vac w/Imprv	\$20,000
Village of Malone	112.42-1-2	College Ave	651	Hwy Garage	\$558,300

Property Owned by Village of Malone (cont)

Village of Malone	112.42-6-5	Brown St E	311	Res Vac Land	\$2
Village of Malone	112.50-2-19	State St	311	Res Vac Land	\$6
Village of Malone	112.55-1-1.400	Finney Blvd	822	Water Supply	\$359
Village of Malone	112.57-5-14	Hillsdale Ter	311	Res Vac Land	\$3
Village of Malone	112.58-3-2	State & Duane St	963	Municipal Park	\$896

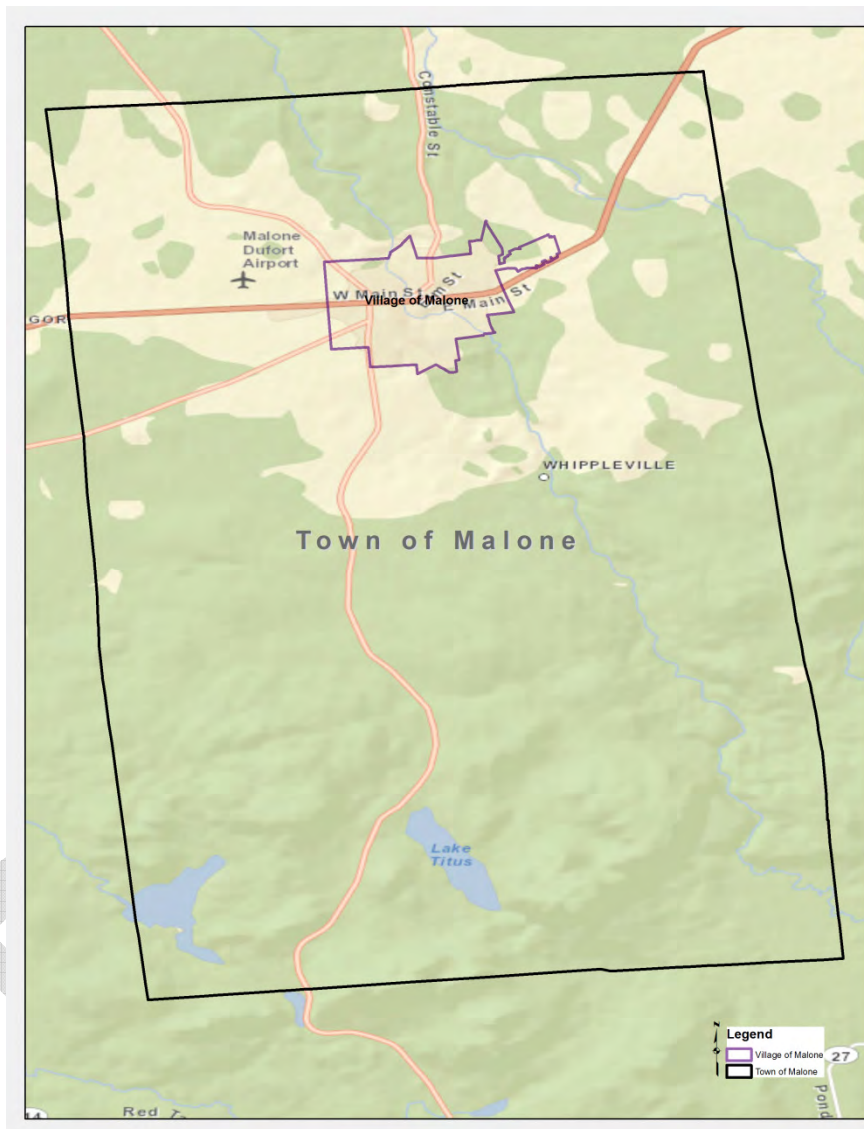
*Total AV is the 2011 Total Assessed Value of the property.

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APPENDIX B – GLOSSARY OF KEY TERMS

Term	Definition
Tax Levy	The amount of money raised by a specific government through taxes. For local governments, this means property taxes.
Taxable Assessed Valuation (TAV)	The size of the tax base from which a government raises property tax dollars. Can be listed by individual property (TAV per \$1,000) or by size of the total tax base in a specific community.
Tax Rate	The amount a taxpayer would be taxed, usually expressed as a rate per \$1,000 of a property's assessed valuation. The tax rate is determined by dividing a municipality's tax levy by its TAV.
Town vs. Town-Outside-Village (TOV)	The Town incorporates all properties (including the Village), while the TOV consists only of the properties outside of the Village.
CETC	Citizen Empowerment Tax Credit annual incentive from New York State for consolidating governments (but not for shared services).
New Town	For the purposes of the report, distinguishes between the current Town (TOV and the Village of Chaumont) and the new combined (one-government) entity if the Village dissolved.
Cost Savings	Money saved due to reducing expenses.
Cost Shift	Expenses remain, but who pays the expenses changes.
Fund Balance	The net assets of governmental funds calculated on a budgetary basis, calculated based on all previous years' surpluses and/or deficits. Fund balance is of two basic types: <i>reserved</i> for specific purposes, or <i>unreserved</i> and therefore available to be used within the governmental fund.
Special Taxing District	Taxes that are applied to a sub-geographic area for specialized or enhanced services provided. For example, street lighting, refuse, fire protection. These districts are a taxing mechanism (a way to collect taxes) and are not a new governing body.

APPENDIX C – VILLAGE OF MALONE BOUNDARIES



APPENDIX D – VILLAGE CODE

The following Village laws will not become part of Town law because the Village will no longer exist, thus the laws are no longer relevant.

Chapter	Title
7	Assessment
13	Compensation of local officials
34	Officers and employees
61	Village liability
68	Zoning board of appeal
69	Planning board
54A	Traffic violations bureau
43	Recreation commission

In some cases, both the Town and the Village have adopted laws of a similar nature. In these instances, the Town will review these Village laws and incorporate additional provisions into existing Town laws as needed.

Chapter	Title
1	Code adoption
3	Alcoholic beverages
22	Fire prevention and building code
24	Flood damage prevention
31	Junk dealers
53	Taxicabs
10	Bingo
57	Unsafe buildings
5	Auctioneers, hawkers and peddlers
4	Animals
59	Vehicle and traffic

As there is no comparable Town law, the Town will review the following Village laws and consider adopting them Town-wide or within the boundary of the former Village.

Chapter	Title
2	Procedures for adoption of local laws
12	Community development program
12A	Portable storage units
16	Curfew
19	Fences

Chapter	Title
20	Electrical standards
20A	Exposure of persons
21	Environmental quality review
21A	Filling and grading
23	Fireworks
24A	Garage, yard and barn sales
25	Garbage and rubbish collection
28	House trailers and trailer camps
29	Housing
31A	Littering
32	Meetings
33	Minibikes
33A	Nuisances
35	Poles and wires
37	Pollution
37A	Protest policy
37B	Property maintenance
38	Public hearing
40	Public health
42A	Records
44A	Rental property
44	Recreation park regulations
45	Sewer use
46	Sewer rents
46A	Sex Offenders
47	Sidewalks and streets
48	Signs
51	Swimming pools
52	Tax on Utility Services
54	Theater and shows
55	Trees
63	Water
65	Wood burning stoves
66A	Subdivision of land
66	Zoning
70	Inoperable and junk vehicles
76	Police regulations