

Dissolution Plan of the Village of Mannsville

By the Mannsville Dissolution Study Committee

November, 2012

This document sets forth, in detail, the Dissolution Plan of the Village of Mannsville as developed by the Mannsville 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 March 19, 2013. If a proposition is put forward and is approved by a majority of Village voters, the Village of Mannsville would dissolve effective May 31, 2014.

OVERVIEW

1. The local government entity to be dissolved shall be the Village of Mannsville, New York.
2. The territorial boundaries of the Village of Mannsville are as shown in Appendix A of the Study Committee's Final Report, entitled "Village of Mannsville Dissolution Study, Plan and Alternatives."¹ The Village of Mannsville is located entirely within the Town of Ellisburg, which is in Jefferson County, New York.
3. The type of entity is a village as defined in New York Village Law.

FISCAL ESTIMATE OF THE COST OF DISSOLUTION

4. The fiscal estimate of the cost of the dissolution is estimated to be approximately \$62,000. This includes the following cost components:

- Consultant fees to assist the Village in preparing the Plan and related documents and processes: \$50,000 (funded primarily with a New York State Local Government Efficiency grant)
- Legal fees to assist the Village researching legal issues: \$10,000
- Miscellaneous advertisement fees, public referendum fees, etc.: \$2,000

TRANSFER OR ELIMINATION OF VILLAGE EMPLOYEES

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. All associated personnel expenses will be saved since the Town will assume legislative responsibility for the

¹ The Study Committee Final Report and Appendix are available on the Study Committee website (www.cgr.org/Mannsville). See the "Documents" page on the site.

former Village with no additional pay for its Town Board members. The size of the Town Board will not change. *(Estimated savings: \$4,600)*

- The Village Clerk position will be eliminated and the Deputy Clerk position will be transferred to the Town. *(Estimated savings: \$18,000).*
- The part-time Village DPW employee position will be eliminated. *(Estimated savings: \$15,000).*
- The part-time public works superintendent and water systems operator currently works for both the Village of Mannsville and the Town of Ellisburg. The Village position would transfer to the Town, allowing the water operator to continue to work on both Town and Village water systems, as at present.
- The Village Zoning Board positions will be eliminated. *(Estimated savings: \$600)*

DISPOSITION OF PROPERTY OF THE VILLAGE & FUND BALANCES

6. The Village of Mannsville will sell or otherwise dispose of some properties prior to dissolution. Those properties that the Village continues to own on the date of dissolution will become the property of the Town of Ellisburg. 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 consideration² and the Town will, at its option, prepare any and all deeds for the Village to execute prior to the date of dissolution.

The disposition of Village-owned real estate and real property is shown in the table below.

Village-Owned Property			
Parcel Number	Property Address	Description	Disposition of Property
124.49-1-7	102 Lilac Park Drive	Municipal Park	Town of Ellisburg
124.49-1-8	102 Lilac Park Drive	Municipal Park	Town of Ellisburg
124.49-1-10.2	106 Lilac Park Drive	Village Office	Mannsville Library
124.49-2-8	205 Lorraine Street	Garage	Private Owner
124.49-2-35	Lorraine Street- Water supply	Filtration Plant Bldg.	Town of Ellisburg, water district
124.00-2-22.5	Co. Rt. 90	Water Supply Tower	Town of Ellisburg, water district

Source: Village of Mannsville Property Inventory

² Without consideration means a complete transfer of Village property to the Town without cost to the Town.

- Village fund balances remaining upon Village dissolution will be transferred to the Town. The amounts that will actually transfer upon dissolution will be the amounts that are in each fund at the time dissolution takes effect. Amounts listed below provide information on status of fund balances when the Village fiscal year ended May 31, 2012. Funds that remain on the effective date of dissolution would transfer as follows:
 - The Village Water Fund will transfer to the Mannsville Water District Fund (Ellisburg Water District #4) and be managed by the Town. (As of 5/31/12, the fund total was \$123,586).
 - The Village general fund will transfer to the Town. (As of 5/31/12, the fund total was \$43,265).

VILLAGE LIABILITIES AND DEBTS

7. The Village liabilities and indebtedness are as follows:

- Liabilities. None are known at this time. There are no current lawsuits or proceedings against the Village.
- Indebtedness – As of 12/31/12, the Village had \$1.38 million in outstanding debt.
 - The principal outstanding for the water fund is \$1,332,267. This debt is charged as part of the user fees on Mannsville water bills. The debt will continue to be repaid in the same manner following dissolution, and will be a charge only for water users in the former Village. The debt will be paid off in 2035.
 - The principal outstanding for the municipal building is \$43,400. The Village will pay off this debt prior to dissolution. Any outstanding amount will be charged to former Village residents as a Town debt district.

AGREEMENTS TO CARRY OUT DISSOLUTION

8. The Village and the Town currently have no agreements in order to carry out the dissolution. The Committee anticipates that if dissolution of the Village is ultimately approved by Mannsville voters that the succeeding Town government will provide for and comply with the Plan set forth in this document. The Study Committee recognizes the Plan could be impacted by unforeseen circumstances occurring at the time of dissolution. Thus, this document is a plan, not a guarantee. However, both Town and Village representatives on the Committee endorse this Dissolution Plan, which was developed in good faith and with the input of all members of the Committee.

CONTINUATION OF VILLAGE FUNCTIONS OR SERVICES BY THE TOWN

9. Services formerly provided by the Village government will be provided as follows:

- *Legislative services.* Local government representation shall be provided by the Town Board.

- *Administrative services.* Clerical and administrative services formerly provided by the Village Clerk and Deputy Clerk will be provided by the Town.
- *Water.* Services for Mannsville residents will be maintained and provided by the Town. The Town will create and establish by resolution a Special Improvement District to be known as the Mannsville Water District (Ellisburg water district #4) as provided by Article 12 and 12A of Town Law, and assume the responsibilities of the new Water District. All current water users will be included in the water district boundary. Costs for the Water District will be met by user fees. Existing Village water fund debt will be the responsibility of Water District users and be paid for through the user fees. The Village water fund balance will be transferred to the Town for exclusive use of the Mannsville Water District.
- *Public Works:* The following services formerly provided by the Village, will be provided by the Town Highway Department:
 - Plow, sand and sweep the streets (as occurs currently)
 - Maintain the Village Park
 - Collect storm damage debris

For clarity, the following services, formerly provided by the Village, will not be provided by the Town Highway Department:

- Plow the church, library or fire department
 - Hang Christmas lights
 - Pick up leaves
 - Plow the fire hydrants
- *Street lighting.* Services for Village residents will be maintained. The Town will create and establish by resolution a Special Improvement District to be known as the Mannsville Street Lighting District as provided by Article 12 and 12A of Town Law. The Town will be responsible for providing street lighting services within the boundaries of the existing Village, with costs billed as a separate district charge to Mannsville taxpayers on their annual Town tax bills. There will be no change in cost as a result of dissolution.
 - *Code enforcement / zoning.* Code enforcement services provided by the former Village will be provided by the Town. Services provided by the former Village Zoning Board will be provided by the Town Zoning Board.
 - *Fire.* The former Village will continue to be a part of the Town fire district and receive fire protection from the independent Mannsville Volunteer Fire Department. The contribution to the Mannsville Volunteer Fire Department will be eliminated.
 - *Recreation services* will continue to be provided by the School District. The contribution to the School District will become a Town contribution.
 - *Library.* The contribution to the Mannsville Free Library by the former Village will be eliminated.

- *Museum:* The contribution to the museum by the former Village will be eliminated.
- Municipal association dues paid by the former Village to the New York Conference of Mayors will be eliminated.
- *Dog control.* Formerly provided by the Village on an as needed basis will be eliminated. Responsibility for dangerous dogs will be provided by the County.

DISPOSITION OF VILLAGE ASSETS WHEN DISSOLUTION IS EFFECTIVE

10. The Village will dispose of equipment and personal property prior to dissolution. Personal property will mean and include office equipment, furniture, tools, parts inventory, and any other items commonly considered to be personal property. Any assets remaining on the effective date of the dissolution will be turned over to the Town to become Town assets.

Major equipment includes:

- John Deere lawn tractor
- Craftsman push lawn mower
- 1989 Ford Truck
- John Deere loader with backhoe

The Village knows of no liabilities at this time that would become the responsibility of the Town upon dissolution of the Village.

VILLAGE LAWS AND ORDINANCES

11. The list below shows the impact of dissolution on Village laws and codes. Laws and codes listed as N/A (not applicable) are no longer relevant and will not be applicable upon dissolution of the village. All other laws and codes listed, in accordance with GML Article 17-A §789, remain in effect for a period of two years following dissolution, as if the same had been duly adopted by the Town Board. They shall be enforced by the town within the limits of the dissolved village, except that the Town Board shall have the power at any time to amend or repeal such local laws, ordinances, rules or regulations in the manner as other local laws, ordinances, rules or regulations of the town. This Dissolution Plan does not provide a guarantee that the Town will adopt the Village laws following dissolution or at the end of the two year transition period.

Key Definitions

N/A - Village code is no longer applicable upon dissolution. These codes should not become part of town law when dissolution takes effect.

A - Codes that should be rewritten as town laws, following town review (note: some laws may be out of date and no longer required).

B - Codes for which the town currently has a similar law in effect. These laws will likely need to be reconciled.

Laws	Title	Action
	Organization Laws of 1879	N/A
1 to 6	Obstruction of public streets-sidewalks	A
7	Immoderate speeds	A
8	Tearing up sidewalks	A
9	Unlawful Recreational activities	A
10	Malicious mischief	A
11	Running at large of animals	B
12	Unlawful disposing of dead carcass	A
13	Unlawful disposing of garbage & ashes	A
14	Drunk or disorderly conduct	A
15	Gambling & house of ill-fame	A
16	Unlawful public bathing	A
17 to 18	No Solicitation without permit	A
19	Dog fighting and congregating	A
20	Damage to monuments, fences & trees	A
21	Furnishing liquor to drunkards	A
22	Health hazards and nuisances	A
23	Gambling, ill-fame house and gamesters	A
24	Riots, disturbances or loud noise	A
25	Robbing of birds nest	A
26	Disorderly persons & vagrants	A
27 to 30	Fines compensation & alteration	A
31	Sidewalk and lawn upkeep	A
32	Billiard or Pool rooms	A
33 to 37	Prevention of Fires	A
38	Bicycle season Voided 1956	A
39	Allowable speed	A
40	Junkyards	A
41	House Trailers	A
42	Sewage	A
43	All night parking	A
44	Chickens & Manure	A
45	Speed limits	A
46	Snowmobile regulations	A

Laws	Title	Action
Local Law 1-77	Salary increases	N/A
Local Law 1-82	State Fire Prevention Code	N/A
Local Law 2-82	Veterans Exemption	A
Local Law 1-85	Cease Enforcement of Fire Code	N/A
Local Law 1-87	Speed Limit	A
Local Law 1-88	Terminate Assessing Unit	N/A
Local Law 1-90	Prior Notice	N/A
Local Law 1-93	Dog regulations	B
Local Law 1-94	Games of Chance	A
Local Law 1-95	Games of Chance	A
Local Law 1-05	Zoning Law Superseding Prior Zoning Law	B
Local Law 1-08	Open Burning	A
Local Law 2-08	Wellhead Protection Law	B
Local Law 3-08	Outdoor Furnaces	A
Local Law 1-10	Amendment to Law 1993 Dog Control	B
Local Law 2-10	Amendment to Zoning Gasoline Stations	B
Local Law 1-12	Amendment to Wellhead Protection Law	B

EFFECTIVE DISSOLUTION DATE

12. Should the Village dissolve, the dissolution will be effective on May 31, 2014.

OFFICIAL PUBLIC HEARING

13. The Village will hold an official public hearing at 7 p.m. on January, 8th, 2013, at the Mannsville Fire Hall.³

OTHER MATTERS PERTINENT TO DISSOLUTION

14. *Fiscal impact of dissolution.* The table below identifies how tax bills would have been affected in fiscal year 2012 had Village dissolution been in effect. It is important to note that upon dissolution, the combined single government would become eligible for a Citizen Empowerment Tax Credit (CETC). This is an annual incentive from NYS for consolidating governments. The incentive, which must be authorized by the State Legislature in each annual budget, is based on a formula (15% of the municipalities’ combined tax levies when they consolidate). The table shows the fiscal impact both with and without the CETC, and assumes

³ The Village’s official public hearing on the Dissolution Plan is contingent upon the Village Board endorsing the Dissolution Plan when it meets in early December 2012.

100% of the CETC is applied to reduce taxes for all Ellisburg taxpayers. The CETC, based on 2012 fiscal year budgets, equates to \$0.6 per \$1,000 for all taxpayers.

The table below excludes county and school taxes, since they are unaffected by dissolution. It also excludes water charges, since these charges are billed as user fees to Mannsville residents.

Summary of Projected Tax Rates for Single Government (Compared to Current) per \$1,000 Assessed Value		
	Former Village of Mannsville resident	Town of Ellisburg resident, outside village(s)
Current	\$5.4	\$2.4
Dissolution (without state aid)	\$3.1	\$2.5
<i>% change from Current</i>	-43%	2%
Dissolution (with state aid)	\$2.5	\$1.9
<i>% change from Current</i>	-53%	-22%

As shown in the table, Mannsville residents would see a 43% drop in their tax rate without the state consolidation incentive (CETC), and a 53% drop with it. Town of Ellisburg residents outside village(s) would see a 2% increase in their tax rate without the incentive and a 22% decrease with CETC. These projections are based on the Village 2011-12 and the Town 2012 budgets.