

Financial Restructuring Board for Local Governments

RESOLUTION No. 2017-05

APPROVING THE COMPREHENSIVE REVIEW REPORT AND AUTHORIZING A  
GRANT FOR THE VILLAGE OF AMITYVILLE

WHEREAS, pursuant to New York State Local Finance Law section 160.05(3), the Financial Restructuring Board for Local Governments (the "Board"), upon the request of a fiscally eligible municipality, by resolution of the governing body of such municipality with the concurrence of the chief executive of such municipality, may undertake a comprehensive review of the operations, finances, management practices, economic base and any other factors that in its sole discretion it deems relevant to be able to make findings and recommendations on reforming and restructuring the operations of the fiscally eligible municipality (the "Comprehensive Review"); and

WHEREAS, on June 20, 2016, the Board approved Resolution No. 2016-13 agreeing to undertake a Comprehensive Review of the Village of Amityville (the "Village") in accordance with New York State Local Finance Law section 160.05(3); and

WHEREAS, the Board subsequently undertook a Comprehensive Review of the Village; and

WHEREAS, pursuant to New York State Finance Law section 54(10)(t)(ii), the Board may award funding under the Local Government Performance and Efficiency Program to fiscally eligible municipalities for financial restructuring and related purposes, as determined by the Board; and

WHEREAS, the report on the Comprehensive Review of the Village (the "Comprehensive Review Report") includes a recommendation that the Village work with the Town of Babylon to procure and install LED lights along with the Town of Babylon's plan to convert its network to LED lights; and

WHEREAS, the Comprehensive Review Report provides that, if the Village agrees to abide by and implement the recommendation described in the immediately preceding recital, and if the Town of Babylon is willing to manage, procure, install, and maintain the new LED lights for the Village, the Board may, in its sole discretion, award a grant of up to \$200,000 for the Village and a matching grant of up to \$200,000 for the Town of Babylon, payable to the Village;

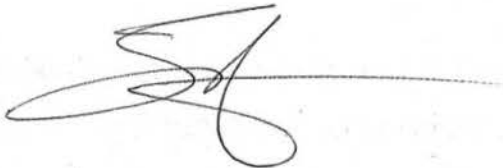
NOW THEREFORE BE IT RESOLVED that the Board approves the Comprehensive Review Report, attached hereto as Attachment A, and all of the findings and recommendations therein; and

BE IT FURTHER RESOLVED that the Board authorizes a grant of up to \$200,000 to the Village and a matching grant of up to \$200,000 to the Town of Babylon, payable to the Village, to procure and install LED lights, which grants shall be subject to the terms of a contract entered into between the New York State Department of State and the Village.

This resolution shall take effect immediately and remain in effect until modified, replaced or repealed by resolution of the Board.

No. 2017-05

Dated: 6-19-17

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# **Village of Amityville Comprehensive Review Report**

**Financial Restructuring Board  
for Local Governments**

June 19, 2017

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## Overview

The Village of Amityville is a large Downstate village in Suffolk County. With a population of 9,523 as of the 2010 Census, it is the 41st most populous village in New York State and the 6th most populous village in Suffolk County. 2015 expenditures of \$15.5 million were the 44th most of villages in the State and the 6th most of villages in the County.

The Village Board of Trustees adopted, and the Mayor concurred, with a resolution requesting a Comprehensive Review by the Financial Restructuring Board (see Appendix A). On June 20, 2016, the Financial Restructuring Board approved this request for a Comprehensive Review with Resolution No. 2016-13 (see Appendix B).

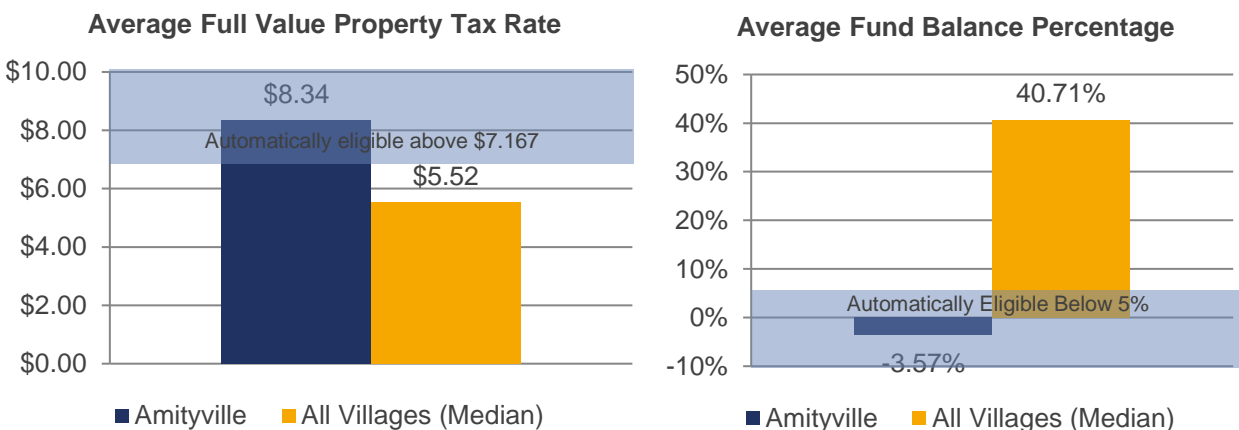
This Comprehensive Review first gives some background on the Village's fiscal eligibility and demographic profile. It then provides information on the organization and finances of the Village. Finally, it presents the Comprehensive Review's findings and recommendations.

## Background

### Fiscal Eligibility and Stress

The Village of Amityville is automatically considered a Fiscally Eligible Municipality because its Average Full Value Property Tax Rate (2010-2014) of \$8.34 per \$1,000 is above \$7.17 per \$1,000 – the 75th percentile for all municipalities. This is the 129th highest for villages.

The Village is also automatically considered a Fiscally Eligible Municipality because its Average Fund Balance Percentage (2010-2014) of -3.57 percent is below 5.00 percent. This is the lowest for all villages.



The Office of the State Comptroller's (OSC) Fiscal Stress Monitoring System gives the Village of Amityville a Fiscal Rating of "Susceptible to Fiscal Stress" with a score of 54.2 percent for 2015 (a local government would receive a designation with a score of 45.0 percent or higher). The negative factors contributing to this score include a low fund balance, low cash levels as a percentage of current liabilities and as a percentage of monthly expenditures, and a high level of spending on personal service and employee benefits as a percentage of revenues. OSC projects

that the Village's score will decrease to 49.2 percent in 2016, remaining at Susceptible to Fiscal Stress.

OSC's Fiscal Stress Monitoring System gives the Village of Amityville an Environmental Rating of "No Designation" with a score of 21.3 percent (a local government would receive a designation with a score of 30.0 percent or higher). Negative environmental factors contributing to this score include a 15.4 percent increase in the median age of the population from 2000 to 2010, a 3.0 percent increase in the childhood poverty rate from 2000 to 2010, and a 6.4 percent decrease in property values over the last four years.

## Demographic and Socioeconomic Profile

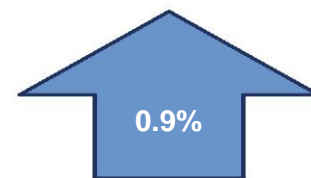
The Village's population grew 0.9 percent from 2000 to 2010 to 9,523. This growth is slightly more than the 1.1 percent population loss experienced by the typical village over that same period.

The Village of Amityville's median household income in 2015 was \$83,125, which is more than the typical village's median household income of \$52,633.

The Village's median home value of \$367,900 is greater than the median home value of the typical village of \$130,750. Its property value per capita in 2015 was 118,380, and as noted above, its four-year average change in property value was -6.4 percent. The Village's child poverty rate is 12.1 percent, and the unemployment rate of the surrounding county is 5.3 percent.

### Population Change

2010: 9,523



2000: 9,441

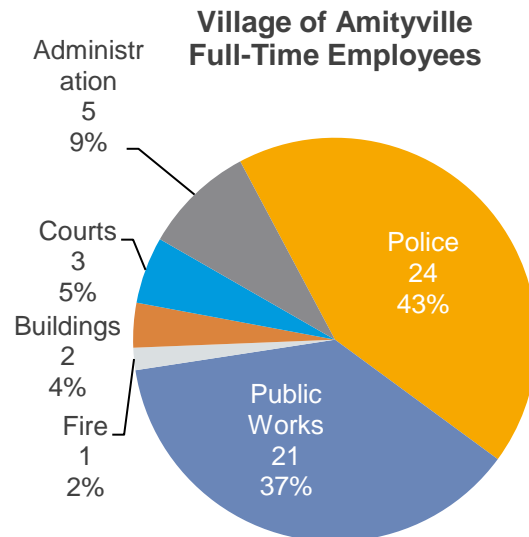
## Organization and Finances

### Organizational Profile

The Village of Amityville is governed by a Mayor and four Village Trustees. The Mayor is elected to a four-year term, which expires in 2017. The Trustees are also elected to four-year terms, with two expiring in 2017 and two expiring in 2019. The Village Justice has a four-year term that expires in 2017.

According to the organizational chart provided by the Village, there are six major department areas: the Fire Department, Building Department, Courts, Administration, the Department of Public Works, and the Police Department.

At present, the Village has 57 FTEs. The two largest departments are Police and Public Works. The Police Department has the most full-time employees with 23. The Public Works Department employs 19. The remaining 15 FTEs are disbursed among Fire, Courts, Buildings, and Administration.



Certain Village employees are covered by collective bargaining agreements. The Police Benevolent Association represents 20 employees in the Police Department. Employees hired after the current agreement contribute 15 percent toward health insurance premiums.

The Civil Service Employees Association (CSEA) and AFSCME represent three employees in the clerical unit and 17 employees in the Public Works Department.

The contract for the employees in the Clerical Unit expired in 2015. It provided one and a half percent salary increases between 2012 and 2013 and a two percent increase in 2014. Employees hired on or after December 1, 2006 contribute 10 percent to health premiums and employees hired on or after December 2010 contribute 15 percent to health premiums. The Village is currently negotiating with the Clerical Unit in hopes of achieving an agreement soon.

The most recent contract for the Public Works employees runs through May 31, 2018. It provides one and a half percent salary increases in each fiscal year under the contract. Employees hired on or after May 22, 2004 contribute 10 percent to health premiums; employees hired on or after February 25, 2008 contribute 15 percent to health premiums; and employees hired on or after January 9, 2017 contribute 25 percent to health premiums.

The following chart depicts the cost of living adjustments (COLAs) for the various bargaining units over the recent years.

Village of Amityville Labor Contracts									
Union	Contract Status	Contract Expiration	% Salary Increases						
			2011	2012	2013	2014	2015	2016	2017
Police Benevolent Assoc.	Current	12/31/2018	3.95 (steps 2-6 only)	3.95 (steps 2-6 only)	0.0	2.5	2.5	2.5	2.5
CSEA/ AFSCME (Clerical)	Expired	09/30/2015	0.0	1.5	1.5	2.0	-	-	-
CSEA/ AFSCME (Public Works)	Current	05/31/2016	-	0.0	1.5	1.5	2.0	1.5	1.5

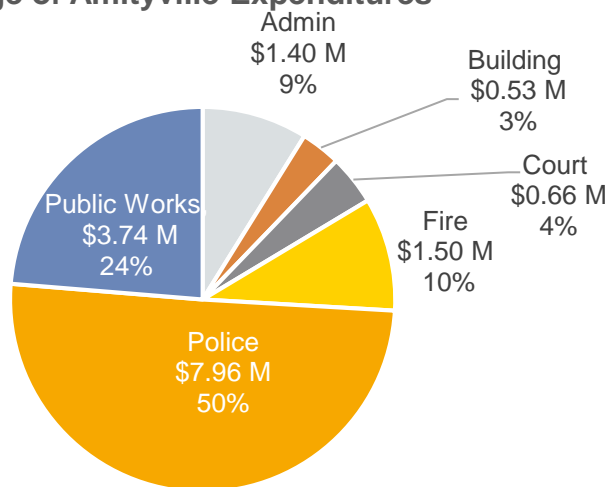


## Budget Profile

The Village's fiscal year 2017 adopted budget appropriations total \$15.8 million. The budget represents about a five percent increase from the 2016 adopted budget. The largest appropriation categories are for Police, Public Works, Fire, and Administration. Police expenditures are the largest, accounting for over half of the appropriated expenditures in 2017. Over half of the budgeted expenditures for police FTEs goes to officers in the top pay step. The size of the force has decreased over the last five years, from 30 in 2011 to 23 in 2016.

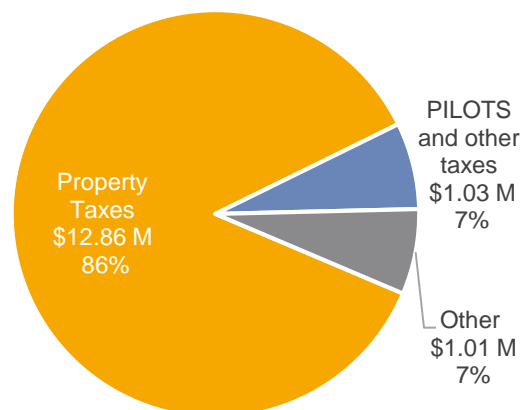
The Village has a volunteer fire department and most of its expenses are driven by equipment and paramedic salaries.

**2017 Village of Amityville Expenditures**



Approximately 86 percent of the revenues for the Village is from property taxes. The adopted budget's levy of \$12.9 million increased 1.5 percent over the prior year, and was within the Village's property tax cap.

**2017 Village of Amityville Revenues**



## Positive Trends as a Result of Fiscal Stewardship

Since the late 2000s, the Village's budgets were in perpetual deficit. In recognition of the accumulated and sustained deficits, Moody's lowered the Village's credit rating a number of times. In June 2012, Moody's lowered the Village's bond rating from A2 to A3, and in March 2013, Moody's lowered the bond rating from A3 to Baa1.

However, over the past few years, Village officials have made great efforts to seek savings and control spending in order to reduce the negative fund balance. The following chart depicts the multi-year results for the Village's General Fund, demonstrating the results of these efforts.

Fund Balance Trends	
Fiscal Year	General Fund Balance
2011	(\$373,000)
2012	(\$742,000)
2013	(\$538,000)
2014	(\$356,000)
2015	\$203,000
2016	\$707,000

As shown above, in the latest completed fiscal year (2016), the Village's fund balance increased by approximately \$504,000 to \$707,000. Of the 2016 fund balance, approximately \$319,000 is restricted. While this is not yet at the five percent of expenditures threshold (which would be a fund balance totaling approximately \$760,000), the Village is certainly making progress towards that mark, and could likely exceed that total fund balance mark by the time audit figures are known for the recently completed 2017 fiscal year which ended on May 31. As last discussed with Village officials, the 2017 fiscal year could end up producing a surplus as high as \$250,000.

The Village has looked for ways to cut costs within their direct control, in order restore fiscal health and minimize the pressure on the property tax. One significant measure taken in 2015 was consolidating the functions of the Village Clerk and Treasurer into one position.

The fiscal stewardship demonstrated lately by the Village is also evident through the pattern of the Village's tax levy over the past number of years. The Village has consistently stayed within the State's property tax cap and kept increases to a minimum.

Tax Levy Trends		
Fiscal Year	Levy (millions)	Full Value Tax Rate (\$ per 1000)
2013	\$12.12	9.25
2014	\$12.33	10.03
2015	\$12.56	11.14
2016	\$12.67	11.16
2017	\$12.86	10.94

## Ongoing Budget Pressures

In early 2016, the Village received a significantly higher than expected bill of \$1.34 million for costs related to the retirement of four police officers. The 2016 budget partially prepared for the pending retirements by allocating over \$475,000. Initially, Village officials sought to bond the full cost of the retirement bill, but ultimately, the administration managed to meet the full obligation without the need to take on additional debt.

As noted in detail later in this Comprehensive Review, given the sheer size and cost of the Department, there is concern over the long term affordability of funding the police force. The present contract expires in mid-2018. The Village needs to look to make changes in the overall expenses of the Department prior to, or in the context of, a new contract being agreed to.

## Findings and Recommendations

After a thorough review of the Village's operations, the Board identifies findings and recommendations in the following areas: shared services, workforce, dissolution, economic development, and fiscal performance and accountability.

### Shared Services

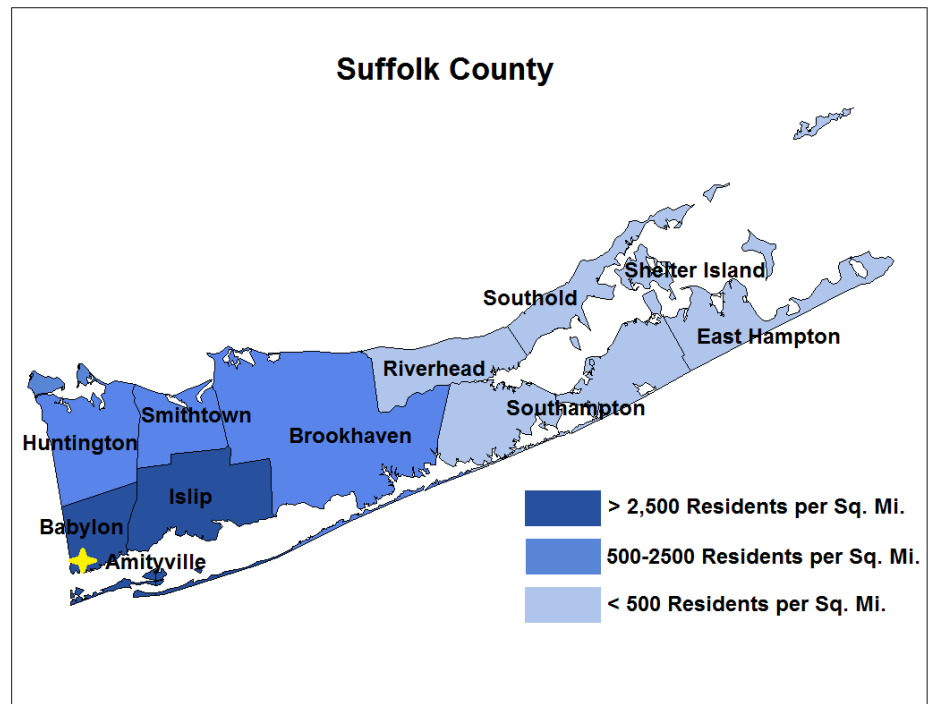
#### Regional Government Context

As of the 2010 Census, Suffolk County had a population of 1,493,350 and was the most populous county of the 57 counties outside of New York City. With a land area of 912 square miles, it is the 20th largest county. With a population density of 1,637 residents per square mile, it is the 16th most densely populated county.

The County is governed by a County Executive and a 19-member County Legislature. Other elected officials include a County Clerk, Treasurer, District Attorney, and Sheriff. As of 2015, the County had total expenditures of \$3.1 billion, which is the 2nd highest for counties, and total expenditures per capita of \$2,102, which is the 22nd highest for counties.

Within the County, there are 10 towns, 33 villages, 69 school districts, 92 fire districts and more than 100 town special districts and other entities.

The Village of Amityville is completely within the Town of Babylon, which is located on the Southwestern corner of Suffolk, right on the border of Nassau County.



## Survey of Shared Services

The Board worked with the Village and its neighboring municipalities to conduct a survey on the services they provide in order to discover opportunities for further shared services. The Village and its surrounding governments were asked to briefly describe current shared service arrangements in each service/function area and to identify any obstacles or opportunities for additional shared services.

Below is the summary of the results identifying which services are provided by each municipal entity.

Index of Municipal Services Provided			
Service / Function	Village of Amityville	Town of Babylon	Suffolk County
Police	X		X
Dispatch / E-911	X		X
Fire	X	X	
Ambulance / EMS	X	X	X
Tax Collection/Treasurer	X	X	X
Tax Bill Printing	X	X	
Tax Foreclosure			
Assessing	X	X	
Personnel / HR / Civil Service	X	X	X
Payroll / Time & Attendance	X	X	
Purchasing	X	X	X
Budget / Finance	X	X	
Code Enforcement	X	X	
Building / Zoning / Planning	X	X	X
Park Maintenance	X	X	X
Animal Control		X	
Plowing	X	X	X
Paving / Street Maintenance	X	X	X
Lighting / Traffic Controls	X	X	X
Sanitation / Garbage		X	
Water		X	
Wastewater / Sewer			X

## Shared Services Actions and Opportunities

A local government's primary responsibility is to deliver services for the benefit and well-being of its residents. With limited resources and rising costs, all local governments must continually look to partner with one another to find efficiencies and eliminate duplicative functions performed by multiple governments.

Although some actions have been taken, a number of additional opportunities for the Village and its neighboring municipalities to pursue shared services remain. As the previous chart aptly displays, there is significant duplication of services among the Village of Amityville and its neighboring municipalities. Some of the most promising opportunities for shared services including the following:

### New York State Department of Transportation

The New York State Department of Transportation (DOT) currently has a snow and ice agreement with the Village of Amityville. Under this agreement, the Village performs snow and ice operations on Route NY110 within the Village's limits. The approximate value of the agreement is \$15,000 per year.

According to DOT, the Village and the State can also enter into shared service agreements that would allow DOT to provide services off-system during declared emergencies. Repayment can come in the form of funds and/or services performed by municipal staff.

### Suffolk County

A number of opportunities exist for the County to partner with the Village or for the County to take over a service for Village residents and taxpayers. As described at more length in the Workforce section of this Comprehensive Review, taxpayers could save a substantial amount if the County were to provide police coverage.

The Police Department is one of eleven public safety answering points (PSAPs) within Suffolk County and is responsible for answering all emergency and non-emergency call for service. If the Police Department ceased to exist, this service would automatically fall to the County. If the residents kept the Police Department, through the support of the residents and taxpayers, the Village could attempt to negotiate with the Police Department to transfer dispatch services to the County. Such transfer may have to be accomplished in concert with civilianizing the front desk at Village Hall.

In addition, the Village spends approximately \$150,000 on youth programs and staff each year, with about \$1,200 coming from a County grant. Board staff reached out to the County, and the County noted that they award over \$3 million in State and County dollars to almost 100 youth agencies that provide programs similar to ones provided by the Village such as camps, teen centers, nutrition, and various sports related programs. The County encourages the Village to apply for additional and/or available funding that may cover more of its annual youth service expenses.

The County also offered to Board staff the possibility that Amityville could piggyback off of the County's purchasing contracts to take advantage of potentially better pricing and/or variety of commodities, upon establishing an amended local law.

## Streetlights and Traffic Control Lights with the Town of Babylon

Board staff engaged Town of Babylon officials to ascertain how the Village and the Town could combine efforts or share services in the hopes of benefitting both entities. At present, the Town noted that there is already a large cooperative effort with Amityville and the Villages of Babylon and Lindenhurst for the management and disposition of residential solid waste and recyclable materials.

However, additional opportunities do exist. The Town is converting all of its 13,000+ streetlights to LED lights. The Town believes there could be a better economy of scale if other governments were added to the conversion opportunity. It is estimated that the Village of Lindenhurst has approximately 2,500 lights, the Village of Babylon has 1,600 lights, and the Village of Amityville has approximately 1,000 lights.

According to the Town, in the near future, they expect to bid out the materials and installation for the conversion to LED lights. General cost estimates are approximately \$275 per light pole for each new light fixture installation. The Town notes that the new LED equipment can be installed on the existing arm/bracket, so installation is relatively simple and quick, and thus very reasonable in price. Material costs have come down significantly in the past few years. At \$275 each for each light fixture installation, the Town's project is estimated to cost upwards of \$3.7 million. Accordingly, using the Town's figures and 1,000 lights for Amityville, the total cost could be under \$300,000 for the Village.

The Town is hoping to cut its energy bill for the lights from \$1.2 million annually to under \$550,000 per year, a reduction of approximately 55 percent. The Village of Amityville spends close to \$130,000 annually on electricity for streetlights, and an additional \$20,000 per year on materials to maintain the lights. Following the savings pattern of the Town, the Village could save close to \$70,000 per year on the electric portion alone, plus, there should be substantial savings in the early years with respect to annual material/repair costs with newer and more reliable LED lights.

In terms of maintenance, the Town currently has a separate, designated improvement district, which has seven full time employees and its own trucks and equipment. The Street Lighting District's budget is approved annually by the Town Board with its own ad valorem tax rate approved as part of the budget process.

Employees of the Street Lighting District perform the maintenance on all of the Town's street lights and by way of inter-municipal agreements, also provide street light maintenance services to the Villages of Babylon and Lindenhurst. The current inter-municipal agreement with the Villages of Babylon and Lindenhurst sets a fixed annual fee of \$16,181 and \$25,909, respectively for the Town to provide routine maintenance. The Town, at present, does not maintain Amityville's streetlights, but is willing to discuss the opportunity with the Village, especially if the Village were to convert to LEDs along with the Town. According to the Town, it is too early to precisely determine the maintenance effort needed to maintain the new LED street lights. However, given the Town's conversations with their vendors, the required maintenance will be considerably less than the current lighting system, especially in the early years of the installation.

The Town is also responsible for maintaining traffic control lights, but contracts this service out to an electric company. The Town noted that it would be willing to discuss traffic control maintenance with all three villages and its electric company.

If the Village of Amityville is to have sustainable fiscal health, it must maximize available savings from pursuing and implementing new shared services with its governmental partners. This will not only enable the Village to reduce its cost structure going forward, but should also help partnering governments to reduce their costs as well.

Recommendation: The Board recommends that the Village work with the Town of Babylon to procure and install LED lights along with the Town of Babylon's plan to convert its network to LED lights. If the Village agrees to abide by and implement this recommendation, and if the Town of Babylon is willing to manage, procure, install, and maintain the new LED lights for the Village, the Board may, in its sole discretion, award a grant of up to \$200,000 for the Village and a matching grant of up to \$200,000 for the Town of Babylon, payable to the Village. The specific structure and conditions of any such grant, which would be developed in consultation with the village, and any other aspects of such grants would be subject to an affirmative vote of a majority of the total members of the Board.

## **Amityville Volunteer Fire Department and Surrounding Fire Districts**

While interviewing Village officials, it became apparent that even though the Village residents rely on volunteers to staff the Fire Department (with the small exception of some paid EMS staff) there is ongoing concern regarding the cost of, and need, to continually replace fire apparatus.

Village officials noted that if the Village could share equipment with other entities, significant budget savings could be achieved over a multi-year period. While Board staff did not engage in conversations with surrounding fire districts, it should be noted that there are at least seven districts (North Amityville, Massapequa, Lindenhurst, North Lindenhurst, Copiague, North Massapequa, and South Farmingdale) within close proximity to the Village of Amityville with which inter-municipal agreements or coordinated purchasing could take place.

Further, these districts and the Village could explore full consolidation, taking advantage of funding through the State's Citizen Re-organization Empowerment Grants. In addition, combining districts/departments could reduce pressures on volunteer recruitment and eliminate some of the competition that may exist at present.

Recommendation: The Board recommends that the Village, in conjunction with its governmental neighbors, develop and implement a shared services plan that will lower the annual cost of providing specific services and address the inherent duplication of services via multi-governmental jurisdictions. If the Village agrees to abide by and implement this recommendation, the Board may, in its sole discretion, award a grant to assist the Village and its neighboring governments with implementing such shared services plan. The specific structure and conditions of such grant, which would be developed in consultation with the Village, and any other aspects of such grant would be subject to an affirmative vote of a majority of the total members of the Board.



## Local Government Efficiency Grant Program

If the Village of Amityville would like to pursue additional shared services opportunities, the State offers competitive grants through the Local Government Efficiency Grant Program (LGEG) to local governments for planning or implementing a local government efficiency project, including sharing services, functional consolidation, and regional service delivery. The maximum grant for an implementation project is \$200,000 per municipality/\$1 million per grant. The maximum grant for a planning project is \$12,500 per municipality/\$100,000 per grant. Planning projects require a 50 percent local match, and implementation projects require a 10 percent local match. If a planning project is later implemented, the local match for implementation is offset by the amount of the local match for the planning project.

LGEG is administered by the Department of State. More information on grant requirements and how to apply is available at <https://www.dos.ny.gov/lg/lge/index.html>.

## Transformational Municipal Restructuring Grants

On February 2, 2016 the Department of State released the Request for Applications for the Municipal Restructuring Fund (MRF) – a \$25 million program to assist local government and school officials with developing transformative projects that will lead to property tax reductions for New Yorkers. The MRF is a grant program with a continuous recruitment process and projects submitted through the program will be ranked as they are received based upon established criteria until funding is exhausted. Projects will be ranked by metrics that include potential impact across local governments, effect across service delivery areas and municipal functions, and potential for long-term property tax savings.

The Village should consider evaluating internal opportunities for consolidation or partner with surrounding communities for the purpose of filing an application for this grant funding. More information on MRF grant requirements and how to apply is available at <http://www.dos.ny.gov/funding/rfa-15-mrf-27/index.html>.

## County-wide Shared Services Property Tax Savings Plans

The FY 2018 State Budget empowers citizens and local leaders to control the cost of local government through the creation of County-wide Shared Services Property Tax Savings Plans. Each county will gather the mayors and supervisors in the county and develop a plan that generates real, recurring taxpayer savings. The plan should include actions such as the elimination of duplicative services; shared services, such as joint purchasing, shared highway equipment, shared storage facilities, shared plowing services, and energy and insurance purchasing cooperatives; reduction in back office administrative overhead, and/or better coordination of services. The State will match the first year of savings from new shared services actions in approved plans.

The City should actively participate in the development of the Suffolk County plan, taking advantage of this opportunity to find and implement shared services actions with other local governments in the County. Additional information on this initiative is available at [https://www.dos.ny.gov/lg/countywide\\_services.html](https://www.dos.ny.gov/lg/countywide_services.html).

## Workforce

### Fire/Emergency Services

The Amityville Fire Department has about 140 volunteer members and 5 paid staff. Those five paid staff equate to about 1.75 FTEs, since the Village has only one full-time employee and the other four work per diem. Paid medics only work day shifts. Within their volunteer base, there are about eighteen members who are emergency medical technicians (EMTs) or paramedics. Between 6pm and 6am the Village is staffing an all-volunteer ambulance force. For the Village residents, having a blend of paid and volunteer emergency medical services (EMS) staff reduces costs compared to staffing a paid force around the clock.

Section 209-b of the State's General Municipal Law allows "the governing board of any city, town which has a fire department, village or fire district which has in its fire department an emergency rescue and first aid squad composed mainly of volunteer firefighters, by resolution, may authorize any such squad to furnish general ambulance service." However, this Section goes on to state that "emergency and general ambulance service authorized pursuant to this section shall be furnished without cost to the person served." In other words, when a local government's volunteer fire department also provides ambulance services, it may not charge for those ambulance services. Absent an ability for the volunteer Fire Department to charge for ambulance service, there are other options for the Village to consider in order to try to generate ambulance billings.

The Village could create a separate volunteer Ambulance Department. When approached with this idea, the Village was concerned about Fire Department retention, fearing that due to the inactivity level with respect to traditional response as well as the lower danger threshold for ambulance personnel (in relation to fire response), many volunteers would choose to be part of an Ambulance Department over the Fire Department. According to the Village, there are around 1,600 calls annually, of which about 1,200 are EMS and the balance are fire. Managing call volume is a fine balancing act; too many calls and the volunteers get overwhelmed and potentially leave; too few, and they lose interest and skill levels drop from lack of activity. The Village's concern is that if EMS and fire are split, the Village would lose firefighters to the EMS operation.

### Police Department

As noted earlier in this report, the Police Department costs the Village and its taxpayers approximately \$7.9 million, annually, or over 50 percent of the total budget. In recent years, it has been reported in the media that this police department is the most expensive police department in the State (per officer). Accordingly, the Village may wish to explore options to reduce the costs of this service.

#### Option 1: Allow the County to Police the Village

According to the Village, for the most recently completed year, the average police salary – including overtime but without fringe benefits – was over \$175,000, with the median salary nearing \$194,000 and the top pay over \$238,000. No officer made less than \$81,000 for a full year of pay. This does not include the Chief's salary, which is over \$247,000. By comparison, the average compensation for a Suffolk County police officer in 2015 was under \$155,000.

Within this disparity of compensation between the Village and County police departments lies a number of differing contractual provisions, which the Village has identified and shared with Board staff. There are over two dozen differing provisions that end up costing Amityville taxpayers more than what the cost would be if the service was provided by the County. Some of these differing provisions include:

- the Village Police Department runs 12-hours shifts while the Suffolk County Police Department (SCPD) predominantly runs 8-hour shifts;
- the Village Police Department hourly rate of pay is based on 226 days per year while SCPD is based on 232 days;
- Village police, while field training a new recruit, receive an hour of overtime per tour, while no provision exists for the SCPD;
- Village police receive a \$1,100 per year cleaning allowance while SCPD police receive \$800 per year; and
- Village police receive 120 hours of sick leave per year while SCPD police receive 56 hours. Village police are paid a \$12.50 meal allowance after 3 hours of overtime while SCPD members receive \$8.00 after 4 hours.

Village officials have made it clear to taxpayers, as part of budget documents released annually, the net differential residents and taxpayers are shouldering to keep their own department versus allowing the County to provide police coverage.

At present, the County provides sales tax revenue of approximately \$650,000 to the Village as the County does not have to police within the Village. If the Village Police Department no longer existed, the Village would lose this revenue and Village taxpayers would pay a County Police District tax. In aggregate, taxpayers would almost have to pay approximately \$3.9 million in new County taxes and lose the sales tax revenue. However, the Village would not have to support a \$7.9 million department, and could be able to lower the tax levy by up to \$3.5 million. The average household could save over \$1,100 per year if policing was done by the County.

SCPD provides coverage to the vast majority of all of the “western-end towns” in the County, including the Town of Babylon (in which Amityville is located) and the other two villages in the Town, the Villages of Lindenhurst and Babylon.

In a comparison of surrounding villages with a full-time police department in both Nassau and Suffolk Counties (as Amityville is located on the border), the Board found that the Village spends the second most on police per capita in comparison to the other villages. As the Board has demonstrated, spending on police is a large burden on the General Fund. The Village could potentially spend less per capita if it allowed Suffolk County to police the Village.

Village of Amityville Police Spending Per Capita Compared to Peers				
County	Village	Population	Police Spending (Excluding Benefits)	Police Spending Per Capita
Nassau	Village of Malverne	8,514	\$4,203,192	\$494
Suffolk	Village of Amityville	9,523	\$4,698,490	\$493
Nassau	Village of Lynbrook	19,427	\$8,978,862	\$462
Suffolk	Village of Northport	7,401	\$3,402,382	\$460
Nassau	Village of Rockville Centre	24,023	\$10,888,432	\$453
Nassau	Village of Floral Park	15,863	\$6,924,946	\$437
Nassau	Village of Garden City	22,371	\$9,560,890	\$427
Nassau	Village of Hempstead	53,891	\$22,288,645	\$414
Nassau	Village of Freeport	42,860	\$17,022,148	\$397

## Option 2: Departmental Restructuring

Board staff discussions with Village officials have identified an opportunity to reduce Department costs significantly without reducing the police patrol presence in the Village.

At present, the police union contract requires that there must be at least three officers on duty per shift, 24 hours a day. The Police Department assigns two of these officers to the street and the third to staff the front desk at Village Hall.

Village administration officials assert that this desk does not need to be staffed by a uniform officer 24 hours a day. It has been suggested that a civilian, with proper training, could cover many of the duties. While the Village would likely have to pay extra time to an officer for instances where individuals are being held in the detention cell, or other unique circumstances, if the Village were to transfer E-911 dispatch services to the County, it is quite plausible that a trained civilian could cover the duties at the front desk rather than a uniformed officer.

Even with 24-hour coverage by a civilian, which may not be entirely necessary, the Village conservatively estimates that switching to a civilian could produce savings approaching \$700,000 per year. Given that the present police union contract requires three officers on each shift, even if the union were to agree with the Village that a civilian could cover the desk, the Village would still have to pay three officers per shift on top of the civilian salary and benefits unless changes to the contract are made. As a result, the Village would have to negotiate this change with the Police Union.

Recommendation: The Board recommends that the Village continue to implement workforce actions, including but not limited to actions targeted toward fringe benefits and retiree costs, that will lower the Village's annual cost structure. If the Village agrees to abide by and implement this recommendation, the Board may, in its sole discretion, award a grant to assist the Village with implementing such workforce actions. The specific structure and conditions of any such grants,

which would be developed in consultation with the Village, and any other aspects of such grants would be subject to an affirmative vote of a majority of the total members of the Board.

## Village Dissolution

The Board finds that the Village administration and residents should consider dissolution as an option to address the taxes imposed solely on the Village residents. Dissolution represents a viable option for any village experiencing fiscal stress, given adequate preparation and the ability of the Town to fulfill necessary services would need to be analyzed prior to any village efforts. The State offers resources to plan and implement a village dissolution. In addition, residents would annually benefit from additional tax credits provided after village dissolution.

## Village of Amityville and Town of Babylon

The Town of Babylon is governed by a Supervisor and four other members of the Town Board. Other elected Town officials include: the Clerk and the Receiver of Taxes.

Amityville is one of three villages located in the Town of Babylon; including the Villages of Babylon and Lindenhurst. The Town of Babylon is significantly larger than the Village on population, area, and property value.

	Village of Amityville	Town of Babylon
Population	9,523	213,603
Area (sq. miles)	2.1	52.3
Property Full Value	\$1.127B	\$19.593B

Even with this significant size difference, the Village and Town are very similar demographically.

	Village of Amityville	Town of Babylon
Population Change (2000-2010)	0.87%	0.85%
Median Household Income (2014)	\$83,125	\$81,000
Median Home Value (2014)	\$367,900	\$340,600
Property Value Per Capita (2014)	\$118,380	\$91,729
Child Poverty Rate (2010)	12.1%	7.8%
Change in Child Poverty Rate (2000-2010)	3.0%	-0.1%

The Village's 2015 total expenditures of \$15.5 million are less than one-tenth of the Town's \$191.2 million in expenditures, which would be expected given the significant difference in size. The Village's biggest areas of spending are public safety and employee benefits. The Town's biggest areas of spending are sanitation and transportation.

	Village of Amityville 2015 Expenditures		Town of Babylon 2015 Expenditures	
	\$ (in millions)	%	\$ (in millions)	%
General Government	2.4	15.7	22.8	11.9
Public Safety	5.7	37.0	20.5	10.7
Transportation	1.3	8.7	29.7	15.5
Social Services	0.0	0.0	11.6	6.0
Culture and Recreation	0.5	3.0	14.1	7.4
Sanitation	0.0	0.0	44.6	23.3
Employee Benefits	4.1	26.7	19.9	10.4
Debt Service	1.3	8.3	22.1	11.6
Other	0.1	0.4	5.8	3.0
<b>Total</b>	<b>15.5</b>	<b>100.0</b>	<b>191.2</b>	<b>100.0</b>

## Dissolution Grants and Incentives

State law provides two options for initiating the dissolution process – a resolution of a village board or a petition by village electors. Appendix C contains a summary of the reorganization process prepared by the Department of State.

If either the Village board or its electors would like to pursue dissolution, the State offers assistance with planning and implementing of dissolution through the Citizens Re-Organization Empowerment Grant program. The State also offers annual incentive aid through the Citizen Empowerment Tax Credit program

## Citizens Reorganization Empowerment Grants

The Citizens Re-Organization Empowerment Grant program (CREG) provides assistance to municipalities for the costs associated with studies, plans, and implementation efforts related to local government re-organization activities, including dissolution and consolidation.

These as-of-right grants provide funding of up to \$100,000 for local governments to cover costs associated with planning and implementing local government re-organization activities. Expedited assistance is given to local governments that have received a citizen petition for consolidation or dissolution.

Services for which grant proceeds may be used towards include:

- **Re-Organization Planning:** A re-organization plan or agreement provides the blueprint for the disposition of a local government's property, services, and obligations. To develop such a plan or agreement, local government leaders and citizens need to have a full understanding of the current services and responsibilities of the local government. Developing consolidation agreements or dissolution plans require considerable data gathering, analysis, and discussion. A re-organization study will form the foundation for a consolidation agreement or dissolution plan.



- **Expedited Re-Organization Assistance:** When the electors of a local government have filed a petition that requires a referendum on the question of local government re-organization, such local government is eligible for expedited re-organization assistance to cover costs associated with the development and dissemination of information to the electors prior to the required referendum. If the referendum is approved, the project will lead to a re-organization plan which provides the blueprint for the disposition of a local government entity's property, services, and obligations.
- **Re-Organization Implementation:** If it is determined that re-organization is in the best interest of the local government entity, the implementation of the dissolution plan or consolidation agreement will proceed. The complexity of a re-organization implementation is often dependent on the complexity of the local government entity and the consolidation agreement or dissolution plan. Implementation may need to include legal services, capital improvements, transitional personnel and other necessary items related to re-organization implementation.

CREG is administered by the Department of State. More information on grant requirements and how to apply is available at <http://www.dos.ny.gov/>.

## Citizen Empowerment Tax Credit

If the Village of Amityville dissolves, the State will pay additional annual assistance to the Town of Babylon through the Citizen Empowerment Tax Credit (CETC). For cities, towns, or villages that consolidate or dissolve, these tax credits provide annual aid bonus to the surviving municipality equal to 15 percent of the newly combined local government's tax levy, with a maximum award of \$1 million dollars annually. At least 70 percent of such amount must be used for direct relief to property taxpayers. Currently, 14 towns and their residents are benefitting by nearly \$2.0 million annually for 15 village dissolutions.

A sample calculation of what the CETC could be for the Village of Amityville and Town of Babylon follows:

Sample Calculation of CETC	
Village of Amityville Tax Levy (2015)	\$12,563,000
Town of Babylon Tax Levy (2015)	\$58,558,000
Combined Levy	\$71,121,000
15% of Combined Levy	\$10,668,000
\$1 Million Maximum Award	\$1,000,000

The actual amount of CETC will be determined by the Division of Budget by calculating fifteen percent of the combined amount of real property taxes levied by the Village and Town in the local fiscal year before the local fiscal year in which the dissolution occurred. For example, if the Village dissolved on December 31, 2017 (village fiscal year 2018 and town fiscal year 2017), CETC would be based on the amount levied by the Village in fiscal year 2017 and by the Town in fiscal year



2016. Given the size of the levies of both governments, an Amityville dissolution award would be capped at \$1 million per year.

The Town would start receiving the CETC in the State fiscal year following the State fiscal year in which the dissolution occurs. For example, if the Village dissolved on December 31, 2017, this would be in State fiscal year 2018 (which begins April 1, 2017). CETC would be paid in September 2019 (State fiscal year 2019).

It is important to note that CETC would be in addition to existing Aid and Incentives for Municipalities (AIM) funding. After dissolution, the Town would receive CETC as well as both the Town's and Village's AIM funding.

## Economic Development

### FY 2018 State Budget Actions Will Assist the Village's Economic Development Climate

The FY 2018 State Budget includes a number of initiatives that will grow the economy within the Village of Amityville and the surrounding Long Island region. This includes supporting locally-driven priorities for economic development and bolstering some of the State's most vital forms of infrastructure.

#### Transportation Capital Program

The FY 2018 State Budget continues to fund \$21.1 billion for capital improvement of highways, bridges, rail, aviation infrastructure, non-metropolitan Transportation Authority transit, and Department of Transportation facilities throughout the State. This includes the continuation of three initiatives: BRIDGE NY, PAVE NY, and the Extreme Weather Infrastructure Hardening Program.

- The BRIDGE NY program provides \$1 billion to replace, rehabilitate and maintain State and local bridges over a five year period.
- The PAVE NY program provides \$1 billion to State and local paving projects over a five year period and is distributed according to the Consolidated Local Street and Highway Improvement Program (CHIPs) formula. The Village of Amityville will receive \$37,000 in FY 2018 as part of this program.
- The Extreme Weather Infrastructure Hardening Program provides \$500 million to further improve conditions on State and local roads and bridges, as well as provide resiliency to roadways that are particularly susceptible to weather events.

#### Clean Water Infrastructure

The FY 2018 State Budget continues the effort to improve water infrastructure in the State through the Clean Water Infrastructure Act. The Act provides \$2.5 billion for local governments to help address water emergencies, pay for local infrastructure, construction projects, underwrite land acquisition for some water protection and investigate and mitigate emerging contaminants of drinking water. This investment will provide protect public health, safeguard the environment, and preserve the State's water resources. These projects will improve the quality of and safety of municipal drinking water distribution, filtration systems, and wastewater treatment infrastructure.

#### Regional Economic Development Councils

To build on the success of the Regional Economic Development Council (REDC) and Upstate Revitalization Initiatives (URI), the FY 2018 State Budget continues this locally-driven economic development approach for a seventh round of REDC awards. Round VII of the Regional Council Initiative will include \$750 million to be split competitively among each of the State's ten regions.

## Fiscal Performance and Accountability

### Multi-Year Financial Plans

Multi-year financial plans can be an important tool for local government leaders. These plans project a local government's revenues and expenditures for a number of years into the future based on reasonable assumptions. This allows local officials to not only see the current fiscal situation but also see the fiscal situation over the next few years. This empowers local officials in two ways.

First, it enables local officials to avoid creating future problems with a current action. For example, using a one-time revenue source to fund an ongoing program would not show an impact in the current year, but could have a significant impact in future years, when the one-time revenue source is no longer available.

It also empowers local officials to address future problems today. As projected revenues seldom exceed projected expenditures, local officials can start to make decisions today to address out-year gaps. By proactively addressing future issues, the impact to the local government, its residents, its taxpayers, and its workforce can be lessened.

OSC has developed an extensive set of resources for local governments on multi-year financial planning. This includes a tutorial, a guide, and a template, which are all available on OSC's website <http://www.osc.state.ny.us/localgov/planbudget/index.htm>. These are designed to make it as easy as possible for local governments to develop multi-year financial plans.

The Village of Amityville does not currently have a multi-year financial plan. For the reasons outlined above, the Board finds that the Village should develop a multi-year financial plan.

### Procurement

There is nothing in the Village Code regarding purchasing or procurement, although the Village does have a procurement policy, a copy of which was provided to the Board. The policy was originally adopted in 2002 and updated in 2011 and 2015. The Village was made aware that the General Municipal Law (GML) requires annual review and adoption by the Village Board of Trustees. Although the policy is satisfactory, it does not establish any central purchasing.

The Village Clerk/Treasurer oversees procurements that exceed the monetary thresholds under GML, as they are approved by the Board of Trustees. Department heads have authority to purchase up to \$1,000, and up to \$3,000 with three written quotes. Purchases over \$3,000 must be approved by the Board of Trustees.

The Village Clerk/Treasurer is aware of State Office of General Services centralized contracts and other piggybacking opportunities, and attempts to remind department heads of these opportunities when appropriate. However, the Village has not taken advantage of piggybacking opportunities through national organizations. Guidance materials, including a sample of "best value" local law, were provided on local procurement as well as information regarding national procurement organizations.

The Board finds that the Village should consider centralizing purchasing, creating a purchasing chapter in the Village Code, adopting a "best value" local law, reviewing and approving its

purchasing policy annually, and exploring piggybacking opportunities from national procurement organizations.

## **Conclusion and Next Steps**

The Board may, in its sole discretion, award any of the following grants:

- The Board recommends that the Village work with the Town of Babylon to procure and install LED lights along with the Town of Babylon's plan to convert its network to LED lights. If the Village agrees to abide by and implement this recommendation, and if the Town of Babylon is willing to manage, procure, install, and maintain the new LED lights for the Village, the Board may, in its sole discretion, award a grant of up to \$200,000 for the Village and a matching grant of up to \$200,000 for the Town of Babylon, payable to the Village.
- The Board recommends that the Village, in conjunction with its governmental neighbors, develop and implement a shared services plan that will lower the annual cost of providing specific services and address the inherent duplication of services via multi-governmental jurisdictions. If the Village agrees to abide by and implement this recommendation, the Board may, in its sole discretion, award a grant to assist the Village and its neighboring governments with implementing such shared services plan.
- The Board recommends that the Village continue to implement workforce actions, including but not limited to actions targeted toward fringe benefits and retiree costs, that will lower the Village's annual cost structure. If the Village agrees to abide by and implement this recommendation, the Board may, in its sole discretion, award a grant to assist the Village with implementing such workforce actions.

The specific structure and conditions of any such grants, which would be developed in consultation with the village, and any other aspects of such grants would be subject to an affirmative vote of a majority of the total members of the Board.

## Appendix A – Letter and Resolution from the Village of Amityville



**OFFICE OF THE MAYOR**  
**INCORPORATED VILLAGE OF AMITYVILLE**  
**JAMES P. WANDELL**

September 24, 2015

The Financial Restructuring Board for Local Governments  
Attn: Mary Beth Labate, Chair  
NYS State Capitol Building  
Room 135  
Albany, NY 12224


To the Financial Restructuring Board:

I, James P. Wandell, Mayor of the Village of Amityville, a fiscally eligible municipality, do hereby request a Comprehensive Review by the Financial Restructuring Board for Local Governments.

This request is in addition to the resolution adopted at our September 14, 2015 Village Board Meeting (copy attached).

We look forward to your review and subsequent recommendations.

Sincerely,



James P. Wandell  
Mayor  
Village of Amityville

21 Ireland Place, Amityville, New York 11701 • (631) 264-2810

## RESOLUTION OF BOARD OF TRUSTEES

### RESOLUTION # 15 - 08 - 12 - 03

#### Request For Services From The Financial Restructuring Board Resolution

WHEREAS, the Board of Trustees of the Village of Amityville believes that it meets the requirements of a "fiscally eligible municipality" pursuant to criteria established by §160.05(2) of the New York State Local Finance Law; and

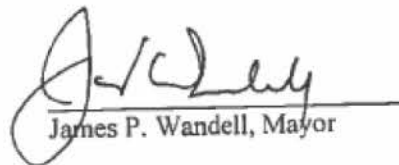
WHEREAS, that given the current economic climate with the Village and fiscal pressures upon the Village, the Board of Trustees of the Village of Amityville determines that a comprehensive review of the operations, finances, management practices, economic base and other factors by the New York State Financial Restructuring Board for Local Governments would be constructive; and

WHEREAS, the Board of Trustees of the Village of Amityville understands that the recommendations of the Financial Restructuring Board are not binding;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Amityville - Board of Trustees requests services by the Financial Restructuring Board, with the concurrence of the Mayor of the Village of Amityville, as noted at the foot hereof.

#### CONCURRENCE

I, James P. Wandell, hereby declare my concurrence hereof as the chief executive of the Village of Amityville.



James P. Wandell, Mayor

On MOTION by Nick LaLota, seconded by Jessica Bernius, the Resolution was adopted with the following vote:

Mayor Wandell - Aye  
Trustee LaLota - Aye  
Trustee Smith - Nay

Deputy Mayor Bernius - Aye  
Trustee Siry - Aye

I, Dina Shingleton, Village Clerk of the Inc. Village of Amityville, hereby certify that the above Resolution was duly adopted by the Board of Trustees at a Public Meeting held on August 12, 2015 and that the concurrence of James P. Wandell, Mayor was executed on the same date.

  
\_\_\_\_\_  
Dina Shingleton, Village Clerk



## **Appendix B – Resolution Approving the Village of Amityville**

### **Financial Restructuring Board for Local Governments**

#### **RESOLUTION No. 2016-13**

#### **APPROVING THE REQUEST FOR A COMPREHENSIVE REVIEW FROM THE VILLAGE OF AMITYVILLE**

WHEREAS, pursuant to New York State Local Finance Law section 160.05(2)(a), the Board of the Financial Restructuring Board (the "Board") must find that the Village of Amityville (the "Village") is a Fiscally Eligible Municipality because it has an average full value property tax rate of \$8.342 per \$1,000, which is greater than the average full value property tax rate of seventy-five percent of counties, cities, towns, and villages with local fiscal years ending in the same calendar year as of the most recently available information; and

WHEREAS, pursuant to New York State Local Finance Law section 160.05(2)(b), the Board must find that the Village is a Fiscally Eligible Municipality because it has an average fund balance percentage of -3.57 percent, which is less than 5 percent; and

WHEREAS, pursuant to New York State Local Finance Law section 160.05(3), upon the request of a fiscally eligible municipality, by resolution of the governing body of such municipality with the concurrence of the chief executive of such municipality, the Board may undertake a comprehensive review of the operations, finances, management practices, economic base and any other factors that in its sole discretion it deems relevant to be able to make findings and recommendations on reforming and restructuring the operations of the fiscally eligible municipality (the "Comprehensive Review"); and

WHEREAS, the governing body of the Village with the concurrence of the Village's chief executive has requested that the Board undertake a Comprehensive Review of the Village;

NOW THEREFORE BE IT RESOLVED that the Board agrees to undertake a Comprehensive Review of the Village in accordance with New York State Local Finance Law section 160.05(3).

This resolution shall take effect immediately and remain in effect until modified, replaced or repealed by resolution of the Board.

No. 2016-13

Dated: 6-20-16



## Appendix C – Summary of Government Reorganization Process



# The Reorganization of Local Government:

A Summary of the Government Reorganization Processes

General Municipal Law Article 17-A provides a unified process for the consolidation and dissolution of local government entities. The process is applicable to towns, villages, fire and fire protection districts, special improvement districts, other improvement districts created pursuant to Articles 11, 12, 12-a or 13 of Town Law, and other districts created by law. It excludes school districts, city districts, or special purpose districts created by counties under County Law.

Under Article 17-A of General Municipal Law there are two different methods for local governments to consider: Board-Initiated or Citizen-Initiated. The process for either consolidation or dissolution is the same. The following is a brief outline of the processes found in Article 17-A.

Procedural details may be found in the Department of State publications:

- *The New N.Y. Government Reorganization and Citizen Empowerment Act*
- *The New N.Y. Government Reorganization and Citizen Empowerment Act: A Summary of the Process for Consolidation and Dissolution*

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**Andrew M. Cuomo**  
Governor

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**Cesar A. Perales**  
Secretary of State

## VOTER- INITIATED REORGANIZATION

Article 17-A of General Municipal Law provides a process for voters to petition for a public vote on consolidating or dissolving their local government. Only voters registered in the local government entity may sign consolidation petitions, or serve as the contact person for the petition [§757(3)].

Unlike a board-initiated reorganization, in a voter-initiated process the consolidation agreement or dissolution plan will not be developed until after the referendum on whether to consolidate or dissolve passes. The plan must contain the same information as one prepared in a board-initiated process. Once a proposed plan is prepared by the governing bodies, voters have the opportunity to conduct another petition drive to require a second referendum, this time on the plan itself. If that drive is successful and another referendum is held, it too must pass in order for the reorganization to take effect.

If the governing bodies are unable or unwilling to prepare and approve a reorganization plan, five voters who signed the original petition may bring a C.P.L.R. Article 78 action in state Supreme Court. Depending on its findings, the court may refer the matter to mediation or issue an injunction compelling the governing bodies to act. If the governing bodies still fail to act, the court may appoint a judicial hearing officer to develop and approve a plan [§764].

*A petition must contain, for each governmental entity to be consolidated or dissolved, the signatures of 10 percent of the registered voters in that entity or 5000 signatures, whichever is less. However, if a governmental entity to be reorganized has 500 or fewer registered voters, signatures of at least 20 percent of the voters are required.*

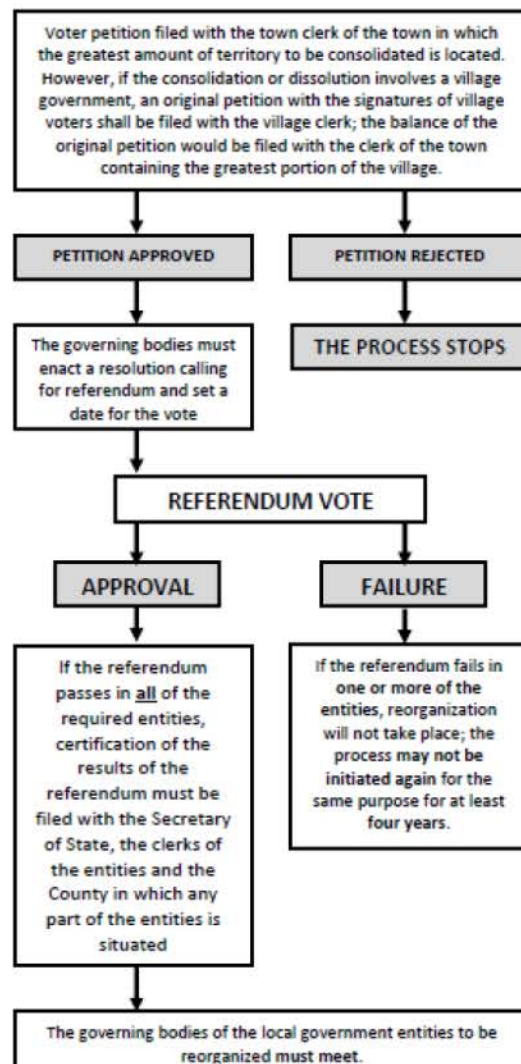
*Within 10 days final determination regarding the sufficiency of the number of signatures on the petition is made by the clerk*

*Within 30 days of the clerk's determining the validity of the petition*

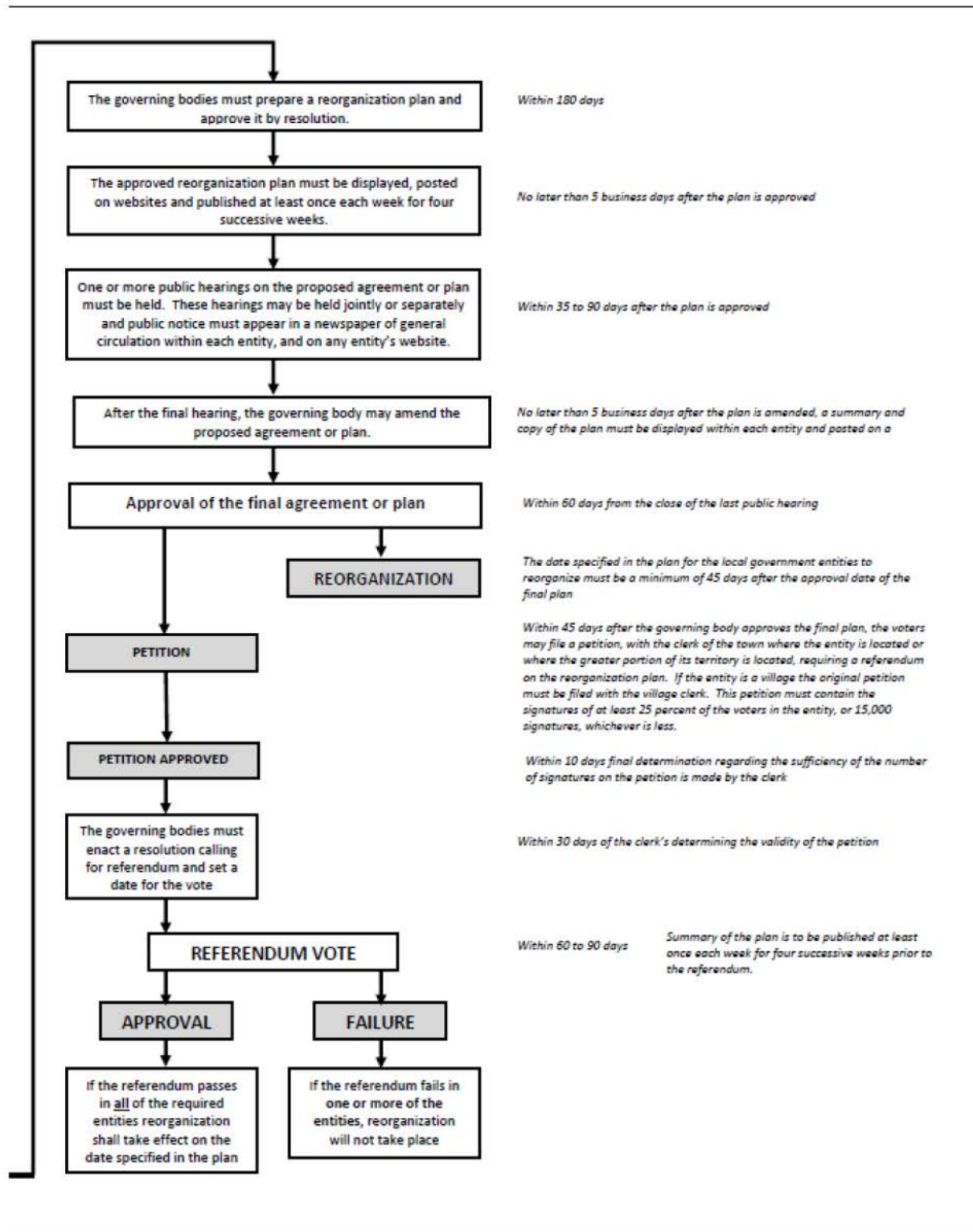
*Summary of the petition is to be published at least once each week for four successive weeks prior to the referendum.*

*Within 60 to 90 days*

*Within 30 days of certification of the results*







## BOARD-INITIATED REORGANIZATION

The statutory process, when initiated by the governing body of the participating local government entities, begins with a resolution by the governing bodies endorsing a proposed joint consolidation agreement or dissolution plan.

However, the process of reorganization may start many months before the statutory process begins. With a board initiated reorganization process the board(s) may conduct a study to determine the possible impacts associated with reorganization. As outlined in the previous section, by taking the time to study the impacts of reorganization, both the governing body and the public will be able to evaluate the impacts of reorganization before making the decision to reorganize.

