Town of Thompson Supervisor William J. Rieber, Jr.
Town of Fallsburg Supervisor, Katherine Rappaport

September 8, 2023

For immediate release:

Ruling on Petition for formation of the Village of Ateres

William J. Rieber, Jr. and Katherine Rappaport, Supervisors of the Towns of Thompson and Fallsburg respectively announce that we concur the petition for the formation of the Village of Ateres complies with the requirements of Article 2 of NYS Village Law.

We thank the many citizens who participated in this process. Many well-articulated objections were received over the course of the review period; however, no qualitative or quantitative analysis is even allowed in the process under current NYS Law. Therefore, many of these objections, while full of merit, are not actual reasons for challenge based on the antiquated Village Law.

We note that we, as Town Supervisors, are required to review the petition with a narrow set of circumstances as governed by State law. After many hours of public hearings, reviewing submissions, consulting with staff and our attorneys it was painfully obvious that the approximately 100+ year-old NYS statute governing Village formations is in dire need of a re-write. We are beyond the days of communities meeting at the local Grange to map out their future. Fortunately, the Assembly and Senate agree, having both approved an updated bill which awaits Gov. Hochul's signature. We are governed by the current law, absent the Governor's signature.

The current law ignores concerns such as: Environmental impact; water and sewer infrastructure needs; roadway improvements and maintenance; staff needed to administer the Village; poverty status; NYS's own desire to consolidate and dissolve villages; proper planning to study fiscal, service, and taxation interests; Comptroller's oversight for the residents who must pay for this new layer of government; and a possible infringement of the public's 1st amendment right of free speech due to the law's requirement for objectors to not only disclose their name and address but to sign the objection and place themselves in a position to be deposed or even possibly be conjoined in a suit.

While this concludes the first step in creating the new village, State law lays out the next steps and processes that must be followed. We will fulfill our duties as public officials to comply with the law.

William J. Rieber, Jr.
Supervisor Town of Thompson
845-794-2500 Ext. 306

Katherine Rappaport
Supervisor, Town of Fallsburg
845-434-8810 Ext. 5

---

[1]

- It's worth noting that one of the last villages to be created in NY was in 2010 by the Village of Mastic Beach, only to be dissolved less than a year later, as the cost of expenses to run the Village created a significant tax burden to Village residents, since it was never adequately studied, because it was not required.

- Environmental concerns, water and sewer infrastructure needs, roadway improvements and maintenance, and staff needed to administer the Village are not part of the Village Creation law, and they should be. These are all important aspects that could cause significant negative impacts to the local residents within and around the proposed Village and should be studied and analyzed.
- The State has a technical assistance brochure entitled "The Citizen's Guide to Petition for Local Government Consolidation & Dissolution" which is a great resource, *however, the same does not exist for Local Government creation.*
- In reviewing Census data for other similar communities, it's interesting to note that the poverty level in these areas is significantly higher than the surrounding areas, thus creating a distressed community ("ghetto") that will be dependent on State and Federal services and programs to survive. For example, the Village of Bloomingburg had a poverty rate of 17% in 2000 and 16.8% in 2015, but as of the 2020 census, the poverty rate has increased to 48.7% and the current 2021 ACS has it at 54.6%. Other poverty rates for similar villages are as follows:
  - Kaser – 60%
  - New Square – 53%
  - Kiryas Joel/Pine Tree – 40.5%
  - Monsey CDP – 45.7%