

Village Board of Trustees Response to Town of Milo's Rejection of the Annexation

Unfortunately, the Milo Town Board has rejected a proposed annexation of land into the Village of Penn Yan. At the time that the annexation was first proposed the Board of Trustees of Penn Yan undertook a serious study of the need for and potential impacts of that proposed annexation. This included numerous reports on the various areas of Village operations. That study also involved an analysis of services available for new residents in the community. The Village Planning Board and Board of Trustees had previously studied Village housing needs and determined that there is a distinct shortage of moderately priced housing in the Village and a shortage of undeveloped land in the Village for creation of such housing. The Board of Trustees' conclusion is that the annexation would be in the best interests of the Penn Yan community, including increased moderately priced housing.

The decision of the Milo Town Board, however, appears to have been superficial and arbitrary. The Town Board also exhibits a distinct lack of inquisitiveness regarding the issues related to the annexation. The annexation process transpired over approximately five (5) months. The issues that Milo relies upon in their rejection of the annexation were obviously not adequately studied.

A. With respect to the housing issue the Town Board relies primarily upon an unsubstantiated oral statement of a local realtor as to availability of housing within 20 miles of Penn Yan. The Town Board's response to housing/employee issues expressed by manufacturers in their own Town is rather dismissive. Further, Milo's comprehensive plan specifically addresses the need for additional housing in areas of the Town adjacent to the Village, including the area of land proposed to be annexed to the Village. That Comprehensive Plan lists Objectives for the Town. Under Agricultural Resources "Objective 2" is to adopt land use regulations that will encourage higher density residential development, including multiple dwellings, in or adjacent to the Village. Under "Residential Development" in Milo's Comprehensive Plan the first two (2) Objectives stress residential development, including multiple dwellings, adjacent to the Village. The land proposed for annexation is directly adjacent to Village lands.

B. The Town Board stresses the importance of agriculture to the Town and that the Town Comprehensive Plan stresses that importance. It is not mentioned, however, that the subject 70+ acres owned by the IDA accounts for just over one-half of one-percent, or about 1/200, of the total agricultural land in the Town. The position of the Town Board regarding agriculture also appears reflective of the financial interest of one of its own Town Board members who, although he presumably did not participate in the decision, presently farms the land proposed to be annexed.

C. The Town Board also questions whether electric rates in the Village are lower than outside the Village. That question could have been answered by comparing the Board members' own electric bills with any of the Town's 4,000 residents who live in the Village and receive electric service from the Village. In actuality Village provided electric for the average residential customer is more than 50% less expensive during winter months than NYSEG.

D. The Town Board cites lack of details on a proposed housing development as another point of opposition. The Town did not attempt to engage in any meaningful inquiries or discussions with the Village on that subject. A specific plan might have been agreed upon if the Town's concerns were pursued. The specific site plan approval for any development would, by law, occur after annexation is completed via the Village's Planning Board.

E. The Town Board's allegations regarding SEQR review by the Village are totally false. The Village followed State SEQR regulations based upon the IDA's Annexation Petition. It appears from the Town's legal filings, however, that the Town did not undertake a SEQR review pursuant to New York State procedures.

F. As to real property tax revenue, the Town Board was well aware that the Village and IDA intended to enter into an agreement to produce real property tax revenue for both the Town and the Village. That agreement could not take place, however, until after annexation occurred. The Town Board also did not raise that issue with the Village.

G. As to sales tax, the Town Supervisor is well aware that such revenue would be based upon an agreement between the County, the Town and the Village. At the present time no such agreement has been offered by the County.

In summary, it appears that the Town Board had some ulterior motives to reject the annexation, since all their articulated reasons appear frivolous and/or unsubstantiated.