

From Dutch charters to village dissolutions: A discussion of New York's quirky system of local government

Formative years shaped by place....



Physical location: Town of Sardinia

Mailing address: East Concord, NY (hamlet in the Town of Concord)

Telephone exchange: 592 (Springville, NY and surrounding area)

School District: Pioneer Central (in Arcade, NY)

School Attended: St. Aloysius (Springville, NY)

**From Dutch charters to village dissolutions:
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- County
- City
- Town
- Village
- Town-Village
- Hamlet
- Neighborhood
- Reservation

- *School District*
- *ZIP Code*
- *Telephone Exchange*
- *Fire Department*



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Major Themes:

New York State local government has both English and Dutch origins, although primarily English, particularly as established in the New England colonies

New York has multiple layers of local government

- Unlike the New England States which has largely dispensed with counties and only have cities and towns
- Unlike states further west and south which generally have counties and cities and large areas of “unincorporated” rural areas

Historically, counties, cities, towns, and villages tended to have more specific purposes and authorities

Over 200 years, those distinctions have muddled to a degree. While some relatively arcane legal differences remain, to the average citizen, the services that cities, towns, and villages can provide are pretty much the same.

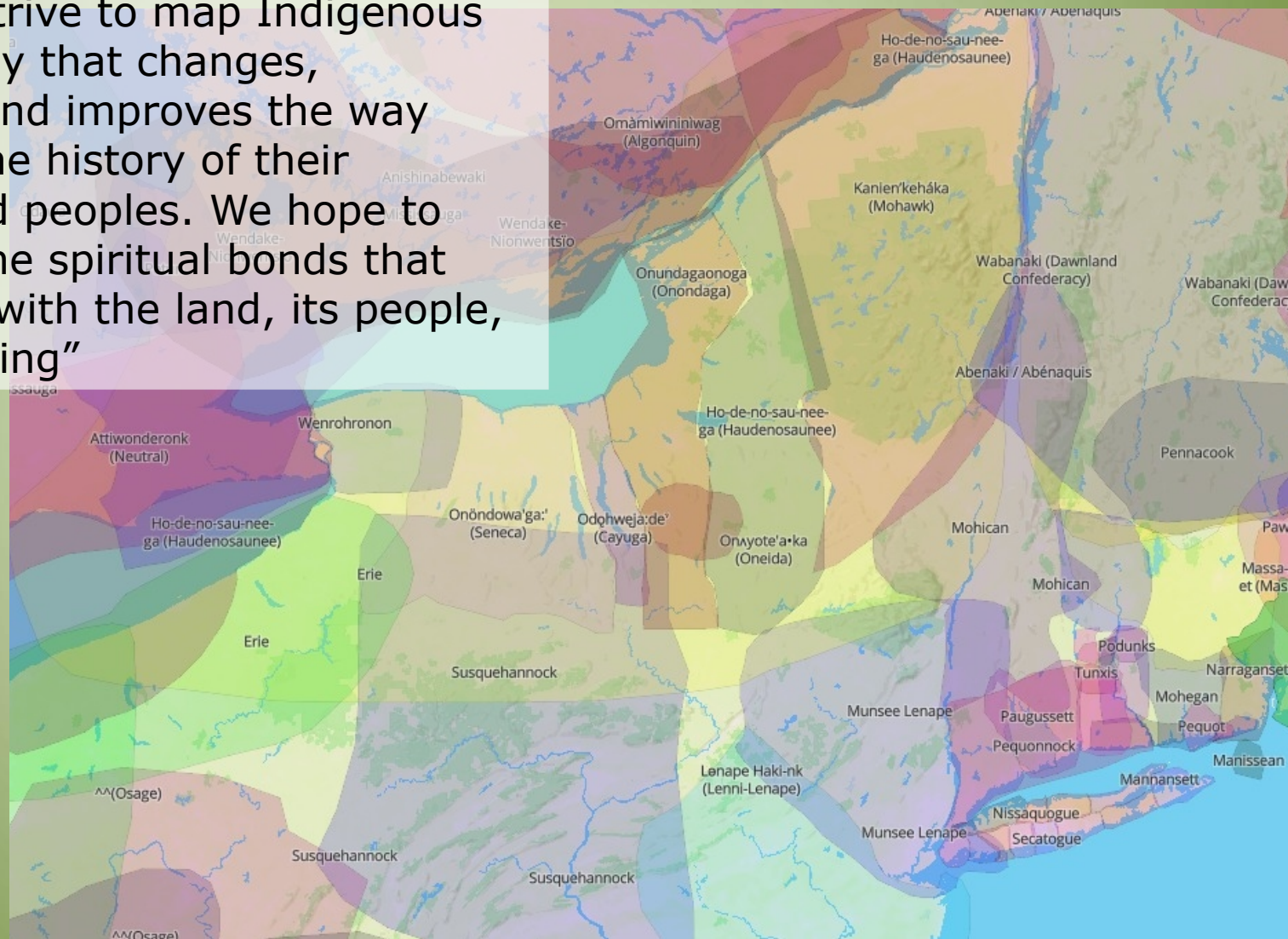
Local government organization was originally much more fluid. The system has become much more rigid over the past 100-150 years due to...Entrenched interests? Inertia? Fear of change? Apathy?

The question: with a system of local government (62 counties, 62 cities, 934 towns, 550 (?) villages [1,608 total]) largely in place for over 200 years, is it still an effective and efficient way to provide services? If the answer to this question is simply: “This is the way we’ve always done things” that is not a good answer. New York has a long history of innovation and progressive thinking. Our local government system deserves the same.

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"Native-Land.ca is a website run by the nonprofit organization Native Land Digital. We strive to map Indigenous lands in a way that changes, challenges, and improves the way people see the history of their countries and peoples. We hope to strengthen the spiritual bonds that people have with the land, its people, and its meaning"

<https://native-land.ca/>



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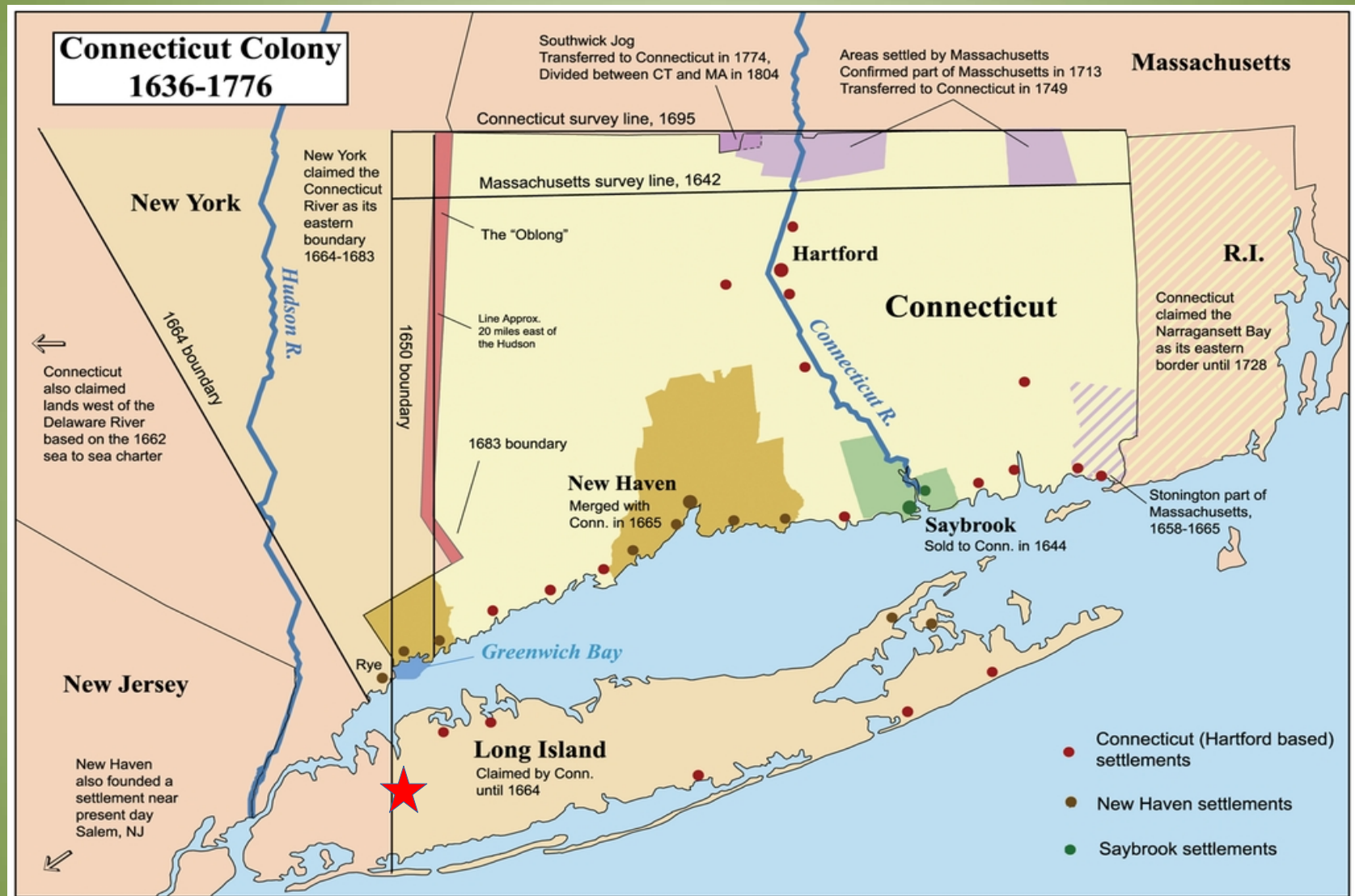


New York State's origins during the Dutch golden age

A discussion of New York's quirky system of local government



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In 1643, two English men from Connecticut, Robert Fordham and John Carman sought town rights from Willem Kieft (Director of New Netherland) and to purchase title from the Indigenous people. In December of 1643, Carman and Fordham met with tribal representation and a land deed was negotiated. It was not until November of 1644 that Willem Kieft issued the patent granting the English settlers rights to form a town government.

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In 1646, the village of Breuckelen, named after a Dutch town eight miles north of Utrecht, was authorized by the Director of the Dutch West India Company, Willem Kieft to elect two schepens (magistrates).



Nederlandse Hervormde Kerk (Dutch Reformed Church), Breuckelen (Brooklyn)

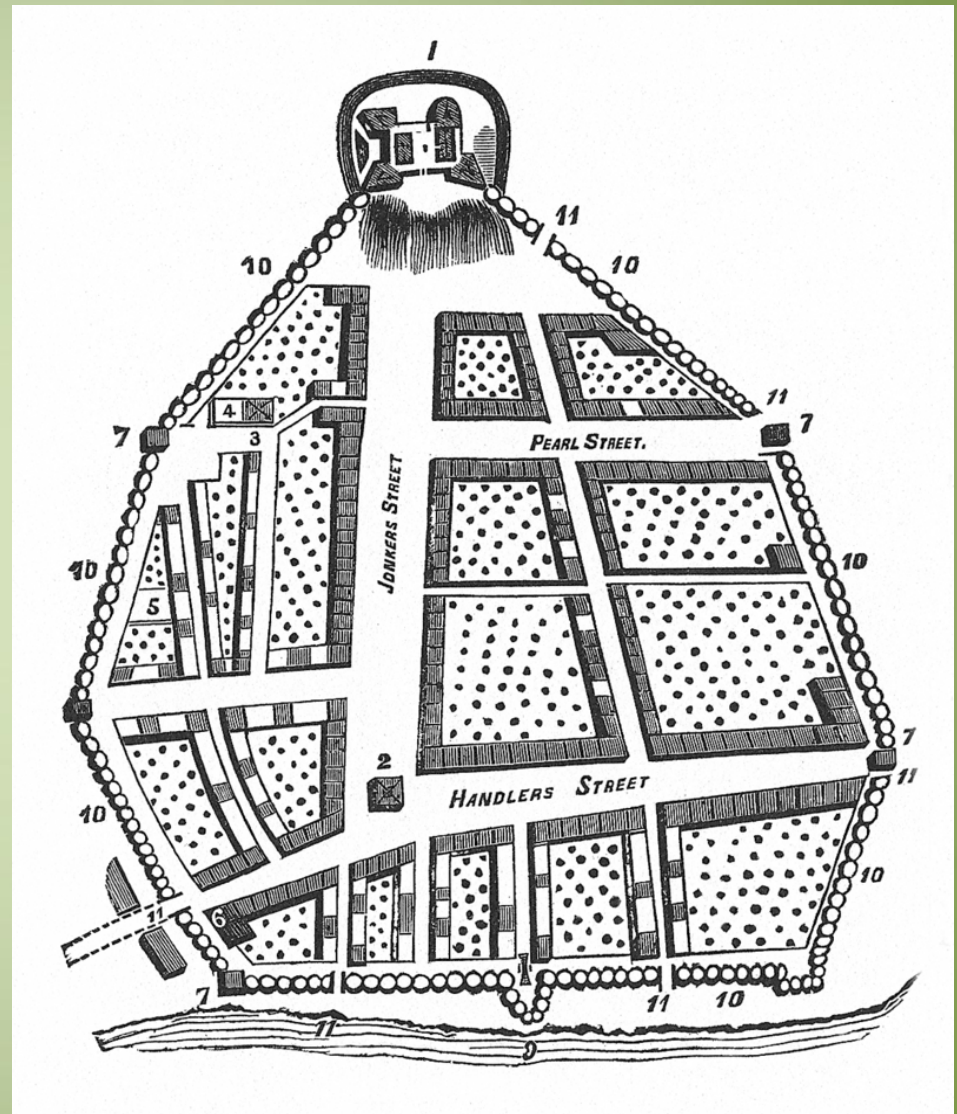
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- Hempstead, 1644
- Breuckelen (Brooklyn), 1646
- New Amsterdam (New York), 1653
- Beverwijck (Albany), 1662

*De stad werd tot Beverwijck gedoopt
en was de tweede stad van Nieuw-Nederland*



Beverwijck, mid 1600s, looking east
down Yonker (State) Street



Albany, late 1600s

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ARTYKELEN, Van't overgaen van NIEUW-NEDERLANDT.

Op den 27 Augustij, Oude Stijl, Anno 1664.

Simon Gilde van Rarop, Schipper op 't Schip de Gideon, komende van de Menates, of Nieuw-Amsterdam in Nieuw-Nederlandt, rapporteert dat Nieuw-Nederlandt, met accoort, sonder eenighe tegenweer den 8 September Nicuue-Stijl, aen de Engelsen is over-gegeven, op Conditien als volgt:

- I. Allen toe dat de Staten Generael, ofte de West-Indische Compagnie sullen behouden, ofte byspijck besitten, alle de Douchterpen en Duyfen (wegefouder die in de Soeten soude mogen slaen) en dat hier hier begreut woert om binnen ses maanden alle sodanige Wapenen en Ammunition van ontfang hare toebehoorende, te verhooren, ofte booz de selve betraffe te woeden.
- II. Alle publieque Duyfen, sullen bijblijven, tot dat ghebyuecht daer toe sy in ghebyuecht woeden.
- III. Weder een sal zijn een Dye-Dooghe, en behouden hare Landerey, Duyfen, Oude-ten, Schepen, waer die oock soude mogen zijn in dese Conterpen, ende na sijn wilsgehalven daer over disposeren.
- IV. Indien eenich Inwonder-gehoornemans waer om sels te betrecken, in sal genieren en jaer en ses wochen, om hem selve, Wyden, Kinderen, Dienaers en goederen te transporteren, en hier van sijn Landerey te disposeren.
- V. Indien dat eenige Doope ofte publieque Ministers van sinte soude mogen zijn, om naer Engelandt te betrecken, sy sullen Daacht, byn overgevoert worden, in sijn Majesteyt's gevaeren, als besiede vermaerct sullen baren.
- VI. Gack loert een geestelick persoon, om byspijck upr, zedertant, hertwaerts te komen, om in dese gewesten te planten, ende dat de Duyse Schepen byn hier mogen komen, ende de Duyfen byn wederkeren, ofte met hier eygen Schepen alhier hoopman-shippen naer Dyege staden.
- VII. Alle Schepen naer Hollandt ofte elders komende sullen met hare bygehorende goederen hier ontfangen woeden, en van hare verhoorden woeden, als booz besen booz ontfangen omte, ende dat booz ses achter een volgende maanden.
- VIII. De Duyfen alhier sullen behouden, ende ghenieten byspijck van conscientie in Oobdientie ende herkeleke Discipline.
- IX. Geen Duyfchman ofte Duyfchmans Schip, sal hier in eenige ghelegenheden mogen gepist woeden een Oobdientie, tegen soedane Dacie hier oock soude zijn.
- X. Geen Manthang Man ofte Inwonder, sal eenige inguarteringe opgeleert woeden, ten in bespoelike tusschen en betalinge booz hare Officiers daer booz ghebaen woert, en dat in dese ghelegenheden, byn alden in hier Forz alle de Soldaten niet konnen ingaen, so sullen de Duyfchmesters ghehouden zijn, booz hare Officiers eenighe Duyfen, tot dien eynde te besichken.
- XI. De Duyfen sullen (aemende hare effensse) behouden hare eygen gewoonten.
- XII. Alle publieque Gheschiften en behouven (betreffende de Ghesenisse, van remande ofte herkelekeke regeringe, Diaranie ofte Wier-amer) sullen (oghtindiglych) bewaert woeden, van de gene, onder welcke sy bevattende zijn, ende sulcke Gheschiften, die de Staten Generael sijn conpenderende, sullen in eenige tijt hare toegelouden werden.
- XIII. Een oobdient hier booz de beschikking gepassert, sal weder in recht mogen ghetoe-ken woeden, naer inden remand vermaert dat hem geen recht gheschiet is, so by hem verhoort naer de Staten Generael, of andere party sal ghehouden zijn hem 't gesup-nerende ongetijck te verantwoeden.
- XIV. So eenich Duyfman hier woonachtig, en eniger tijt begeret te zijn, ofte in Engelandt hoopman-ship te bijblijven, ofte in eenige van sijn Majesteyt's Placten ofte met de Indianen, so sal hem op sijn gebaen cleegst aen de Gouverneur een Dyege betrecken

Was quaderreken

J. d. Decker.	Robbert Carr.
N. Verlet.	George Cartwright.
Sam. Megapolensis.	John Winthrop.
Cornelis Steenwijck.	Sam. Willes.
O. Stevensz. Cortlant.	Tho. Clarks.
Jacque Coufau.	John Pinchon.

ICK slaet dese Artijkel toe (en geeseken)

RICHARDT NICOLLS.

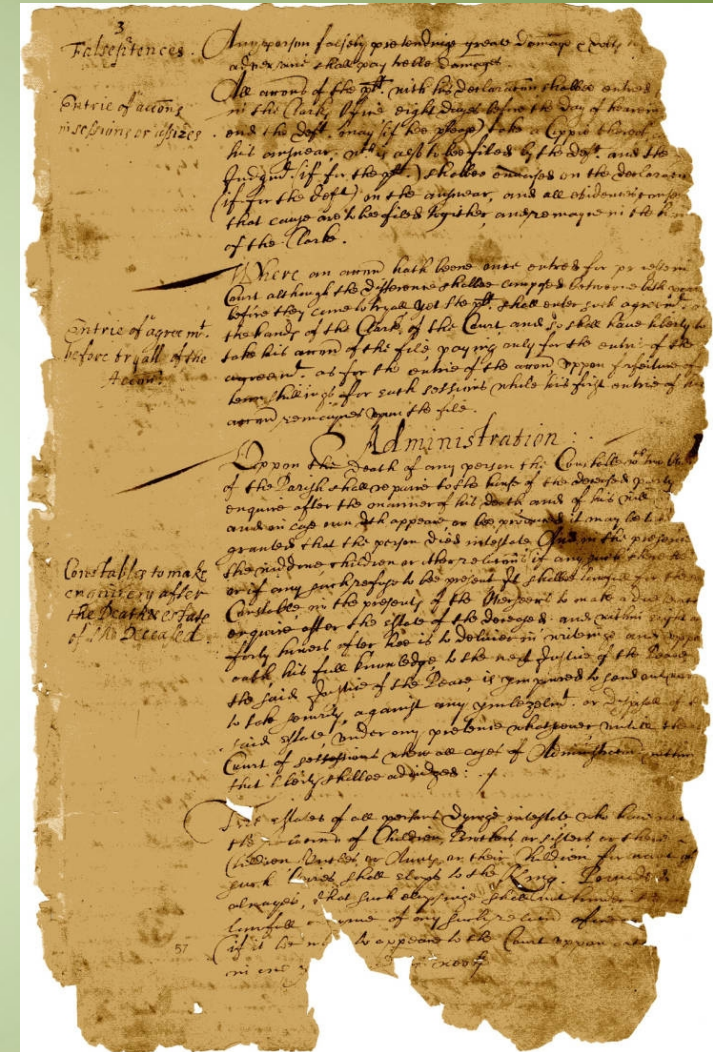
Articles of transfer of New Netherland, August 27, 1664. The articles allowed residents to retain their customary Dutch legal forms.

After 1664 New Yorkers gradually incorporated Dutch legal liberties into New York's English judicial system. The Duke's Laws of 1665, written for Long Island's English communities, only gradually expanded province-wide, yet allowed customary Dutch features in inheritance, property, and family matters. New Yorkers also supplemented the English judicial with Dutch constitutional principles, particularly in the New York Assembly maintaining the tradition of the Dutch States in controlling finances and appointments. Also, the Right to Petition for redressing grievances in the Dutch Republic was seen as an absolute right in New York.

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Immediately after the transfer of what had been New Netherland in 1664, the English began to more fully develop local government. In 1665, the Code of Laws, known as the "Duke's Laws," confirmed the boundaries of 17 existing towns and provided for basic organization of the town governments. These laws gave freeholders the right to vote and provided for a town meeting system resembling one that is still used in New England.

Town government in New York continued to develop into the 1700s Century. A town court system grew up. Provision was made for a chief fiscal officer, known as a town treasurer, a forerunner of the present supervisor. In 1683 the first general property tax was imposed. In 1703 provision was made for a system of highways.



<https://history.nycourts.gov/highlights/>

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Thomas Dongan, 2nd Earl of Limerick, Governor of the Province of New York

Governor of New York, 1683-1688. He is noted for having called the first representative legislature in New York, and for granting the province's Charter of Liberties.

The Province of New York was divided into twelve counties on November 1, 1683, by Governor Dongan:

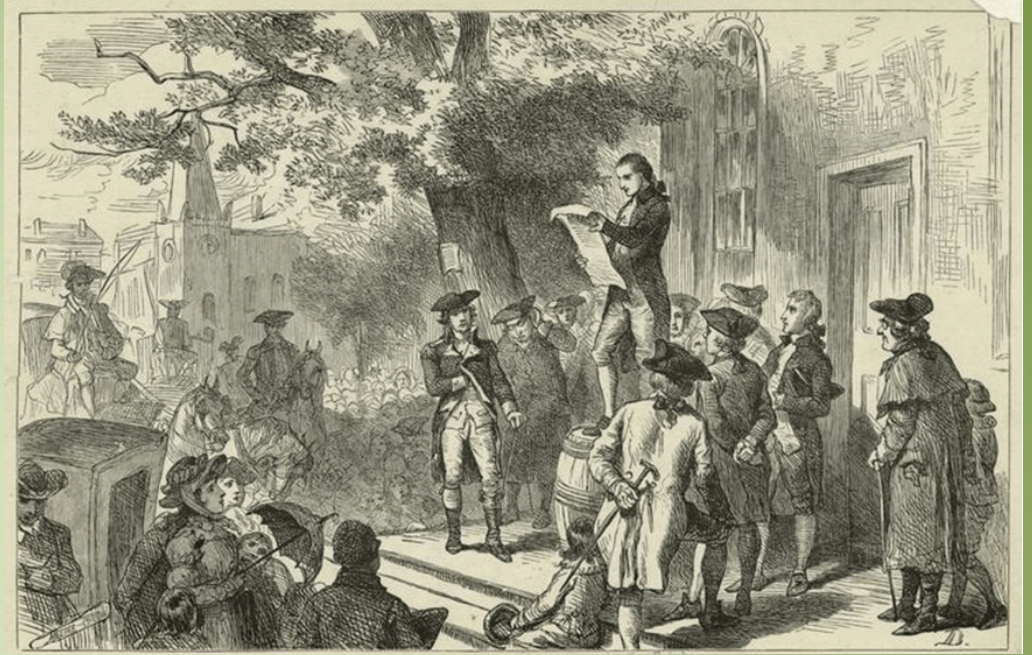
- Albany County
- Cornwall County (ceded to MA 1692)
- Dukes County (ceded to MA 1692)
- Dutchess County
- Kings County
- New York County
- Orange County
- Queens County
- Richmond County
- Suffolk County
- Ulster County
- Westchester County



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The State Constitution of 1777 recognized the existence of 14 counties and some towns. The Constitution provided that "it shall be in the power of the State Legislatures of this State for the advantages and conveniences of the good people to divide the same into such other and further counties and districts as it may then appear necessary."

Between 1788 and 1801, the Legislature was especially active in dividing counties into towns. However, the form of town government remained essentially the same as it had been under British rule.



"Announcing the Founding," Secretary of the 1777 Convention, Robert Benson, in front of the courthouse in Kingston reading the document to assembled citizens.

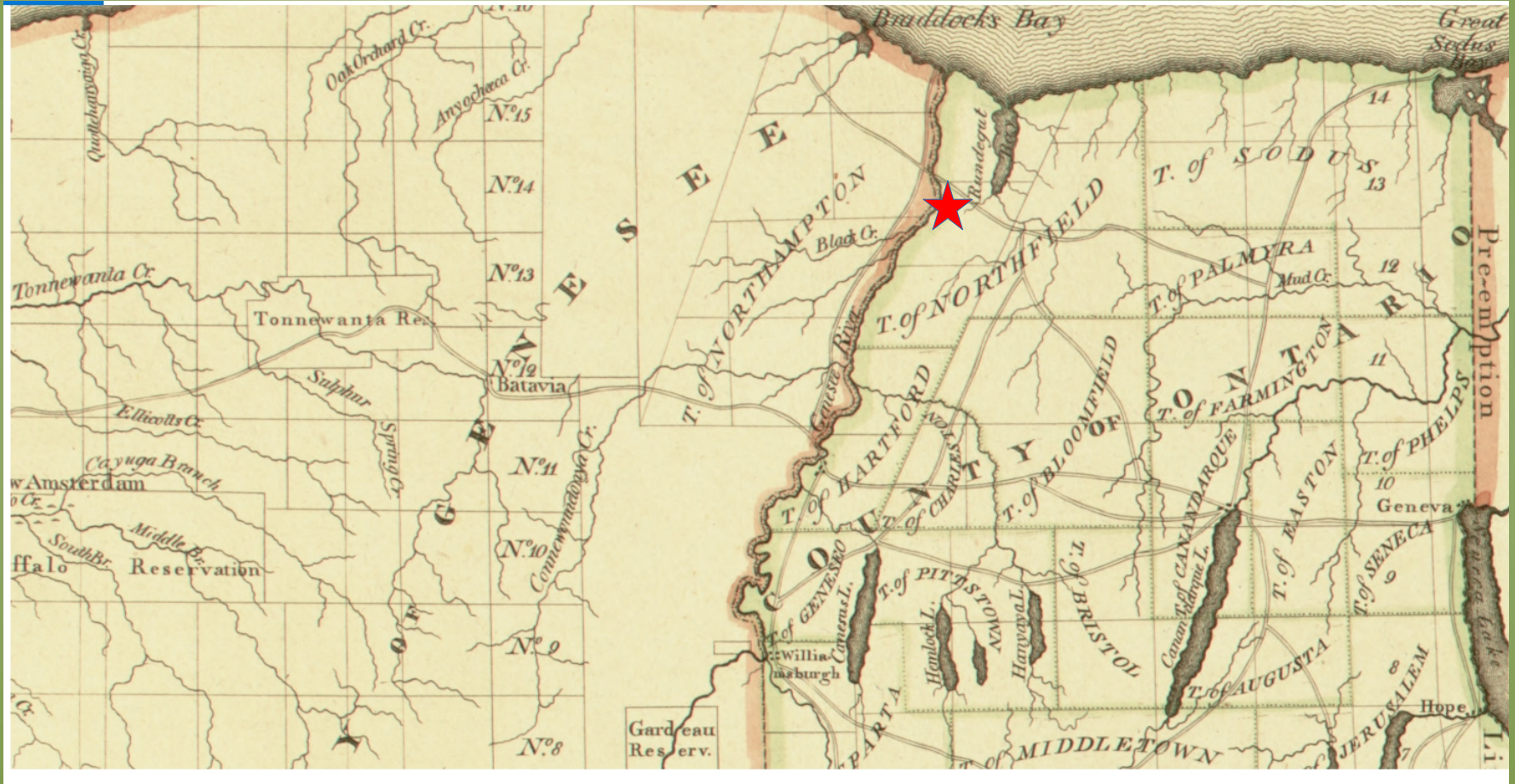
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Map of New York State 1802

By NYS Surveyor General
Simeon DeWitt



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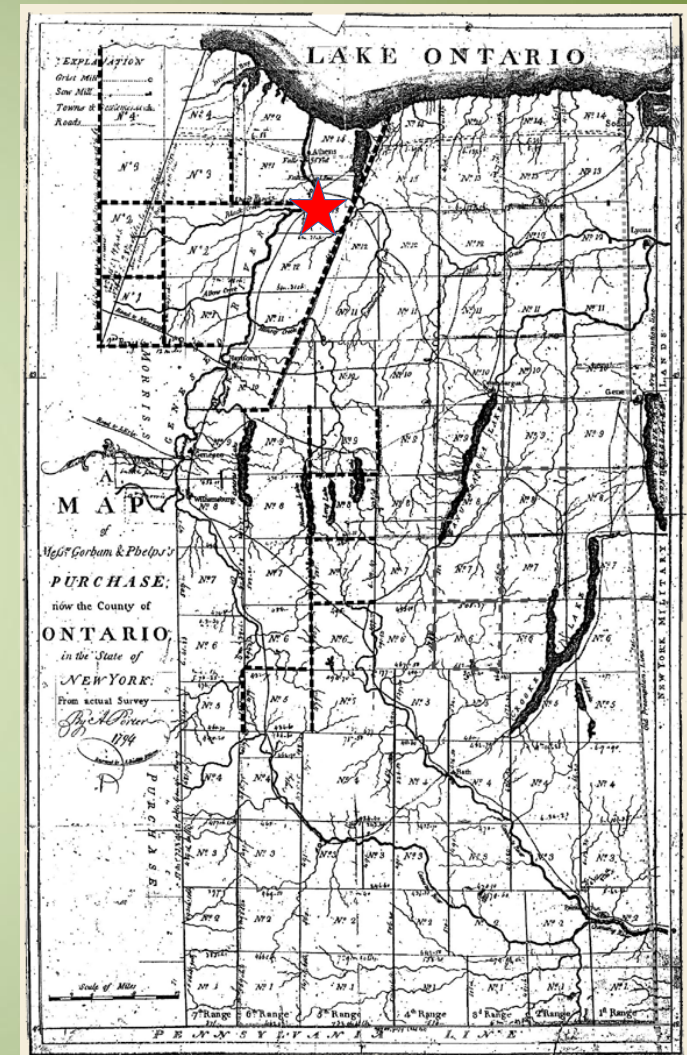


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In the early decades of the Nineteenth Century, town government began to assume a more modern form.

In the Ninth Edition of the Revised Statutes of New York, laws affecting towns were segregated in Chapter 20 of the General Laws. This chapter was the immediate predecessor of the Town Law.

The title "Town Law" appears to have been used first in its modern sense when laws affecting towns were re-codified by Chapter 569 of the Laws of 1890 and made applicable to most towns, with certain exceptions. In 1909, another re-codification grouped statutes applicable to towns into Chapter 62 of the Consolidated Laws



Surveys by Col. Hugh Maxwell

Pre-emption Line, 1788

Other surveys, 1788

Other surveys, 1789

Canadaigua and Conesus lake shorelines, 1789

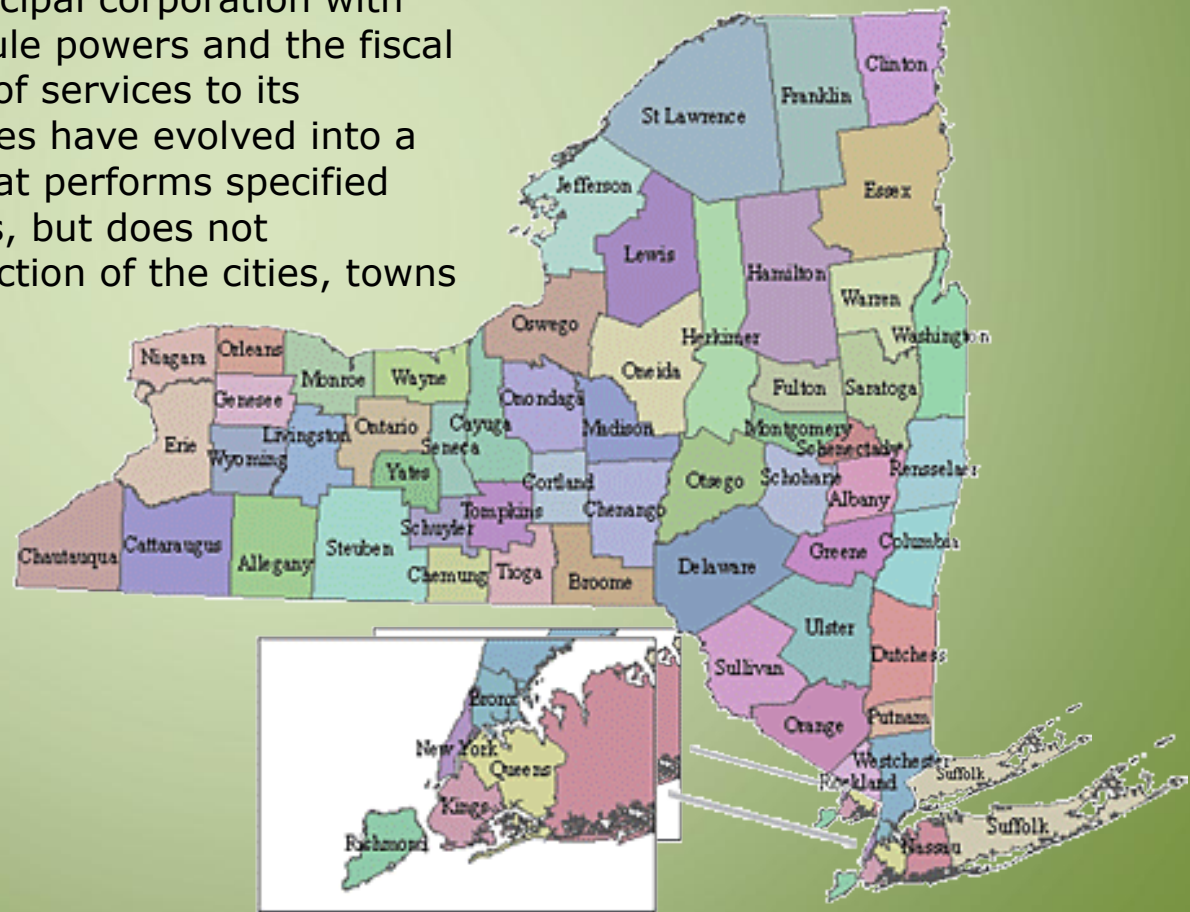
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The County

New York counties started as entities established by the State Legislature to carry out specified functions, primarily law and order, at the local level on behalf of the state. During the 20th century, county government in New York underwent major changes in function, form and basic nature. The county is now a municipal corporation with geographical jurisdiction, home rule powers and the fiscal capacity to provide a wide range of services to its residents. To some extent, counties have evolved into a form of “regional” government that performs specified functions and which encompasses, but does not necessarily supersede, the jurisdiction of the cities, towns and villages within its borders.



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The County

New York State outside NYC is divided into 57 counties.
The five boroughs of the City of New York function as counties for certain purposes, although they are not organized as such nor do they operate as county governments.

Suffolk County: 1,493,350 people

Hamilton County: 4,836 people

St. Lawrence County: over 2,700 square miles

Rockland: 175 square miles

All counties include towns and villages, although the number of each varies widely.

St. Lawrence, Cattaraugus and Steuben

32 towns

Nassau County

3 towns

Hamilton and Warren: one village

Nassau County: 64 villages



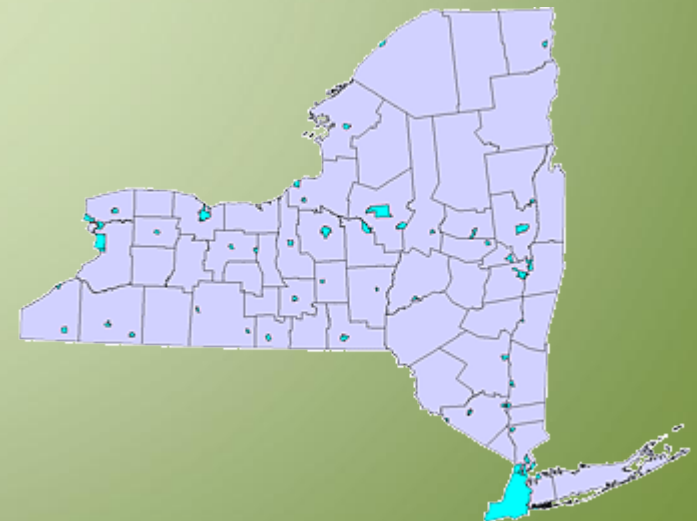
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The City

The charters granted to New York City and Albany by English Governor Thomas Dongan in 1686 gave these cities more privileges and authority which they could exercise independently of the colonial government.

The first State Constitution, adopted in 1777, recognized the existing charters of New York and Albany and authorized the Legislature "...to arrange for the organization of cities and incorporated villages and to limit their power of taxation, assessment, borrowing and involvement in debt." Since that time separate special legislative acts have been necessary to establish each new city, although later developments permitted cities to replace or amend their charters by local action.

By 1834, six new cities had been chartered along the state's principal trading route, the Hudson-Mohawk arterial between New York City and Buffalo. These new cities were Brooklyn, Buffalo, **Hudson (1785)**, Rochester, Schenectady and Troy. Thirty-two more cities were created between 1834 and 1899, as thousands of immigrants were attracted to the state. The most recently chartered city in New York is the City of Rye, which came into being in 1942



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The City

Each of New York State's 62 cities is a unique governmental entity with its own special charter. Two — New York and Albany — have charters of colonial origin, and the other 60 were chartered separately by the State Legislature

New York cities, as instrumentalities created individually by the Legislature, struggled long and hard for greater authority to manage their own affairs as they saw fit. Prior to an 1848 amendment to the State Constitution, there had been continual battles between the State and the cities of New York and Brooklyn over state-imposed changes of local officials who had been elected by city voters. The state would regularly appoint local officials, thereby nullifying local elections. In 1854 the mayor of New York City finally received authority to appoint his agency heads.

Despite such changes, however, cities often were subjected to legislative intervention. In 1857, for example, the Legislature created a new police force in New York City and Brooklyn because of allegations of police corruption.

Although home rule was a hard-won prize for the cities of New York State, they now have substantial home rule powers, including authority to change their charters and to adopt new charters by local action. Now New York State contains all of the major forms of city government: council-manager, strong mayor-council, weak mayor-council and commission

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The City

1. New York 8,175,133
2. Buffalo 261,310
3. Rochester 210,565
4. Yonkers 195,976

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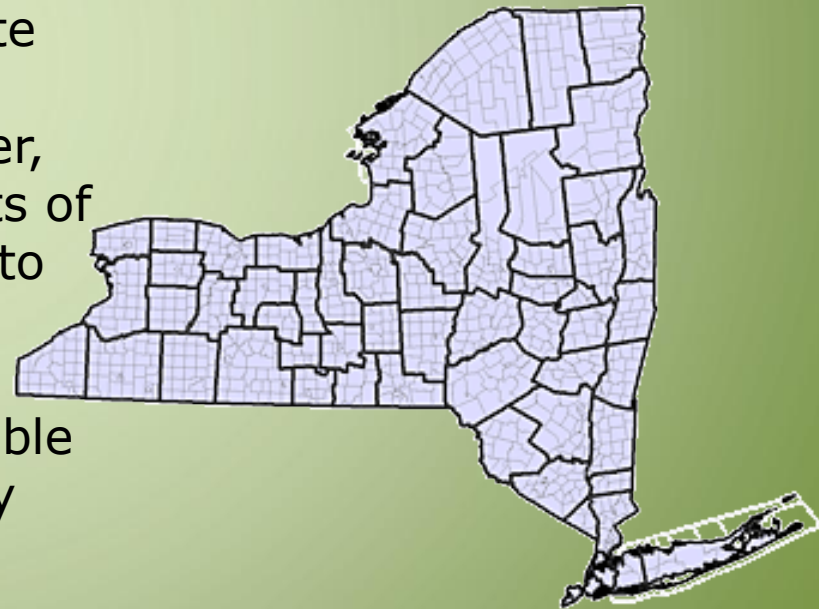
59. Salamanca 5,815 (Cattaraugus County)
60. Mechanicville 5,196 (Saratoga County)
61. Little Falls 4,946 (Herkimer County)
62. Sherrill 3,071 (Oneida County)

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The Town

Town government in New York can be traced to both New England and Dutch colonial government arrangements in the Hudson Valley. The state's towns encompass all territory within the state except territory within cities and Indian reservations. In size, they are the most diverse of all the units of local government.

When New York became a state, towns were generally regarded as creations of the State Legislature that existed to serve state purposes. Town governments now, however, have long been recognized as primary units of local government. They possess authority to provide virtually the full complement of municipal services. By statutory and constitutional adjustments, towns are flexible units that can function as rural or as highly urbanized general purpose units of government, depending on local needs.



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The Town

The 934 towns in the state vary greatly in size

Town of Webb (Herkimer County): 451.2 square miles (the town is larger than 11 counties)

Town of Green Island (Albany County): 0.7 of a square mile

Nassau County, with a population of 1,339,532, being the second most populous county outside New York City, has only three towns

Cattaraugus County, with a population of 80,317 (less than one-sixteenth of Nassau County's population), contains 32 towns



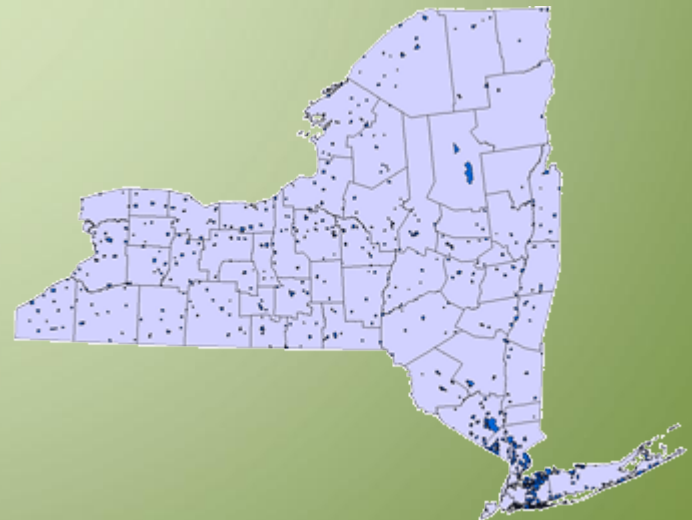
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The Village

The village is a general purpose municipal corporation formed voluntarily by the residents of an area in one or more towns to provide themselves with municipal services. **But when a village is created, its area still remains a part of the town where it is located, and its residents continue to be residents and taxpayers of that town.**

The first village was incorporated at the end of the eighteenth century. The village form of municipal organization became a prominent feature of the state's growing metropolitan areas between 1900 and 1940.

Many people think of villages as being small, rural communities. Population size alone, however, does not determine whether one community becomes a village and another remains as an unincorporated "hamlet" in a town. In New York State, a village is a legal concept; it is a municipal corporation. The largest village in the state, Hempstead in Nassau County, had more than 53,000 residents in 2010.



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The Village

Fiscal relations continue to be a source of contention between towns and villages. Village residents are liable for payment of taxes to the town in which their village is located, as well as to the village in which they reside. Before the advent of the automobile, village residents rarely considered this dual taxation unduly burdensome. However, the need for paved town roads and the rapid growth of population in towns near the state's metropolitan areas has greatly increased expenditures for town highways and highway-related items.

The State Highway Law exempts village residents from paying the costs of repair and improvement of town highways, thus relieving them of a substantial portion of the town highway maintenance expense. Unless exempted by the town board, however, village residents must help bear the costs of town highway equipment and snow removal on town roads. Village residents not exempted from such highway costs may believe they are being taxed for town services they do not receive or use in addition to being taxed for the same services within their village. Villages also regard as inequitable the rent the town may charge for village use of the town highway equipment that the village residents have already helped pay for through taxation

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The Village – the Quirky Case of Johnson City

Johnson **City** is a **village** in Broome County, population was 15,174 at the 2010 census. It is part of the Binghamton Metropolitan Area.

The village of Johnson City is in the town of Union, New York, and is a part of the "Triple **Cities**" along with Endicott and Binghamton.

Why not become a city? It would be larger than approximately 20 existing cities.

It has been suggested that the existing 62 cities in the State, along with the State Legislature, do not want anymore cities, as there are different revenue sharing provisions for cities compared to villages and towns. The last city, Rye, was incorporated 79 years ago.



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The Town-Village

AKA The Coterminous Town-Village

East Rochester, Monroe County

Green Island, Albany County

Harrison, Westchester County

Mount Kisco, Westchester County

Palm Tree, Orange County (New York's Newest Town! 2019)

Scarsdale, Westchester County

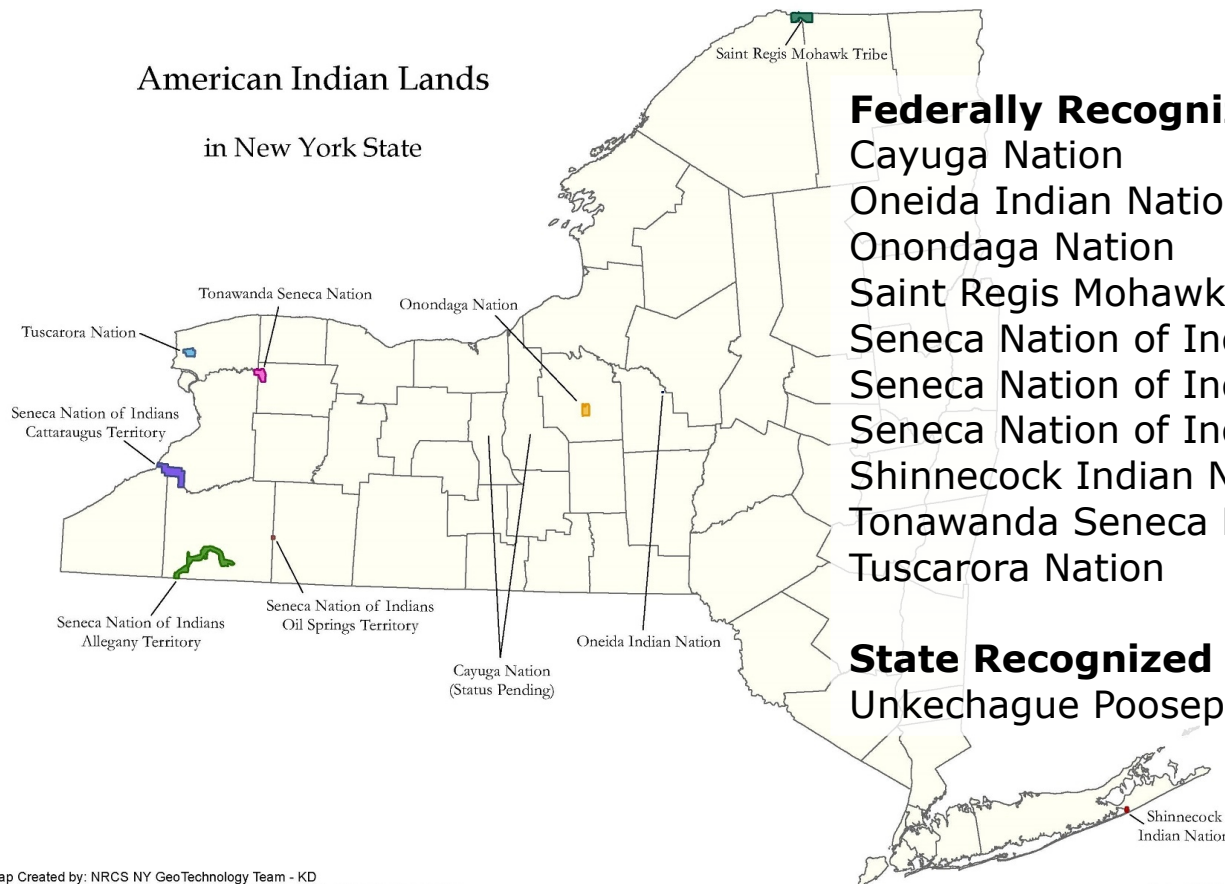
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The Reservation



Natural Resources
Conservation Service

American Indian Lands in New York State



Federally Recognized

Cayuga Nation
Oneida Indian Nation
Onondaga Nation
Saint Regis Mohawk Tribe
Seneca Nation of Indians - Allegany Territory
Seneca Nation of Indians - Cattaraugus Territory
Seneca Nation of Indians - Oil Springs Territory
Shinnecock Indian Nation
Tonawanda Seneca Nation
Tuscarora Nation

State Recognized

Unkechague Poosepatuck Tribe (Unkechaug Nation)

Map Created by: NRCS NY GeoTechnology Team - KD
Source Data: 2010 Census data - American Indian Lands & County Boundaries

Date: 4/16/2014

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The Hamlet

A hamlet is a small human settlement. The word and concept of a hamlet have roots in the 11th Century Anglo-Norman settlement of England, where the old French hamlet came to apply to small human settlements. This feature of English geography was brought to New York State.

In New York, hamlets are unincorporated settlements within towns. Hamlets are usually not legal entities* and have no local government or official boundaries. Their approximate locations will often be noted on road signs, however.

The town can define a "special use district" to provide only that hamlet with services. A hamlet could be described as the rural or suburban equivalent of a neighborhood in a city or village. The area of a hamlet may not be exactly defined.

Others, such as Savannah and Pike, are former villages. Some hamlets proximate to urban areas are sometimes continuous with their cities and appear to be neighborhoods, but they still are under the jurisdiction of the town. Some areas known as hamlets, such as Levittown in the Town of Hempstead, with a population of over 50,000, are more populous than many incorporated cities.

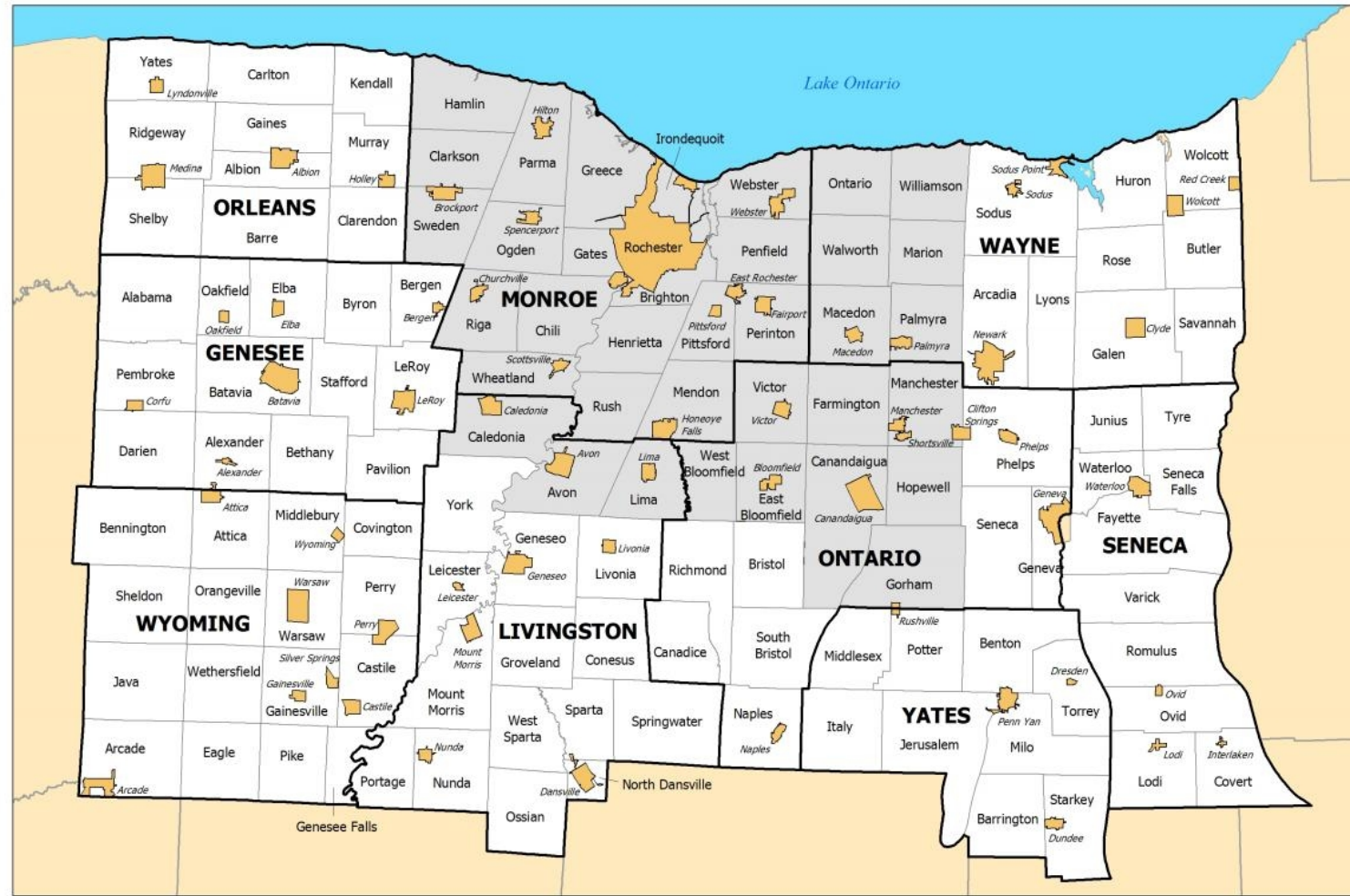
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Hundreds of towns, each 30-50 (ish) square miles, made sense when we traveled like this...



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**GTC Nine-County Planning Region &
Rochester Metropolitan Planning Area**



Towns Cities and Villages
Counties Metropolitan Planning Area (MPA)



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← → × ⌂ ithacajournal.com/story/news/local/2020/09/22/s-ve-town-talk-behind-vote-reject-spencer-village-dissolution/5851055002/

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LOCAL

Spencer-Van Etten Town Talk: Spencer dissolution rejected by village residents

Sally Marx Special to the Ithaca Journal
Published 8:00 p.m. ET Sep. 21, 2020

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LOCAL NEWS

Village of Macedon dissolves April 1

by: Staff

Posted: Mar 31, 2017 / 11:52 PM EDT / Updated: Mar 31, 2017 / 11:52 PM EDT

The Village of Macedon, in Wayne County, will be no more on Saturday. As of April 1, the village will have dissolved.

The Village Board marked the occasion Friday evening with one last meeting, not at the Village Hall, but at the Macedon Town Hall on West Main Street.

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The new town formally separates the Village of Kiryas Joel from the Town of Monroe. Kiryas Joel was created in 1977 as a municipality for Satmar Hasidic families who had recently settled there.

First new town in New York since:
East Rochester in 1981
Mount Kisco in 1978
North Harmony in 1918



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Towns of Clifton and Fine Consolidation Study

Population Trends, Demographics, and
Socioeconomics



Visit the website: www.dos.ny.gov/operations/engineering/clifton-fine-efficiency-consolidation-study

DEPARTMENT OF STATE

ANDREW M. CUOMO, GOVERNOR ROSSANA ROSADO, SECRETARY OF STATE



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Press Release

For Immediate Release:

November 13, 2014

Contact: 518-486-9846

info.ny.gov

NY Department of State Announces Grant Award to Assist Towns of Clifton and Fine in St. Lawrence County with Consolidation Study

The New York Department of State's Division of Local Government Services today announced a \$25,000 Citizen Re-Organization Empowerment Grant (CREG) award for the Towns of Clifton and Fine in St. Lawrence County to facilitate the study of a consolidation study to merge both Towns into one municipality. The CREG program, a component of the local Government Efficiency Program managed by the Division of Local Government Services, provides technical support to plan for and implement

in vision for structure of local government y, they are necessary as we move st Century economy."

in the delivery and cost of services, and the event that a majority of voting owns.

nd reduce property taxes. The program is is of governmental functions and

I Town of Clifton Supervisor Charles study the benefits and issues to help

in an attempt to enhance local This study will quantify data to identify used decisions to reduce taxpayer burdens

Division of Local Government Services at ; funding. Deadlines for applications are ations and receive award notification



NYS Department of State Local Government Handbook

Since 1975, the Local Government Handbook has provided a brief history and a comprehensive and authoritative overview of our local, state, and federal governments. Now in its seventh edition, this publication is an invaluable tool for citizens, municipal officials, teachers, students, and anyone who seeks to understand the complexity of state and local government.

New York State has a tradition of home rule authority and providing citizens with a strong voice in their local governments. In order to exercise that voice effectively, it is important to understand how our government and officials function at every level. The New York State Department of State Division of Local Government Services assists local citizens and local officials in providing effective and efficient services.

The Local Government Handbook was made possible through the efforts and contributions of experts working at all levels of state agencies. Their work on this important document is greatly appreciated.

<https://www.dos.ny.gov/lg/handbook/index.html>

General Readings on Planning

- *The Color of Law: A Forgotten History of How Our Government Segregated America* – Richard Rothstein
- *Walkable City* – Jeff Speck
- *City Life* – Witold Rybczynski
- *Asphalt Nation* – Jane Holtz Kay
- *Geography of Nowhere* – James Howard Kunstler
- *Home from Nowhere* – James Howard Kunstler
- *Death and Life of Great American Cities* – Jane Jacobs
- *Suburban Nation* – Andres Duany, et al.
- *Rural by Design* – Randall Arendt
- *Sustainable Urbanism: Urban Design With Nature* – Doug Farr
- *Great Streets* – Allan Jacobs
- *Contemporary Urban Planning* – John Levy
- *Creating the Community You Want: Municipal Options for Land Use Control* - NYS Dept. of State
- <https://www.bloomberg.com/citylab>



The most dangerous
place to design a ~~city~~ **community**
is at a desk.

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