

**The link to make comments is at the bottom of the page**

## **Chapter 11**

### **GOVERNANCE**

(02/23/2023 DRAFT) Version 1

#### **Administration, Management, and Elections**

Towns within New York State are considered municipal corporations with geographical jurisdictions, home rule powers and fiscal capacities to provide a wide range of services to their residents. Shelter Island is classified as a Town of the second class under the New York State Town Law, as are all towns in Suffolk County. The Town Board exercises both executive and legislative functions.

#### **Town Government Officers and Functions**

The Shelter Island Town Board is the governing board of the town. The town board approves additions, deletions, and modifications of provisions of the Town Code. The Shelter Island Town Board also acts as the Police Commission. The Town Board, among other functions, approves certain permit applications; fills vacancies in town offices, elective or appointive; selects the town attorney and town engineer; appoints harbor masters and police officers; and provides for the hiring of other employees as necessary for the conduct of the town's business. Certain highway employees are hired by the highway superintendent, but within appropriations authorized by the Town Board. The Town Board adopts a budget, fixes the salaries of officers and employees, establishes rules of board procedure, and designates the official newspaper of the town.

The Town Supervisor fulfills a "first among equals" managerial and supervisory role but is technically not a town executive. The Supervisor presides (chairs) at Town Board meetings, legislates as a member of the Town Board, implements Town Board decisions, acts as treasurer and fiscal officer, and serves as budget officer in charge of preparing the draft annual budget.

The Deputy Supervisor is appointed by the supervisor, or by the Town Board if the Supervisor fails to do so within five days after a vacancy occurs in the office. Any person, including a town officer, official or employee, may be appointed Deputy Supervisor, provided that the person appointed shall possess the same qualifications as an elective town officer. In Shelter Island, the Deputy Supervisor has traditionally been a town board member and currently takes on an important role in oversight of the budget process.

The Town Clerk is also clerk of the Town Board but has no vote. The clerk is in charge of most town records, issues certain licenses and permits, files reports with County and State agencies as required, posts legal notices, and is a hub of town government.

Town Justices have jurisdiction in criminal and civil matters, and in special proceedings, as conferred by law.

The Town Superintendent of Highways is primarily responsible for the maintenance and repair of town highways and bridges and the removal of obstructions caused by brush and snow. The Highways Department also includes public works and municipal solid waste management and recycling.

The Board of Assessors is responsible for assessing the value of real property in the town for the purposes of taxation. They determine the value of all properties in the Town of Shelter Island. Since 1999, every property is revalued each year at 100% of market value. The Board also administers property tax exemptions for senior citizens, veterans, clergy, disabled property owners, volunteer fire fighters and EMTs, non-profit and educational entities, conservation organizations, and agricultural businesses.

The Receiver of Taxes is responsible for collecting town, county, and special district taxes, including school taxes, and taxes for the Shelter Island fire district and library. The taxes collected are turned over to the proper agencies.

<b>Town of Shelter Island Officials</b>				
<b>Position</b>	<b>Number</b>	<b>Elected</b>	<b>Appointed</b>	<b>Term</b>
Town Supervisor	1	●		2 years
Deputy Supervisor	1		●	1 year
Town Councilperson	4*	●		4 years
Town Clerk	1	●		4 years
Receiver of Taxes	1	●		4 years
Assessor	3	●		4 years
Justice of the Peace	2	●		4 years
Highway Superintendent	1	●		2 years
Town Attorney	1		●	
Town Engineer	1		●	
Chief of Police	1		●	
*Including Deputy Supervisor				

### Special Purpose Districts and Their Officials

Special purpose districts are unique public entities that are not departments of town government but play an important role in community life. The Fire District Board of Commissioners consists of five elected commissioners for five-year terms. The Shelter Island School District Board of Education is 7 elected members for three-year terms, Shelter Island Public Library is a 13-member board of trustees elected by the members of the Shelter Island Public Library Society, a nonprofit organization and the West Neck Water District Water Board is 5 elected members. The water district is owned by the Town but operated by Suffolk County Water Authority. The West Neck Water board is involved in setting rates for the district and keeping the residents of the district informed and up to date with the workings and upgrades happening in the district.

## Town Departments and Offices

Shelter Island town operations are carried out by several departments and offices including Police, Highway, Building, Senior Services, and Recreation. All town employees are required to be full-time residents of the Town, with some exceptions.

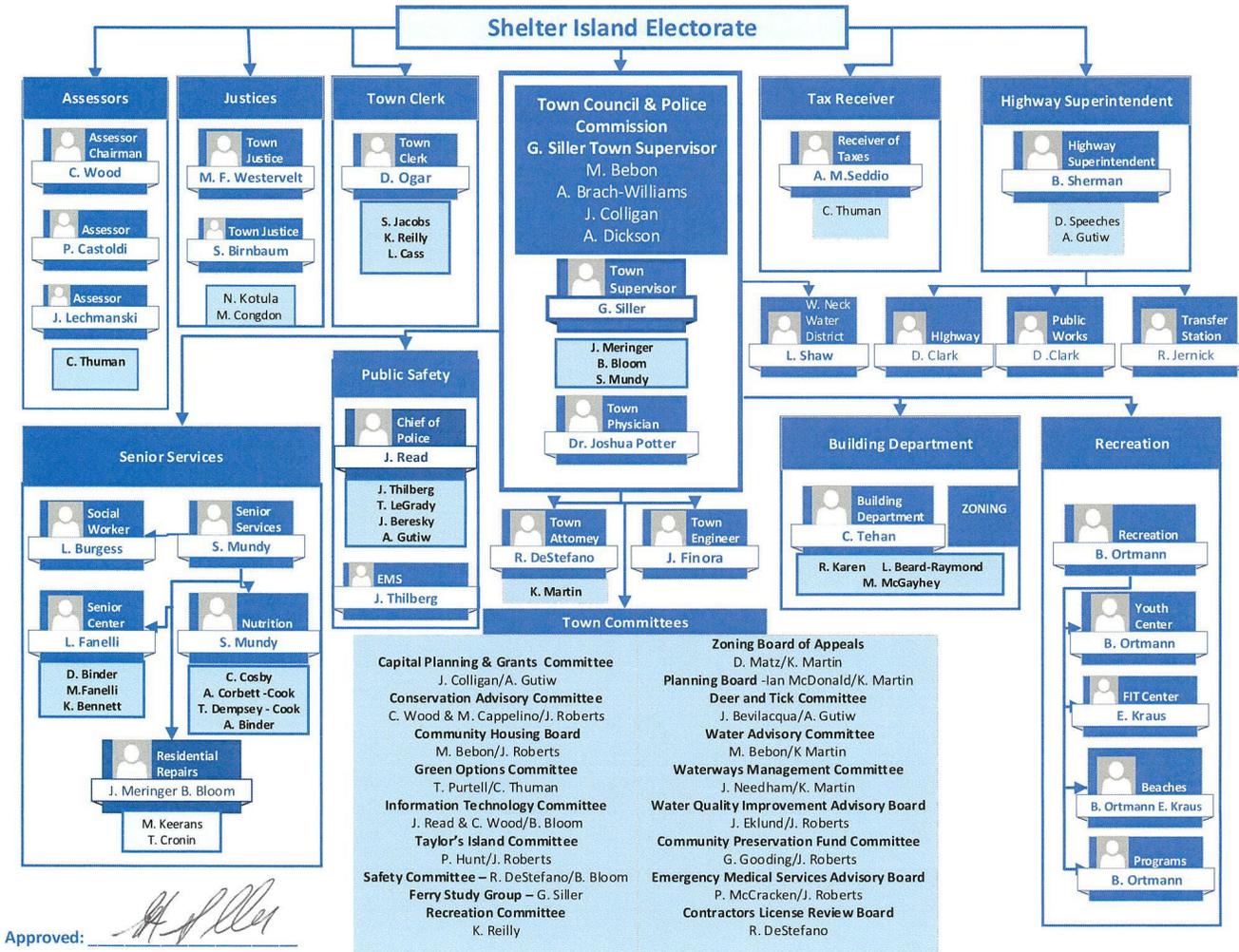
- Public Safety: Police, EMS, Animal Control
- Highway Department: Highway, Public Works, Recycling Center,
- Building Department: Permitting, Licensing, Code Enforcement (including Building, Zoning, Wetlands). Because of staff limitations, code enforcement typically occurs when a complaint is filed.
- Office of Senior Services: Services, Social Worker, Senior Center, Nutrition, and Residential Repairs
- Recreation: Youth Center, FIT Center, Beaches, Programming
- Justice Court: These courts hear both civil and criminal matters, including vehicle and traffic matters, small claims, evictions, civil matters and criminal offenses. On the civil side, the Town Courts hear actions seeking monetary awards up to \$3,000 and small claims proceedings for awards up to \$3,000. On the criminal side, these courts are authorized to handle matters involving the prosecution of misdemeanors and violations and arraignments and preliminary hearings in felony matters. In cases involving domestic violence, the judges are also authorized to issue orders of protection.
- Public Information: The Supervisor is the Public Information Officer. The town has a website ([www.shelterislandtown.us](http://www.shelterislandtown.us)) and a television channel (Channel 22 – Media Department) that produces and posts videos of Town Board Meetings on the Town web site. Town social media includes an Instagram channel and a Facebook informational page.

## Technical Capacity of Town Government

The Town employs staff with technical knowledge and experience to implement decisions and to oversee consultant work for example, the Town Attorney, the Town Engineer, Building Inspectors, and a Grant Writer. Geographic Information Services (GIS) are provided on contract by an outside company. Additional expertise is available from County government, nonprofit organizations, and consultants. Records management appears to be a concern, as some staff continue

to depend on paper records and others report growing resident and legal demands for transparency, records, and data. The Town is implementing a digital conversion strategy in many areas and using file sharing and management software.

## Shelter Island Town Government Organizational Chart



Approved:   
V 14 19-21

Source: Town of Shelter Island

### Volunteer Committees

The Town of Shelter Island relies on many volunteer committees and boards to perform municipal functions or advise town government. Town Board members oversee their activities by serving as Board liaisons to these groups. The Town also appoints temporary task forces and committees to address specific projects and issues. Current examples include the Comprehensive Plan Task Force, Comprehensive Plan Advisory Committee, and the Shoreline Access Task Force. Committees can have regulatory, management, and advisory functions. Some

committees are regulatory, such as the Planning Board and Zoning Board of Appeals, others have a strong policy implementation role, and yet others appear to be primarily advisory. In many cases there is a mix of functions. Most of these committees have a presence on the Town website, though a few do not. The amount of information and documentation of committee activities that is available to the public through the website is highly variable.

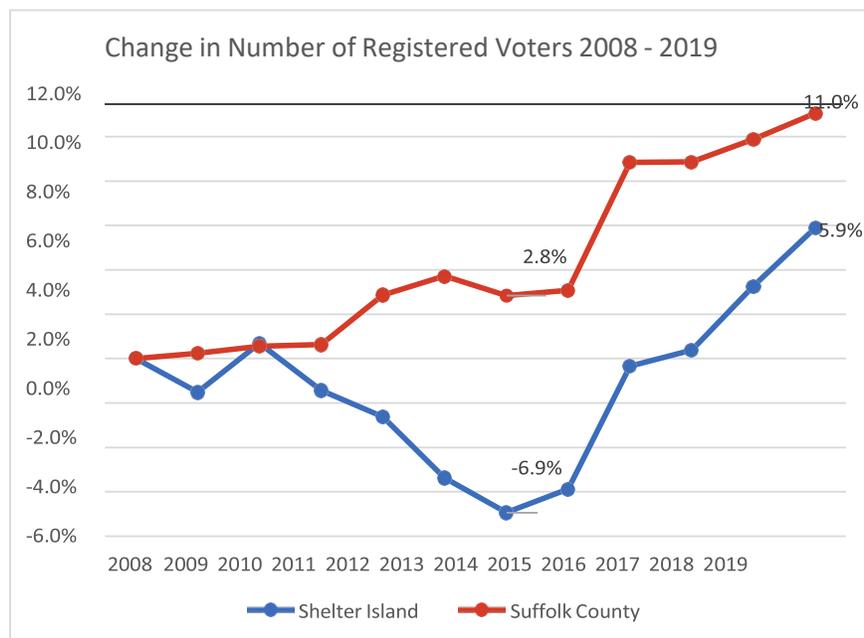
- Capital Planning & Grants Committee
- Community Housing Board
- Community Preservation Fund Committee
- Conservation Advisory Committee
- Contracts License Review Board
- Deer and Tick Committee
- Emergency Medical Services Advisory Board
- Ferry Study Group
- Green Options Committee
- Information Technology Committee
- Planning Board
- Recreation Committee
- Safety Committee
- Taylor's Island Preservation and Management Committee
- Water Advisory Committee
- Water Quality Improvement Advisory Board
- Waterways Management Committee
- Zoning Board of Appeals

Small towns depend on volunteers to assist with administration of Town functions and provide services. In a seasonal community like Shelter Island, many property owners are part time only, which limits their ability to participate in town government though there are some part-time residents who serve on town committees. Most committees meet monthly year-round and in person. For this reason, committee members are typically year-round residents. In many towns, changing lifestyles, such as the time demands on two-earner families, have made it more difficult to find volunteers for town committees. Retirees often become the main source of volunteers. Shelter Island's combination of a high percentage of older year-round residents, a small economy, and a large part-time, seasonal population, is reflected in its volunteer participation.

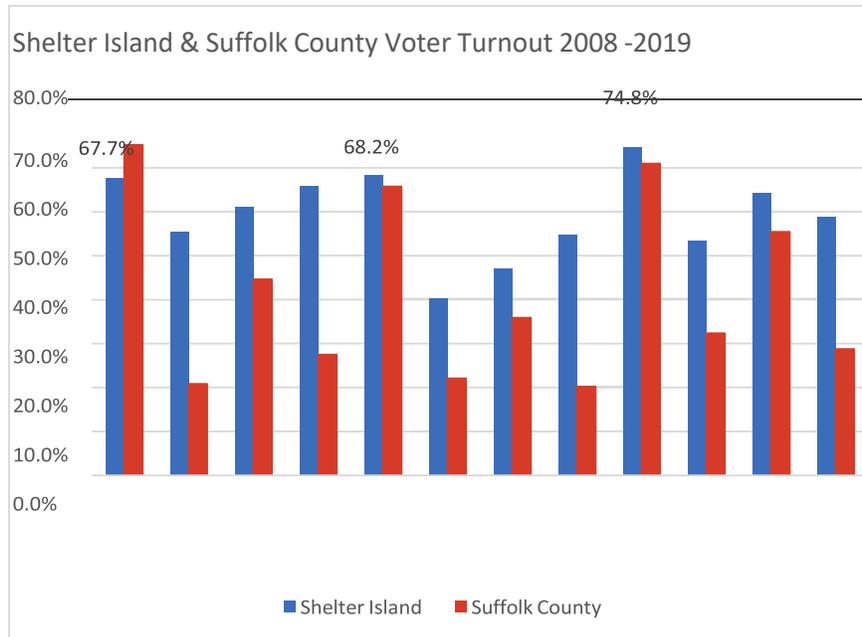
## Town Elections: How Many Registered Voters Are There and What's the Turnout?

The Shelter Island voter rolls between 2008 and 2019 fluctuated from 2,198 at the lowest to 2,501 at the highest. With few exceptions, turnout has been over 50%, sometimes substantially so, and greater than Suffolk County overall. The Suffolk County Board of Elections reports 2,757 registered voters in Shelter Island in 2020 some 250 more than in 2019. The County Board of Elections has not reported Shelter Island voting numbers for 2020 and does not report voting by Town for national elections. However, the New York Times precinct-based data shows 2,155 Shelter Island voters in the presidential election, 78% of the 2757 registered voters, similar to the 74% turnout for councilman in 2016.

In the 2010 election year, the number of registered voters was only 38 below the enumerated population in the 2010 Census, which suggests that some adults with an Island voting address were not counted in the April enumeration and may have been living elsewhere in April. This may also prove to be the case in 2020.



Source: Suffolk County Board of Elections



Source: Suffolk County Board of Elections

<b>Shelter Island Registered Voters and Local Electoral Race with Highest Turnout, 2008-2019</b>			
	<b>Registered Voters</b>	<b>Voted</b>	<b>Percent Voted</b>
2008 - Town Justice	2362	1600	67.7%
2009 - Supervisor	2326	1290	55.5%
2010 - Town Justice	2378	1452	61.1%
2011 - Supervisor	2328	1535	65.9%
2012 - Town Justice	2300	1568	68.2%
2013 - Town Council	2235	898	40.2%
2014 - Town Justice	2198	1034	47.0%
2015 - Supervisor	2223	1218	54.8%
2016 - Councilman	2354	1760	74.8%
2017 - Supervisor	2371	1263	53.3%
2018 - Town Justice	2439	1565	64.2%
2019 - Supervisor	2501	1469	58.7%

Source: Suffolk County Board of Elections

## **General Planning**

The Town does not have in-house, ongoing general planning capacity for land use, housing, and the economy and how they are related to natural resources, water, transportation, social services, and so on. However, functional, or special plans for technical purposes, particularly when required by county, state, or federal government are prepared by Town staff or consultants, for example, the Municipal Solid Waste Plan. Some Town committees have prepared plans related to their scope. Examples include the Ground and Surface Water Management Plan and the Deer Management Plan.

## **Comprehensive Planning**

The Town of Shelter Island created a Comprehensive Plan in a community process starting in 1991. The plan was adopted in early 1994. During 2008-2009, the Town established a Comprehensive Plan Advisory Committee to analyze the Town's progress in implementing the 1994 Comprehensive Plan and make recommendations. This group created a Vision Statement and a set of goals consistent with the 1994 plan and then identified priorities among the Action Points in the earlier plan, focusing particularly on water resource quality and protecting sensitive environments, zoning and development regulation, and affordable housing development. The overall goals in the 1994 plan, confirmed by the 2008-2009 committee were:

- “Preserve Shelter Island’s “rural seaside charm” and unique, intimate island character.
- Protect and enhance the variety and health of our Natural Resources.
- Reconfirm and promote a balance in our diverse and interdependent community.
- Modernize and adopt our approach to governing to recognize new and important elements influencing our island and our world.”

The 2008-9 planning process did not result in an adopted update to the 1994 Comprehensive Plan. However, today, more than a decade later, some of the best practices and improvements advocated in the 1994 and 2009 documents have been adopted and are being implemented. Other goals have not yet been advanced or achieved.

## **Asset Management and Capital Planning**

Current capital planning and asset management occur through the budget process, and the activities of Town departments and committees. The volunteer Capital Planning and Grants Committee has been working on the creation of a Multi-Year

Capital Plan and an asset management system for at least two years. There is no modern GIS-linked asset management system.

### Legislation – the Town Code

Town laws were last codified in 1981, with new articles and sections added as needed. New articles and sections added after adoption of the 1994 Comprehensive Plan sometimes explicitly mention implementation of the plan goals (for example, Chapter 51 – Community Housing). The 592-page code is also available more conveniently online through the Town website. It is common for all communities to find that codes can become unwieldy after decades of adding and subtracting laws and regulations over time. Many communities revise their codes after completion of a new Comprehensive Plan to make local laws and regulation consistent with achieving the desired town vision and goals.

### Tax Levy

Property is assessed annually at 100% of market value. Total 2020 taxable assessed value is \$3,767,928,475. The 2020-2021 combined tax rate including all property taxes, per \$1000 of assessed value was \$6.2036. The state tax cap law establishes a limit on the annual growth of property taxes levied by local governments and school districts to two percent or the rate of inflation, whichever is less. Towns that want to raise taxes above the tax cap may do so subject to voter approval. The Tax Levy is made up of Town taxes, County taxes, and taxes for the school district, the library, and the fire district. (The NYS MTA Tax is a metropolitan commuter mobility tax and the “Erroneous” category, according to the State, refers to “Excess levies that are collected due to calculations that are inconsistent with the statute are required to be placed in reserve.”) According to the Empire Center’s Benchmarking project, in 2019 Shelter Island was listed as among the 20 municipalities with the lowest effective tax rates on Long Island, which were among the lowest in the state. Localities in Southampton, East Hampton, and Fire Island were the only towns that had tax rates lower than Shelter Island.

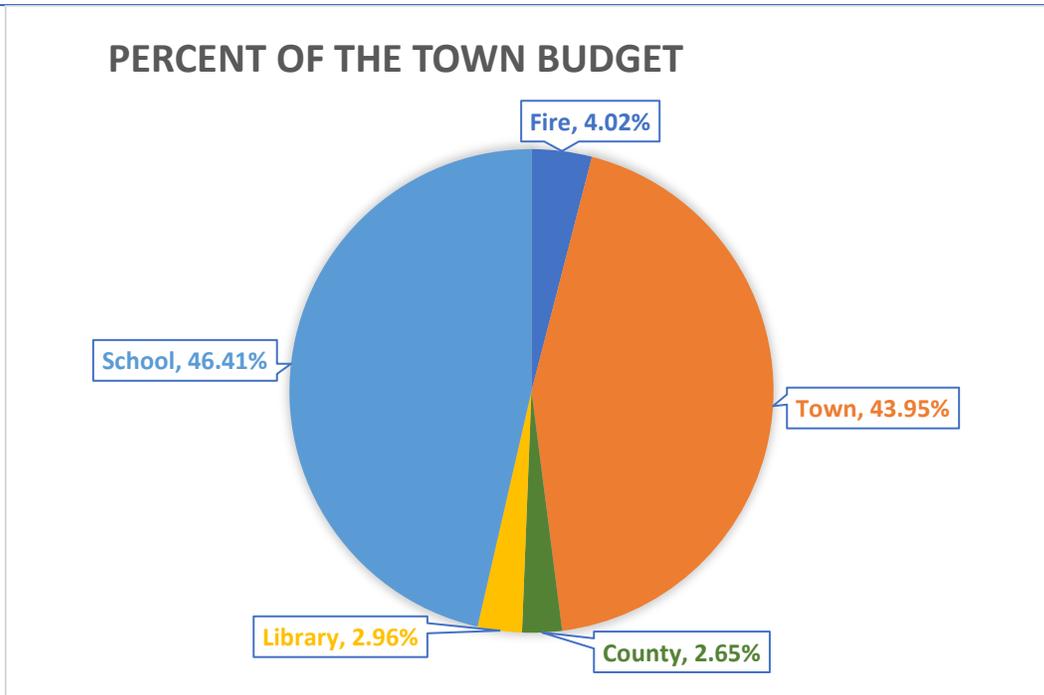
<b>Town of Shelter Island 2020-2021 Tax Rate Schedule</b>				
	<b>Tax Levy</b>	<b>Net Levy (less prorata tax)</b>	<b>Taxable Assessed Value</b>	<b>Tax/\$1000</b>
School*	10,777,960.00	10,774,829.29	3,762,153,668.00	2.8641
Library	687,166.00	686,962.51	3,762,153,668.00	0.1826
County General Fund	595,588.27	595,241.58	3,744,046,755.00	0.159

Erroneous	0.00	0.00	3,744,046,755.00	0.00
NYS MTA Tax	20,726.53	20,563.40	3,744,046,755.00	0.0055
General Town Wide	7,618,194.00	7,614,132.05	3,744,046,755.00	2.0337
Highway Town Wide	1,674,556.00	1,673,856.13	3,744,046,755.00	0.4471
General Part Town	544,708.00	544,469.66	3,591,545,898.00	0.1516
Highway Part Town	368,587.00	368,386.35	3,591,545,898.00	0.1026
SI Fire District	934,601.00	934,601.00	3,632,058,449.00	0.2574
	<b>\$23,222,086.80</b>	<b>\$23,213,041.97</b>		<b>\$6.2036</b>
			Equalization Rate:	100%

\*Note 1. New York State, through the Star Program, pays this amount of the School Levy: 93,299.25

\* Note 2. Net Levy reflects ProRata tax collections against prior year taxes, i.e.: -\$9,044.83

Source: Receiver of Taxes



## Budgets

Taxes collected by the tax levy go into four major separate budgets: Town of Shelter Island; Shelter Island Union Free School District; Shelter Island Library; and the Shelter Island Fire District. (The Town Assessor also assesses property in the Village of Dering Harbor, which has a separate budget.) Government and special district activities are primarily funded by the property tax, though there are

some other income sources. The 2020-2021 budgets provide an example of the balance in these budgets between tax revenues and other sources of income.

- The adopted school district budget for 2020-2021 is \$12.5 million, an increase that will require a 2.14% tax levy increase, which is below the state cap. The district includes a few students who attend off-island special needs school. The proposed tax levy will provide the majority of revenue, \$10,777,960. State aid anticipated is \$657,319, and \$714,978 of unspent funds from the appropriated fund balance (also known as the tax levy offset) will be added to the budget.
- The Shelter Island Library did not ask for an increase in the tax levy for 2021 because of the pandemic. The budget was \$848,420 in 2020, with \$687,166 from taxes and \$115,150 expected from contributions and fundraising events, though the pandemic may have reduced their ability to have fundraising events.
- The Shelter Island Fire District budget for 2021 was adopted at \$954,389, with \$914,589 from taxes and the balance to come from interest and other income.
- The adopted Town Budget for 2021 is \$13,105,581, of which \$10,200,149 will be from the tax levy. In addition to the tax levy, the Town receives a modest amount of State and Federal funds and has other sources of income such as fees, town property sales, fines and forfeitures, licenses and permits, interest, penalties, rents, intergovernmental charges, and others. The tax cap was “pierced” for the 2021 budget.
- The Town does not have existing debt, though it sometimes goes into debt for large projects, such as the construction of the Highway Barn (now paid off).

<b>Town of Shelter Island 2021 Budget</b>	
2020 Amount raised by tax	\$9,843,355
2021 Tentative appropriations	\$13,105,581
2021 Tentative revenues	\$2,265,115
Transfers from other funds and capital projects	\$234,632
Less fund balance & appropriation reserves	\$405,685
2021 Amount to be raised by tax	\$10,200,149
Percent change from 2020	3.6%
Excluded: Community Preservation Fund and West Neck Water District	



The Town Center on a snowy day (Source: Chris Tehan)

### **Findings:**

- The Town of Shelter Island is run by a combination of elected officials, professional staff, support staff, and many community volunteers.
- The many volunteer committees often combine regulatory, management and advisory functions.
- Town government does not include planning, housing, or economic development functions.
- There is no modern multi-year capital budget or asset management system.
- Records management needs upgrading.
- The Town Code was last revised 40 years ago.
- The resident population has a high proportion of registered voters and active participation in elections.

### **Challenges:**

- How to create and maintain an effective short- and long-term planning and implementation management capacity inclusive of economic development.
- How best to ensure an integrated approach to policymaking and implementation among various departments and committees.
- Creating modern systems of capital planning, asset management, records management, and regulation that is effective but efficient.

### **Goals & Objectives:**

To have an efficient, effective, and transparent town government.

### **Action Items:**

- Develop a facilities master plan
- Hire a town planner
- Look into the hiring of a town manger
- Look into hiring a water specialist/hydrologist to work with Joe
- Annual performance reviews
- Establish a public notification system like “notify me” to keep the public informed

**[Click Here to Submit Your Comments](#)**