

Consolidation Procedures

County, City, Town, or Village Annexation – General Municipal Law Article 17

- **Petition:** Petition is received from more than 20 percent of residents or the owners of a majority of the property value in area to be annexed.
- **Notice:** Notice is published and sent to each property owner in area to be annexed.
- **Joint Hearing:** Current governing board and the governing board in the annexing municipality hold a joint hearing.
- **Resolution in Each or Court Finding:** Governing boards of each government pass a resolution that the annexation is in the public interest. If only one governing board finds the annexation to be in the public interest, any other affected governing body may initiate a judicial proceeding to determine whether it would be in the overall public interest. If either the governing bodies or the court finds the annexation to be in the overall public interest, a proposition is placed on the ballot in the area to be annexed.
- **Majority in Annexed Area:** Proposition receives a majority vote in area to be annexed.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Towns%20and%20Villages/Revised%20How%20To%20Consolidation2008.pdf>

Town Dissolution – Town Law Article 5-A

- **Debt Free:** Town to be dissolved is free of bonded debt.
- **Submit Proposition:** Town boards in both the dissolving town and an adjoining town in the same county place a proposition on the ballot on whether the town should be dissolved and annexed.
- **Majority in Each:** Proposition receives a majority vote in both the dissolving town and the annexing town.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Towns%20and%20Villages/Revised%20How%20To%20Consolidation2008.pdf>

Town Consolidation – Town Law Article 5-B

- **Board Action or Petition:** Process is initiated in two or more adjoining towns in the same county by the town boards or by petitions received with signatures from qualified electors equal to at least five percent of the votes from the previous gubernatorial election in each town.
- **Submit Proposition:** Town boards place a proposition on the ballot on whether the towns should be consolidated. If a petition is received, a town board must place a proposition on the ballot.
- **Consolidation Plans:** Proposition must contain plans on how the consolidation will occur, including the town's name, disposition of property, allocation of indebtedness, any classification changes, proposals on the continuation of officers and employees, and any other necessary matters.
- **Joint Hearing:** Town boards hold a joint public hearing.



- **Majority in Each:** Proposition receives a majority vote in each town to be consolidated.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Towns%20and%20Villages/Revised%20How%20To%20Consolidation2008.pdf>

Village Dissolution – Village Law Article 19

- **Board Action or Petition:** Process is initiated by the village board or by a petition received from at least one-third of the total number of qualified electors.
- **Study Committee:** Village board creates a study committee, which holds a public hearing and prepares a plan for dissolution.
- **Hearing:** Village board holds a public hearing on the proposed dissolution.
- **Submit Proposition:** Village board adopts a plan for dissolution and places a proposition on the ballot on whether the village should be dissolved. If the process was initiated by a petition, the village board must adopt a plan for dissolution and place the proposition on the ballot.
- **Dissolution Plans:** Proposition must contain plans on how the dissolution will occur, including property disposition, the payment of obligations, the levy and collection of taxes, and any other necessary manners.
- **Majority in Village:** Proposition receives a majority vote in the village to be dissolved.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Towns%20and%20Villages/Revised%20How%20To%20Consolidation2008.pdf>

Village Consolidation – Village Law § 18-1806 - § 18-1818

- **Board Action or Petition:** Process is initiated in two or more adjoining villages by the village boards or by petitions received from: 200 electors in villages with a population of 5,000+, 150 electors in villages with a population of 3,000 - 4,999, 100 electors in villages with a population of 1,000 - 2,999, or 10 percent of the electors in villages with a population of less than 1,000.
- **Submit Proposition:** Village boards place a proposition on the ballot on whether the villages should be consolidated. If a petition is received, a village board must place a proposition on the ballot.
- **Majority in Each:** Proposition receives a majority vote in each of the villages to be consolidated.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Towns%20and%20Villages/Revised%20How%20To%20Consolidation2008.pdf>

Fire District Consolidation – Town Law § 172

- **Petition:** Petition from resident taxpayers owning at least half of the property value in each of the adjoining districts or petition from a majority of the fire commissioners in each adjoining district.
- **Hearing:** Town boards in each town containing the consolidating fire districts hold a public hearing.



- **Town Board Approval:** Each town board in the towns containing the consolidating fire districts adopts a resolution consolidating the fire districts.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Fire/Book%20Fire%20Districts.pdf>

Town Fire Protection District Consolidation – Town Law § 172-B

- **Board Action or Petition:** Process to consolidate adjoining districts in the same town or in two or more towns is initiated by the town board or a petition from resident owners of at least half of property value in each district.
- **Hearing:** Town board holds a public hearing.
- **Town Board Approval:** Town board passes a resolution consolidating. If it was not initiated by a petition, it is subject to a permissive referendum.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Fire/Book%20Fire%20Districts.pdf>

Town Fire Protection District Dissolution into a Fire District – Town Law § 172-D

- **Board Action or Petition:** Process is initiated by the town board.
- **Fire District Consent:** The fire district assuming responsibility in the fire protection district must consent to the fire protection district dissolution.
- **Hearing:** Town board holds a public hearing.
- **Town Board Approval:** Town board passes a resolution dissolving the fire protection district.
- **How-to Guide:** A how-to guide is available at <http://www.dos.state.ny.us/lgss/smsi/What's%20New%20Addition/Fire/Book%20Fire%20Districts.pdf>

County Special District Consolidation – County Law § 274-A

- **Board Action or Petition:** Process is initiated by the county board or a petition from at least 25 owners in the district. Districts created for the same purpose, as well as different purposes, may be consolidated into a single district.
- **Hearing:** County board holds a public hearing.
- **Resolution Subject to Permissive Referendum:** County board passes a resolution consolidating, subject to a permissive referendum.

Town Special District Consolidation – Town Law § 206

- **Board Action or Petition:** Process is initiated by the town board or a petition from at least ten percent of owners in each district. Districts created for the same purpose, as well as different purposes, may be consolidated into a single district.
- **Hearing:** Town board holds a public hearing.
- **Resolution Subject to Permissive Referendum:** Town board passes a resolution consolidating, subject to a permissive referendum.
- **How-to Guide:** A how-to guide is available at <http://www.osc.state.ny.us/localgov/costsavings/specialdistrict.htm>



School District Centralization – Education Law § 1801 - § 1804

- **Centralization Plans:** Commissioner of Education proposes the creation of a new district that combines any type of school district, except city school districts. The Commissioner may do this at any time, but it is traditionally only done after extensive study, evidence of support in the district, and recommendation of the affected school districts' boards of education and/or District Superintendent. This places a proposition on the ballot on whether the school districts should be centralized.
- **Majority in Each:** Proposition receives a majority vote in each of the school districts to be centralized.
- **How-to Guide:** A how-to guide is available at [http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20\(LEGAL\)%20STEPS%20TOWARD%20REORGANIZATION](http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20(LEGAL)%20STEPS%20TOWARD%20REORGANIZATION)

Central School District Dissolution & Annexation – Education Law § 1801 - § 1804

- **Annexation Plans:** Commissioner of Education orders the dissolution of a common, union free, or central school district and annexes it to a central school district. The Commissioner may do this at any time, but it is traditionally only done after extensive study, evidence of support in the district, and recommendation of the affected school districts' boards of education and/or District Superintendent.
- **Permissive Referendum:** Order is subject to a permissive referendum.
- **No Action or Majority in Each:** Permissive referendum is not requested in any of the districts, or the referendum is approved in the districts that request it.
- **How-to Guide:** A how-to guide is available at [http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20\(LEGAL\)%20STEPS%20TOWARD%20REORGANIZATION](http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20(LEGAL)%20STEPS%20TOWARD%20REORGANIZATION)

Union Free School District Dissolution & Annexation – Education Law § 1705

- **Annexation Plans:** Commissioner of Education orders the dissolution of a common, union free, or central school district and annexes it to a union free school district. The Commissioner may do this at any time, but it is traditionally only done after extensive study, evidence of support in the district, and recommendation of the affected school districts' boards of education and/or District Superintendent.
- **Permissive Referendum:** Order is subject to a permissive referendum.
- **No Action or Majority in Each:** Permissive referendum is not requested in any of the districts, or the referendum is approved in the districts that request it.
- **How-to Guide:** A how-to guide is available at [http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20\(LEGAL\)%20STEPS%20TOWARD%20REORGANIZATION](http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20(LEGAL)%20STEPS%20TOWARD%20REORGANIZATION)

Union Free/Common School District Consolidation – Education Law § 1510-§1513

- **Petition:** Residents in each school district to be consolidated submit a petition to their school board. Common school districts may be consolidated as a common school district. Common and/or union free school districts may be consolidated as a union free school district.



- **Proposal Submission:** School boards submit a proposal for consolidation to the Commissioner of Education.
- **Commissioner Approval:** Commissioner of Education must approve the proposal.
- **Meeting and Vote:** School boards schedule a joint meeting at which a vote is taken.
- **Majority in Each:** Question of consolidation receives a majority vote in each district at the meeting.
- **How-to Guide:** A how-to guide is available at [http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20\(LLEGAL\)%20STEPS%20TOWARD%20REORGANIZATION](http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20(LLEGAL)%20STEPS%20TOWARD%20REORGANIZATION)

City School District Consolidation – Education Law § 1524

- **Proposition:** Residents in the school district seeking to be consolidated with the city school district adopt a proposition at the annual or special meeting of the school district.
- **Consent:** City school board consents to the consolidation.
- **Consolidation Order:** Commissioner of Education issues an order consolidating the districts.
- **How-to Guide:** A how-to guide is available at [http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20\(LLEGAL\)%20STEPS%20TOWARD%20REORGANIZATION](http://www.emsc.nysed.gov/mgtserv/sch_dist_org/GuideToReorganizationOfSchoolDistricts.htm#VII.%20TAKING%20THE%20FORMAL%20(LLEGAL)%20STEPS%20TOWARD%20REORGANIZATION)

Central High School District Formation – Education Law § 1912 - § 1914

- **Suffolk County Only:** These central high school district formation provisions currently only apply to Suffolk County.
- **Formation Plans:** Commissioner of Education orders the creation of a new district that provides instruction in grades 7 to 12 from territory of two or more, common, union free, or central school districts in Suffolk County.
- **Permissive Referendum:** Order is subject to a permissive referendum.
- **No Action or Majority in Each:** Permissive referendum is not requested in any of the districts, or the referendum is approved in the districts that request it.

BOCES Supervisory District Reorganization – Education Law § 2201

- **Vacant Position:** BOCES District Superintendent of Schools resigns or becomes vacant.
- **Study:** Commissioner of Education surveys the field to determine if the number of supervisory districts is no longer necessary and authorizes a study of the possible reorganization of the supervisory district if no such study has been conducted in five years.
- **Public Meeting:** Member of the Board of Regents representing the area presents the study, including any proposed reorganization plan, to the boards of education of the affected component school districts at a public meeting.
- **Merger Ordered:** Commissioner orders merger of the affected supervisory districts based on a finding that it will promote the educational interests of the supervisory districts.

