

# Public Domain

by Steve Krulick, Senior Civics Columnist

## The People of Ellenville

*"The body politic is formed by a voluntary association of individuals; it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good."*

– *Constitution of the Commonwealth of Massachusetts* (1780)

The concept of "*The People*" is central to every level of organized representative democratic government and to each body politic that ordains it. *The People*, collectively, is a singular entity with perpetual existence, for as long as the citizens who comprise *The People* of a Nation, State, County, Town, City, or Village find it in their common interest to remain distinctly organized as such.

In 1838, enough enfranchised citizens (those qualified to vote) decided it was in their best interest to create an incorporated village within the town of Wawarsing. Once a small outpost at a crossing of Indian paths, mine roads, and streams, a new canal and growing population led to the realization that those living in the concentrated central area had specific needs and interests separate from, and in addition to, those of persons living in the outlying parts of the surrounding town.

This new title of Village Citizen didn't mean they ceased to be citizens of the surrounding Town, County, State, or Nation; each of those polities remained and each enfranchised citizen of the newly-created incorporated Village of Ellenville remained a part of *The People* of each of the Town, County, State, and Nation. All it meant was that a new, additional body politic – smaller and more compact – was created within existing ones. (Had it been created a city instead of a village, citizens of the new City of Ellenville would have ceased to be citizens of the surrounding town, an option that is actually still available, though increasingly rarely does that happen today.)

Since that time, *The People of Ellenville*, as a perpetual and singular entity independent of the individuals comprising it who have come and gone, has continued to exist, and has maintained, at additional expense, a separate and additional layer of government and taxes, to protect what it still believes to be the best means for "enjoying in safety and tranquillity their natural rights, and the blessings of life... and to take measures necessary for their safety, prosperity and happiness" (*John Adams's Preamble to the Massachusetts Constitution of 1780*) beyond what it believed could be secured by town, county, state, or national governments.

The People of Ellenville created a police force to provide greater safety for residents of the Village; The People of Ellenville can alter or abolish that department if it feels the need to, for that is the prerogative of a Sovereign People. Surely, at some point, The People decided it was worth the expense; though some may grumble at the percentage of taxes it represents, there seems little desire to see the police scrapped, hence The People of Ellenville continue to pay for this "measure," and likely will, so long as The People of Ellenville maintain their distinct and perpetual existence.

Likewise, The People of Ellenville have a vested interest in maintaining the efficiency and value of their water and sewer system, their streets, lighting, and established codes relating to buildings, property use, and public safety and welfare (which involves planning and zoning boards, inspectors, police enforcement, and courts specific to those codes). The People of Ellenville can't depend on non-citizens outside the Village – those who don't now pay taxes for those features, nor benefit directly from them – to care as much as Village citizens ever will about maintaining their upkeep, should such choices ever be taken out of the hands of The People of Ellenville.

Which leads to the subject of village "dissolution." Of course, this really means the official legal conversion of Ellenville from an incorporated village into a hamlet without a separate government; the village itself doesn't "dissolve" (or "vanish," as the *Journal* survey's risible question would have it, suggesting that Ellenville would become a Catskill version of Brigadoon!). The Hamlet of Ellenville's streets will still need to be patched, the water pumped, the sewer pipes drained, and there will still remain scofflaws who step on their neighbors' rights unless a code/police/court mechanism exists that cares about enforcement of "certain laws for the common good" particular to a compact community of a certain density.

Like cicadas or gypsy moths, this perennial musing about dissolution comes around every generation or so, usually riding a wave of grumbling about dual taxes, inefficiency, saving money, etc. Committees are established, research is undertaken, reports are written... and then everyone goes back to sleep for another cycle.

Here's the short report: savings are not that great, if any, because the desired tasks, if they are to be continued, will likely require the same amount of labor hours, likely employing the exact same workers! Oh, you might reduce the management layer slightly, but if it now takes a full-time highway superintendent to manage the town's roads, and a full-time street department head to manage the village's streets, a combined town-village department will likely have the same combined number of workers, with the village street chief becoming the town's assistant chief, specializing in Ellenville needs. Hence, a veritable wash.

Will a special Ellenville Water District, Sewer District, Police District be needed? Won't each of those require its own elected or appointed management, as the Ellenville Fire District now has? With separate bookkeepers, accounts, purchasing procedures, meetings for each... won't this just mean MORE new government layers and bodies, and less efficiency or integration of assets?

For years, I've been pushing Ellenville and Wawarsing to increase: 1) communication, 2) cooperation, 3) collaboration, 4) and consolidation, where feasible. These measures can produce real savings and more efficient use of labor and resources without compromising the real needs and concerns of each distinct body politic.

And there's the nub of it. Beyond all the questions of duplication, cost savings, or "too much gummit," there's the simple fact that *The People of Wawarsing* outnumber *The People of Ellenville*, and can always outvote them when conflicting needs or wants collide. As a Village Citizen, with a Village Government, at least I know that the concerns of Village residents are in the hands of those who serve at the pleasure of The People of Ellenville. I doubt the good citizens of Wawarsing living in Ulster Heights, or Kerhonkson, or Spring Glen have the same interest in looking after MY water, sewer, police, street, or zoning concerns that I or my fellow Villagers have, and I would not want them to control those matters or services that only concern Villagers, any more than I would ask them to pay for those services they don't directly benefit from.

I have no problem with multiple levels of government, so long as each is appropriate to the size and interests of The People of that entity. (Why, even the residents of Ellenridge have a housing association to deal with the specific needs and concerns of their development *within* Ellenville!) As long as The People of Ellenville have needs and wants specific to the Village and its residents, they have the right – nay, the obligation – to maintain sovereignty over decisions specific to the Village itself.

As Webster said, "A people cannot divest themselves of the sovereignty," nor should it be subject "to the encroachments of [its] more powerful neighbor." A Hamlet of Ellenville will be divested of sovereignty; oh, the buildings and streets and "people" will remain, but *THE People of Ellenville* will not. Simply put, I don't want The People of Wawarsing making The People of Ellenville – as a distinct and sovereign body politic – "vanish."