

# ORCHARD PARK, NEW YORK

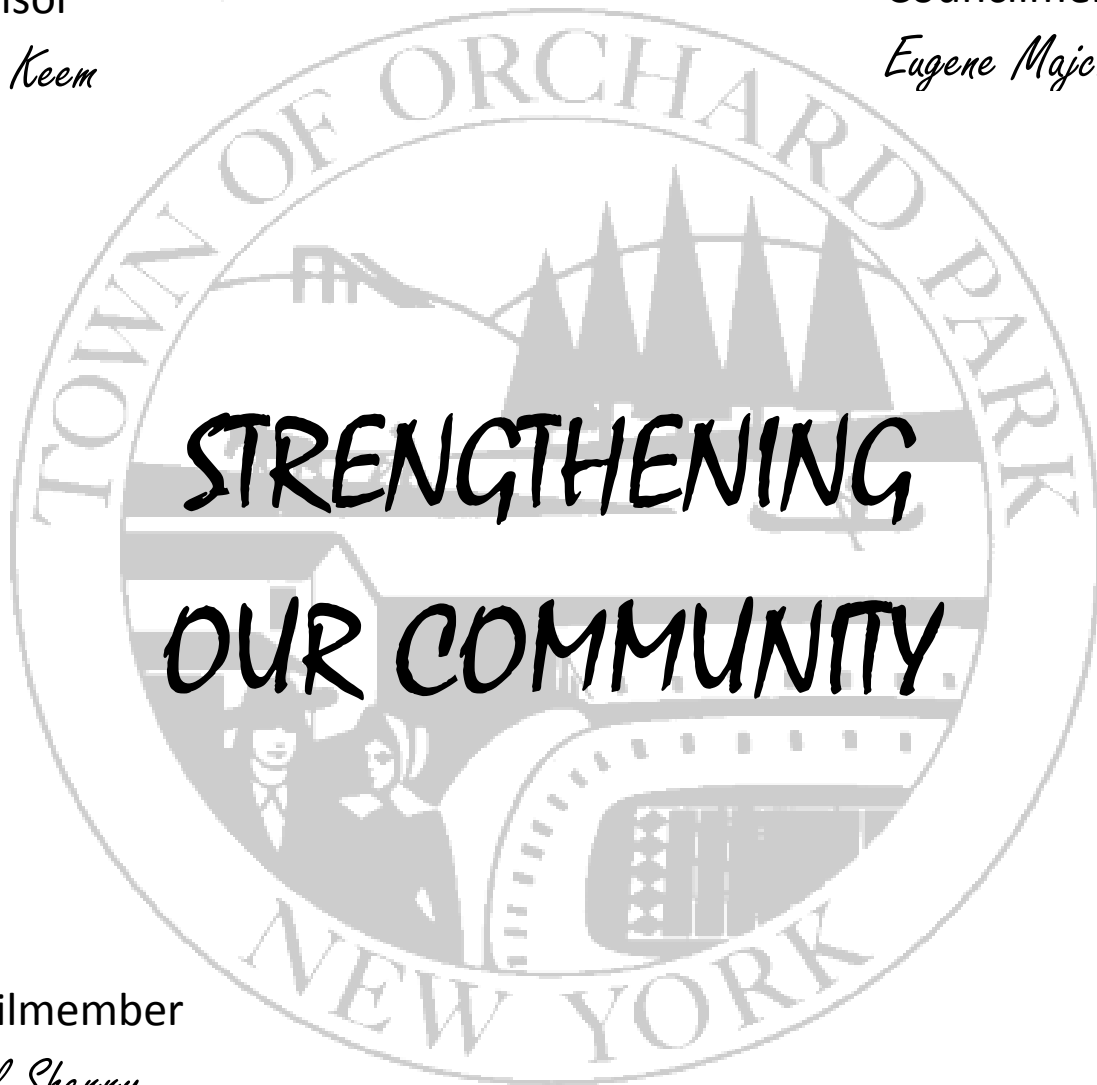
## STATE OF THE TOWN

Supervisor

*Patrick Keem*

Councilmember

*Eugene Majchrzak*



Councilmember

*Michael Sherry*

February 18, 2015

## 2015 STATE OF THE TOWN ADDRESS

WELCOME (Pat)

**Thank you** Mayor Rood and trustees of the Village Board. For the second year in a row it is a real honor for the members of the Town Board to be able to deliver a joint Address with you.

And **thank you** (audience) to all of you who were able to find the time and chose to be here this evening. We want to assure you that this will not be a typical government Address. Yes, we'll provide some updated information about the condition of our town, and we'll even slip in a little chest thumping here and there. This is a political Address after all; so we wouldn't want to disappoint.

But if – as Harold Geneen, former CEO of a large company, once asserted – (if) it is an immutable law that “words are words, explanations are explanations, (and) promises are promises, but only performance is reality,” then our Address should concern itself almost exclusively with government performance over the course of this past year, as well as moving forward. And so we shall. Our Address will strive, in other words, to present an honest retrospective and prospective for the Town of Orchard Park.

Being the inheritors of and hoping to build upon the successes of previous town boards, in last year's Address we outlined a vision and a set of associated values whereby we intended to make a beginning of our service to the community that elected us. The overarching vision was that of focusing intensely “upon the things that protect our lives, protect the integrity of our neighborhoods as well as our environment, and protect our money, that is, the taxes we pay.” It follows that had we named that inaugural Address it would have been, PROTECTING OUR COMMUNITY. Undergirding that vision were seven values that we obligated ourselves to: servant-leadership, community building, respect for employees, performance, transparency, accountability and collaboration.

As this past year was drawing to a close and we began to assess our first year, two interrelated questions rose to the fore. Did we remain true to the vision and its associated values? Does or should the community, secondly, have confidence in our ability to achieve that vision? The measure for both questions, we suggest, can be found in the words of President Franklin Delano Roosevelt: “Confidence,” he once remarked, “thrives on honesty, on honor, on the sacredness of obligations, on faithful protection and on unselfish performance.”

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### PROTECTING LIVES, NEIGHBORHOODS AND ENVIRONMENT (GENE)

So..., how and to what extend have we been faithful to the vision that was laid out last year, and what about this year? To be clear, when we spoke last year of protecting our community – that is, our lives, neighborhoods, diverse environments, and tax dollars – we meant not only preserving them from harm or loss but, more positively, that we would be active supporters and promoters. To quote last year’s Address, “We’re not talking about **settling in** with the accomplishments of the past. Rather, we’re talking about **building upon** and in accord with those things that have made Orchard Park the distinctive community it is today.” In other words, for this Board, Roosevelt’s “faithful protection” is not only a matter of defending, but especially of championing the overall quality of life bequeathed to us in Orchard Park, a twofold work to be accomplished in the light of and through our values.

When it comes to protecting lives two items are of special note. During this past year we contracted with CodeRed, a web-based service enabling us to record, send and track personalized voice, email, text and social media messages for such things as important notifications and critical alerts. And by collaborating with the Town of West Seneca both jurisdictions realized a 25% savings.

And in an action relating not only to safety, but also to the quality of our neighborhoods and environments, the Building Inspector’s office has been brought back up to four full-time inspectors and one full-time clerk. After a number of years of downturn, during which the number of inspectors was accordingly reduced to two full-time and one part-time, Orchard Park has seen increasing residential and commercial activity. It is the responsibility of that office to ensure that all buildings in our community are constructed, altered, repaired and even maintained in compliance the various, and seemingly ever-changing, New York State codes, ordinances and regulations, as well as those specific to Orchard Park. A testament to the diligence and effectiveness of this office in making sure that work is done correctly can be found in the “Snovember” storm during which few buildings suffered structural damage.

Although their work will not be described in the course of this year’s Address, we would be remiss were we not to express our deep appreciation for the Planning, Conservation, Zoning, Architectural Overlay and Tree Conservancy Boards and Committees that also contribute to the preservation and enhancement of our neighborhoods and environment, that is, to smart growth.

The environment of Orchard Park has also been and will be positively impacted through a number of infrastructural projects that contribute to the quality of our daily lives. In 2014 the perennial waterline breaks and interruptions on Timberlake Drive

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were remedied. This was the largest watermain design and replacement construction project ever undertaken in Orchard Park. Also completed was the largest ever road reconstruction design and construction project, Baker Road. The Forest Avenue bridge was also rebuilt. Although not progressing as quickly as we had hoped, owing largely to State processes, currently under way is a multi-phase/multi-year project to redress the longstanding flooding and drainage issues in the Bussendorfer Road area. Also in the designing phase is a substantial overhaul of the Green Lake Dam which has been reclassified into the high risk category.

In addition to its ecological sense, which includes the infrastructure of a given community, environment can also refer to the social and cultural forces that condition and shape the life of persons within a community. It is in this latter sense that we now review a number of recent actions by the Board. In 2014 funds were allocated for a new dock and slide at Green Lake, security cameras at our baseball fields, and lighting for the football field at Brush Mountain, all of which are intended to contribute to the lives of our youth.

At the other end of the spectrum, in the context of a visibly greying population and an outcry from our seniors over the course of many years seeking a replacement of the current but antiquated Activity Center with one that is more accessible, safe and able to physically accommodate programs similar to those offered by nearly all neighboring communities, we created a Senior Services Task Force. This task force was tasked with assessing the needs of senior citizens in Orchard Park, investigating solutions to those needs, and making recommendations to the Town Board in relation to the health, safety and quality of our seniors' lives.

About one-third of our residents, approximately 10,000, are now age 55 or older. In fact, the fastest growing age groups in our town are age 85 and over, followed by the 60-64 year old age group. Not only is every census age group over 45 growing, but every group under 45 is shrinking, except for the 20-25 year old bracket. This "greying" pattern in Orchard Park is projected to rapidly accelerate through the year 2030 and continue for at least two decades beyond that. It is not surprising, therefore, that utilization of our current Senior Center, as inadequate as it is, continues to increase with almost 22,000 sign-ins last year at the Center, and once again just under 7,000 meals were served.

To date this Task Force has presented three reports to the Town Board that first identified four key areas of need – activities, transportation, living support services, and housing – and then proceeded to focus in upon solutions for the top priority of senior activities, ultimately recommending the providing of a new activities center. This task

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force will continue its work in 2015, focusing upon senior transportation, residential priorities and supports. All reports will continue to be posted on the Town's web page.

In that Orchard Park has continued to see an increase in the number of youth related activities, clubs and participants, and given the needs of our growing senior population, this past August we created a Community Activities Center Task Force and charged it with developing a plan for and overseeing the designing of a community activities center, developing a case statement for building, utilizing and operating a community activities center, and, if authorized, overseeing the building of a community activities center. Presently this task force, representing both our youth and senior departments, has three teams overseeing the design, operations and financing related to a potential community activities center. We anticipate a first report in the near future.

### PROTECTING TAX DOLLARS (Mike)

In last year's Address we noted that one of the characteristics of Orchard Park is that we are "a **financially adept and sound** community." Whereas we remain adept, we have some concern in regards to the future soundness of our financial picture. Let's begin with that concern.

Based upon the Town's preliminary close for the year ended December 31, 2014, although not large, it nevertheless appears that our operating funds will have expenditures that exceed its revenues for the second consecutive year. This circumstance is owing primarily to the stagnation of a major source of local income, namely, of sales tax revenues. Now, while our financial stability allows the Town, from time to time, to incur more expenditures than revenues is not a sound or sustainable practice, something we strongly asserted this past fall. And whereas the Town's unassigned General Fund balance is currently considered stable based upon most external measures, it may well fall below \$5,000,000 when the final audit through December 31, 2014 is complete, a level it has not seen since 2007. The primary intention of this fund is for emergencies, the unexpected, like the "Snovembers." This is the reason great effort was made to diminish the level of drawdown on these funds in the 2015 budget.

Our analysis of these two negatives is ongoing, and we will be sure to disclose additional information as we move forward. But for our purposes here this evening, let's take a shot at the two principle causes, one grounded in fact, and the other in myth. Fact: costs continue to increase in an economy that has not fully recovered. Based upon

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a rolling average we project that our costs will increase approximately 2.5% per year. A sluggish economy means a diminished and still slowing sales tax collection, a major source of local revenues. New York State finished at 3% for 2014, Western New York at 1.9%, representing the slowest annual sales tax growth since the 2008-09 recession. Orchard Park itself fared a little better, closing at 2.26% growth.

Injected into this financial struggle two years ago is Albany's Trojan horse, namely, the apparent taxpayer gift of a 2% cap. Unknown for the happy present is that our financial walls have been put at risk of being breeched before long. For hidden in the belly of that gift are reduced federal and state revenues coupled with the increasing mandated costs Albany legislates. It is a mythological gift-horse constructed out of a false premise and a false promise. Consistently proven to be incorrect is the premise, Albany's charge, that local governments are lax, wasteful, inefficient and duplicators of services. And the false promise? There was supposed to be meaningful mandate relief accompanying the tax cap, meaning the state would pick up some of its own mandated costs. It hasn't happened!

The beauty and utility of myth is that their stories generally embody some truth about human nature or human experience. So let's continue the story. Following the fall of Troy and his long and arduous voyage home, Odysseus's ship had to pass between two sea monsters, Scylla and Charybdis. Ultimately he chose to pass closer to Scylla so as to risk only a few sailors rather than pass closer to Charybdis and risk losing his ship and entire crew.

Our truth? In the wake of the State's new "tax freeze," which includes and bolsters the "tax cap," the Town now finds itself in a position similar to that of Odysseus, namely, having to make what appears to be a potentially unavoidable choice between two evils. Our Charybdis consists of costs that will continue to go up in excess of the 2% cap in each of the next 3-4 years, and we are doubtful of finding much fat in the budget, although we will persist in our search for ways to cut costs and/or share services with others. Barring the unforeseen, however, to promise to stay under the cap for the next three years – a promise the tax freeze requires – will mean either cutting further into our General Fund balance or cutting town services. Our Scylla consists of not making the required promise, with the result that taxpayers would not receive a nominal state rebate check next fall, a rebate which would equate to less than \$25 for the average household in Orchard Park. This would be done to avoid using up more of our General Fund balance, to avoid much larger tax increases in the future, and to avoid reduction

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in services and/or forced consolidations. Is there another course we could sail so as to avoid this choice? Yes. If Albany provides the promised mandate relief, or at least restores some of the aid it has cut, the course of a tax freeze would be much less ominous.

That all jurisdictions are being forced to encounter one or the other of these options, these monsters, is evident in the consistent opposition of the Associations of Villages, of Towns and of Counties, each of which is comprised of local elected officials. Why this opposition across the board? Because local government is closest to the people that are served. We know the needs and wants of our communities, and we know the efficiency and effectiveness of the services we provide. Albany does not, although it clearly recognizes the problem, the malady – our taxes are too high, period. But instead of beginning at the top, it shifts responsibility to those who do the work and demands that more must be accomplished with less. Less indeed. By way of reminder, although local communities are required by law to collect all property taxes, only 13% of what is collected goes toward providing the services Orchard Park taxpayers need and want as a community. So, for example, let's say that you are paying \$10,000 in property taxes; \$1,300 goes into the town's budget to provide our many services, including police and highway. Furthermore, our \$3.47 equalized property tax rate per \$1000 of assessed evaluation is one of the lowest among Erie County's towns.

So Orchard Park is not alone. All Towns and Villages must now make the same choice between Scylla – that is, not making the three-year tax freeze and cap promise, and Charybdis – signing on and hoping that their community does not find itself in fiscal distress in the future. But as a number of communities in New York have shown, hoping for the best while living for the political moment can result in diminished services and/or unwanted consolidations. One thing this Board can promise as we approach this choice of evils: we will not knowingly, inattentively or recklessly allow our community to be driven into fiscal distress and/or the loss of its right to choose, within reason, the kinds and levels of services we want.

As for the more positive, financial adeptness of our community, we begin by mentioning that once again the Town has been awarded the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. This award acknowledges that the Town's comprehensive annual financial reports has been prepared in the spirit of transparency and full disclosure. Secondly, we continue to seek opportunities to collaborate with other jurisdictions with a view to

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saving taxpayer dollars. In addition to the 25% savings realized by partnering with West Seneca in contracting for CodeRed, the notification system, we will realize a \$50,000 annual savings by sharing Assessor services with the Town of Hamburg.

In 2014 we created the Government Efficiencies Task Force and charged it with *assessing* the services whereby the needs and expectations of our residents are addressed, *identifying* variables in the government ecosystem that can be optimized so as to reduce costs while enhancing the operational efficiency with which services are delivered, and *redesigning* systems and processes through which government services are provided, including shared services and consolidation. Fifteen diversely and highly qualified citizens of our community volunteered to serve on this task force. Presently an Administrative Team of five has met with three departments – police, accounting and technologies – and three efficiency teams will pick up the work based upon the needs particular to each of these departments.

As a first step in developing a comprehensive multi-year strategic plan, a few months ago we hosted two public input sessions along with police management. The purpose of these sessions was to listen and discern citizen understanding of and expectations for their police department. The second step, currently underway, is to develop a new mission statement, along with a set of core values, a guiding vision statement and a set of strategic priorities. These essential elements will become the foundation upon which a strategic plan will be more fully developed for the Orchard Park Police Department. Strategic planning is also underway in the technologies department.

These two initiatives – an efficiencies task force and strategic planning – have a common goal, namely, to improve the effectiveness and efficiency of Town services. Both aspects relate directly to protecting tax dollars. You see, no more than increasing taxes assures a commensurate increase in service effectiveness, so too the reducing of tax dollars does not necessarily result in greater service efficiency, that is, costs. It may simply, even unavoidably, result in diminished and less effective service. Protecting your tax dollars means two things: first, minimizing the amount of taxes paid for service, and second, getting the greatest service value for the taxes you pay.

Government efficiency teams and strategic planning represent efforts to achieve both.

Two final best practice initiatives are noteworthy. This year we are beginning quarterly reviews of the Town's budget so as to improve the tracking of spending, and we are



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enhancing our Capital Improvement Plan to prioritize projects and identify costs and sources of funding streams.

### VISION/VALUES & GOALS (Pat)

We trust that you can sense by this point how diligent and committed this three-person board is to the vision laid out last year, namely, of **protecting** our lives, neighborhoods, environment and tax dollars; in a word, the quality of our individual and community lives. You should also have detected by now the pervasiveness of the seven core values that we embrace in the execution of the duties you have entrusted to us.

Our many initiatives demonstrate our quest to continuously improve the services Orchard Park residents enjoy in accord with **their** expectations and will, not our own. Building upon what is best from our past, we have not and will not hesitate to break with what may not be as effective moving into the future; nor will we simply acquiesce or take the safer path when it comes to something that may threaten our community. In other words, it is not in words and promises alone that we apply the idea of **servant-leaders** to ourselves, but in the only arena that really matters, performance.

Our investing in youth programs and organizations, our determination to take in hand the long overdue matter of our seniors' needs and well-being, our appreciation and respect for our employees, and our several task forces, each and all constitute a beginning to our efforts at **community-building**. A special word is due about our employees.

In spite of increasing requirements and expectations, as alluded to in last year's Address, our full-time employee equivalent remains lower than it was more than a decade ago. This means that more is, in fact, being done with less, thanks to our **employees**. For example, in calendar year 2014 the Town's engineering department reviewed, oversaw and approved construction designs and projects totaling more than \$14,000,000, designed in house and oversaw through inspection and construction administration over \$506,000 in town-wide watermain improvements, and designed in house for Town Highway the reconstruction of both Weiss Avenue and Philson Drive.

The truth and value of the precept, "when the going gets tough the tough get going," proved true of our employees only a few months ago. The commitment and sacrifice of

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our highway and police personnel in the epic battle against “Snovember” was remarkable, as was that of our fire and rescue personnel. It was a battle made surer by the commitment of other town and village employees – many working round the clock throughout the course of that week as was the case in the engineering department as it helped to coordinate snow removal – along with a number of volunteers, all of whom played countless but essential supporting roles, like manning a phone bank. Although we have four contracts to negotiate this year, tough and often tension-filled undertakings, we hope the authenticity of our appreciation and respect is evident in such things as the manner and mode of the negotiations we have already begun, and in our desire to improve the working environment at the town highway garage.

Were we to identify a strategic priority in the work of this board and articulated throughout this Address, it would be, in a word, **performance**. In addition to what has already been covered in this Address, we have developed and implemented Performance Reviews for departments and their managers. Not surprisingly, an emphasis is placed upon goal-setting and assessment. Again, continuous improvement of performance is at the fore. We believe that performance must be accompanied by the twofold requirements of **transparency** and **accountability**. To that end, and beyond our own efforts in relation to the work of the Board, our several task forces have been structured in a manner that will not only facilitate efficiency and thoroughness of work, but objectivity. And we not only require regular reports from them, we promptly make them available on our web page. You can expect the same as we move forward with strategic planning at the department level.

Finally and briefly, what of the value of **collaboration**? We have already alluded to our initiatives with the towns of Hamburg and West Seneca, but surely most will have also noticed how the Town and Village of Orchard Park are working even closer together, from our joint State of Orchard Park Address, to our Government Efficiencies Task Force, to our efforts to resist Albany’s tax freeze last year. And for those who may be paying attention to such, it should be fairly obvious that we have spared no effort to work with the media as partners for the good of our community, whether the issues are comfortable or not – an example of yet more transparency and accountability.

We identified three goals for 2014 in last year’s Address. The first was to *“Implement annual performance evaluations for all department heads.”* This goal has been achieved and

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even expanded somewhat, as mentioned, to include department performance. Our second goal was to *“Initiate the (re)accreditation process for the Orchard Park Police Department.”* The reasons for this goal can be found in last year’s Address, so we need not review them here. Whereas we would have hoped to be further along in that process by this point, it must be admitted that our expectations were probably a little unrealistic. For obvious reasons, this rather technical and labor-intensive undertaking falls to the police department itself. Although progress has been made, given the increasing workload, as well as the ever-burgeoning legal obligations, and the need to reposition the department under new leadership, the Town will need to find the resources, human and financial, that will enable a more concerted effort in 2015.

Our third goal for 2014 was to *“Begin to develop strategic plans at the department and committee levels.”* The word begin is key to this goal, in that we have numerous departments and committees. As fully expected, having begun the process of strategic planning in the police and technologies departments, it is a process that, hopefully, will not end. Although this is not the place to articulate the many advantages of strategic planning, suffice it to say it is a widely accepted and utilized best practice. Furthermore, once a plan has been created, hopefully it will be dynamic, meaning it should remain a living plan than not only undergoes a complete rewrite after a given number of years, but that it remains adaptable throughout its lifetime.

And now on to 2015. Once again, in addition to the many routine and not so routine operational duties of the Board, we have identified three significant goals for this year that we believe are necessary for STRENGTHNEING OUR COMMUNITY:

Goal 1 (Gene). Continue the processes of police (re)accreditation and strategic planning.

Goal 2 (Mike). Develop a strategic plan for Town Government.

Goal 3 (Pat). Present a fully developed Community Activities Center plan.

That makes six goals in two years, none of them easy to achieve.

CONCLUSION (Pat)

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We began this Address by asking two questions: Did we remain true to the vision and its associated values as first laid out in last year's inaugural Address? And, does or should the community have confidence in our ability to achieve that vision in both its protecting and strengthening dimensions? It is not for the servants on this Board to answer those questions, but rather for those served to do so, that is, you, the community. Hopefully the retrospective and prospective aspects of this Address will provide you with the kinds of information needed to make those value judgments.

There you have it, our 2015 State of the Town Address. We would like to end as we began, with the words of another President, John Adams. He declared that "the happiness of society is the end of government." May we all remember his wise counsel.