

A Special Session Meeting was called by the Town Board of the Town of Orchard Park, Erie County, New York, held at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York on the 24th day of October 2018 at 6:00 PM, (local time) and there were:

PRESENT:	Patrick Keem	Supervisor
	Michael Sherry	Councilmember
	Eugene Majchrzak	Councilmember
	John Bailey	Town Attorney

PUBLIC HEARING

At 6:00 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties regarding the 2019 Preliminary Ad Valorem Budget & the Benefit Basis Special Districts Budget.

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Keem stated that the annual budget process is one of the most important undertakings as his role of Supervisor. He provided a fiscally responsible budget which takes into account the services that are vital for the health and safety of our residents, services that provide quality of life to residents, the cost of these services and the ability of the taxpayers to pay for these services. It provides for the health, safety and quality of life needs of our residents, while controlling the operating costs. The 2019 budget includes two very significant items.

First, during this past year this Board had as a priority a fair and equitable settlement of a contract with our police force. The Orchard Park Police have been working under a contract that ended December 31, 2015. The objective was to provide fair and equitable compensation for the value of public safety services our Town residents deserve. Peer information was received and analyzed from surrounding towns, and after months of negotiations, a contract was settled upon, and unanimously approved by this Town Board. The 2019 police personnel services in our tentative budget are \$583,361dollars higher than the 2018 adopted budget. Further, our 2019 police retirement costs are expected to be \$200,000. more than they were in 2018.

Secondly, our Town's infrastructure continues to warrant attention. Additional projects were approved, relating to Town roads, sewer and water improvements, renovations to Town buildings and parks, and a community activity center was desired by a majority of our voting residents. To accommodate the financing of these projects, the board secured the necessary bonding. The 2019 budget provides for \$906,098 in additional debt payment service payments related to new bonds, including \$557,787 that pertains to the construction of the community activity center.

Outside of the mentioned impacts, there is very little increase in Town operations. Most department managers and non-union personnel received modest wage increases of 2%, elected officials salaries were also increased by 2%. Our department managers for the most part have held the line on their contractual budget lines.

A positive note on the expense side, after many years of growing health care costs, our health care program performed better than anticipated in 2018, and we are expected to have a one time savings of \$300,000 in 2019. Over all, after accounting for the revised police wage scale, new debt, wage increases, departmental requests, and the one time health care expense offset, the Town's Ad Valorem appropriations are up \$1,542,192. On the revenue side, the Town expects to receive approximately

\$200,000 more in interest earnings and \$150,000 more in safety inspection fees. In conclusion the net increase, in spite of spending, is approximately \$1,550,000. After deducting new revenues, we are left with an Ad Valorem tax levy of \$1,001,568 dollars, which equates to a 7.45% increase. The actual dollar impact on a home valued at \$250,000 would be \$71.55 a year.

Dave Schuster – Mr. Schuster had requested a list of all the grants the Town has received this year.

1) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Public Hearing for the Ad Valorem Budget and Benefit Basis Special Districts Budget is hereby closed at 6:18PM.

The resolution was unanimously adopted

2) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board meeting is hereby adjourned until 7:00 PM

The resolution was unanimously adopted

3) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board Special Session meeting is hereby reopened at 7:00pm

The resolution was unanimously adopted

PUBLIC HEARING

At 7:00 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties regarding a proposed Local Law for 2018 regarding Amending chapter 144, Article II: Definitions, Section 144-5 terms defined to add "Drive-In Service Facility".

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, read aloud, and filed with the Town Board by the Town Clerk.

No one came forward.

4) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Public Hearing regarding a Proposed Local Law for 2018 regarding Amending Chapter 144, Article II: Definitions, Section 144-5 terms defined to add "Drive-In Service Facility". is hereby closed at 7:08

The resolution was unanimously adopted

5) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

WHEREAS, following due and timely notice a public hearing relating to the matter of Local Law for 2018 was held on October 24, 2018 at which time all interested parties were given an opportunity to be heard.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law #12 for the Year 2018 which provides as follows:

Amending Chapter 144, Article II: Definitions. Section 144-5 Terms defined to add as follows:

SECTION 1:

Drive-In Service Facility. An establishment which includes provision for a customer to conduct business or secure goods while remaining within a motor vehicle. Also commonly referred to as a "drive through" or "drive thru", such uses include, but are not limited to, windows or similar features that allow customers to order and/or pick up goods such as food, beverages, and prescription drugs, conduct banking services or operate automatic teller machines while remaining within a motor vehicle.

SECTION 2:

This Local Law will take effect upon filing in the Office of the Secretary of State or from the date of its service as against a person served personally with a copy thereof.

The resolution was unanimously adopted

PUBLIC HEARING

At 7:00 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties regarding the proposed Local Law for 2018 regarding: Amending Schedule of Use Controls, Attachment 7,B1 Commercial; Attachment 8,B2 Commercial; Attachment 9,B3 Commercial; Attachment 10,B4 Commercial; Attachment 11,I-1 Industrial; Attachment 13,D-R Development and Research Terms

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, read aloud, and filed with the Town Board by the Town Clerk.

No one came forward.

6) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Public Hearing regarding the Proposed Local Law for 2018 regarding: Amending Schedule of Use Controls, Attachment 7,B1 Commercial; Attachment 8,B2 Commercial; Attachment 9,B3 Commercial; Attachment 10,B4 Commercial; Attachment 11,I-1 Industrial; Attachment 13,D-R Development and Research Terms is hereby closed at 7:09 PM

The resolution was unanimously adopted

7) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

WHEREAS, following due and timely notice a public hearing relating to the matter of Local Law for 2018 was held on October 24, 2018, at which time all interested parties were given an opportunity to be heard.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law #13 for the Year 2018 which provides as follows:

Amending Schedule of Use Controls, Attachment 7,B1 Commercial; Attachment 8,B2 Commercial; Attachment 9,B3 Commercial; Attachment 10,B4 Commercial; Attachment 11,I-1 Industrial; Attachment 13,D-R Development and Research Terms

SECTION 1:

Attachment 7

Schedule of Use Controls

B-1 Commercial

Special Exception Uses

- Automotive Service Stations
- Hospital, sanatorium, nursing or convalescent home, medical office building
- Hotels and Motels
- Restaurants
- Drive-in service facility

Attachment 8

Schedule of Use Controls

B-2 Commercial

Special Exception Uses

- All franchised dealers and showrooms
- Automotive service station (see §144-29C)
- Car washing establishments
- Drive-in service facility

Attachment 9

Schedule of Use Controls

B-3 Commercial

Prohibited Uses

- Automobile dealers
- Automotive service stations
- Car washes
- Eating and/or drinking establishments
- Parking in the front yard of the premises
- Pedestal signs
- Sound reproduction which may be heard outside the building
- Supermarkets
- Drive-in service facility

Attachment 10

Schedule of Use Controls

B-4 Commercial

Prohibited Uses

- Parking in the front yard of the premises
- Pedestal signs
- Drive-in service facility

Attachment 11
Schedule of Use Controls
I-1 Industrial

Special Exception Uses

- Adult uses
- Day-care centers
- Contractor equipment and supplies
- Franchised motor vehicle dealerships
- Hotel/motel
- Restaurant
- Drive-in service facility

Attachment 13
Schedule of Use Controls
D-R Development and Research

Special Exception Uses

- Drive-in service facility

SECTION 2:

This Local Law will take effect upon filing in the Office of the Secretary of State or from the date of its service as against a person served personally with a copy thereof.

The resolution was unanimously adopted

At 7:10 pm, on motion made by Councilmember Majchrzak, seconded by Councilmember Sherry with unanimous approval, the Special Session was closed.

Respectfully Submitted,

Remy Orffeo
Town Clerk