

ANNEXATION CONCERNS

1. Will the services cease that Village residents are used to?
 - a. Village residents will continue to receive the same level of services.
 - b. Village residents annexing into the Town will no longer receive Village services, they will be serviced by the Town of Orchard Park.
2. Have the Town and Village considered intermunicipal agreements?
 - a. The Town and Village have entered into intermunicipal agreements in the past. Those agreements have not been an equal exchange of service. Intermunicipal Agreements will be discussed again.
3. Would the municipalities consider a Tax Abatement?
 - a. No, the Village would not.
4. What are the financial impacts to the property owners? Taxes? Fees?
 - a. Each property is unique and will have a different financial impact, depending on their Assessed Value, if they receive refuse and recycling fees, etc...
 - b. Generally speaking and based on current tax rates, annexations from the Town to the Village will have a higher tax situation; the total annual tax for those annexations from the Village to the Town will decrease.
5. Will hunting be allowed on my property if I annex from the Town to the Village?
 - a. No.
 - b. Per Orchard Park Village Code, Chapter 115:
 - i. No person shall discharge any firearm, air gun, spring gun, sling shot or other instrument or weapon within the Village except in self-defense or in the discharge of official duty or during a memorial service or veteran's funeral or at an indoor rifle range operated under the supervision, guidance and instruction of a duly commissioned officer of one of the armed forces, including the National Guard and Reserve forces, or a duly qualified adult citizen of the United States who has been granted a certificate as an instructor of small arms practice issued by one of the Armed Forces of the United States, the Adjutant General of the State, or by the National Rifle Association of America.
 - c. Per NYSDEC:
 - i. You cannot discharge a firearm within 500 feet, crossbow within 250 feet or longbow within 150 feet of any school, playground, occupied factory or church, dwelling, farm building, or structure unless you own it, lease it, are an immediate member of the family, an employee, or have the owner's consent. This does not apply to the discharge of a shotgun over water when hunting migratory game birds and no dwelling, public structure, livestock, or person is in the line of fire.
 - ii. The Environmental Conservation Law prohibits you from discharging the firearm, crossbow or longbow in such a manner that the arrow, bolt, bullet or load of shot passes over any portion of

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the highway, which may include maintained portions including the shoulder, drainage ditches, etc.

6. Why did my voting district change?
 - a. Poling locations are designated by Erie County Board of Elections. The Municipal Building and Nativity School were both removed as Polling Places last year. Voters assigned to those locations were moved to the Presbyterian Church and St. John's Lutheran Church.
7. Will Village taxes go down considering the increased tax base from annexations?
 - a. The tax rate impact is not determinable at this point.
8. Will the quality of the service from the Village be impacted if there are more properties to service? Are there plans to maintain the current level of service?
 - a. The Village plans to maintain the same level of services that Village residents are accustomed to. If necessary, additional staff and equipment will be added.
9. Does the property owner have to agree with the annexation? Clarify.
 - a. Inhabited parcels will have the final say in the annexation process, per a waiver that will be mailed to them.
10. Does the annexation cause a change in a property deed? Does the annexation cause a change in a property title? Does the annexation cause a change in a property survey? What is the cost? Who is responsible?
 - a. If and when property is transferred [sold], a new survey and deed must be prepared regardless of an annexation process. Annexation does not cause a change in title ownership to property.
11. Will there be additional services if the taxes go up?
 - a. Tax rates have not been established.
12. How will it work logistically if one parcel opts to annex and the neighboring parcel does not?
 - a. Dependent upon what municipality a parcel borders, because it must comply with GML §703: ...only territory that is adjoining to the Village may be annexed into the Village.
13. Will the plows stop if the last house(s) on the road is not in that municipality?
 - a. No, Village plows will not raise their plows if the last house is not in the Village.
14. Freeman Road is a County Road, why should residents pay another municipality when they do not provide services?
 - a. There are factors other than plowing to consider, ie: building permits, leaf pick up ...
15. Will out of district fees increase if parcel is not annexed to offset tax revenue if parcel is annexed?
 - a. It would not be fair or equitable for residents of a municipality who pay taxes to pay for services to non-residents who are not paying taxes.
 - b. Currently there are "out of district" water rates in place.
 - c. Other fees may be considered, but have not been determined.

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16. Why are the parcels on Pheasant, Fox Meadow and Stonehenge proposed for annexation into the Town?
 - a. Their driveways enter onto a street that is predominantly serviced by the Town of Orchard Park.
17. Will there be a re-assessment after the annexations?
 - a. At this time re-assessment is not being considered as part of the annexation process.
 - b. Re-assessment is a Town decision.
18. What are the pros and cons of the annexations?
 - a. Dependent upon the parcel.
 - b. Providing services to the taxpayers who pay for them.
 - c. Streamline services.
19. Is there a difference between Town and Village noise ordinances?
 - a. Similar code for both Town and Village.
20. If a split parcel is annexed into one municipality, will it automatically be merged into one parcel?
 - a. No, it will be assigned a new S.B.L. and zoned appropriately by the annexing municipality.
21. Is the Village planning a 6% tax increase?
 - a. No.
22. What are out of district water rates?
 - a. There are 18 properties in the Town that are connected to Village Water. These properties are charged a higher rate than Village residents who pay Village taxes.
23. What is the process to opt in / opt out?
 - a. Identify parcels to be annexed
 - b. Hold a Public Hearing
 - c. Within 90 days vote if the annexations are in the overall public interest
 - d. Waivers from Property Owners to be returned within 90 days
 - e. Annexations filed with Village/Town/County/State
 - f. Zoning established
 - g. Municipal boundary re-surveyed
24. What are the implications to a Farm Deed?
 - a. The annexation process will not affect any of the covenants in those deeds.
25. Can you provide a chart comparing the difference in services between the Town and Village?
 - a. Specific inquiries can be addressed to the municipality who provides the services.
26. Will the Town and Village Board be voting in January?
 - a. January 8, 2024 the Town and Village of Orchard Park will hold a joint hearing to vote if each annexation is in the overall public interest.
27. Why did services I always received get discontinued recently?

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- a. The Village discontinued providing services to properties outside the Village Borders who do not pay for the Village services.
26. What brought this to the forefront?
- a. This has been an ongoing concern for many years.
 - b. Because the understanding of shared services between the Town and Village was not reciprocal.
27. Why is this change happening now as opposed to years ago?
- a. The process is very involved and not followed through in the past.
28. Are all the divided properties in all of Orchard Park included in this "petition"?
- a. Split properties that divided by Town/Village borders are being addressed.
29. Who and how was this specifically brought to the Town and Village Board?
- a. Discussions began in May 2023 when services provided by the Village to Town residents were brought to the Village Board's attention.
30. What is the positive outcome for the Town and Village?
- a. Each resident will pay fairly for the services they receive.
31. What is the total dollar amount in taxes that the Village and Town will benefit from this change?
- a. That cannot be determined until the annexation process is complete.
32. How will this positively and/or adversely specifically affect my property?
- a. A member of the Village Board would be happy to discuss the implications that annexation would have on your property. Please call 716-662-9327 to schedule a convenient time and date.
34. How will my taxes specifically be affected now and into the future?
- a. A member of the Village Board would be happy to discuss the implications that annexation would have on your property. Please call 716-662-9327 to schedule a convenient time and date.
35. If we sell our property in the future, what additional paperwork and potential fees would we encounter and incur because of this change?
- a. Consult Legal Counsel.
38. What specific services will change and how will they change?
- a. A member of the Village Board would be happy to discuss the implications that annexation would have on your property. Please call 716-662-9327 to schedule a convenient time and date.
40. How will our right to farm change?
- a. The Village will make every effort to mirror current zoning.
41. Will the opinion of the affected residents at the hearing actually have an effect on the outcome?
- a. The residents' opinions and concerns will be reviewed and considered by the Village Board prior to the January 8th vote.

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- Need for transparency, more engagement with the community ahead of time for future annexations.
- Implied loss of: connection to Village Government, access to Elected Officials, quality of services, community identity.
- Directly impacts the quality of life, code enforcement, elections, taxation, revenues, utility services, waste management, infrastructure, snow removal and emergency services.
- Potential pitfalls: divisiveness, fragmenting.
- Extreme measures to fix inept services.
- Health and safety concerns involving leaf collection, in regard to walkers and storm drains.