

Regular Meeting, Town Of Otto

A regular meeting of the town board of the Town of Otto, Cattaraugus County and the State of New York was held at the Otto Town Hall, 8842 Otto- East Otto Road, Cattaraugus, NY on the 19th day of May 2015.

Present: Ron Wasmund .. Town Supervisor
Trisha Priest .. Town Clerk
Brenda Mallaber .. Councilwoman
Francis Feth .. Councilman
Paul Stang .. Councilman
James Wojdan .. Councilman
Robert Barber Jr. .. Highway Superintendent
Jeff Holler .. Code Enforcement Officer entered the meeting at 7:18pm

Others Present:

Paula Stockman- Dick Klancer Cattaraugus County Legislators; Lauren Bird

Supervisor Wasmund called the regular meeting to order at 7:00pm.

RESOLUTION 2015-66

Approval of minutes

On a motion made by Councilwoman Mallaber and seconded by Councilman Wojdan, the following resolution was

APOPTED Ayes 5 Mallaber, Stang, Wasmund, Wojdan, Feth
 Nays 0

Resolved that the minutes of April 21, 2015 are approved as submitted.

Privilege of the floor Lauren Bird was present on behalf of the historical society. He asked if financial assistance could be received from the town to help the association maintain the expenses. He stated the need was approximately \$28 a month for the electric bill. The society is lucky to get \$20-\$30 in donations annually. The electric bills are current thanks to donations from Brenda Mallaber. Mr. Wasmund stated that the town can cover the electric expenses for the historical building. Mr. Bird also asked if there was someone who might be willing to help with grant writing. The building roofs are in serious need of repair. One estimate has been obtained at \$19,000.00 but the longer the delay in the repair, the cost will be more as the roof continues to deteriorate. Mr. Wojdan stated he would be willing to assist with grant research. Robert Barber mentioned a grants gateway available to municipalities. He will forward the website and account information to Mr. Wojdan and Mr. Bird.

Legislator Stockman shared information she had gathered about the municipality owned equipment. At present Chris Baker, Director of Emergency Services and County Fire Coordinator has lists of available equipment for use in a state of an emergency. He may be a good contact should the town be looking for equipment to either use as a shared service or in the process of equipment replacement /purchase. However she did not received a definitive answer from Baker's office if this list can be shared with other municipalities. Her thoughts were that Mr. Baker would be accommodating to inquiries. She also gave an update to the board about the recent proceedings of the board of legislators. In specific ACT NO. 232-2015 adjusting various appropriation and revenue accounts with respect to the DPW - mill and pave program. This ACT increases the appropriation accounts for the milling and paving of county road that were rated 4/5 on a scale of 10 where the county would like to see those roads be brought up to a rating of 8. The road of interest for our area being county road 12, \$396,000.00 was added to the budget. Also mentioned of interest to the Town of Otto was ACT NO. 240-2015 Sale of Tax Title Property to former owners. Four tax parcels held by the county treasurer for delinquent taxes were deeded back to the former owners upon payment of past tax debt and approval by the legislature.

Report of town officials

Supervisor Mr. Wasmund presented the board with a supervisors financial report. A letter announcing the retirement of Jeffery Forester Town Assessor was distributed to the board membership. Although Mr. Forester is retiring within the NYS retirement system he is asking to be reappointed after his official retirement date. Denny Huber will be taking the annual licensure test for the water district to comply with NYS mandates. Although Denny has a high leveled certification NYS is requiring this particular license to conduct water treatment plant operations. John Woodward, sewer plant operator, would like to participate in the NYS retirement system. In order to accommodate this request he will need to be added to the towns payroll and no longer be paid as an independent contractor. His new salary will be \$700 a month a reduction from the \$840 a month charged for contractor fees.

Highway Superintendent Robert Barber Jr reported that the highway department has been working on FEMA project work. Rock has been placed in the ditches on Hebner Hill. Millings were hauled out of Ron Himes, the Town of Albion supplied the trucks and East Otto did the loading. Mr. Barber would like to get into a new pickup truck as the towns pick up is a year old. He thinks we can get into a new one by next year. Mr. Barber attended the Village of Cattaraugus board meeting to thank them for their assistance to our highway department. He is working consistently with Steve Rice of Simmons recovery on the various FEMA project. He asked of the supervisor if the town should be started on the Rand note and asked how it worked. Mr. Wasmund commented on how the Rand note does not function like a line of credit. It is a promissory note and will generate interest as soon as it is distributed. The interest is an expense that FEMA will not reimburse. It is best to hold off for as long as possible before requesting a Rand Note.

Code Enforcement Officer Jeff Holler reported that he conducted 4 inspections issued 3 permits for pole barns. He collected \$255.00 in permit fees. He has been surveying residences for violations. The question arose whether there was a cow being permitted down town. The location of the property is zoned agricultural and that the owner has a special use permit in place. There has been no improvement on the Wilder residence. The highway department moved debris off the sidewalk. Mr. Wilder has not yet been picked up on the bench warrant issued by the judge. There are a group of violations on North Otto Road. There appears to be a group on Westley road that has 8 or 9 campers. The new zoning addresses this issue and Mr. Holler will be seeking remedy for the violations.

Town Clerk Trisha Priest presented the board with a monthly review of the town clerk activities for the month of April. \$685.00 was collected during the month of April. The following Disbursements were made:

Town Supervisor	\$	621.59
Department of ag & markets	\$	2.00
Catt Co. DPW	\$	0.00
DEC	\$	61.64

Councilman Stang

RESOLUTION 2015-67

Audit of Claims

On a motion made by Councilman Wojdan and seconded by Councilman Feth , the following resolution was

ADOPTED Ayes 5 Mallaber, Stang, Feth, Wojdan, Wasmund
 Nays 0

Resolved that the bills contained on Abstract #505 in the amount of \$ 173,927.80 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No. 28 through 30	\$ 362.50
Highway Fund	No. 61 through 74	\$173,346.41
Water District	No. 8 through 9	\$ 218.89

RESOLUTION 2015-68

Supervisor's Monthly Report-April

On a motion made by Councilman Feth and seconded by Councilman Wojdan, the following resolution was

ADOPTED Ayes 4 Mallaber, Stang, Wojdan, Feth
Nays 0

Resolved that the Supervisor's Monthly report for the month of April 2015 be accepted as submitted.

RESOLUTION 2015-69

Town Clerk's Report-April

On a motion made by Councilman Feth and seconded by Councilman Stang, the following resolution was

ADOPTED Ayes 5 Mallaber, Stang, Wojdan, Feth, Wasmund
Nays 0

Resolved that the Clerk's monthly report for the month of April 2015 be accepted as submitted.

RESOLUTION 2015-70

§6.6 Electric Vehicle Supply Equipment(EVSE) Revision-Public Hearing

On a motion made by Councilman Feth and seconded by Councilman Stang, the following resolution was

ADOPTED Ayes 5 Mallaber, Feth, Stang, Wasmund, Wojdan
Nays 0

RESOLVED that a Public Hearing be scheduled for June 16th 2015 at 6:30pm prior to the regular Town Board meeting.

WHEREAS the board seeks public comment on the proposed change to the §6.6 Electric Vehicle Supply Equipment (EVSE) of the Zoning Laws of the Town of Otto, Cattaraugus County, New York.

WHEREAS Current version states: The permitting process for EVSE will be streamlined by:

1. Providing a single permit for EVSE's
2. Shall have a two day turnaround time for permits
3. Shall eliminate reviews that do little to validate the safe and efficient operation of a proposed EVSE system. Only one initial inspection shall be required for this facility.

Proposed revision adds the following statement, Parking: There will be designated parking for vehicles charging at the EVSE. Cars that are not charging will be banned from these spaces.

Under definitions the current wording reads: Electronic Vehicle Charging Station-an electronic vehicle charging station, also called EV charging station, electronic charging point, charging point and EVSE, is an element in an infrastructure that supplies electric energy for the recharging of plug-in electric vehicles, including all-electric cars, neighborhood electric vehicles.

Proposed revision states: Electronic Vehicle Supply Equipment- Electronic vehicle supply equipment, also called EV charging station, electronic charging point, charging point and EVSE, is an element in an infrastructure that supplies electric energy for the recharging of plug-in electric vehicles, including all-electric cars, neighborhood electric vehicles. All such stations will include designated and exclusive parking for vehicles charging.

RESOLUTION 2015-71

Resignation acceptance-Jeffrey Forester

On a motion made by Councilman Feth and seconded by Councilman Stang, the following resolution was

ADOPTED Ayes 5 Mallaber, Feth, Stang, Wasmund, Wojdan
Nays 0

RESOLVED that the retirement of Jeffrey Forester as the Town of Otto Assessor be herby accepted to commence May 30, 2015.

WHEREAS Mr. Forester is retiring within the NYS retirement system and wishes to retain his appointment after his retirement to the position of Town Assessor.

RESOLVED that Jeffrey Forester be reappointed Town of Otto Tax Assessor to commence June 1 2015.

RESOLUTION 2015-72

Overnight accommodations-Denny Huber

On a motion made by Supervisor Wasmund and seconded by Councilman Wojdan, the following resolution was

ADOPTED Ayes 5 Mallaber, Feth, Stang, Wasmund, Wojdan
 Nays 0

RESOLVED that the Town of Otto will provide overnight accommodations for Denny Huber for the night before his scheduled test to acquire the mandated licensure for the operation of the water district.

RESOLUTION 2015-73

Sewer Plant Operator - added to payroll

On a motion made by Supervisor Wasmund and seconded by Councilwoman Mallaber, the following resolution was

ADOPTED Ayes 5 Mallaber, Feth, Stang, Wasmund, Wojdan
 Nays 0

RESOLVED that the salary of the position of Sewer Plant Operator be added to the Payroll in the amount of \$700.00 monthly.

WHEREAS John Woodward will be compensated through payroll for his duties as sewer plant operator.

With no further discussion, on a motion of Councilman Wojdan and seconded by Councilman Feth, the meeting was adjourned at 8:22pm. Carried unanimously.

Public Hearing for the Zoning Law proposal will be held June 16, 2015 at 6:30pm.

The next board meeting will be held on June 16,2015 7PM at the Otto Town Hall.

Respectfully Submitted,

Trisha A. Priest, Town Clerk