

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 17th day of May 2016.

Present: Ron Wasmund .. Town Supervisor
Trisha Priest .. Town Clerk
Francis Feth .. Councilman
Brenda Mallaber .. Councilwoman
Paul Stang .. Councilman
James Wojdan .. Councilman
Robert Barber Jr. .. Highway Superintendent Exited the meeting at 7:10pm
Jeff Holler ..Code Enforcement Officer entered the meeting at 7:40pm

Others Present: Dick Clancer - Legislator

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

RESOLUTION 2016-60

Approval of minutes

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

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

Resolved that the minutes of April 26, 2016 are approved as submitted.

Report of town officials

Supervisor Wasmund presented three revenue anticipation notes to finance the FEMA projects for resolution. He has gone to Cattaraugus County Bank, Green County Bank and to Municipal Solutions company to obtain competitive rates. He reached out to Lora Land from the Cattaraugus Historical Society in regards to the museum and has yet to hear back from anyone. He has asked for paperwork from the previous transfer of deed to have a guideline of how to reverse the process. Brenda Mallaber commented that she will look back in the board minutes that she kept to see if there is useful information there and that Candace Broughton, the town historian may also have information that would be helpful.

Councilman Wojdan concluded the audit of the Town Clerks Records of 2015 and reported the following:

Records reviewed: Monthly Cash Book Financial Reports, Town Clerk's monthly report, transfer station monthly report, marriage license monthly report, dog license monthly report, monthly revenue transactions, Cash book Transactions, cash receipt books, and bank statements and reconciliations.

- Findings: 1) May payment to the superintendent was made out for \$581.00 (Check #1044), Whereas it should have been for \$582.38. Difference was corrected (Check#1045) and duly noted on 06/06/2015.
2) Noted that an entry was made into the wrong account(ex., 04/20/15 decal fee \$25) but a correction was immediately entered after 4 business days.
3) There was no signature on Receipt #961295 of 03/12/15. A correction is accounted for when referenced to WLB Receipt 006321 which is signed.

All items considered, the Town Clerk's records are meticulous and very easy to follow. Receipts and distributions are summarized on a monthly basis, and all monthly reconciliations, and bank statements are reviewed by the Deputy Clerk. Submitted 05/17/2016.

The audit of the Tax Collector Records for 2016 will start this week.

Highway Superintendent Robert Barber Jr reported that the Highway department has been working on the CHIPS project. He asked the board to pass a resolution approving the contract changes for the Buttermilk Falls project on North Otto Road.

Code Enforcement Officer Jeff Holler presented a report on his activities for the period of April 20-May 17 2016. He made eleven calls, issued four permits, a pole bark at 9196 Marek Road, a pole Building at 9730 Marek Road, a carport at 9803 N. Otto Road and an addition at 8509 Otto-E.Otto Road. Seven inspections were conducted and one violation notice was issued for 8197 South Hill Road. He turned over \$126 to the Town Clerk for the building permits.

Town Clerk Trisha Priest reported that Austin Locksmithing was able to drill and replace the lock on the clerks fireproof cabinet. Once unlocked it was discovered to be empty. There has been an increase in the amount of Foil Requests coming into the Clerk's office lately. The question was posed to the board about who should receive any foil request appeals as this would need to be someone other than the Town Clerk, Town Supervisor or department head from which the records are being requested.

She also presented the monthly review of the town clerk activities for the month of April 2016.

\$2067.00 was collected during the month of April. The following Disbursements were made:

Town Supervisor	\$ 1865.34
Department of ag & markets	\$ 20.00
Catt Co. DPW	\$ 65.80
DEC	\$ 70.86
NYS-DOH	\$ 45.00

RESOLUTION 2016-61

Revenue Anticipation Note-N.Otto Rd/Buttermilk falls Culvert project

On a motion made by Supervisor Wasmund and seconded by Councilman Wojdan

The issuance by the Town Of Otto for up to five-hundred-thousand dollars (\$500,000) of revenue anticipation notes to finance the Town of Otto highway expenditures for the balance of the fiscal year 2016 or to the extent that FEMA/SEMA funds are not received in the current year.

WHEREAS, FEMA/SEMA, has approved to reimburse The Town of Otto for expenses associated with The North Otto Road (Buttermilk Falls)Culvert Replacement Project. Said reimbursement would be more than the Five Hundred Thousand Dollar note.

WHEREAS, it is desirable for the Town to obtain short-term financing until the afore mentioned funds are received,

WHEREAS, the amount of uncollected revenues against which such notes are authorized to be issued is more than Five Hundred Thousand dollars (\$500,000.00).

NOW, THEREFORE, be it RESOLVED that the Chief Fiscal Officer is authorized to issue a Revenue Anticipation Note or notes totaling, in the aggregate, not more than One Million-Three Hundred Thousand Dollars in anticipation of the collection of revenues other than real property taxes, to wit, the reimbursements for the North Otto Road (Buttermilk Falls) Culvert Replacement Project from FEMA/SEMA.

- 1 The Note or Notes shall have a maturity of not more than One Hundred Eighty (180) days with the right of prepayment reserve without penalty.
- 2 The Note or Notes do not constitute renewals of similar notes.
- 3 That the Chief Fiscal Officer is authorized and empowered to fix the details of such Note or Notes.
- 4 The Note or Notes shall bear interest at a rate not to exceed ten percent (10%) per annum
- 5 This resolution also authorizes the Chief Fiscal Officer to renew any Note or Notes issued

pursuant to this resolution.

- 6 Within the above limitations the power to determine the terms, form and content of the Revenue Anticipation Note is hereby expressly delegated to the Chief Fiscal Officer of the Town of Otto, the power to authorize the issuance thereof from time to time is delegated to the Chief Fiscal Officer pursuant to Section 56.00 of such law.
- 7 The faith and credit of the Town of Otto hereby irrevocably pledged for the full payment when due of the principal of and interest on the Revenue Anticipation Note or Notes to be issued hereunder in accordance with the terms thereof.

By Roll Call Vote

Mallaber -YES

Stang - YES

Feth -YES

Wojdan -Yes

Wasmund -Yes

RESOLUTION 2016-62

Revenue Anticipation Note-Dunkleman Hill Road Culvert project

On a motion made by Supervisor Wasmund and seconded by Councilman Wojdan

The issuance by the Town Of Otto for up to four-hundred-thousand dollars (\$400,000) of revenue anticipation notes to finance the Town of Otto highway expenditures for the balance of the fiscal year 2016 or to the extent that FEMA/SEMA funds are not received in the current year.

WHEREAS, FEMA/SEMA, has approved to reimburse The Town of Otto for expenses associated with The Dunkleman Hill Road Culvert Replacement Project. Said reimbursement would be more than the Four Hundred Thousand Dollar note.

WHEREAS, it is desirable for the Town to obtain short-term financing until the afore mentioned funds are received,

WHEREAS, the amount of uncollected revenues against which such notes are authorized to be issued is more than Four Hundred Thousand dollars (\$400,000.00).

NOW, THEREFORE, be it RESOLVED that the Chief Fiscal Officer is authorized to issue a Revenue Anticipation Note or notes totaling, in the aggregate, not more than One Million-Three Hundred Thousand Dollars in anticipation of the collection of revenues other than real property taxes, to wit, the reimbursements for the Dunkleman Hill Road Culvert Replacement Project from FEMA/SEMA.

- 1 The Note or Notes shall have a maturity of not more than One Hundred Eighty (180) days with the right of prepayment reserve without penalty.
- 2 The Note or Notes do not constitute renewals of similar notes.
- 3 That the Chief Fiscal Officer is authorized and empowered to fix the details of such Note or Notes.
- 4 The Note or Notes shall bear interest at a rate not to exceed ten percent (10%) per annum
- 5 This resolution also authorizes the Chief Fiscal Officer to renew any Note or Notes issued pursuant to this resolution.
- 6 Within the above limitations the power to determine the terms, form and content of the

Revenue Anticipation Note is hereby expressly delegated to the Chief Fiscal Officer of the Town of Otto, the power to authorize the issuance thereof from time to time is delegated to the Chief Fiscal Officer pursuant to Section 56.00 of such law.

- 7 The faith and credit of the Town of Otto hereby irrevocably pledged for the full payment when due of the principal of and interest on the Revenue Anticipation Note or Notes to be issued hereunder in accordance with the terms thereof.

By Roll Call Vote
Mallaber -YES
Stang - YES
Feth -YES
Wojdan -YES
Wasmund -YES

RESOLUTION 2016-63

Revenue Anticipation Note-South Hill Road Culvert project

On a motion made by Supervisor Wasmund and seconded by Councilman Wojdan

The issuance by the Town Of Otto for up to four-hundred-thousand dollars (\$400,000) of revenue anticipation notes to finance the Town of Otto highway expenditures for the balance of the fiscal year 2016 or to the extent that FEMA/SEMA funds are not received in the current year.

WHEREAS, FEMA/SEMA, has approved to reimburse The Town of Otto for expenses associated with The South Hill Road Culvert Replacement Project. Said reimbursement would be more than the Four Hundred Thousand Dollar note.

WHEREAS, it is desirable for the Town to obtain short-term financing until the afore mentioned funds are received,

WHEREAS, the amount of uncollected revenues against which such notes are authorized to be issued is more than Four Hundred Thousand dollars (\$400,000.00).

NOW, THEREFORE, be it RESOLVED that the Chief Fiscal Officer is authorized to issue a Revenue Anticipation Note or notes totaling, in the aggregate, not more than One Million-Three Hundred Thousand Dollars in anticipation of the collection of revenues other than real property taxes, to wit, the reimbursements for the South Hill Road Culvert Replacement Project from FEMA/SEMA.

- 1 The Note or Notes shall have a maturity of not more than One Hundred Eighty (180) days with the right of prepayment reserve without penalty.
- 2 The Note or Notes do not constitute renewals of similar notes.
- 3 That the Chief Fiscal Officer is authorized and empowered to fix the details of such Note or Notes.
- 4 The Note or Notes shall bear interest at a rate not to exceed ten percent (10%) per annum
- 5 This resolution also authorizes the Chief Fiscal Officer to renew any Note or Notes issued pursuant to this resolution.
- 6 Within the above limitations the power to determine the terms, form and content of the Revenue Anticipation Note is hereby expressly delegated to the Chief Fiscal Officer of the Town of Otto, the power to authorize the issuance thereof from time to time is delegated to the Chief Fiscal Officer pursuant to Section 56.00 of such law.

7 The faith and credit of the Town of Otto hereby irrevocably pledged for the full payment when due of the principal of and interest on the Revenue Anticipation Note or Notes to be issued hereunder in accordance with the terms thereof.

By Roll Call Vote
Mallaber -YES
Stang - YES
Feth -YES
Wojdan -YES
Wasmund -YES

RESOLUTION 2016-64

Audit of Claims

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

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

Resolved that the bills contained on Abstract #605 in the amount of \$ 364,951.52 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No.	33 through 37	\$	994.75
Highway Fund	No.	70 through 87	\$	363,806.77
Water District	No.	5 through 6	\$	150.00
Sewer District	No		\$	0.00

RESOLUTION 2016-65

Edbauer Construction contract change order #1

On a motion made by Councilman Wojdan and seconded by Councilman Feth , Resolve to accept the proposal made by Edbaur Construction for the installation of the new poured in place concrete wall at wingwall #4 and a precast concrete redi-rock on wingwall #3 with poured in place footers, weep tubes and stone gutters.

WHEREAS, it is necessary to remove and replace the existing downstream wing walls at the North Otto Road (Buttermilk Falls) Culvert Project

NOW, THEREFORE, be it RESOLVED to approve the bid proposal of \$123,202.00 as affixed here on to these minutes for the extra work requiring a contract change order with Edbaur Construction

by Roll Call Vote

Mallaber -YES
Stang - YES
Feth -YES
Wojdan -YES
Wasmund -YES

RESOLUTION 2016-66

Appointment of Foil Request Appeals Officer

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

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

Resolved that the Deputy Supervisor will act as the Foil appeals contact and at their discretion may act upon the appeal within the appropriate time frame and /or seek the assistance of the town attorney.

RESOLUTION 2016-67

Supervisor's Monthly Report-April

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

ADOPTED Ayes Ayes 4 Feth, Stang, Wojdan, Mallaber

 Nays 0

Resolved that the Supervisor's Monthly report for the month of April 2016 be accepted as submitted.

RESOLUTION 2016-68

Town Clerk's Report-April

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

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

 Nays 0

Resolved that the Clerk's monthly report for the month of April 2016 be accepted as submitted.

With no further discussion, on a motion of Supervisor Wasmund and seconded by Councilman Wojdan, the meeting was adjourned at 8:47pm. Carried unanimously.

The next board meeting will be held on June 21,2016 7PM at the Otto Town Hall.

Respectfully Submitted,

Trisha Priest, Town Clerk