

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 20th day of September 2016.

Present: Ron Wasmund .. Town Supervisor
Trisha Priest .. Town Clerk
Francis Feth .. Councilman
Brenda Mallaber .. Councilwoman
Paul Stang .. Councilman
Robert Barber Jr. .. Highway Superintendent
James Wojdan .. Councilman
Jeff Holler ..Code Enforcement Officer entered the meeting at 7:25pm

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

RESOLUTION 2016-83

Approval of minutes

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

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

Resolved that the minutes of August 10, 2016 are approved as submitted.

Report of town officials

Supervisor Wasmund Mr. Wasmund has reviewed Simmons / FEMA submissions. He hopes they will get to the close out soon but will most likely occur next year. The process could take up to a year. He emailed the town lawyer about the museum. She will be contacting the Association of Towns for guidance. It was brought to Mr. Wasmunds attention that there have been issues with the internet at the Town Hall. He requested that Mr. Barber look into a better solution and suggested the satellite service that was at the Fire hall. Jeff Forested submitted his intent to retire next year. His appointment is up September 30, 2016.

Councilman Stang Mr. Stang reported there will be an all you can eat breakfast at the Otto Volunteer Fire Department Oct. 2, 2016 starting at 8am.

Highway Superintendent Mr. Barber reported that the highway crew have been mowing roadsides, trimming brush and skid paving. They removed the old culverts out of Zoar Valley. There are two pipes from the buttermilk falls culvert. He shared the idea that they could be put out to bid rather than scrapped. With the funds from the sale he would like the town to consider purchasing a trailer for the town as he was using his and borrowing one from East Otto. He anticipates that a trailer would last up to 20 years.

Project North Otto #1 is done. He is proud of how it turned out. There were additional expenses incurred for the South Hill Culvert because of the failure on the bank during the recent rainfall and the additional time Wendel companies went over their budget. They are requesting an additional \$13,000 not included in the \$20,000 requested for the project. A discussion was had about the water problems with the spring head on South Hill. He has ruled out a water leak from the water district.

A notice came in that the mileage for Whalen and Jark roads was omitted based on google maps as not listing these as town roads. In order to have the mileage included the town would have to formally state that these are town roads. North Otto Road at Buttermilk falls should be open to traffic Thursday Sept 22.

Two bids have come in for sand and he is hoping to have more come in by the end of the week.

Code Enforcement Officer Jeff Holler turned in \$215.00 to the town clerk for four building permits. He also submitted a report on his office activities from August 16th through September 20, 2016. He took thirty one phone calls. He issued four building permits, for a pole barn at 8402 N. Otto Rd, a solar system at 8820 N. Otto Rd, a shed at 8881 Swamp Rd, and a re-roof at 9165 Hebner Hill Rd. He received one variance application which was approved for a property on Scotts Corners. He conducted 17 inspections of buildings and sent 4 violation notices. Mr. Holler has sent in a report on the violations to the judge regarding 9110 Otto-E. Otto Road.

Town Clerk Trisha Priest presented the monthly review of the town clerk activities for the month of August 2016. \$1045.00 was collected during the month of June. The following Disbursements were made:

Town Supervisor	\$	729.51
Department of ag & markets	\$	18.00
Catt Co. DPW	\$	28.20
DEC	\$	269.29
NYS-DOH	\$	0.00

RESOLUTION 2016-84

Audit of Claims

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

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

Resolved that the bills contained on Abstract #609 in the amount of \$ 233,765.07 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No.	53 through 59	\$	549.02
Highway Fund	No.	144 through 158	\$	233,007.05
Water District	No.	9	\$	209.00
Sewer District	No		\$	0.00

RESOLUTION 2016-85

Reaffirmation of road designation

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

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

Whereas Whalen and Jark Roads are situate with in the Town of Otto Boundaries and

Whereas the Town of Otto has maintained said roads year round.

Therefore be it resolved that the Town Board, as the town road authority hereby reaffirm the designation of Whalen and Jark Roads as Town owned public use roads.

RESOLUTION 2016-86

Edbauer Contruccion Change order No. 2

On a motion made by Councilman Wojdan and seconded by Supervisor Wasmund, a resolution proposed for authorization of change order No. 2 for the South Hill culvert replacement project contract 15-1

Whereas, Edbauer Construction, Inc. was retained by the Town of Otto to complete Contract No. 15-1 (FEMA PW #514, #515 and #528), 3 culvert replacements, and

Whereas, due to erosion of the slope providing support to the roadway, the placement of additional heavy stone fill on the inlet side of the South Hill Rd culvert, (PW #515) is deemed necessary to keep the road in a state of good repair for the foreseeable future,

Whereas, additional time is required to complete the previously approved contract work and heavy stone fill at the South Hill Road culvert,

THEREFORE be it resolved by roll call vote to authorize Change Order No. 2 in the amount of \$20,870.00 and a revised contract competition date of September 21, 2016.

Feth-Yes Mallaber-Yes Stang -Yes Wasmund-Yes Wojdan-Yes

RESOLUTION 2016-87

Wendel Engineering Supplement no.3

On a motion made by Councilman Wojdan and seconded by Councilwoman Mallaber , the following resolution was proposed for authorization of additional services performed by Wendel Company.

WHEREAS Wendel Company's original Scope and Time of Completion of Construction approved on June 28, 2016 was based on construction duration of twenty eight weeks based on the schedule received by the Contractor (Edbauer Construction) at that time.

WHEREAS the Contractor's requested an extension of time to September 21, 2016 as proposed in the contractors letter dated August 24, 2016. Wendel's additional services can be defined as additional construction observation services.

WHEREAS supplement no.3 will increase the total contact amount from \$266,810 to \$279,810 presumed to be fully reimbursable from FEMA, can be summarized by the expense of additional construction observation by \$12,600 with additional invoicing at an increase of \$400.

THEREFORE be it resolved by roll call vote to authorize the additional construction services and fees by acceptance of the proposition in the Supplement No.3.

Feth-Yes Mallaber-Yes Stang -Yes Wasmund-Yes Wojdan-Yes

RESOLUTION 2016-88

Town Assessor Appointment

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

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

Resolved that the appointment for Town Assessor terminates September 30, 2016 and,

Whereas Jeffrey Forester is currently appointed as Town Assessor and

Whereas Mr. Forester has submitted his intent to retire on Dec 31, 2016

There for it be resolved to appoint Jeffrey Forester to the position of Town Assessor for the term of October 1, 2016 to December 31, 2016.

RESOLUTION 2016-89

Supervisor's Monthly Report-August

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 Supervisor's Monthly report for the month of August 2016 be accepted as submitted.

RESOLUTION 2016-90

Town Clerk's Report-August

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 August 2016 be accepted as submitted.

With no further discussion, on a motion of Supervisor Wasmund and seconded by Councilman Feth, the meeting was adjourned at 8:26pm. Carried unanimously.

The next board meeting will be held on October 18, 2016 7PM at the Otto Town Hall.

Respectfully Submitted,

Trisha Priest, Town Clerk