

## 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 January 2017.

**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 7:42pm

**Others Present:** Judge Brenda Austin, Jackie Dallas, Brian Goldfus, Ronald Neal, Roxanne Davis, Thomas Wilder.

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

### RESOLUTION 2017-40

#### Approval of minutes

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

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

Resolved that the minutes of December 20, 2016 are approved as submitted.

**Privilege of the Floor** Judge Brenda Austin notified the Board of her intent to not run for reelection, her term ends December 31, 2017. She intends to turn everything over in January 2018. She reminded the Board that the court records are due for an audit. J. Wojdan will schedule the audit. She updated the Board on a Bill signed into law by Governor Cuomo regarding a defendant's right to representation at the first arraignment. Each County is responsible for having a plan in place to comply with the law and Cattaraugus County is remaining status quo for now. Judge Austin exited the meeting at 7:10pm.

Roxanne Davis of Powerline Lane expressed her discontent with how 911 dispatch is reporting the location of the residents on Powerline Lane. There have been a few calls down there and Dispatch doesn't know where Powerline Lane is. She feels the Town did not do their job at letting 911 dispatch, the utilities and Google maps know that Powerline Lane exists. She has experienced trouble with the electric company knowing where to respond when there was an electric line down and the homes didn't have electric. Her good friend Deputy Dan Irish had told her that the town does not have the road registered with 911 dispatch or the police department in Little Valley because the road isn't on his map. She wants something done about this before someone who needs 911 can't get help. Councilman Paul Stang addressed her concerns and will look further into the matter as the Town had filed the appropriate paperwork to the County regarding the 911 addresses on Powerline Lane which is a private right of way. Roxanne exited the meeting at 7:25pm

Brian Goldfus and Thom Wilder were present to discuss the parking situation down town. The Sheriff's department is involved in the dispute. The sheriff's office approached Robert Barber about having the Town change the 1974 parking ordinance to resolve the parking conflict in the vicinity of the 25 slice building and Otto Auto. Each party spoke about their concerns over the designated parking spots along that side of the road. Mr. Barber produced a map of the parking spots for the Boards review.

Thom Wilder also stated that he would like to see the Town clean up the sidewalk along the road in front of the cemetery. He would like to see all the sidewalks cleaned up. he offered that he would clean his up if the Town cleaned theirs up.

#### **Report of town officials**

**Supervisor Wasmund** Mr. Wasmund presented the Board with his monthly report and reported an update from Simon's Disaster Recovery. It was brought to his attention that one of the Elected members of the Water advisory board had passed away and he will be reaching out to them to for information on a replacement. Mr. Wasmund shared correspondence from the Town Attorney Kathleen Moriarty in regards to a proposed notice of resolution subject to permissive referendum regarding the museum. There continue to be some questions about the resolution and contract with Cattaraugus Area Historical Association.

**Councilman Stang** Mr. Stang reported that the Otto VFD will be having a Pancake breakfast February 5 and March 5th starting at 8am. There will be a Grocery Auction benefit for Daniel Miller, an Amish man involved in a auto vs buggy accident on North Otto Road. The auction will take place at the fire hall January 28th at 1pm.

**Highway Superintendent** Mr. Barber reported the highway department has been plowing and removing snow without problem. There was a little shoulder erosion on Ball Road from the heavy rain on Thursday. The other culverts were diverting the rise in water as expected. His crew went to West Hill Road in Mansfield to assist them with clogged up drainage. Advocacy day will be in March and he plans to go and continue to fight for CHIPS funding. There is a fall conference being held this year in Ellicottville that he would like to attend in September.

**Code Enforcement Officer** Jeff Holler reported on his activities for the month from 12/20/2016-01/17/2017. He received one call for a copy of a permit. There were no requests for building permits this past month. He conducted 3 inspections. He attended court, the trial is scheduled for 02/13/2017. He inspected the property located at 9110 Otto- E. Otto Road and submitted a copy of his report to the court. He also sent a violation notice to the Masonic Lodge.

**Town Clerk** Trisha Priest presented the monthly review of the town clerk activities for the month of December 2016. \$240.00 was collected during the month of December. The following Disbursements were made:

Town Supervisor	\$	208.80
Department of ag & markets	\$	3.00
Catt Co. DPW	\$	28.20
DEC	\$	0.00
NYS-DOH	\$	0.00

Clerk Priest read a letter addressing the Town Board from the Association of Towns in regards to their annual meeting and membership recruitment.

#### RESOLUTION 2017-41

##### 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, Wojdan, Wasmund  
                     Nays    0

Resolved that the bills contained on Abstract #701 in the amount of \$ 27,172.77 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No.	1 through 10	\$	2,902.04
Highway Fund	No.	1 through 13	\$	24,240.73
Water District	No.	1	\$	30.00
Sewer District	No.		\$	0.00

#### RESOLUTION 2017-42

##### Supervisor's Monthly Report-December

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

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

Resolved that the Supervisor's Monthly report for the month of December 2017 be accepted as submitted.

RESOLUTION 2017-43

Town Clerk's Report-December

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

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

                 Nays    0

Resolved that the Clerk's monthly report for the month of December 2017 be accepted as submitted.

RESOLUTION 2017-44

Executive Session

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

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

                 Nays    0

To enter into Executive Session on the grounds of pending litigation at 8:25pm thereby closing the Regular Town Board meeting.

With no further discussion, on a motion of Councilwoman Mallaber and seconded by Councilman Wojdan, the Executive meeting was adjourned at 9:00pm. Carried unanimously.

The next board meeting will be held on February 21,2017 7PM at the Otto Town Hall.

Respectfully Submitted,

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Trisha Priest, Town Clerk