

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 September 2019.

Present: Ron Wasmund .. Town Supervisor
Marlene Gregory .. Councilperson
Paul Stang .. Councilperson
Brenda Mallaber .. Councilperson
Trisha Priest .. Town Clerk
Robert Barber Jr. .. Highway Superintendent
Jeff Holler ..Code Enforcement Officer entered the meeting at 7:30pm

Absent: James Wojdan .. Councilperson

Others Present: David Jackson of North Tonawanda, Jennifer Priest of Otto, Jared Gariepy of Otto

Supervisor Wasmund called the regular Town Board Meeting to order at 7:00pm.

Privilege of the Floor

Mr. Jackson requested of the Town Board proof of zoning for 8831 Otto - Maples Road. He has placed a purchase offer on the multi family dwelling and needs to provide proof that the building was zoned for multifamily purposes. Mr. Jackson was told that the building was built prior to the zoning ordinance and therefore it would subject to the paragraph in our zoning ordinance as preexisting 1996 and grandfathered. Jeff Holler obtained Mr. Jacksons email address and will send him a letter via email.

Ms. Priest and Mr. Gariepy spoke with the Town Board about the lawn conditions at 9043 Otto - E.Otto Road. Specifically what appears to be an abandoned lot between the two residences. Ms. Priest has approached the home owner and offered to mow and clear some of the dead trees that could be a threat of falling on her house. Mr. Richmeyer, the owner of the house has not mowed and would not let them maintain the lawn either. Ms. Priest is asking the Town Board to take some action. Mr. Hollar has said the law is limited to fire code of having ten feet surrounding the residence cleared of tall grass, of which has been mowed. However the portion of lawn not being maintained could be within ten feet of Ms. Priests residence. There is also a concern that there are snakes in the unkempt lawn possibly meaning there could be rats or mice living there offering a food source for the snakes. Mr. Hollar said he would send Mr. Richmeyer a letter.

RESOLUTION 2019-48

Approval of minutes

On a motion made by Councilperson Gregory and seconded by Councilperson Mallaber, the following resolution was

APOPTED Ayes 4 Gregory, Mallaber, Stang, Wasmund

Nays 0

Resolved that the minutes of August 20, 2019 are approved as submitted

Report of town officials

Supervisor Wasmund Mr. Wasmund presented the Board with his monthly report. He reported that Cattaraugus County needed a copy of the resolution from the Town authorizing the removal of the Masonic building. Now that the Historical Society is involved the County is no further ahead and no progress has been made to take the building down.

Bid Opening

One bid was received for the tractor mower.

Java Farm Supply \$57,950.00

No exceptions to the specifications

Waiver of immunity is included
Bidding is closed.

RESOLUTION 2019-49

Tractor Mower Purchase

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

APOPTED Ayes 4 Gregory, Mallaber, Stang, Wasmund
 Nays 0

Resolved that the Town Board of the Town of Otto authorizes the Town Supervisor to enter into a purchase agreement with Java Farm Supply for the purchase of the tractor mower.

Highway Superintendent Mr. Barber reported that the annual sand bid came back at \$740 a ton delivered from Little Valley Sand & Gravel. The highway department has been mowing roadsides and doing shoulder and ditch work. Equipment is getting prepared for the snow season. Mr. Barber has signed up for the Cornell Local Roads class in Ellicottville. Mr. Barber has been researching for a supplier for safety compliant work clothing. The shirts they are now purchasing are not in compliance. He has found a source at \$61.34 weekly for compliant clothing seems over priced.

Code Enforcement Officer Jeff Holler reported on his activities for the month from 8/21/2019-thru 09/17/2019. He placed 10 phone calls and conducted 8 inspections. He issued 2 permits, a garage addition at 9305 North Otto Road, and a lean to garage addition at 9375 North Otto Road. \$60.00 was turned over to the Town Clerk. Mr. Holler attended the planning board meeting. He also attended the court appearance for Mr. Wilder on 09/09/2019. Mr. Wilder has been working on cleaning the properties up but is a long way from becoming compliant. The hearing is rescheduled for 10/21/2019. Mr. Holler has sent a certified letter to the owner of the 25 Slice building to have the building closed up as it is unsafe.

Town Clerk Trisha Priest presented the monthly review of the town clerk activities for the month of August 2019.

\$1294.00 was collected during the month of August. The following disbursements were made:

Town Supervisor	\$ 841.82
Department of ag & markets	\$ 14.00
Catt Co. DPW	\$ 47.00
DEC	\$ 391.18

Clerk Priest brought it to the Town Boards attention that the Senior Citizens Exemption was never filed with the State or the Cattaraugus County as a Town Law. The County has amended the Senior Citizens Exemption to allow for unreimbursed medical expense deductions. The real property services department has asked the Town to consider following suit and pass a new Town Law. This Law would need to be passed prior to January to take effect in 2020. The notice was distributed to all members present. She also distributed a copy of the Farm Law for the Town Board to consider. Ronald Hebner's term on the Board of Assessment Review is ending 09/30/2019. He would need to be reappointed for another term starting 10/01/2019.

RESOLUTION 2019-50

Board of Assessment Review Appointment

On a motion made by Councilperson Mallaber and seconded by Councilperson Gregory , the following resolution was

APOPTED Ayes 4 Gregory, Mallaber, Stang, Wasmund
 Nays 0

Whereas, The term of appointment for Mr. Ronald Hebner expires September 30, 2019 and,

Whereas, The Town Board is desirous of filling the appointment.

Therefore it be resolved that Mr. Ronald Hebner be reappointed as a member of the Board of Assessment Review for the term of four years beginning October 1, 2019 and ending September 30, 2023.

RESOLUTION 2019-51

County Assessing Services

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

APOPTED Ayes 4 Gregory, Mallaber, Stang, Wasmund
 Nays 0

Resolved that the Town Board authorize the Town Supervisor, Ronald Wasmund to enter into an agreement and contract with Cattaraugus County to perform assessing services on behalf of the Town of Otto. and furthermore the rate of compensation for such assessing services to be \$8500.00 annually for the term starting October 1, 2019 and ending September 30, 2025.

RESOLUTION 2019-52

Audit of Claims

On a motion made by Councilperson Mallaber and seconded by Councilperson Gregory , the following resolution was

APOPTED Ayes 4 Gregory, Mallaber, Stang, Wasmund
 Nays 0

Resolved that the bills contained on Abstract #909 in the amount of \$ 66,549.73 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Fund	No.	37	through	41	\$	687.85
Highway Fund	No.	92	through	104	\$	65562.28
Water District	No.	10	through	11	\$	259.00
Sewer District	No.	1			\$	40.60

RESOLUTION 2019-53

Supervisor's Monthly Report-August

On a motion made by Councilperson Gregory and seconded by Councilperson Mallaber, the following resolution was

APOPTED Ayes 3 Gregory, Stang, Mallaber
 Nays 0

Resolved that the Supervisor's Monthly report for the month of August 2019 be accepted as submitted.

RESOLUTION 2019-54

Town Clerk's Report-August

On a motion made by Councilperson Gregory and seconded by Councilperson Mallaber, the following resolution was

APOPTED Ayes 4 Gregory, Mallaber, Stang, Wasmund
 Nays 0

Resolved that the Clerk's monthly report for the month of August 2019 be accepted as submitted.

With no further discussion, on a motion of Councilperson Stang and seconded by Councilperson Gregory, the meeting was adjourned at 8:40pm. Carried unanimously.

The next board meeting will be held on October 15, 2019 7PM at the Otto Town Hall.

Respectfully Submitted,

Trisha Priest, Town Clerk