

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 January 2021.

Present: Ron Wasmund .. Town Supervisor
Marlene Gregory .. Councilmember
Brenda Mallaber .. Councilmember
Paul Stang .. Councilmember
Kevin Walker .. Councilmember via zoom meeting
Trisha Priest .. Town Clerk
Robert Barber Jr. .. Highway Superintendent

Absent: Jeff Holler .. Code Enforcement Officer

Supervisor Wasmund called the regular board meeting to order at 7:00pm with a quorum present.

RESOLUTION 2021-4

Approval of minutes

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

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

Resolved that the minutes of January 19, 2021 are approved with correction.

Report of town officials

Supervisor Wasmund Mr. Wasmund presented the Board with his monthly report. On January 11, 2021 Supervisor Wasmund received a letter from Chairman of the Cattaraugus County Legislature, Howard V. VanRensselaer.

Read as follows

Dear Supervisor Wasmund,

The NYS Department of Corrections and Community Supervision announced that Governor Cuomo is closing the Gowanda Correctional Facility in ninety days. This closure will impact more than 500 NYS Correctional Officers and Police Benevolent Association positions.

One behalf of Cattaraugus County Legislature, I have enclosed the resolution from our last meeting to oppose this closure and would like to gain support from the shared Towns and Municipalities. We are asking you to pass a similar resolution to help support this opposition to hopefully retain this facility.

Please contact me with any questions or concerns regarding this resolution/closure.

Thank you for your consideration in this matter.

Sincerely,

Howard V. VanRensselaer

Chairman

Supervisor Wasmund was also in possession of two sealed bids for a new 10-wheeler equipped with a plow.

Bids were opened in the presence of the Board and read as follows

Bid 1: Conway Beam

1500 North America Drive

West Seneca, NY 14224

cab and chassis	\$132,850.00
dump and plow	\$102,000.00
Total	\$234,850.00

Noted: the bid did not meet full specifications :
the specification on the RFP is for disk brakes.
Conway Beam could only offer drum brakes.

Bid 2: Fleet Maintenance Inc.

67 Ranseir Drive
West Seneca, NY 14224

cab and chassis	\$143,711.00
dump and plow	\$102,000.00
Total	\$245,711.00

Highway Superintendent will go through the specification sheets to determine if he can justify the difference between the two trucks. He also mentioned that the Town could get financing through Sourcewell. Financing wouldn't need to go out to bid as Sourcewell is federally certified.

Highway Superintendent Mr. Barber received a letter from Homeland Security and Emergency Services stating the FEMA agrees with the payments made for projects 243, 467, 468, 543, 580, and 581. These small projects are closed out.

Councilmember Mallaber inquired about filling the vacancy in the highway department. Mr. Barber has several inquiries from people who are expressing an interest. A decision has not been made at this time.

Councilmember Stang On behalf of Allison Girod Secretary to the Otto Fire District, Mr. Stang furnished a copy of the contract for fire and emergency services agreement for approval and signature from the board. The Contract was signed and Mr. Stang will submit that to the Otto Fire District. Mr. Stang also encouraged anyone interested in having DFT internet service to reach out to them and express that interest to better the chances of additional relays being placed. The more interest they are aware of, the easier it will be to convince them to expand further service to our area.

Town Clerk Trisha Priest presented the monthly review of the town clerk activities for the month of December 2020. \$290.00 was collected during the month of December. The following disbursements were made:

Town Supervisor	\$ 256.50
Department of ag & markets	\$ 11.00
Catt Co. DPW	\$ 0.00
DEC	\$ 0.00
NYS-DOH	\$ 17.50

The Town Clerk submitted a yearend report of the Clerk's Transactions in 2020.

The Town Clerk submitted the December Assessors report to the Town Board.

The December report is as follows:

- *The state government changed the Senior Citizen Exemption renewal process again by passing the COVID-19 Emergency Eviction and Foreclosure Prevention Act. Here's a summary of this law and what it means for us:*
 - o *Requires local governments to carry-over Senior Citizen exemptions from the 2020 assessment roll to 2021.*
 - ♣ *If you haven't already passed the resolution described in Executive Order 202.83 you no longer have to.*
 - o *Requires localities to provide renewal applications, via electronic or postal mail, for those individuals who may be eligible for a larger exemption in 2021.*
 - ♣ *We are contacting all current applicants to see if they are eligible for a larger exemption. o Requires localities to pass a resolution that allows us to remove exemptions due to:*
 - 1) *owner death,*
 - 2) *a new owner added to the deed,*
 - 3) *owner changed their primary residence, or*
 - 4) *the property transferred to a new owner.*

Now we are asking you to pass a different resolution that allows us to remove an exemption or require a renewal application for applicants we think are no longer eligible. If this is not passed, then new property

owners, no matter their age or income, will be allowed to keep exemptions that they would otherwise not be entitled to.

- Annual renewal applications for the Agricultural Assessment have been mailed. As a friendly reminder, Enhanced STAR exemptions are now renewed automatically—applicants will not be receiving renewal applications.
- The Assessing Office has corresponded with several property owners about their assessments, tax bills, and exemptions.
- Ten property transfers were added for the month of November.

RESOLUTION 2021-5

opposing closure of Gowanda Correctional Facility

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

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

WHEREAS, at a January meeting of the Cattaraugus County Legislature, a resolution, ACT NO. 53-2021 was passed opposing the closure of the Gowanda Correctional Facility.

WHEREAS, the opinion of the Otto Town Board coincides with that of the Cattaraugus County Legislature in regards to the impact on ours and neighboring communities with in Cattaraugus County affected by the closure of the Gowanda Correctional Facility.

RESOLVED, that the Town of Otto in solidarity with Cattaraugus County strongly opposes the closure of the Gowanda Correctional Facility. The Town Board urges Governor Cuomo to reverse this action, keep our correction officers, their families and our communities safe by keeping this essential facility open. Prevent the displacement of correctional officers and their families throughout the state through position changes, job loss and relocations as a result.

RESOLVED, that the Clerk of the Town of Otto is hereby directed to forward this resolution to the Cattaraugus County Legislature in support of opposing the closure of the Gowanda Correctional Facility.

RESOLUTION 2021-6

Senior Citizens Exemption Renewal Process amendment

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

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

WHEREAS, on December 20, 2020, Governor Andrew M. Cuomo signed into law The Covid-19 Emergency Eviction and Foreclosure Prevention Act of 2020, and

WHEREAS, such law states, “Notwithstanding any other provision of law, in the interest of the health and safety of the public due to the novel corona virus, COVID-19 pandemic, every governing body of an assessing unit and local assessor shall extend to the 2021 assessment roll, the renewal of the exemptions received on the 2020 assessment roll pursuant to sections 467 and 459-c of the real property tax law, relating to persons age sixty-five and older and for certain persons with disabilities and limited income, and no renewal application shall be required of any eligible recipient who received either exemption on the 2020 assessment roll in order for such eligible recipient to continue receiving such exemption at the same amount received on the 2020 assessment roll, except as here-in provided. Provided however, that the local assessor shall make available renewal applications through postal mail or electronic means in order for eligible recipients to file renewal applications in the event that such eligible recipient determines his or her income has changed in a manner that would grant him or her a greater exemption than what was present on the 2020 assessment roll; and provided

further that such governing body may adopt a local law or resolution which includes procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died; and provided further that no governing body of an assessing unit or local assessor may require eligible recipients to appear in person to file a renewal application for any reason.

This act shall take effect immediately and shall expire May 1, 2021. This act shall be deemed to have been in full force and effect on and after March 7, 2020.” and

WHEREAS, the Town is desirous in adopting the described resolution, allowing the assessor to require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since

1. changed his or her primary residence
2. added another owner to the deed
3. transferred the property to a new owner
4. died

now, therefore, be it

RESOLVED, that the Town Board is authorized to pass such resolution, and that the assessor is instructed to take any such necessary actions in the above-described directives.

RESOLUTION 2021-7

Otto Fire District Contract

On a motion made by Councilmember Stang and Supervisor Wasmund, the following resolution was

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

Resolved to contract with the Otto Fire District to furnish fire protection and general ambulance service to and within and adjoining the Otto Fire District of Otto, NY.

RESOLUTION 2021-8

Highway Department Purchase of a 10 wheeler with plow

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

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

Resolved, authorizing Supervisor Wasmund to enter into a purchase agreement with Fleet Maintenance Inc. located at 67 Ranseir Drive, West Seneca, NY For the Purchase of a 10 Wheeler with a plow with the bid price of \$245,711.00.

RESOLUTION 2021-9

Sewer user fee exemption 36.009-1-40

On a motion made by Councilmember Gregory and Councilmember Stang, the following resolution was

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

WHEREAS parcel 36.009-1-40, located at 8217 N Otto Rd in the Town of Otto, NY within the Town of Otto Sewer District, suffered extensive damage due to fire in December of 2020 and is now presently uninhabitable.

RESOLVED, that the Town Board of the Town of Otto grants exemption of the sewer user fee in the amount of \$600 for the year 2021 and thereafter until which time the property becomes habitable again.

RESOLUTION 2021-10

Audit of Claims

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

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

Resolved that the bills contained on Abstract #001 in the amount of \$ 45,974.30 have been reviewed by Town Board and are authorized for payment in the following amounts:

General Fund	No.	1 through 8	\$35,008.78
Highway Fund	No.	1 through 12	\$10,675.52
Water District	No.	1	\$ 290.00
Sewer District	No.		

RESOLUTION 2021-11

Supervisor's Monthly Report-December

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

ADOPTED Ayes 3 Gregory, Mallaber, Stang
 Nays 0

Resolved that the Supervisor's Monthly report for the month of September 2020 be accepted as submitted.

RESOLUTION 2021-12

Town Clerks Monthly Report-December

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

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

Resolved that the Town Clerk's December Monthly report and yearend report be accepted as submitted.

The next board meeting will be held on February 16, 2021 7PM at the Otto Town Hall.

Respectfully Submitted,

Trisha Priest, Town Clerk