

Organizational Meeting 2023, Town Of Otto

The annual organization 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 3th day of January 2023.

Present: Ron Wasmund .. Town Supervisor
Brenda Mallaber .. Council Member
Paul Stang .. Council Member
Trisha Priest .. Town Clerk
Robert Barber .. Highway Superintendent

Supervisor Wasmund called the organizational meeting to order at 7:00pm.

RESOLUTION 2023-1

Organization Review of the Town of Otto

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

APOPTED Ayes 3 Mallaber, Stang, Wasmund
 Nays 0

Resolved the following requirements for organization of the Town of Otto be reviewed and all action be voted on at the closure of the organizational meeting.

Salaries of the elected and appointed officials

<u>OFFICE</u>	<u>ANNUAL SALARY</u>	<u>PAY SCHEDULE</u>
Town Supervisor	\$ 11,500	Monthly
Town Councilman (4)	\$ 2,725 (each)	Quarterly
Town Clerk	\$ 10,980	Monthly
Water Superintendent	\$ 10,000	Monthly
Historian	\$ 725	Annually
Attorney	\$ 2,675	Annually
Animal Control Officer	\$ 3,800	Annually
Code Enforcement Officer	\$ 9,270	Quarterly
Town Justice	\$ 10,500	Quarterly
Highway Supt.	\$ 58,500	Bi-Weekly
Planning Board	\$ 25/meeting	Quarterly
Board of Assessment Review	\$ 100 (each)	Annually
Waste water treatment plant operator	\$ 30,680	Annually
Planning Board Chairperson	\$ 75/meeting	Quarterly

Appointments of Town officials

Deputy Supervisor	Paul Stang
Tax Collector	Trisha Priest
Registrar of Vital Stats. /Records Management Officer	Trisha Priest
Deputy Registrar of Vital Stats. /Deputy Town Clerk	Allison Girod
Water Superintendent	Dennis Huber
Civil Defense Director	Ronald Wasmund
Animal Control Officer	Mary Dankert
Code Enforcement Officer	Jeff Holler
Waste water treatment plant operator	John Woodward
Town Attorney	James Musacchio

Tax Assessor
Board of Assessment Review:

Cattaraugus County
Barbara Pascarella – Sept. 2023
Victoria Dickinson – Sept. 2025
Ronald Hebner – Sept. 2024
.. vacant

Comprehensive Planning Board:

Karen McAndrew -Chair - Jan 2027
Ronald Hebner - Jan 2024
Terry Steinbar- Jan 2026
Marcia Salisbury - Jan 2025
Barb Pascarella - Jan 2023

Board of Appeals:

Bonnie Visnesky
Emily Moore
John Vanderbosch

Water Advisory Board:
(this is an elected position – elected by the Water District).

Colleen Robertson
John Visnesky

Waste Water Advisory Board:

Ken Robertson
Mary Malek

Designation of Depositories

Bank of Cattaraugus, Community Bank, M&T, CCB, NY/CLASS and Greene County Bank

Official Newspaper

Springville Journal is designated as the official newspapers for the Town of Otto.

Meeting of the Town Board

The regular meeting of the Otto Town Board will, throughout the year 2023, be held at 7:00 p.m. on the third Tuesday of each month at the Otto Town Hall.

Official bulletin board

The bulletin board in the Otto Post Office shall serve as the Town of Otto's official bulletin board by which the Town Clerk shall post the minutes of the Town Board Meetings. The Town Clerk is also directed to post the Town Board Meeting minutes on the Town of Otto's webpage: www.OttoNY.org

Mileage

The mileage rate for business travel OUTSIDE the Town of Otto Limits will be \$0.65.5 per mile for 2023.

Authorization for Highway Superintendent

The Highway Superintendent is granted permission to purchase up to \$4500.00 worth of small tools per year without consultation with the Town Board.

Highway Department

Full-time highway employees shall work 40 hours per week except for snow removal and emergencies.

Highway employees will be paid on Tuesday following the two week work period.

Highway employee salary is approved as follows: a new employee starting at \$18.00/hr., then increments over 2 years to be current with the top pay grade for full-time employees. Part-time motor equipment operator's hourly rate shall be set between \$18.00 and the current top pay rate. This shall be decided by the Highway Supt.

Wages will be compensated at the rate of 1-1/2 times their base pay for hours worked over 40 hours in any given week for highway employees. Employees may also opt to take overtime as compensatory time not to exceed 120 hours saved at any time. Use of compensatory time must be approved by the Highway Supt.

Compensation for call out time as defined as when a highway employee is called in to work for unscheduled hours of operation. The employee will be compensated a minimum of two hours pay, unless it's immediately preceding the regularly scheduled shift.

Observed Holidays

New Year's Day
Memorial Day
Thanksgiving Day
4th of July

Veteran's Day
Election Day
Labor Day

Good Friday
Friday before Labor Day
Christmas Day

Vacation days are earned at the following lengths of service for full-time highway employees. Year of service is earned on the anniversary of the employees hire date.

1 week after 1 year; 2 weeks after 3 years; 3 weeks after 8 years; and 4 weeks after 20 years.

Personal Days

Full-time highway employees will earn 4 personal days per year and may accumulate up to 20 days. This pertains to personal days only. These 20 days may be carried over to the next year. A day is stipulated as 8 hours. 48 hours prior notice shall be given to the highway supt. for approval of the use of personal time off; unless in case of an emergency where prior notice can't be furnished.

Bereavement Pay

Highway employees may take up to 3 days bereavement with pay for a death in the immediate family to include step family with the following designation: parent or legal guardian, spouse, child, sibling, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, or grandparents.

Medical Insurance

Full-time highway employees and the highway supt. shall be offered medical insurance coverage through Blue Cross Blue Shield with temporary employees having the option to join the insurance group at their own expense.

Medical Insurance buy out

Annual insurance buyout totaling \$2340.00 paid out bi-weekly at \$90 per pay. Employee must provide proof of insurance coverage.

Pay increases

Full-time highway employees pay increases by 1 cent/hr./year of employment after 5 years of service. This stipend will take effect January 1st of the anniversary date of hire in that calendar year.

The Highway Superintendent position is compensated as a working Highway Supt. This compensation will be weighed on a year to year basis at budget time. Also a base starting salary of \$31,200.00 per year will take effect. This is established for any new Highway Supt. This is subject to review and salary adjustment by the Town Board as the person proves capable to the board's satisfaction.

The deputy highway supt.'s wage shall be increased by \$.25/hr.

The Highway Supt. shall keep a perpetual list of expenses for each major piece of equipment to include miles driven, fuel used, and repair expenses. This is to be reported to the Board on a bi-monthly basis.

The Highway Supt. shall approach the Town Board for authorization to pursue projects outside the regular scope of the Otto Town Highway maintenance and operations, including but not limited to Special Districts such as Sewer, Water, Light and Fire Districts.

Highway Complaint

All town employees shall be notified that in the event of a complaint concerning any town highway related problem, they should follow the due notice policy. The complaint should be immediately referred to the Highway Supt. The Highway Supt. shall maintain a log of these complaints showing date, road applicable, nature of complaint and how it was resolved.

Notice of Intent to retire

WHEREAS, the Town Board would like sufficient time for budgetary purposes to make accommodations for a position vacancy due to retirement.

THEREFORE be it resolved that any Town of Otto Highway employee must submit a written notice of their intent to retire no later than one year prior to retirement. This notice can be withdrawn by submitting a written notice ninety days prior to their intended date of retirement. Exceptions can be made for serious medical illness or disability at the discretion of the Town Board.

Authorization of the Town Supervisor

The Supervisor is hereby given the authority to pay health insurance, utility and tax bills before additional penalties are added.

Public Service Exemptions

The Otto Historical Building, Church, and Otto Fire Hall shall be exempt from Special District Taxes. Otto Fire Hall will not be exempt from Sewer Fees.

Inspection and permit fee schedule

Supervisor Wasmund having stated that the Otto Town Board has duly adopted and resolved that the Town of Otto has elected to enforce the NYS Fire and Building Codes, and the Otto Zoning Ordinance and that said Town shall appoint the necessary inspectors to implement the same. The revision is determined to apply to the enforcement and implementation is the Town Board. Be it further resolved, that all rental units in the Town can be subject to inspection upon a change of occupancy; said inspection being for the purpose of enforcing the NYS Fire and Building Codes. Any owner or occupancy may request that his single family residential unit be inspected. Be it further resolved that the following fees will be charged for inspection under the Codes, and issuance of the permit, which fees are based on the estimated construction costs:

A.	0-\$2000	Fee:	\$ 30.00
B.	\$2001-\$10,000	Fee:	\$100.00
C.	\$10,001 - \$50,000	Fee:	\$200.00
D.	In excess of \$50,000	Fee:	\$300.00

Effective January 1, 1985 new state executive law required municipalities to approve a building permit for the installation of a solid fuel-burning stove and free-standing masonry fireplaces, and the homeowner or business wishing to install such an appliance; an inspection of the unit and its connection will be made and a permit for use, approved if found safe. A fee for this is \$20.00.

Effective January 1, 2011 there will be a \$25.00 fee for the replacement of the roof.

Effective August 17, 2021 building permit fee for a commercial solar farm is set at no less than \$12 per \$1000 total value of the building project.

A building permit is good for one year. Should the permit need to be extended, the cost will be 50% of the original permit for a 1 year extension.

Fine Schedule

The fine structure on all town laws and ordinances are approved as listed below.

Whereas, fines that accrue over time for failure to comply with an order of the court shall to be a minimum of \$0 or conditional discharge, not to exceed of \$350.00 for the 1st offense, not less than \$350 for the 2nd offence not to exceed \$700 for the 2nd offence, not less than \$700 and not to exceed \$1000 on the 3rd offence.

Cemeteries

NO person shall cause the remains of a human being to be buried, or establish burial grounds for such purpose in the Town of Otto in any ground not set apart and recognized as a municipal, religious, or not-for-profit corporation cemetery without having deposited adequate and appropriate funds for the perpetual maintenance of said grounds. Adequate and appropriate funds are relative terms and are intended to allow for a vast range in the cost of maintenance among various townships.

The funeral directors shall set and collect all monies to pay for the burial expenses at the East Hill Cemetery where allowable by law.

The purchase price of a plot is \$1000.00. Where as a plot consists of two full casket burial spaces and further more defined as plots are numbered and spaces are lettered. A single space within a plot can be purchased for \$500.00.

East Hill and Barber Cemetery Lawn Mowing

Continuation of Resolution 2019-24

WHEREAS, The Otto Town Board resolved that the cost of lawn mowing services shall be \$250 for the East Hill Cemetery and Museum grounds and \$75 for lawn mowing services at the Barber Cemetery per time with a maximum of 14 times per year.

Public Officers Law

Section 18(4) of Public Officers Law shall apply to indemnification and saving its employees from a judgment or settlement of a claim covered by said Section 18.

Returned Check Fee

A charge in incur upon the presenter of a returned check of insufficient funds, a fee in the maximum amount allowed by GML general obligations § 5328. Repayment shall be made in cash or money order to include initial payment plus the returned check fee to satisfy the presenter's obligation.

Drug and Alcohol Testing

Contracted with Lake Shore Employee Testing Service Inc. to conduct the drug and alcohol testing for the Town of Otto.

Dog License Fees

A charge of \$10.00 will be accessed for a spayed/neutered dog license and a \$20.00 fee for an unsprayed/unneutered dog license. This includes a \$1.00 and \$3.00 state fee. No dogs will be exempt from these fees. Prior year delinquencies are required to be paid prior to the issuance of a new license.

Petty Cash

Continuation of the petty cash funds for the Otto Town Court in the amount of \$50, The Otto Town Clerk in the amount of \$50 and the Otto Town Highway in the amount of \$50.

Sewer District Fees

The Sewer User fees are as follows: \$600 annually for a single family residence, \$ 600 for the first unit of a multi family residence and \$300 for each additional unit in a multi family residence. \$900 for a commercial business. The sewer district will be billed quarterly and delinquent sewer fees will be levied on the Town and County taxes in October of each year.

Investment of funds

The Supervisor shall have the authority to invest funds in certificates of deposit in any local bank authorized to do business in New York State and agree with the Towns adopted investment policy.

Retention and Disposition Schedule

The Town of Otto adopts the records retention and disposition of schedule LGS-1.

Tax Collection Second Notice Fee

A \$2.00 second tax notice fee will be collected by the tax collector on tax bills not paid in full on the last day of February. Whereas, a town tax collector is required by NYS Real Property tax law to mail a second notice to delinquent tax payers no sooner than February 1st and no later than March 15th.

Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan

WHEREAS, the Town of Otto, with the assistance from Cattaraugus County, has gathered information and prepared the Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, the Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Otto is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Otto has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Otto Town Board that The Town of Otto adopts the Cattaraugus County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Vital Statistic Registrar compensation

The appointed registrar of vital statistics and the deputy registrars will be compensated in accordance to public health law §4124 and town law §27§5-17c. special salaries;

WHEREAS, local registrars who are not paid a specified salary receive as compensation, the fees collected for issuing certified copies of marriage, birth and death certificates.

WHEREAS, they also receive from the appointing municipality \$.50 for each new certificate of live birth and certificate of death filed, each report of fetal death received and each burial permit issued.

Youth Council 2023

WHEREAS, it is necessary to make application to the Cattaraugus County Youth Bureau/ NYS Office of Children and Family Services.

WHEREAS, it is necessary for the supervisor to sign for the Town of Otto, now, therefore be it

RESOLVED, the Town Board does hereby authorize the Supervisor of the Town of Otto to enter into agreements with the Cattaraugus County Youth Bureau/ NYS Office of Children and Family Services to run youth programs for the 2023 program year ending December 31, 2023.

Authorized Mandatory Training

So it be granted that all appointed and elected town officials are authorized to attend required trainings without prior approval from the Town Board.

Procurement Policy

The Highway Supt. shall follow procurement Policy (CF33) as established by the Otto Town Board and adopted as: WHEREAS, Section 104-B of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services subject to the bidding requirements of GML, 103 or any other law: and WHEREAS, contents have been solicited from those officers of the town involved with procurement; NOW, THEREFORE, be it RESOLVED; that the Town of Otto does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determining the applicability of GML, 103. Every town officer, board, department head, or other personnel with requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of a.) supplies or equipment which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000 shall be formally bid pursuant to GML 103.

Guideline 3. All estimated purchases of:

Less than \$10,000 but greater than \$5,000 require written request for a proposal (RFP) and written/fax quotes from 3 vendors.

Less than \$5,000 but greater than \$3,000 requires an oral request for the goods and oral/fax quotes from 2 vendors or more if possible.

Less than \$3,000 but greater than \$250 is left to the discretion of the purchaser. All estimated public works contractor:

Less than \$20,000 but greater than \$10,000 requires a written RFP and fax/proposals from 3 contractors.

Less than \$10,000 but greater than \$5,000 requires a written RFP and fax/proposals from 2 contractors.

Less than \$5,000 but greater than \$500 is left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase of public works contracts.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepared a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6. Except when directed by the town board, no solicitation or written proposals or quotations shall be required under the following circumstances:

- a. Acquisition of professional services;
- b. Emergencies;
- c. Sole source situations;
- d. Goods purchased from agencies for the blind or severely handicapped;
- e. Goods purchased from correctional facilities;
- f. Goods purchased from another governmental agency;
- g. Goods purchased at auction;
- h. Goods purchased for less than \$1000.00;
- i. Public works contracts for less than \$5000.00

Due Notice Policy

The Otto Town Board establishes a due notice policy:

whereby any persons making a verbal complaint should be given the option of filing a written complaint with any town employee.

whereby all written notices of complaint in regards to a highway related problem must be signed by the Complainant and submitted to the Town Clerk where it will be recorded and forwarded to the highway department.

RESOLUTION 2023-2

Approval of the Town of Otto 2023 Organization

On motion of Council Member Mallaber seconded by Council Member Stang the following resolution was

ADOPTED	Ayes	3	Mallaber, Stang , Wasmund
	Nays	0	By Roll Call Vote

Resolved the Organization of the Town of Otto be based on all actions of these entire minutes the Town Board unanimously approved.

With no further business, on a motion of Council Member Mallaber and seconded by Supervisor Wasmund the meeting was adjourned at 8:25 pm. Carried unanimously.

Respectfully Submitted,

Trisha A. Priest, Town Clerk