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 16th day of June 2026.

Present:

Randy Beenau	.. Town Supervisor
Marlene Gregory	.. Councilmember
Brenda Mallaber	.. Councilmember
Paul Stang	.. Councilmember
Kevin Walker	.. Councilmember
Robert Barber	.. Highway Superintendent
Jeff Holler	.. Code Enforcement Officer

Absent:

Trisha Priest	.. Town Clerk

Others Present:

None

Randy Beenau called the regular board meeting to order at 7:06pm with a quorum present.
In the absence of the Town Clerk, Randy Beenau was appointed to take minutes of the Board Meeting.

RESOLUTION 2026-27
Approval of minutes
On a motion made by Councilmember Walker and seconded by Councilmember Gregory, the following resolution was
ADOPTED Ayes 5 Beenau, Gregory, Mallaber, Stang, Walker
Nays 0
Resolved that the minutes of the May 2026 Regular Meeting of the Town Board is approved.

Mailed correspondence

The Town Board received a letter from Cattaraugus County Real Property Tax Services regarding a new veteran exemption for 2026. Within the NYS 2026 budget there were changes to the 458-a Alternative Veteran Exemption.

Paul Stang read aloud a notice of claim delivered on 06/16/2026.

Old Business

The Town has received the deed for the Museum. The property will be added to the Town's insurance plan. The building is on the NYS Historical building list. The planning board will be asked to oversee renovations and repairs.
Robert Barber has been asked to remove the decaying logs on the Museum property.

New Business

An issue has been brought to the Town Board regarding parking on Roads that have no extended shoulder or designated parking space. Paul Stang has been asked to review the parking ordinance and communicate with the offending party to get there cooperation to stop blocking the roadway in the best interest of public safety. Paul Stang has been asked to rewrite the ordinance to update the time frame and locations of permitted parking.

An issue has been brought to the Town Board regarding a residential dispute that is affecting many neighboring properties on Forty and Dake Hill Roads. The aggrieved resident has resorted to playing very loud music at all hours directed at neighbors through outdoor speakers placed along the boundary of the property. The Town Board will inquire about a County noise ordinance. The Town does not currently have a noise ordinance.

Planning Board members have reached out to Randy Beenau about the row house property down town. Paul Stang and Randy Beenau have had a discussion with Mr. Vanderbosch regarding his activities on the Town's property. There was further discussion regarding the boundary lines and the footprint of the former building. It was suggested that a fence be put up during the Freedom Fest.

Randy Beenau reported on a conversation he had with Mary Dankert, DCO. NYS has enacted new legislation to improve the regulations placed on pet boarding kennels ensuring that kennels meet specific health and safety standards to protect the animals in their care. Mary doesn't have the ability to upgrade her kennel to meet those standards. The Town will need to find another means to comply.

Randy Beenau discussed the need to evaluate the water and sewer fee structure. The increased costs and maintenance of both districts along with the reduction of the number of properties paying fees has made the districts unsustainable. By comparison, a town putting in new districts today would need to collect approximately $1010 for sewer and $1218 for water for each user.

Randy Beenau discussed the need to retain an attorney for the Jackson Complaint. He has been in contact with Joshua R. Lippes, Esq Lippes & Lippes 1109 Delaware Ave Buffalo, NY14209.

Randy Beenau presented a quote from Generations Appraisal Services to have the property on South Hill Road Appraised. Members of the Board discussed having the Town owned prosperities located in the Hamlet and the ongoing need and use of these areas to store snow from adjacent roads resulted in no action being taken.

Paul Stang discussed an issue with the solar farm driveway with the culvert and drainage. Robert Barber will oversee the repair. Mr. Stang opened discussion of battery storage issues and that the Town needs to prepare for them in the Towns comprehensive plan. Mr. Stang reported that the solar company agreed to a three percent accelerator on the host community agreement. Mr. Stang will be reviewing plans and drawings of the solar farm by the end of the week. The Town has received the building permit/community incentive fee payments and they were not paid under protest.

RESOLUTION 2026-28

Hazardous mitigation plan

A RESOLUTION OF THE TOWN OF OTTO ADOPTING THE 2025 CATTARAUGUS C OUNTY HAZARD MITIGATION PLAN

On a motion made by Councilmember Walker and seconded by Councilmember Gregory, the following resolution brought forth:

WHEREAS the Town of Otto recognizes the threat that natural hazards pose to people and property within the Town of Otto; and

WHEREAS the Town of Otto has prepared a multi-hazard mitigation plan, hereby known as 2025 Cattaraugus County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS 2025 Cattaraugus County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Otto from the impacts of future hazards and disasters; and

WHEREAS adoption by the 2025 Cattaraugus County Hazard Mitigation Plan demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2025 Cattaraugus County Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF OTTO, NY THAT:

Section 1. In accordance with Municipal Home Rule Law, the Otto Town Board adopts the 2025 Cattaraugus County Hazard Mitigation Plan. This plan, approved by the community, may be edited or amended after submission for review,

but will not require the community to re-adopt any further iteration. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

ADOPTED by Roll Call Vote Ayes 5 Beenau, Gregory, Mallaber, Stang, Walker
Nays 0

RESOLUTION 2026-29
Support for Veterans Exemption

Town Supervisor Beenau introduced a resolution to support the expansion of the alternative veterans' property tax exemption under State Real Property Tax Law Section 458-a.

Supervisor Beenau moved for the adoption of the resolution. The motion received no second. After much discussion and consideration it has been determined that there needs to be a deeper understanding of the program and it was tabled for later consideration.

RESOLUTION 2026-30
Retaining Joshua R. Lippes, Esq Lippes & Lippes 1109 Delaware Ave Buffalo, NY 14209 as Special Legal Counsel for pending litigation
On a motion made by Councilman Walker and seconded by Councilman Gregory, the following resolution was
APOPTED Ayes 5 Beenau, Gregory, Mallaber, Stang, Walker
Nays 0

WHEREAS, the Town of Otto is currently named as a party in a pending lawsuit; and

WHEREAS, the Town Board of the Town of Otto recognizes the immediate need for specialized legal representation to protect the interests, assets, and rights of the Town, its officials, and its residents in connection with this litigation; and

WHEREAS, Joshua R. Lippes, Esq., is a qualified attorney with the necessary expertise and experience to effectively represent the Town of Otto in this matter;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Otto hereby retains and appoints Joshua Lippes, Esq., to serve as Special Legal Counsel to represent the Town of Otto, its board, and its officers in the aforementioned pending lawsuit; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute a legal services agreement and any necessary retainer documents with Joshua Lippes, Esq., subject to the final review of the contract terms and fee structure by the Town Board; and

BE IT FURTHER RESOLVED, that compensation for said legal services shall be paid from the Town's general legal services fund lines upon the submission and approval of detailed, itemized vouchers; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION 2026-31
Authorization to conduct a Town - Wide dog census
On a motion made by Councilman Walker and seconded by Councilman Mallaber, the following resolution was
APOPTED Ayes 5 Beenau, Gregory, Mallaber, Stang, Walker
Nays 0

WHEREAS, New York State Agriculture and Markets Law Section 109 requires that all dogs four months of age or older must be licensed in the municipality in which they are harbored; and

WHEREAS, the licensing of dogs is essential for ensuring public health and safety, particularly regarding rabies vaccination compliance, and assists in the swift return of lost or stray animals to their owners; and

WHEREAS, the Town Board of the Town of Otto recognizes that many dogs currently residing within the Town may be unlicensed, resulting in lost revenue for municipal animal control efforts and potential public health risks; and

WHEREAS, conducting a comprehensive dog census is an effective method to identify unlicensed dogs, update Town records, and bring local pet owners into compliance with licensing and vaccination regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Otto hereby authorizes and directs the Town Dog Control Officer (DCO) to conduct a comprehensive, town-wide dog census; and be it further

RESOLVED, that said dog census shall commence immediately upon the passage of this resolution and shall conclude on October 31, 2026; and be it further

RESOLVED, that the Dog Control Officer is authorized to take all necessary and proper steps to execute this census, which may include making house-to-house inquiries, distributing informational materials, and utilizing mail-in registration options; and be it further

RESOLVED, that all residents of the Town of Otto are requested to cooperate fully with the Dog Control Officer during this census period to ensure accurate municipal records; and be it further

RESOLVED, that the Dog Control Officer shall submit a final written report of the census findings and licensing compliance rates to the Town Board at the first regularly scheduled Town Board meeting on November 17, 2026.

RESOLUTION 2026-32

Authorization of funds for Town welcome sign

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

APOPTED	Ayes	5	Beenau, Gregory, Mallaber, Stang, Walker
	Nays	0	

WHEREAS, the Town Board of the Town of Otto recognizes the importance of promoting community identity, welcoming residents and visitors, and enhancing the visual appeal of the Town's primary entry points; and

WHEREAS, the Town Board has determined that the installation of a new "Welcome to Otto" sign serves a public municipal purpose; and

WHEREAS, a cost estimate for the fabrication and installation of said welcome sign has been reviewed by the Town Board;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Otto hereby approves the purchase, fabrication, and installation of the new Town Welcome Sign; and

BE IT FURTHER RESOLVED, that the total expenditure for this project shall be allocated from the appropriate budget line and shall be 50% of the cost not to exceed $2,000.00; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute any necessary agreements and documentation required to finalize this purchase.

RESOLUTION 2026-33

Retaining Joshua R. Lippes, Esq Lippes & Lippes 1109 Delaware Ave Buffalo, NY 14209 as Special Legal Counsel for pending litigation

On a motion made by Councilman Walker and seconded by Councilman Gregory, the following resolution was

APOPTED Ayes 5 Beenau, Gregory, Mallaber, Stang, Walker
Nays 0

WHEREAS, the Town of Otto is currently named as a party in a pending lawsuit; and

WHEREAS, the Town Board of the Town of Otto recognizes the immediate need for specialized legal representation to protect the interests, assets, and rights of the Town, its officials, and its residents in connection with this litigation; and

WHEREAS, Joshua R. Lippes, Esq., is a qualified attorney with the necessary expertise and experience to effectively represent the Town of Otto in this matter;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Otto hereby retains and appoints Joshua Lippes, Esq., to serve as Special Legal Counsel to represent the Town of Otto, its board, and its officers in the aforementioned pending lawsuit; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute a legal services agreement and any necessary retainer documents with Joshua Lippes, Esq., subject to the final review of the contract terms and fee structure by the Town Board; and

BE IT FURTHER RESOLVED, that compensation for said legal services shall be paid from the Town's general legal services fund lines upon the submission and approval of detailed, itemized vouchers; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Highway Superintendent Robert Barber reported on the activities of the Highway crew.

1) Chip sealed on Thursday May 20th, Youngs, Salisbury, Marek, Forty, Cemetery Hill and the bottom of Dake Hill Roads. East Otto, Mansfield, New Albion, and Little Valley helped us this year.
2) Changed a road crossing culvert on Christmiller Road and got it covered back up with asphalt.
3) We have put down over 300 ton of hot mix asphalt on the dead end of Gibson Hill Road.
4) We have started mowing roadsides
5) We helped Mansfield and East Otto with their paving project yesterday and today on Bailey Hill Road.
6) We helped Mansfield do part of their chip sealing.
7) We repaired the lawn on South Hill Road that we had to dig up over the winter to get to the homeowners water.
8) New town pickup will be here in two weeks. Can I get approval to get a check to pay the day of picking it up?

Code Enforcement Officer Jeff Holler presented his monthly report from 05/20/2026 thru 06/16/2026

a) He took eighteen calls.
b) Completed eight inspections.
c) Two Permits were issued
   9752 Marek Road – Pole Building
   9052 Otto-E. Otto Road – Demo garage
d) Two violation notices were mailed.
e) Attended the Planning Board meeting
f) Turned in $49.00 to the Town Supervisor for permits.

Town Clerk The monthly review of the town clerk activities for the prior month.
$1390.60 was collected during the month of May 2026. The following disbursements were made:

Town Supervisor	$1378.60
Department of ag & markets	$12.00
Catt Co. DPW	$0.00
DEC	$0.00
NYS-DOH	$0.00

The Town Clerk's Monthly report was distributed to the Board.

Assessors Report via Email

The Mays report is as follows:

•The Tentative Roll was created May 1. The public can view it at https://www.cattco.org/real-property-and-gis/assessment-rolls
•The Assessing Office has corresponded with several property owners about their assessments, tax bills, and exemptions.
•There were two property transfers in April. However, these cannot be added to our system until July 1.
•In the meantime, you can find more information about these sales here:https://www.cattco.org/real-property-and-gis/sales

RESOLUTION 2026-33
Audit of Claims
On a motion made by Councilmember Gregory and seconded by Councilmember Walker, the following resolution was
ADOPTED Ayes 5 Beenau, Gregory, Mallaber, Stang, Walker
Nays 0
Resolved that the bills contained on Abstract #006 in the amount of $ 196,657.59 have been reviewed by Town Board and are authorized for payment in the following amounts:

General Fund	No.	73	through	95	$33,706.60
Highway Fund	No.	67	through	77	$160,787.51
Water District	No.	20	through	23	$1408.12
Light District	No.	6			$300.46
Sewer District	No.	15	through	19	$454.90

RESOLUTION 2026-34
Meeting Close
With no further discussion, on a motion of Councilmember Gregory and seconded by Councilmember Walker, the meeting was adjourned at 9:31pm. Carried unanimously.

The next monthly board meeting will be held on July 21, 2026 at 7PM at the Otto Town Hall.

Respectfully Submitted,
Trisha Priest, Otto Town Clerk