

TOWN OF ELLERY
COUNTY OF CHAUTAUQUA, STATE OF NEW YORK
LOCAL LAW NO. 2 FOR THE YEAR 2026

A LOCAL LAW ESTABLISHING A MORATORIUM ON THE CONSTRUCTION, INSTALLATION, AND / OR
PERMITTING OF COMMERCIAL SOLAR FACILITIES IN THE TOWN OF ELLERY, COUNTY OF
CHAUTAUQUA AND STATE OF NEW YORK AS FOLLOWS:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ELLERY AS FOLLOWS: :

SECTION 1. ENACTMENT AND TITLE:

The Town Board of the Town of Ellery does hereby enact the Town of Ellery Moratorium on Commercial Solar Facilities Law. This Local Law shall impose a Moratorium on applications, proceedings for applications for, the review of applications for, or the issuance of approvals or permits for the construction of any Commercial Solar Energy Facility that is not a Residential Solar Energy Installation within the Town of Ellery.

The capitalized terms in the foregoing sentences and as used throughout this Local Law, shall have the following meanings ascribed to them:

Applicant: All landowners and those claiming through or on behalf of the owner(s), whether by license, lease, easement, contract or by owner's designation as an agent for purposes of making any application or land use review or approval, whether for a permit or otherwise.

Commercial Solar Energy Facilities: Any collection of solar panels which are designed to capture photons or sunlight and transform it into electricity and any and all related infrastructure, electrical lines, substations, access roads, and accessory structures that cover more than $\frac{1}{4}$ acre of land, which are designed with the intent of producing electricity to be consumed off site.

Residential Solar Energy Installations: Any collection of solar panels which are designed to capture sunlight and transform it into electricity and require less than $\frac{1}{4}$ acre of land. This definition shall also include, for purposes of this Local Law, all traditional agricultural uses and alternative agricultural energy uses that are intended to principally generate power for the agricultural enterprise when located within a designated Agricultural District, or as otherwise protected or recognized under New York State Agriculture and Markets Law Article 25-AA, including without limitation §305(3), §305(4), §305-a therein, and all implementing regulations and rules, and further including policies therein implemented and hereby adopted relative to supporting traditional and generally acceptable farming practices, further including but not limited to heat recover from composting systems, biogas recovery systems, anaerobic digester gas-to-electricity systems, and other alternative energy systems that significantly support or advance agriculture and agribusiness within the Town of Ellery and its Agricultural Districts.

SECTION 2. AUTHORIZATION, PURPOSE, AND INTENT:

Pursuant to the authority and provisions of the New York State Constitution, and Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Ellery to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Ellery hereby declares a Moratorium on applications or proceedings for applications for, the review of applications, or the issuance of approvals or permits for the

construction of a Commercial Solar Energy Facility within the Town of Ellery, lasting six (6) months from the date of passage of this Local Law. This Local Law is subject to review and renewal by the Town Board of the Town of Ellery for two (2) additional three (3) month extensions by Town Board Resolution.

This Moratorium will allow time for Town officials to review, clarify, amend, and update the Town's Regulations for commercial solar development to encourage appropriate development, reimburse the Town for expert review of applications, protect community character, and promote and preserve the health, safety and welfare of the Town and its residents.

SECTION 3. SCOPE OF CONTROLS:

During the effective period of this Local Law:

- A. Neither the Town Board, nor the Planning Board shall conduct any review or consider any grant or any special permit or other permit or approval that will result in the approval establishment, or construction of any Commercial Solar Energy Facility within the Town.
- B. To the extent permitted by law, this Moratorium shall supersede all relevant provisions of the New York State Town Law, the New York State Building Code, any relevant Town Local Law and any other applicable law, rule, or regulation, that may be in conflict herewith. If any ambiguity or conflict exists, this Local Law shall govern, and the presumption shall in each case be that the Moratorium is in effect.

SECTION 4. NO CONSIDERATION OF NEW, REVISED, OR RENEWAL APPLICATIONS:

No new, revised, or renewal applications shall be accepted for filing, review, or consideration, and no approvals or reviews that purport to allow or advance the development siting, or construction of any Commercial Solar Energy Facility shall be undertaken, review, considered, or issued by any board, officer, employee or agent of the Town, except as specifically set forth in Section 10 of this Local Law. Nor shall any language or term in this Moratorium effect, or be construed to result in any default approval, and any matter now pending shall be stayed in place during the pendency of this Moratorium and any extension thereof, with all deadlines or other timelines suspended for the same number of days that this Moratorium is in effect.

SECTION 5. TERM:

The Moratorium imposed by this Local Law shall be in effect for six (6) months from its effective date. This Moratorium may be extended, or rescinded, or removed, by Local Law.

During the period of this Moratorium, the Town shall endeavor to amend or adopt a new Local Law with regard to the siting, establishment and construction of Solar Energy Facilities, and all manner of energy storage and generation.

SECTION 6. LOCATION:

The Moratorium imposed by this Local Law shall apply to the territorial limits of the Town of Ellery. Any dispute as to whether a property is encompassed within the geographic area detailed above shall be resolved by reference to the official tax maps of Chautauqua County and the official New York Corporate Boundary maps for the Town of Ellery.

SECTION 7. PENALTIES:

The following provisions shall apply generally, and the violation of this Local Law shall allow and permit enforcement in any one or more of the following manners:

- A. When any term, provision, or requirement of this Local Law is violated, the Enforcement Officer may issue a written notice of violation to the Applicant (or other person in violation of). The notice of violation shall contain: (1) the name and address of the Person alleged to have violated this Local Law; (2) the address, when available, or a description of the building, structure, or place upon which alleged violation is occurring; (3) a brief statement specifying the nature of the violation; (4) a statement of the fine or penalty that may or may not be assessed; and (5) a clear statement identifying whether the notice commences or may commence a civil or criminal proceeding. The failure to comply with a written notice of violation by correcting the violation is in itself a separate violation of this Local Law and may be further enforced as such. In addition, the Executive Law §382 may be fully enforced separately from any such notice, and both notices may take the form of a single notice, which must, in addition to the above, contain the information and be served as required by Executive Law §382.
- B. The Enforcement Officer may issue a stop work order for violation of this Local Law. Any person or entity receiving the same shall be required to halt all activity until the Enforcement Officer or a court of competent jurisdiction allows work to re-commence.
- C. The Town of Ellery may also maintain actions or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with, restrain by injunction the violation of any provision or requirement of this Local Law, including to prevent, enjoin, correct, enforce, or abate any violation of, or non-conformance with, any provision or requirement of this Local Law or the terms and conditions set forth in any waiver or approval issued hereunder. In any such proceeding the Town shall not be required to: (1) prove the lack of adequate remedy at law; (2) post a bond or other undertaking as a condition or requirement for any preliminary, interim, or permanent restraining order or injunction.
- D. This Local Law may be enforced civilly or criminally. The following civil and criminal fines and penalties shall apply for any violation of this Local Law:
 - 1. First Offense: (a) A fine of not more than \$500, or (2) subject to a civil penalty of not more than \$500 to be recovered by the Town in a civil action. For the purposes of this Local Law, every week of ongoing violation is deemed a separate offense and violation, subject to a separate and accumulating fine.
 - 2. Second Offense: Being any violation within two (2) years of the above, (1) guilty of an unclassified misdemeanor and subject to a fine of not more than \$2,500 or (2) subject to a civil penalty of not more than \$2,500 to be recovered by the Town in a civil action. Every such person shall be deemed guilty of a separate unclassified misdemeanor for each week that such violation, disobedience, omission, neglect, or refusal shall continue. Similarly, a separate civil penalty shall apply and be assessable for each week that such violation, disobedience, omission, neglect or refusal shall continue.
 - 3. The above fines are in addition to any penalty, fine, or sentence allowed or imposable pursuant to said Executive Law §382.

- E. Any person violating this Local Law shall be required to restore land to its prior or undisturbed condition. If restoration is not undertaken within a reasonable time after notice, the Town may take the necessary corrective action, the cost of which shall become a lien upon the property until paid. In addition, the Town may commence a civil action to recover such costs of restoration.
- F. Criminal matters arising in relation to enforcement matters under this Local Law shall be classified as offenses per the following guidelines: (1) first offense shall be deemed violations; (2) second offenses shall be deemed unclassified misdemeanors; and (3) violations of Executive Law §382 shall be classified as set forth therein.
- G. No remedy or penalty specified in this Local Law shall be the exclusive remedy available to the Town to address any violation of, or non-compliance with, the requirement of this Local Law. The rights and remedies of the Town are independent of each other and cumulative. The grant of any right or remedy in this Local Law is in addition to, and not a limitation of or in substitution of any other right or remedy of the Town, whether sounding in law, equity or admiralty. Further, the election by the Town of any one right or remedy does not forestall or prevent the simultaneous or future election of any other right or remedy, whether relating to enforcement, sentencing, or otherwise.

SECTION 8. EXEMPTIONS AND NON-CONFIRMING USES:

Notwithstanding any provision hereof to the contrary, and Commercial Solar Energy Facility that has / have already been issued all necessary approvals or permits from the Town Board, or Planning Board, or other relevant Board (the "Town Approvals") may continue such projects and such support activities that are being conducted in the Town as of the effective date of this Local Law, as long as such supporting activities are in all respects being conducted in accordance with all applicable laws and regulations and any conditions of approval, including all Town Approvals.

Any expansion of a lawful, pre-existing, non-conforming use shall not be grandfathered under this Section and instead shall in all respects be prohibited as contemplated in Section 3 hereof. "Grandfathered" and allowed lawful pre-existing uses neither have nor possess any right to expand such non-conforming use whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

This Local Law shall not apply to solar systems installed for residential use.

SECTION 9. VALIDITY:

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this of this Local Law that can be given effect without such invalid provision.

Section 10. Hardship:

The Town Board is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of the law and this Local Law) requests for waiver application of the provisions of this Local Law by persons aggrieved hereby.

No such waiver shall be granted by the Town Board without a showing by the Applicant that applicable regulations and restriction have caused unnecessary hardship.

- a. Unnecessary Hardship. In order to prove such unnecessary hardship the Applicant is required to demonstrate to the Town Board that, with respect to every permitted use under Town land use, each of the following criteria is satisfied: (1) the Applicant cannot realize a reasonable return on the entire parcel of property, and such lack of return is substantial as demonstrated by competent financial evidence; (2) the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the neighborhood; (3) granting a waiver will not change the essential character of the neighborhood; and (4) the alleged hardship has not been self-created.
- b. Reasonable Rate or Return. In evaluating whether the Applicant can realize a reasonable rate of return, the Town Board must examine whether the entire original or expand property holdings of the Applicant are incapable of producing a reasonable rate of return (and not just the site of the proposed development project). No waiver shall be granted unless, in addition to satisfying all other applicable provisions of law and this Law, the Town Board finds that the Applicant has clearly demonstrated by detailed "dollars and cents" proof, the inability to obtain a reasonable return for the entire parcel (and not just the site of the proposed project) and for each and every permitted use in the area of the Town the property is located.
- c. Unique Hardship. No waiver shall be granted unless, in addition to satisfying all other applicable provisions of the law and this Law, the Town Board finds that the entire parcel of which the project is a part of, possesses unique characteristics that distinguish it from other properties in the area.
- d. Essential Character of the Neighborhood. In making this determination, of whether the proposed development project will alter the essential characteristics of the neighborhood, the Town Board shall take into account factors that are of vital importance to the residents of the Town, including without limitation: (1) the rural residential and agricultural character of the Town; (2) irreplaceable recreation, historic, or tourism sites; (3) the extent of hazard to life, limb, property may result from the proposed development project; (4) health impacts; (5) social and economic impacts on traffic congestion, noise, dust, odors, emissions, solid waste generation, water quality, or scenic or other natural resources of the Town. In order to find that the proposed development does not alter the essential character of the neighborhood, the Town Board shall interpret the public interest in said essential character of the neighborhood to require, at minimum, that the project will not do any of the following: pose a threat to public health safety, water quality or air quality, cause extraordinary public expense, or create a nuisance.
- e. Self-Created Hardship. The Town Board may find that the Applicant suffers from a self-created hardship in the event that the Board finds that (1) the Applicant's inability to obtain a reasonable return on the property as a whole results from having paid too much or from a poor investment decision; (2) the Applicant previously divided the property and is left with only a portion which suffers from a unique condition(s) from which relief is sought and which not apply to the property as a whole; (3) when the Applicant purchased the property, he or she knew or should have known that the property was subject to land use restrictions; or (4) that the Applicant transferred or obtained property rights with only a unilateral expectation of development or investment character, and it shall be material to this question to examine the degree to which opposed to in fee (actual acquisition of fee simple title), and whether the anticipated income, profits, or receipts were conditional, contingent, or guaranteed.

If the Town Board grants a waiver from the provisions of this Local Law to the Applicant, the Applicant shall be required to comply with all provisions of the Town's then applicable land use regulations and other laws and regulations, together with any amendment to such law or regulations which may be enacted during the term of this Local Law. Any waiver that is granted shall grant only the minimum waiver that the Town Board deems necessary and adequate to address the unnecessary hardship proven by the Applicant, and at the same time, preserve and protect the character of the neighborhood and health, safety and welfare of the community.

SECTION 11. EFFECTIVE DATE:

This Local Law shall become effective immediately upon being filed in the office of the New York State Secretary of State.

TOWN OF ELLERY
COUNTY OF CHAUTAUQUA, STATE OF NEW YORK
LOCAL LAW NO. 3 FOR THE YEAR 2026

A LOCAL LAW ESTABLISHING A MORATORIUM OF THE CONSTRUCTION, INSTALLATION, AND / OR
PERMITTING OF WIND FARMS IN THE TOWN OF ELLERY, COUNTY OF CHAUTAUQUA AND STATE
OF NEW YORK AS FOLLOWS:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ELLERY AS FOLLOWS: :

Section 1. PURPOSE:

The purpose of this Local Law is to protect the health, safety and wellbeing of the Town residents and their property by establishing a moratorium on the construction, installation and / or permitting of Wind Farms in the Town of Ellery for a period of six (6) months from the date of adoption in order for the Town of Ellery to adopt regulations for the construction, installation, placement and permitting of Wind Farms in the Town of Ellery.

Section 2. AMENDMENT OF ZONING LAW:

The moratorium shall be an amendment to the Town of Ellery Zoning Law as adopted in 2014 and any amendments thereto.

Section 3. AUTHORIZATION, PURPOSE, AND INTENT:

Pursuant to the authority and provisions of the New York State Constitution, and Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Ellery to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Ellery hereby declares a Moratorium on applications or proceedings for applications for, the review of applications, or the issuance of approvals or permits for the construction of Wind Farms within the Town of Ellery, lasting six (6) months from the date of passage of this Local Law. This Local Law is subject to review and renewal by the Town Board of the Town of Ellery for two (2) additional three (3) month extensions by Town Board Resolution.

This Moratorium will allow time for Town officials to review, clarify, amend, and update the Town's Regulations for commercial Wind Farms development to encourage appropriate development, reimburse the Town for expert review of applications, protect community character, and promote and preserve the health, safety and welfare of the Town and its residents.

SECTION 4. DEFINITIONS:

Wind Farm – an installation or area in which a group of windmills or wind turbines are set up to produce energy.

Wind Measuring Equipment – Any device that measures wind speed and direction in connection with a proposed wind farm.

Wind Turbine – a wind turbine is a device that converts the kinetic energy wind into electrical energy. It contains a large vane wheel rotated by the wind to generate electricity.

Section 5. AMENDMENT OF ZONING LAW OF 2014:

The Town of Ellery recognizes that Wind Farms create a significant impact on the community where they are established. The issues of impact upon neighbors' quality of life, aesthetics and effect on future development in the Town of Ellery may well be adversely impacted if these uses are not regulated to ensure the public's health, safety and welfare. Therefore, the Town of Ellery believes it is necessary to review the potential impacts of these land uses upon the Town and create regulations where the establishment of these uses would be beneficial to both the landowner and the community. The Town of Ellery believes that a time period of six (6) months will be necessary to develop sensible regulations to minimize the impact of these uses in the Town. While the Town of Ellery Zoning Law of 2014 does contain Section 1501 providing for regulation of wind energy conversion systems, it does not directly address Wind Farms.

Section 6. MORATORIUM:

This Local Law shall provide for a moratorium on the construction, installation and/or permitting of Wind Farms and wind measuring equipment in the Town of Ellery for a period of at least six (6) months from the adoption of the Local Law in order that the Town of Ellery Zoning Law can be amended to establish regulations governing and the use and placement of Wind Farms in the Town of Ellery.

Section 7. EXCEPTION:

This moratorium shall not apply to any permits to install a single wind energy conversion system on a single or two-family residence or outbuildings connected therewith in the Town of Ellery.

SECTION 8. SCOPE OF CONTROLS:

During the effective period of this Local Law:

- A. Neither the Town Board, nor the Planning Board shall conduct any review or consider any grant or any special permit or other permit or approval that will result in the approval establishment, or construction of any Wind Farms within the Town.
- B. To the extent permitted by law, this Moratorium shall supersede all relevant provisions of the New York State Town Law, the New York State Building Code, any relevant Town Local Law and any other applicable law, rule, or regulation, that may be in conflict herewith. If any ambiguity or conflict exists, this Local Law shall govern, and the presumption shall in each case be that the Moratorium is in effect.

SECTION 9. NO CONSIDERATION OF NEW, REVISED, OR RENEWAL APPLICATIONS:

No new, revised, or renewal applications shall be accepted for filing, review, or consideration, and no approvals or reviews that purport to allow or advance the development siting, or construction of any Wind Farms shall be undertaken, reviewed, considered, or issued by any board, officer, employee or agent of the Town, except as specifically set forth in Section 10 of this Local Law. Nor shall any language or term in this Moratorium effect, or be construed to result in any default approval, and any matter now pending shall be stayed in place during the pendency of this Moratorium and any extension thereof, with all deadlines or other timelines suspended for the same number of days that this Moratorium is in effect.

SECTION 10. TERM:

The Moratorium imposed by this Local Law shall be in effect for six (6) months from its effective date. This Moratorium may be extended, or rescinded, or removed, by Local Law.

During the period of this Moratorium, the Town shall endeavor to amend or adopt a new Local Law with regard to the siting, establishment and construction of Wind Farms, and all manner of wind generation.

SECTION 11. LOCATION:

The Moratorium imposed by this Local Law shall apply to the territorial limits of the Town of Ellery. Any dispute as to whether a property is encompassed within the geographic area detailed above shall be resolved by reference to the official tax maps of Chautauqua County and the official New York Corporate Boundary maps for the Town of Ellery.

SECTION 12. PENALTIES:

The following provisions shall apply generally, and the violation of this Local Law shall allow and permit enforcement in any one or more of the following manners:

- A. When any term, provision, or requirement of this Local Law is violated, the Enforcement Officer may issue a written notice of violation to the Applicant (or other person in violation of). The notice of violation shall contain: (1) the name and address of the Person alleged to have violated this Local Law; (2) the address, when available, or a description of the building, structure, or place upon which alleged violation is occurring; (3) a brief statement specifying the nature of the violation; (4) a statement of the fine or penalty that may or may not be assessed; and (5) a clear statement identifying whether the notice commences or may commence a civil or criminal proceeding. The failure to comply with a written notice of violation by correcting the violation is in itself a separate violation of this Local Law and may be further enforced as such. In addition, the Executive Law §382 may be fully enforced separately from any such notice, and both notices may take the form of a single notice, which must, in addition to the above, contain the information and be served as required by Executive Law §382.
- B. The Enforcement Officer may issue a stop work order for violation of this Local Law. Any person or entity receiving the same shall be required to halt all activity until the Enforcement Officer or a court of competent jurisdiction allows work to re-commence.
- C. The Town of Ellery may also maintain actions or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with, restrain by injunction the violation of any provision or requirement of this Local Law, including to prevent, enjoin, correct, enforce, or abate any violation of, or non-conformance with, any provision or requirement of this Local Law or the terms and conditions set forth in any waiver or approval issued hereunder. In any such proceeding the Town shall not be required to: (1) prove the lack of adequate remedy at law; (2) post a bond or other undertaking as a condition or requirement for any preliminary, interim, or permanent restraining order or injunction.
- D. This Local Law may be enforced civilly or criminally. The following civil and criminal fines and penalties shall apply for any violation of this Local Law:

1. First Offense: (a) A fine of not more than \$500, or (2) subject to a civil penalty of not more than \$500 to be recovered by the Town in a civil action. For the purposes of this Local Law, every week of ongoing violation is deemed a separate offense and violation, subject to a separate and accumulating fine.
 2. Second Offense: Being any violation within two (2) years of the above, (1) guilty of an unclassified misdemeanor and subject to a fine of not more than \$2,500 or (2) subject to a civil penalty of not more than \$2,500 to be recovered by the Town in a civil action. Every such person shall be deemed guilty of a separate unclassified misdemeanor for each week that such violation, disobedience, omission, neglect, or refusal shall continue. Similarly, a separate civil penalty shall apply and be assessable for each week that such violation, disobedience, omission, neglect or refusal shall continue.
 3. The above fines are in addition to any penalty, fine, or sentence allowed or impossible pursuant to said Executive Law §382.
- E. Any person violating this Local Law shall be required to restore land to its prior or undisturbed condition. If restoration is not undertaken within a reasonable time after notice, the Town may take the necessary corrective action, the cost of which shall become a lien upon the property until paid. In addition, the Town may commence a civil action to recover such costs of restoration.
- F. Criminal matters arising in relation to enforcement matters under this Local Law shall be classified as offenses per the following guidelines: (1) first offense shall be deemed violations; (2) second offenses shall be deemed unclassified misdemeanors; and (3) violations of Executive Law §382 shall be classified as set forth therein.
- G. No remedy or penalty specified in this Local Law shall be the exclusive remedy available to the Town to address any violation of, or non-compliance with, the requirement of this Local Law. The rights and remedies of the Town are independent of each other and cumulative. The grant of any right or remedy in this Local Law is in addition to, and not a limitation of or in substitution of any other right or remedy of the Town, whether sounding in law, equity or admiralty. Further, the election by the Town of any one right or remedy does not forestall or prevent the simultaneous or future election of any other right or remedy, whether relating to enforcement, sentencing, or otherwise.

SECTION 13. EXEMPTIONS AND NON-CONFIRMING USES:

Notwithstanding any provision hereof to the contrary, a Wind Farm that has already been issued all necessary approvals or permits from the Town Board, or Planning Board, or other relevant Board (the "Town Approvals") may continue such projects and such support activities that are being conducted in the Town as of the effective date of this Local Law, as long as such supporting activities are in all respects being conducted in accordance with all applicable laws and regulations and any conditions of approval, including all Town Approvals.

Any expansion of a lawful, pre-existing, non-conforming use shall not be grandfathered under this Section and instead shall in all respects be prohibited as contemplated in Section 3 hereof. "Grandfathered" and allowed lawful pre-existing uses neither have nor possess any right to expand such non-conforming use whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

This Local Law shall not apply to Wind Farms installed for residential use.

SECTION 14. VALIDITY:

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this of this Local Law that can be given effect without such invalid provision.

Section 15. Hardship:

The Town Board is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of the law and this Local Law) requests for waiver application of the provisions of this Local Law by persons aggrieved hereby.

No such waiver shall be granted by the Town Board without a showing by the Applicant that applicable regulations and restriction have caused unnecessary hardship.

- a. Unnecessary Hardship. In order to prove such unnecessary hardship the Applicant is required to demonstrate to the Town Board that, with respect to every permitted use under Town land use, each of the following criteria is satisfied: (1) the Applicant cannot realize a reasonable return on the entire parcel of property, and such lack of return is substantial as demonstrated by competent financial evidence; (2) the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the neighborhood; (3) granting a waiver will not change the essential character of the neighborhood; and (4) the alleged hardship has not been self-created.
- b. Reasonable Rate of Return. In evaluating whether the Applicant can realize a reasonable rate of return, the Town Board must examine whether the entire original or expand property holdings of the Applicant are incapable of producing a reasonable rate of return (and not just the site of the proposed development project). No waiver shall be granted unless, in addition to satisfying all other applicable provisions of law and this Law, the Town Board finds that the Applicant has clearly demonstrated by detailed "dollars and cents" proof, the inability to obtain a reasonable return for the entire parcel (and not just the site of the proposed project) and for each and every permitted use in the area of the Town the property is located.
- c. Unique Hardship. No waiver shall be granted unless, in addition to satisfying all other applicable provisions of the law and this Law, the Town Board finds that the entire parcel of which the project is a part of, possesses unique characteristics that distinguish it from other properties in the area.
- d. Essential Character of the Neighborhood. In making this determination, of whether the proposed development project will alter the essential characteristics of the neighborhood, the Town Board shall take into account factors that are of vital importance to the residents of the Town, including without limitation: (1) the rural residential and agricultural character of the Town; (2) irreplaceable recreation, historic, or tourism sites; (3) the extent of hazard to life, limb, property may result from the proposed development project; (4) health impacts; (5) social and economic impacts on traffic congestion, noise, dust, odors, emissions, solid waste generation, water quality, or scenic or other natural resources of the Town. In order to find that the proposed development does not alter the essential character of the neighborhood, the Town Board shall interpret the public interest in said essential character of the neighborhood to require, at minimum, that the project will not do any of the following: pose a threat to public health safety, water quality or air quality, cause extraordinary public expense, or create a nuisance.

- e. Self-Created Hardship. The Town Board may find that the Applicant suffers from a self-created hardship in the event that the Board finds that (1) the Applicant's inability to obtain a reasonable return on the property as a whole results from having paid too much or from a poor investment decision; (2) the Applicant previously divided the property and is left with only a portion which suffers from a unique condition(s) from which relief is sought and which not apply to the property as a whole; (3) when the Applicant purchased the property, he or she knew or should have known that the property was subject to land use restrictions; or (4) that the Applicant transferred or obtained property rights with only a unilateral expectation of development or investment character, and it shall be material to this question to examine the degree to which opposed to in fee (actual acquisition of fee simple title), and whether the anticipated income, profits, or receipts were conditional, contingent, or guaranteed.

If the Town Board grants a waiver from the provisions of this Local Law to the Applicant, the Applicant shall be required to comply with all provisions of the Town's then applicable land use regulations and other laws and regulations, together with any amendment to such law or regulations which may be enacted during the term of this Local Law. Any waiver that is granted shall grant only the minimum waiver that the Town Board deems necessary and adequate to address the unnecessary hardship proven by the Applicant, and at the same time, preserve and protect the character of the neighborhood and health, safety and welfare of the community.

SECTION 16. EFFECTIVE DATE:

This Local Law shall become effective immediately upon being filed in the office of the New York Secretary of State.

TOWN OF ELLERY
COUNTY OF CHAUTAUQUA, STATE OF NEW YORK
LOCAL LAW NO. 4 FOR THE YEAR 2026

A LOCAL LAW ESTABLISHING A MORATORIUM ON CONSTRUCTION, INSTALLATION AND / OR
PERMITTING OF BATTERY ENERGY STORAGE SYSTEMS IN THE TOWN OF ELLERY, COUNTY OF
CHAUTAUQUA AND STATE OF NEW YORK AS FOLLOWS:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ELLERY AS FOLLOWS: :

SECTION 1. ENACTMENT AND TITLE:

The Town Board of the Town of Ellery does hereby enact the Town of Ellery Moratorium on Battery energy Storage Systems Law. This Local Law shall impose a Moratorium on applications, proceedings for applications for, the review of applications for, or the issuance of approvals or permits for the construction of any Battery Energy Storage System that is not a Residential Battery Energy Storage System within the Town of Ellery.

The capitalized terms in the foregoing sentences and as used throughout this Local Law, shall have the following meanings ascribed to them:

Applicant: All landowners and those claiming through or on behalf of the owner(s), whether by license, lease, easement, contract or by owner's designation as an agent for purposes of making any application or land use review or approval, whether for a permit or otherwise.

Battery Energy Storage System: A rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems, and associated electrical equipment with an aggregate energy capacity greater than or equal to 600kWH, designed mainly but not exclusively to store and distribute energy produced by a Commercial Solar or Wind Energy Facility.

SECTION 2. AUTHORIZATION, PURPOSE, AND INTENT:

Pursuant to the authority and provisions of the New York State Constitution, and Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Ellery to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Ellery hereby declares a Moratorium on applications or proceedings for applications for, the review of applications, or the issuance of approvals or permits for the construction of a Battery Energy Storage System within the Town of Ellery, lasting six (6) months from the date of passage of this Local Law. This Local Law is subject to review and renewal by the Town Board of the Town of Ellery for two (2) additional three (3) month extensions by Town Board Resolution.

This Moratorium will allow time for Town officials to review, clarify, amend, and update the Town's Regulations for commercial battery development to encourage appropriate development, reimburse the Town for expert review of applications, protect community character, and promote and preserve the health, safety and welfare of the Town and its residents.

SECTION 3. SCOPE OF CONTROLS:

During the effective period of this Local Law:

- A. Neither the Town Board, nor the Planning Board shall conduct any review or consider any grant or any special permit or other permit or approval that will result in the approval establishment, or construction of any Battery Energy Storage System within the Town.
- B. To the extent permitted by law, this Moratorium shall supersede all relevant provisions of the New York State Town Law, the New York State Building Code, any relevant Town Local Law and any other applicable law, rule, or regulation, that may be in conflict herewith. If any ambiguity or conflict exists, this Local Law shall govern, and the presumption shall in each case be that the Moratorium is in effect.

SECTION 4. NO CONSIDERATION OF NEW, REVISED, OR RENEWAL APPLICATIONS:

No new, revised, or renewal applications shall be accepted for filing, review, or consideration, and no approvals or reviews that purport to allow or advance the development siting, or construction of any Battery Energy Storage System shall be undertaken, reviewed, considered, or issued by any board, officer, employee or agent of the Town, except as specifically set forth in Section 10 of this Local Law. Nor shall any language or term in this Moratorium effect, or be construed to result in any default approval, and any matter now pending shall be stayed in place during the pendency of this Moratorium and any extension thereof, with all deadlines or other timelines suspended for the same number of days that this Moratorium is in effect.

SECTION 5. TERM:

The Moratorium imposed by this Local Law shall be in effect for six (6) months from its effective date. This Moratorium may be extended, or rescinded, or removed, by Local Law.

During the period of this Moratorium, the Town shall endeavor to amend or adopt a new Local Law with regard to the siting, establishment and construction of Battery Energy Storage Systems, and all manner of energy storage and generation.

SECTION 6. LOCATION:

The Moratorium imposed by this Local Law shall apply to the territorial limits of the Town of Ellery. Any dispute as to whether a property is encompassed within the geographic area detailed above shall be resolved by reference to the official tax maps of Chautauqua County and the official New York Corporate Boundary maps for the Town of Ellery.

SECTION 7. PENALTIES:

The following provisions shall apply generally, and the violation of this Local Law shall allow and permit enforcement in any one or more of the following manners:

- A. When any term, provision, or requirement of this Local Law is violated, the Enforcement Officer may issue a written notice of violation to the Applicant (or other person in violation of). The notice of violation shall contain: (1) the name and address of the Person alleged to have violated this Local Law; (2) the address, when available, or a description of the building, structure, or place upon which alleged violation is occurring; (3) a brief statement specifying the nature of the violation; (4) a statement of the fine or penalty that may or may

not be assessed; and (5) a clear statement identifying whether the notice commences or may commence a civil or criminal proceeding. The failure to comply with a written notice of violation by correcting the violation is in itself a separate violation of this Local Law and may be further enforced as such. In addition, the Executive Law §382 may be fully enforced separately from any such notice, and both notices may take the form of a single notice, which must, in addition to the above, contain the information and be served as required by Executive Law §382.

- B. The Enforcement Officer may issue a stop work order for violation of this Local Law. Any person or entity receiving the same shall be required to halt all activity until the Enforcement Officer or a court of competent jurisdiction allows work to re-commence.
- C. The Town of Ellery may also maintain actions or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with, restrain by injunction the violation of any provision or requirement of this Local Law, including to prevent, enjoin, correct, enforce, or abate any violation of, or non-conformance with, any provision or requirement of this Local Law or the terms and conditions set forth in any waiver or approval issued hereunder. In any such proceeding the Town shall not be required to: (1) prove the lack of adequate remedy at law; (2) post a bond or other undertaking as a condition or requirement for any preliminary, interim, or permanent restraining order or injunction.
- D. This Local Law may be enforced civilly or criminally. The following civil and criminal fines and penalties shall apply for any violation of this Local Law:
 - 1. First Offense: (a) A fine of not more than \$500, or (2) subject to a civil penalty of not more than \$500 to be recovered by the Town in a civil action. For the purposes of this Local Law, every week of ongoing violation is deemed a separate offense and violation, subject to a separate and accumulating fine.
 - 2. Second Offense: Being any violation within two (2) years of the above, (1) guilty of an unclassified misdemeanor and subject to a fine of not more than \$2,500 or (2) subject to a civil penalty of not more than \$2,500 to be recovered by the Town in a civil action. Every such person shall be deemed guilty of a separate unclassified misdemeanor for each week that such violation, disobedience, omission, neglect, or refusal shall continue. Similarly, a separate civil penalty shall apply and be assessable for each week that such violation, disobedience, omission, neglect or refusal shall continue.
 - 3. The above fines are in addition to any penalty, fine, or sentence allowed or imposable pursuant to said Executive Law §382.
- E. Any person violating this Local Law shall be required to restore land to its prior or undisturbed condition. If restoration is not undertaken within a reasonable time after notice, the Town may take the necessary corrective action, the cost of which shall become a lien upon the property until paid. In addition, the Town may commence a civil action to recover such costs of restoration.
- F. Criminal matters arising in relation to enforcement matters under this Local Law shall be classified as offenses per the following guidelines: (1) first offense shall be deemed violations; (2) second offenses shall be deemed unclassified misdemeanors; and (3) violations of Executive Law §382 shall be classified as set forth therein.

- G. No remedy or penalty specified in this Local Law shall be the exclusive remedy available to the Town to address any violation of, or non-compliance with, the requirement of this Local Law. The rights and remedies of the Town are independent of each other and cumulative. The grant of any right or remedy in this Local Law is in addition to, and not a limitation of or in substitution of any other right or remedy of the Town, whether sounding in law, equity or admiralty. Further, the election by the Town of any one right or remedy does not forestall or prevent the simultaneous or future election of any other right or remedy, whether relating to enforcement, sentencing, or otherwise.

SECTION 8. EXEMPTIONS AND NON-CONFIRMING USES:

Notwithstanding any provision hereof to the contrary, a Battery Energy Storage System that has already been issued all necessary approvals or permits from the Town Board, or Planning Board, or other relevant Board (the "Town Approvals") may continue such projects and such support activities that are being conducted in the Town as of the effective date of this Local Law, as long as such supporting activities are in all respects being conducted in accordance with all applicable laws and regulations and any conditions of approval, including all Town Approvals.

Any expansion of a lawful, pre-existing, non-conforming use shall not be grandfathered under this Section and instead shall in all respects be prohibited as contemplated in Section 3 hereof. "Grandfathered" and allowed lawful pre-existing uses neither have nor possess any right to expand such non-conforming use whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

This Local Law shall not apply to Battery Energy Storage Systems installed for residential use.

SECTION 9. VALIDITY:

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this of this Local Law that can be given effect without such invalid provision.

Section 10. Hardship:

The Town Board is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of the law and this Local Law) requests for waiver application of the provisions of this Local Law by persons aggrieved hereby.

No such waiver shall be granted by the Town Board without a showing by the Applicant that applicable regulations and restriction have caused unnecessary hardship.

- a. Unnecessary Hardship. In order to prove such unnecessary hardship the Applicant is required to demonstrate to the Town Board that, with respect to every permitted use under Town land use, each of the following criteria is satisfied: (1) the Applicant cannot realize a reasonable return on the entire parcel of property, and such lack of return is substantial as demonstrated by competent financial evidence; (2) the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the neighborhood; (3) granting a waiver will not change the essential character of the neighborhood; and (4) the alleged hardship has not been self-created.
- b. Reasonable Rate of Return. In evaluating whether the Applicant can realize a reasonable rate of return, the Town Board must examine whether the entire original or expand property holdings of the Applicant are incapable of producing a reasonable rate of return (and not just the site of the proposed development project). No waiver shall be granted unless, in addition to satisfying all other applicable provisions of law and this Law, the Town Board

finds that the Applicant has clearly demonstrated by detailed "dollars and cents" proof, the inability to obtain a reasonable return for the entire parcel (and not just the share of the proposed project) and for each and every permitted use in the area of the Town the property is located.

- c. Unique Hardship. No waiver shall be granted unless, in addition to satisfying all other applicable provisions of the law and this Law, the Town Board finds that the entire parcel of which the project is a part of, possesses unique characteristics that distinguish it from other properties in the area.
- d. Essential Character of the Neighborhood. In making this determination, of whether the proposed development project will alter the essential characteristics of the neighborhood, the Town Board shall take into account factors that are of vital importance to the residents of the Town, including without limitation: (1) the rural residential and agricultural character of the Town; (2) irreplaceable recreation, historic, or tourism sites; (3) the extent of hazard to life, limb, property may result from the proposed development project; (4) health impacts; (5) social and economic impacts on traffic congestion, noise, dust, odors, emissions, solid waste generation, water quality, or scenic or other natural resources of the Town. In order to find that the proposed development does not alter the essential character of the neighborhood, the Town Board shall interpret the public interest in said essential character of the neighborhood to require, at minimum, that the project will not do any of the following: pose a threat to public health safety, water quality or air quality, cause extraordinary public expense, or create a nuisance.
- e. Self-Created Hardship. The Town Board may find that the Applicant suffers from a self-created hardship in the event that the Board finds that (1) the Applicant's inability to obtain a reasonable return on the property as a whole results from having paid too much or from a poor investment decision; (2) the Applicant previously divided the property and is left with only a portion which suffers from a unique condition(s) from which relief is sought and which not apply to the property as a whole; (3) when the Applicant purchased the property, he or she knew or should have known that the property was subject to land use restrictions; or (4) that the Applicant transferred or obtained property rights with only a unilateral expectation of development or investment character, and it shall be material to this question to examine the degree to which opposed to in fee (actual acquisition of fee simple title), and whether the anticipated income, profits, or receipts were conditional, contingent, or guaranteed.

If the Town Board grants a waiver from the provisions of this Local Law to the Applicant, the Applicant shall be required to comply with all provisions of the Town's then applicable land use regulations and other laws and regulations, together with any amendment to such law or regulations which may be enacted during the term of this Local Law. Any waiver that is granted shall grant only the minimum waiver that the Town Board deems necessary and adequate to address the unnecessary hardship proven by the Applicant, and at the same time, preserve and protect the character of the neighborhood and health, safety and welfare of the community.

SECTION 11. EFFECTIVE DATE:

This Local Law shall become effective immediately upon being filed in the office of the New York State Secretary of State.

TOWN CLERK'S MONTHLY REPORT

TOWN OF ELLERY, NEW YORK

MAY, 2026

TO THE SUPERVISOR:

PAGE 1

Pursuant to Section 27, Subd 1 of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the month stated above, excepting only such fees and moneys the application and payment of which are otherwise provided for by Law:

A1255			
	<u>1</u>	DECALS	<u>1.54</u>
	<u>2</u>	MARRIAGE LICENSES NO. 26002 TO 26003	<u>35.00</u>
	<u>47</u>	DEATH CERTIFICATES	<u>470.00</u>
TOTAL TOWN CLERK FEES			506.54
A2004			
	<u>10</u>	TOWN PARK FEES	<u>600.00</u>
TOTAL A2004			600.00
A2192			
	<u>1</u>	BURIAL	<u>750.00</u>
	<u>3</u>	CREMATIONS	<u>1,350.00</u>
	<u>1</u>	FOUNDATIONS	<u>150.00</u>
TOTAL A2192			2,250.00
A2544			
	<u>34</u>	DOG LICENSES	<u>190.00</u>
TOTAL A2544			190.00
B2110			
	<u>11</u>	BUILDING PERMITS	<u>3,929.00</u>
	<u>5</u>	MISCELLANEOUS PERMITS	<u>125.00</u>
	<u>1</u>	AREA VARIANCE	<u>30.00</u>
TOTAL B2110			4,084.00

TOWN CLERK'S MONTHLY REPORT

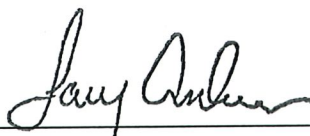
MAY, 2026

page 2

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	3,546.54
PAID TO SUPERVISOR FOR PART TOWN FUND	4,084.00
PAID TO NYS DEC FOR DECALS	26.46
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	42.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	45.00
TOTAL DISBURSEMENTS	7,744.00

MAY 29, 2026

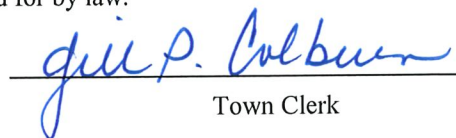


Lawrence A. Anderson

, SUPERVISOR

STATE OF NEW YORK, COUNTY OF CHAUTAUQUA, TOWN OF ELLERY

I, JILL J. BRAUND, being duly sworn, says that I am the Clerk of the TOWN OF ELLERY that the foregoing is a full and true statement of all Fees and moneys received by me during the month above stated, excepting only such Fees the application and payment of which are otherwise provided for by law.



Town Clerk

Town of Ellery
Building and Code Enforcement
Monthly Report May 2026

June 8, 2026

June Mileage: 145 mi.

Building Permits Issued: 11

Certificates of Occupancy Issued: 3

Complaints Investigated: 0

5/4: Bull Residence – Lot#17 High Acres – Final Inspection for Doublewide Installation – Passed
ODOM 57329-57339 mi.

5/5: Dobmeier/Burns - 5030 Rt. 430 – Met with owner to discuss renovations taking place on the
Property. Explained that he would need to obtain a Building
Permit in order to receive a C.of O.

Hayes Residence – 5259 Bellamy Field Rd. – Final Inspection for Pavilion – Passed
ODOM 57360 -57377 mi.

5/7: Borkey Residence – 4542 Maple Grove Rd. – Final Inspection for Addition and Renovations
Passed

Manning Residence – 3043 Rt. 430 – Partial Framing/Radiant Heat for Garage and Front Porch
Passed

Anderson Residence – 13 WestWind Dr. – Final Inspection for Deck – Passed
ODOM 57397-57422 mi.

5/8: Brown Residence – 3971 Rt. 430 – Structure Inspection for possible Renovations. House located
The Floodplain and Wetlands.
ODOM 57426-57430 mi.

5/11: Fugard/Shepardson Residence – 4923 Meadow Dr. – Final Inspection fro New Home – Passed
ODOM 57430 – 57434 mi.

5/13: CHQ Wetlands Meeting – Chautauqua Harbor Hotel ODOM 37033-37054

5/14: Borst Residence – 4028 Lloyd Ave. – Final Inspection for Inground Pool/Addition – Passed
ODOM 57440-57444 mi.

5/15: Dearborn Residence – Walk thru for Final Inspection-Needs railings finished, Electrical Inspection
Blower Door Inspection, Insulation Cert., Truss Signage
Crowley Residence – 4545 Warner Bay – Final Inspection for New Home – Passed
Loschelender Residence – 4519 Sunset Bay Dr. – Inground Pool Installation
ODOM 57471-57483 mi.

5/20: Wagner Residence – 4818 Lakeside Promenade – Final for Bathroom Renovation – Passed
ODOM 57486-57496 mi.

5/22: Seybert Residence – 4519 Warner Bay - Final Inspection for Addition – Passed
ODOM 57504-57517 mi.

5/29: Weimer Property – 5194 Ellery Centralia Rd. – Postholes For Pole Barn – Passed
Tranum Residence – 5639 Rivulet/Chautauqua Ave. – Framing/ Shed Addition – Needs joist
Hangers on rafters.
Toensing Residence – 4647 Chautauqua Ave. – Final Inspection for Deck – Passed
ODOM 57529-57554 mi.

Respectfully Submitted,

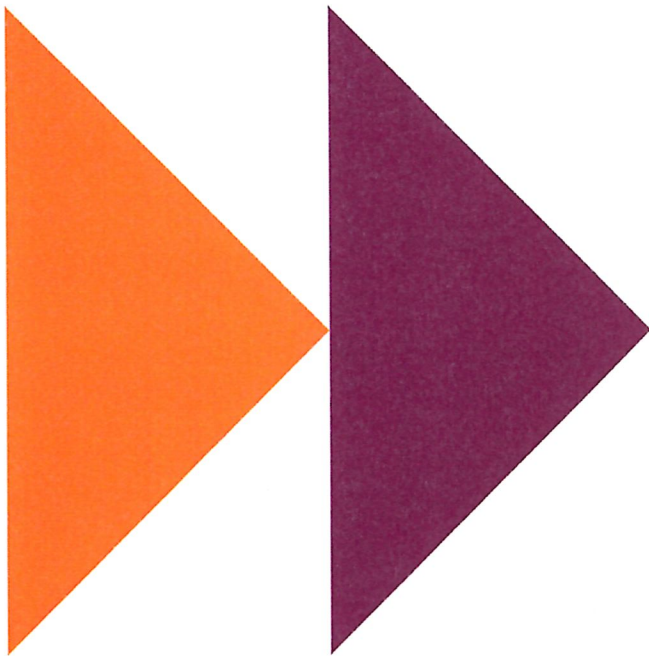
Robert P. Samuelson

Code Enforcement Officer

Town of Ellery

May Ellery Dog Control Report

I received 4 calls this month. One dog was picked up and brought to the Humane Society. There was a dog fight on Maple Street. All dogs were up to date on vaccinations and the matter is all resolved. I also received a call from the Sheriff's Department to assist them with dogs left in a trailer at high acres.



Town of Ellery

Prepared Financial Statements

May 31, 2026

TOWN OF ELLERY - GENERAL FUND TOWNWIDE
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	Actual	Budget	Variance	% of Budget	Budget Transfers	Amended Budget	Amended Budget Variance	Amended % of Budget
Revenues:								
A1001 · REAL PROPERTY TAXES	\$779,934.00	\$779,934.00	\$0.00	100.0%	\$0.00	\$779,934.00	\$0.00	100.0%
A1090 · INT. & PEN.- REAL PROP. TAXES	0.00	9,000.00	(9,000.00)	0.0%	0.00	9,000.00	(9,000.00)	0.0%
A1120 · SALES TAX	0.00	185,038.00	(185,038.00)	0.0%	0.00	185,038.00	(185,038.00)	0.0%
A1170 · FRANCHISES	10,826.50	26,000.00	(15,173.50)	41.6%	0.00	26,000.00	(15,173.50)	41.6%
A1255 · CLERK FEES	1,431.89	4,000.00	(2,568.11)	35.8%	0.00	4,000.00	(2,568.11)	35.8%
A2004 · PARK AND RECREATIONAL CHARGES	3,925.00	5,000.00	(1,075.00)	78.5%	0.00	5,000.00	(1,075.00)	78.5%
A2190 · SALE OF CEMETERY LOTS	2,800.00	5,000.00	(2,200.00)	56.0%	0.00	5,000.00	(2,200.00)	56.0%
A2192 · CEMETERY SERVICES	4,575.00	8,000.00	(3,425.00)	57.2%	0.00	8,000.00	(3,425.00)	57.2%
A2401 · INTEREST & EARNINGS	18,586.94	15,000.00	3,586.94	123.9%	0.00	15,000.00	3,586.94	123.9%
A2530 · GAMES OF CHANCE	30.00	20.00	10.00	150.0%	0.00	20.00	10.00	150.0%
A2544 · DOG LICENSES	920.00	3,000.00	(2,080.00)	30.7%	0.00	3,000.00	(2,080.00)	30.7%
A2610 · FINES & FORFEITED BAIL	12,093.00	35,000.00	(22,907.00)	34.6%	0.00	35,000.00	(22,907.00)	34.6%
A2660 · SALE OF PROPERTY	700.00	0.00	700.00	100.0%	0.00	0.00	700.00	100.0%
A2770 · OTHER UNCLASSIFIED REVENUES	64.40	0.00	64.40	100.0%	0.00	0.00	64.40	100.0%
A3001 · STATE AID PER CAPITA	0.00	36,397.00	(36,397.00)	0.0%	0.00	36,397.00	(36,397.00)	0.0%
A3005 · STATE AID MORTGAGE TAX	0.00	100,000.00	(100,000.00)	0.0%	0.00	100,000.00	(100,000.00)	0.0%
Total Revenues	835,886.73	1,211,389.00	(375,502.27)	69.0%	0.00	1,211,389.00	(375,502.27)	69.0%
Expenditures:								
1010.0 · TOWN BOARD								
1010.1 · TOWN BOARD - PERSONAL SERVICES	7,041.60	16,900.00	9,858.40	41.7%	0.00	16,900.00	9,858.40	41.7%
1010.4 · TOWN BOARD - CONTRACTUAL	336.28	1,000.00	663.72	33.6%	0.00	1,000.00	663.72	33.6%
Total 1010.0 · TOWN BOARD	7,377.88	17,900.00	10,522.12	41.2%	0.00	17,900.00	10,522.12	41.2%
1110.0 · JUSTICES								
1110.1 · JUSTICES - PERSONAL SERVICES	11,845.00	28,428.00	16,583.00	41.7%	0.00	28,428.00	16,583.00	41.7%
1110.1A · JUSTICES - CLERK PERSONAL SERVICES	20,809.91	49,187.00	28,377.09	42.3%	0.00	49,187.00	28,377.09	42.3%
1110.4 · JUSTICES - CONTRACTUAL	437.26	4,000.00	3,562.74	10.9%	0.00	4,000.00	3,562.74	10.9%
1110.41 · JUSTICES - CONTRACTUAL - SHERRIF	730.16	3,000.00	2,269.84	24.3%	0.00	3,000.00	2,269.84	24.3%
Total 1110.0 · JUSTICES	33,822.33	84,615.00	50,792.67	40.0%	0.00	84,615.00	50,792.67	40.0%
1220.0 · SUPERVISOR								
1220.1 · SUPERVISOR - PERSONAL SERVICES	8,368.75	20,085.00	11,716.25	41.7%	0.00	20,085.00	11,716.25	41.7%
1220.4 · SUPERVISOR - CONTRACTUAL	76.15	1,500.00	1,423.85	5.1%	0.00	1,500.00	1,423.85	5.1%
Total 1220.0 · SUPERVISOR	8,444.90	21,585.00	13,140.10	39.1%	0.00	21,585.00	13,140.10	39.1%
1320.0 · INDEPENDENT ACCOUNTING								
1320.4 · INDEPENDENT ACCOUNTING - CONTRACTUAL	6,959.79	22,540.00	15,580.21	30.9%	0.00	22,540.00	15,580.21	30.9%
Total 1320.0 · INDEPENDENT ACCOUNTING	6,959.79	22,540.00	15,580.21	30.9%	0.00	22,540.00	15,580.21	30.9%
1330.4 · TAX COLLECTION - CONTRACTUAL	1,112.53	4,000.00	2,887.47	27.8%	0.00	4,000.00	2,887.47	27.8%
1355.0 · ASSESSOR								
1355.1 · ASSESSOR - PERSONAL SERVICES	28,345.68	66,999.00	38,653.32	42.3%	0.00	66,999.00	38,653.32	42.3%
1355.12 · ASSESSOR - BOARD ASSESSMENT REVIEW	0.00	600.00	600.00	100.0%	0.00	600.00	600.00	100.0%
1355.4 · ASSESSOR - CONTRACTUAL	707.54	4,000.00	3,292.46	17.7%	0.00	4,000.00	3,292.46	17.7%
Total 1355.0 · ASSESSOR	29,053.22	71,599.00	42,545.78	40.6%	0.00	71,599.00	42,545.78	40.6%
1410.0 · TOWN CLERK								
1410.1 · TOWN CLERK - PERSONAL SERVICES	29,162.65	68,930.00	39,767.35	42.3%	0.00	68,930.00	39,767.35	42.3%
1410.11 · TOWN CLERK DEPUTY	20,569.56	48,619.00	28,049.44	42.3%	0.00	48,619.00	28,049.44	42.3%
1410.4 · TOWN CLERK - CONTRACTUAL	264.16	4,500.00	4,235.84	5.9%	0.00	4,500.00	4,235.84	5.9%
Total 1410.0 · TOWN CLERK	49,996.37	122,049.00	72,052.63	41.0%	0.00	122,049.00	72,052.63	41.0%
1420 · ATTORNEY								
1420.1 · ATTORNEY - PERSONAL SERVICES	15,561.25	37,347.00	21,785.75	41.7%	0.00	37,347.00	21,785.75	41.7%
1420.4 · ATTORNEY - CONTRACTUAL	2,450.88	5,000.00	2,549.12	49.0%	0.00	5,000.00	2,549.12	49.0%
Total 1420 · ATTORNEY	18,012.13	42,347.00	24,334.87	42.5%	0.00	42,347.00	24,334.87	42.5%
1430.0 · PERSONNEL								
1430.1 · PERSONNEL - PERSONAL SERVICES	2,178.88	5,150.00	2,971.12	42.3%	0.00	5,150.00	2,971.12	42.3%
1430.4 · PERSONNEL - CONT.	0.00	200.00	200.00	0.0%	0.00	200.00	200.00	0.0%
Total 1430.0 · PERSONNEL	2,178.88	5,350.00	3,171.12	40.7%	0.00	5,350.00	3,171.12	40.7%
1460.0 · RECORDS MANAGEMENT								
1460.1 · RECORDS MANAGEMENT - PERSONAL	653.67	1,545.00	891.33	42.3%	0.00	1,545.00	891.33	42.3%
1460.4 · RECORDS MANAGEMENT - CONT.	140.64	650.00	509.36	21.6%	0.00	650.00	509.36	21.6%
Total 1460.0 · RECORDS MANAGEMENT	794.31	2,195.00	1,400.69	36.2%	0.00	2,195.00	1,400.69	36.2%
1620.0 · BUILDING								
1620.1 · BUILDING - PERSONAL SERVICES	2,490.50	7,057.00	4,566.50	35.3%	0.00	7,057.00	4,566.50	35.3%
1620.4 · BUILDING - CONTRACTUAL	14,249.08	30,000.00	15,750.92	47.5%	0.00	30,000.00	15,750.92	47.5%
1620.41 · BUILDING - CENTRAL SUPPLY	483.34	2,000.00	1,516.66	24.2%	0.00	2,000.00	1,516.66	24.2%
Total 1620.0 · BUILDING	17,222.92	39,057.00	21,834.08	44.1%	0.00	39,057.00	21,834.08	44.1%

TOWN OF ELLERY - GENERAL FUND TOWNWIDE
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	Actual	Budget	Variance	% of Budget	Budget Transfers	Amended Budget	Amended Budget Variance	Amended % of Budget
1910.0 · SPECIAL ITEMS								
1910.4 · UNALLOCATED INS.	2,057.00	56,805.00	54,748.00	3.6%	0.00	56,805.00	54,748.00	3.6%
1920.4 · MUNICIPAL ASSOC. DUES	3,180.00	3,100.00	(80.00)	102.6%	80.00	3,180.00	0.00	100.0%
Total 1910.0 · SPECIAL ITEMS	5,237.00	59,905.00	54,668.00	8.7%	80.00	59,985.00	54,748.00	8.7%
3310.4 · TRAFFIC CONTROL - CONTRACTUAL	0.00	10,000.00	10,000.00	0.0%	0.00	10,000.00	10,000.00	0.0%
3510.0 · ANIMAL CONTROL								
3510.1 · ANIMAL CONTROL - PERSONAL SERV.	2,575.00	6,180.00	3,605.00	41.7%	0.00	6,180.00	3,605.00	41.7%
3510.4 · ANIMAL CONTROL - CONTRACTUAL	109.30	2,900.00	2,790.70	3.8%	0.00	2,900.00	2,790.70	3.8%
Total 3510.0 · ANIMAL CONTROL	2,684.30	9,080.00	6,395.70	29.6%	0.00	9,080.00	6,395.70	29.6%
5010.0 · SUPT. HIGHWAY								
5010.1 · SUPT. HIGHWAY - PERSONAL SERV.	33,630.41	79,490.00	45,859.59	42.3%	0.00	79,490.00	45,859.59	42.3%
5010.11 · DEPUTY HWY SUPERINTENDENT	1,427.47	3,374.00	1,946.53	42.3%	0.00	3,374.00	1,946.53	42.3%
5010.4 · SUPT. HIGHWAY - CONTRACTUAL	720.00	3,500.00	2,780.00	20.6%	0.00	3,500.00	2,780.00	20.6%
Total 5010.0 · SUPT. HIGHWAY	35,777.88	86,364.00	50,586.12	41.4%	0.00	86,364.00	50,586.12	41.4%
5132.4 · GARAGE - CONTRACTUAL	20,143.54	53,800.00	33,656.46	37.4%	0.00	53,800.00	33,656.46	37.4%
6510.4 · VETERANS SERVICES - CONTRACTUAL	0.00	800.00	800.00	0.0%	0.00	800.00	800.00	0.0%
6772.4 · PROGRAMS FOR AGING CONTRACTUAL	0.00	1,000.00	1,000.00	0.0%	0.00	1,000.00	1,000.00	0.0%
7110.0 · PARKS								
7110.1 · PARKS - PERSONAL SERVICES	7,686.01	45,320.00	37,633.99	17.0%	0.00	45,320.00	37,633.99	17.0%
7110.11 · PARKS - PERSONAL SERVICES- PART TIME	2,708.74	20,000.00	17,291.26	13.5%	0.00	20,000.00	17,291.26	13.5%
7110.2 · PARKS - CAPITAL	0.00	10,000.00	10,000.00	0.0%	0.00	10,000.00	10,000.00	0.0%
7110.21 · PARKS - CAPITAL TENNIS COURT	0.00	125,000.00	125,000.00	0.0%	0.00	125,000.00	125,000.00	0.0%
7110.4 · PARKS - CONTRACTUAL	7,117.48	42,000.00	34,882.52	16.9%	0.00	42,000.00	34,882.52	16.9%
Total 7110.0 · PARKS	17,512.23	242,320.00	224,807.77	7.2%	0.00	242,320.00	224,807.77	7.2%
7150.0 · HISTORIAN								
7510.1 · HISTORIAN - PERSONAL SERVICES	0.00	2,704.00	2,704.00	0.0%	0.00	2,704.00	2,704.00	0.0%
7510.4 · HISTORIAN - CONTRACTUAL	408.01	1,250.00	841.99	32.6%	0.00	1,250.00	841.99	32.6%
Total 7510.0 · HISTORIAN	408.01	3,954.00	3,545.99	10.3%	0.00	3,954.00	3,545.99	10.3%
8810.0 · CEMETERY								
8810.11 · CEMETERY - SEXTON	1,987.50	4,770.00	2,782.50	41.7%	0.00	4,770.00	2,782.50	41.7%
8810.12 · CEMETERY - GROUNDSKEEPER	8,439.88	42,745.00	34,305.12	19.7%	0.00	42,745.00	34,305.12	19.7%
8810.14 · CEMETERY - PARK/CEMETERY MGMT	0.00	7,725.00	7,725.00	0.0%	0.00	7,725.00	7,725.00	0.0%
8810.2 · CEMETERY - EQUIPMENT	0.00	6,000.00	6,000.00	0.0%	0.00	6,000.00	6,000.00	0.0%
8810.4 · CEMETERY - CONTRACTUAL	3,494.54	25,000.00	21,505.46	14.0%	0.00	25,000.00	21,505.46	14.0%
Total 8810.0 · CEMETERY	13,921.92	86,240.00	72,318.08	16.1%	0.00	86,240.00	72,318.08	16.1%
9010.8 · EMPLOYEE BENEFITS - STATE RET.	0.00	68,150.00	68,150.00	0.0%	0.00	68,150.00	68,150.00	0.0%
9030.8 · EMPLOYEE BENEFITS - SOCIAL SEC.	13,585.99	44,729.00	31,143.01	30.4%	0.00	44,729.00	31,143.01	30.4%
9040.8 · EMPLOYEE BENEFITS - WORKER'S COMP	6,257.72	13,494.00	7,236.28	46.4%	(80.00)	13,414.00	7,156.28	46.7%
9045.8 · EMPLOYEE BENEFITS - LIFE INSURANCE	212.75	600.00	387.25	35.5%	0.00	600.00	387.25	35.5%
9050.8 · EMPLOYEE BENEFITS - UNEMPLOYMENT	7,664.65	13,000.00	5,335.35	59.0%	0.00	13,000.00	5,335.35	59.0%
9060.8 · EMPLOYEE BENEFITS - MEDICAL INSURANCE	26,989.13	69,716.00	42,726.87	38.7%	0.00	69,716.00	42,726.87	38.7%
9060.82 · EMPLOYEE BENEFITS - HEALTH INSURANCE BUY-C	15,000.00	15,000.00	0.00	100.0%	0.00	15,000.00	0.00	100.0%
Total A9000 · EMPLOYEE BENEFITS	69,710.24	224,689.00	154,978.76	31.0%	(80.00)	224,609.00	154,898.76	31.0%
9950.9 · TRANSFER TO BUILDING RESERVE	0.00	1,000,000.00	1,000,000.00	0.0%	0.00	1,000,000.00	1,000,000.00	0.0%
Total Expenditures	340,370.38	2,211,389.00	1,871,018.62	15.4%	0.00	2,211,389.00	1,871,018.62	15.4%
Excess Revenues Over Expenditures	\$495,516.35	(\$1,000,000.00)	\$1,495,516.35	-49.6%		(\$1,000,000.00)	\$1,495,516.35	-49.6%

These financial statements have not been subjected to an audit, review or compilation engagement and no assurance is provided on them. Management has elected to omit substantially all of the disclosures ordinarily included in the financial statements prepared in accordance with the income tax basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Town's assets, liabilities, equity, revenue and expenses. Accordingly, these financial statements are not designed for those who are not informed about such matters.

TOWN OF ELLERY - GENERAL OUTSIDE VILLAGE
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% of Budget</u>	<u>Budget Transfers</u>	<u>Amended Budget</u>	<u>Amended Budget Variance</u>	<u>Amended % of Budget</u>
Revenues:								
B1120 · NON - PROP. TAX DIST. BY COUNTY	\$70,965.00	\$70,965.00	\$0.00	100.0%	\$0.00	\$70,965.00	\$0.00	100.0%
B2110 · ZONING FEES	4,175.00	12,000.00	(7,825.00)	34.8%	0.00	12,000.00	(7,825.00)	34.8%
B2260 · PUBLIC SAFETY SERVICES- OTH GOVERNMENT	15,000.00	15,000.00	0.00	100.0%	0.00	15,000.00	0.00	100.0%
B2401 · INTEREST & EARNINGS	1,684.42	1,500.00	184.42	112.3%	0.00	1,500.00	184.42	112.3%
Total Revenues	<u>91,824.42</u>	<u>99,465.00</u>	<u>(7,640.58)</u>	<u>92.3%</u>	<u>0.00</u>	<u>99,465.00</u>	<u>(7,640.58)</u>	<u>92.3%</u>
Expenditures:								
3620.0 · SAFETY INSPECTION								
3620.1 · SAFETY INSPECTION - PERSONAL	16,313.88	38,560.00	22,246.12	42.3%	0.00	38,560.00	22,246.12	42.3%
3620.11 · PERSONAL SERVICES - VILLAGE FUNDED	6,346.12	15,000.00	8,653.88	42.3%	0.00	15,000.00	8,653.88	42.3%
3620.4 · SAFETY INSPECTION - CONT.	530.74	6,000.00	5,469.26	8.8%	0.00	6,000.00	5,469.26	8.8%
Total 3620.0 · SAFETY INSPECTION	<u>23,190.74</u>	<u>59,560.00</u>	<u>36,369.26</u>	<u>38.9%</u>	<u>0.00</u>	<u>59,560.00</u>	<u>36,369.26</u>	<u>38.9%</u>
4020.0 · REGISTRAR OF VITAL STATISTICS								
4020.1 · PERSONAL SERVICES	1,307.24	3,090.00	1,782.76	42.3%	0.00	3,090.00	1,782.76	42.3%
4020.4 · CONTRACTUAL	0.00	200.00	200.00	0.0%	0.00	200.00	200.00	0.0%
Total 4020.0 · REGISTRAR OF VITAL STATISTICS	<u>1,307.24</u>	<u>3,290.00</u>	<u>1,982.76</u>	<u>39.7%</u>	<u>0.00</u>	<u>3,290.00</u>	<u>1,982.76</u>	<u>39.7%</u>
5182.4 · STREET LIGHTING CONTRACTUAL	2,125.11	6,600.00	4,474.89	32.2%	0.00	6,600.00	4,474.89	32.2%
7110.4 · LAKE SUPPORT - CONTRACTUAL	947.37	25,000.00	24,052.63	3.8%	0.00	25,000.00	24,052.63	3.8%
8010.0 · ZONING								
8010.1 · ZONING - PERSONAL SERV	8,044.15	19,306.00	11,261.85	41.7%	0.00	19,306.00	11,261.85	41.7%
8010.11 · ZONING - PERSONAL SERV - ZONING BOARD	0.00	2,750.00	2,750.00	0.0%	0.00	2,750.00	2,750.00	0.0%
8010.4 · ZONING - CONTRACTUAL	38.86	600.00	561.14	6.5%	0.00	600.00	561.14	6.5%
Total 8010.0 · ZONING	<u>8,083.01</u>	<u>22,656.00</u>	<u>14,572.99</u>	<u>35.7%</u>	<u>0.00</u>	<u>22,656.00</u>	<u>14,572.99</u>	<u>35.7%</u>
9010.8 · EMPLOYEE BENEFITS - STATE RET	0.00	10,150.00	10,150.00	0.0%	0.00	10,150.00	10,150.00	0.0%
9030.8 · EMPLOYEE BENEFITS - SOCIAL SEC.	2,159.12	6,271.00	4,111.88	34.4%	0.00	6,271.00	4,111.88	34.4%
9040.8 · EMPLOYEE BENEFITS - WORKER'S COMP	937.93	938.00	0.07	100.0%	0.00	938.00	0.07	100.0%
9065.8 · EMPLOYEE BENEFITS - MEDICAL BUY-OUT	5,000.00	5,000.00	0.00	100.0%	0.00	5,000.00	0.00	100.0%
Total Expenditures	<u>43,750.52</u>	<u>139,465.00</u>	<u>95,714.48</u>	<u>31.4%</u>	<u>0.00</u>	<u>139,465.00</u>	<u>95,714.48</u>	<u>31.4%</u>
Excess Revenues Over Expenditures	<u>\$48,073.90</u>	<u>(\$40,000.00)</u>	<u>\$88,073.90</u>	<u>-120.2%</u>		<u>(\$40,000.00)</u>	<u>\$88,073.90</u>	<u>-120.2%</u>

TOWN OF ELLERY - HIGHWAY TOWNWIDE
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	Actual	Budget	Variance	% of Budget	Budget Transfers	Amended Budget	Amended Budget Variance	Amended % of Budget
Revenues:								
DA1001 · REAL PROPERTY TAXES	\$354,228.00	\$354,228.00	\$0.00	100.0%	\$0.00	\$354,228.00	\$0.00	100.0%
DA1120 · NON - PROP. TAX DIST. BY COUNTY	82,528.86	473,376.00	(390,847.14)	17.4%	0.00	473,376.00	(390,847.14)	17.4%
DA2302 · SNOW REMOVAL - OTHER GOVT	\$2,331.78	\$0.00	\$2,331.78	100.0%	\$0.00	\$0.00	2,331.78	100.0%
DA2401 · INTEREST & EARNINGS	12,221.14	7,500.00	4,721.14	162.9%	0.00	7,500.00	4,721.14	162.9%
DA2650 · SALES OF SCRAP	1,586.25	1,000.00	586.25	158.6%	0.00	1,000.00	586.25	158.6%
DA2665 · SALES OF EQUIPMENT	0.00	10,000.00	(10,000.00)	0.0%	\$0.00	10,000.00	(10,000.00)	0.0%
DA5031 · TRANSFER FROM RESERVE	0.00	131,000.00	(131,000.00)	0.0%	\$0.00	131,000.00	(131,000.00)	0.0%
Total Revenues	452,896.03	977,104.00	(524,207.97)	46.4%	0.00	977,104.00	(524,207.97)	46.4%
Expenditures:								
5120.0 · BRIDGES								
5120.4 · BRIDGES - CONTRACTUAL	5,619.20	40,000.00	34,380.80	14.0%	0.00	40,000.00	34,380.80	14.0%
Total 5120.4 · BRIDGES	5,619.20	40,000.00	34,380.80	0.14	0.00	40,000.00	34,380.80	14.0%
5130.0 - MACHINERY								
5130.2 · MACHINERY - EQUIPMENT	84,688.50	131,000.00	46,311.50	64.6%	168,377.00	299,377.00	214,688.50	28.3%
5130.4 · MACHINERY - CONTRACTUAL	23,447.18	107,000.00	83,552.82	21.9%	0.00	107,000.00	83,552.82	21.9%
Total 5130.0 - MACHINERY	108,135.68	238,000.00	129,864.32	45.4%	168,377.00	406,377.00	298,241.32	26.6%
5140.0 · MISC. BRUSH & WEEDS								
5140.2 · MISC. BRUSH & WEEDS - EQUIPMENT	0.00	79,137.00	129,864.32	0.0%	0.00	79,137.00	79,137.00	0.0%
5140.4 · MISC. BRUSH & WEEDS - CONT.	1,800.00	40,000.00	38,200.00	4.5%	0.00	40,000.00	38,200.00	4.5%
Total 5140.0 · MISC. BRUSH & WEEDS	1,800.00	119,137.00	168,064.32	1.5%	0.00	119,137.00	117,337.00	1.5%
5142.0 · SNOW REMOVAL								
5142.1 · SNOW REMOVAL - PERSONAL SERV.	155,621.32	334,500.00	178,878.68	46.5%	0.00	334,500.00	178,878.68	46.5%
5142.4 · SNOW REMOVAL - CONTRACTUAL	73,712.19	182,000.00	108,287.81	40.5%	0.00	182,000.00	108,287.81	40.5%
Total 5142.0 · SNOW REMOVAL	229,333.51	516,500.00	287,166.49	44.4%	0.00	516,500.00	287,166.49	44.4%
9010.8 · EMPLOYEE BENEFITS - STATE RET.	0.00	40,600.00	40,600.00	0.0%	0.00	40,600.00	40,600.00	0.0%
9030.8 · EMPLOYEE BENEFITS - SOCIAL SEC.	11,414.98	26,895.00	15,480.02	42.4%	0.00	26,895.00	15,480.02	42.4%
9040.8 · EMPLOYEE BENEFITS - WORKER'S COMP	3,751.85	3,752.00	0.15	100.0%	0.00	3,752.00	0.15	100.0%
9045.8 · EMPLOYEE BENEFITS - LIFE INSURANCE	192.88	400.00	207.12	48.2%	0.00	400.00	207.12	48.2%
9050.4 · EMPLOYEE BENEFITS - UNIFORMS	2,814.38	6,000.00	3,185.62	46.9%	0.00	6,000.00	3,185.62	46.9%
9060.8 · EMPLOYEE BENEFITS- HOSP. & MED.	25,986.28	77,000.00	51,013.72	33.7%	(2,000.00)	75,000.00	49,013.72	34.6%
9065.8 · EMPLOYEE BENEFITS - MEDICAL INS. BUY-OUT	6,000.00	4,000.00	(2,000.00)	150.0%	2,000.00	6,000.00	0.00	100.0%
9785.6 · INSTALLMENT DEBT - PRINCIPAL								
9785.65 · INSTALL. DEBT - PRINC. - 2023 MACK TRUCK	0.00	44,973.00	44,973.00	0.0%	0.00	44,973.00	44,973.00	0.0%
Total 9785.6 · INSTALLMENT DEBT - PRINCIPAL	0.00	44,973.00	44,973.00	0.0%	0.00	44,973.00	44,973.00	0.0%
9785.7 · INSTALLMENT DEBT - INTEREST								
9785.75 · INSTALL. DEBT - INT. - 2023 MACK TRUCK	0.00	4,847.00	4,847.00	0.0%	0.00	4,847.00	4,847.00	0.0%
Total 9785.6 · INSTALLMENT DEBT - INTEREST	0.00	4,847.00	4,847.00	0.0%	0.00	4,847.00	4,847.00	0.0%
9950.9 · TRANSFER TO CAPITAL RESV- FUEL ISLAND	0.00	125,000.00	125,000.00	0.0%	0.00	125,000.00	125,000.00	0.0%
Total Expenditures	395,048.76	1,247,104.00	902,782.56	31.7%	0.00	1,415,481.00	1,020,432.24	27.9%
Excess Revenues Over Expenditures	\$57,847.27	(\$270,000.00)	\$327,847.27	-21.4%		(\$438,377.00)	\$496,224.27	-13.2%

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TOWN OF ELLERY - HIGHWAY OUTSIDE VILLAGE
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% of Budget</u>	<u>Budget Transfers</u>	<u>Amended Budget</u>	<u>Amended Budget Variance</u>	<u>Amended % of Budget</u>
Revenues:								
DB1120 · NON - PROP. TAX. DIST. BY COUNTY	\$555,605.00	\$555,605.00	\$0.00	100.0%	\$0.00	\$555,605.00	\$0.00	100.0%
DB2401 · INTEREST & EARNINGS	4,217.13	3,000.00	1,217.13	0.0%	0.00	3,000.00	1,217.13	140.6%
DB3501 · C.H.I.P.S. SAFER ROAD PROGRAM	0.00	363,239.00	(363,239.00)	0.0%	0.00	363,239.00	(363,239.00)	0.0%
Total Revenues	<u>559,822.13</u>	<u>921,844.00</u>	<u>(362,021.87)</u>	<u>60.7%</u>	<u>0.00</u>	<u>921,844.00</u>	<u>(362,021.87)</u>	<u>60.7%</u>
Expenditures:								
5110.0 · GENERAL REPAIRS								
5110.1 · GENERAL REPAIRS - PERSONAL SERV	30,075.19	233,770.00	203,694.81	12.9%	0.00	233,770.00	203,694.81	12.9%
5110.4 · GENERAL REPAIRS- CONTRACTUAL	4,713.33	411,250.00	406,536.67	1.1%	0.00	411,250.00	406,536.67	1.1%
Total 5110.0 · GENERAL REPAIRS	<u>34,788.52</u>	<u>645,020.00</u>	<u>610,231.48</u>	<u>5.4%</u>	<u>0.00</u>	<u>645,020.00</u>	<u>610,231.48</u>	<u>5.4%</u>
5112.2 · IMPROVEMENTS - CAPITAL OUTLAY	92,632.49	363,239.00	270,606.51	25.5%	0.00	363,239.00	270,606.51	25.5%
9010.8 · EMPLOYEE BENEFITS - STATE RET.	0.00	27,550.00	27,550.00	0.0%	0.00	27,550.00	27,550.00	0.0%
9030.8 · EMPLOYEE BENEFITS - SOCIAL SEC	2,173.45	19,189.00	17,015.55	11.3%	0.00	19,189.00	17,015.55	11.3%
9040.8 · EMPLOYEE BENEFITS - WORKERS COMP	2,545.95	2,546.00	0.05	100.0%	0.00	2,546.00	0.05	100.0%
9045.8 · EMPLOYEE BENEFITS - LIFE INSURANCE	48.22	300.00	251.78	16.1%	0.00	300.00	251.78	16.1%
9060.8 · EMPLOYEE BENEFITS -HOSP. & MED	24,388.59	55,000.00	30,611.41	44.3%	(2,000.00)	53,000.00	28,611.41	46.0%
9065.8 · EMPLOYEE BENEFITS - MEDICAL INS. BUY-	6,000.00	4,000.00	(2,000.00)	150.0%	2,000.00	6,000.00	0.00	100.0%
Total Expenditures	<u>162,577.22</u>	<u>1,116,844.00</u>	<u>954,266.78</u>	<u>14.6%</u>	<u>0.00</u>	<u>1,116,844.00</u>	<u>954,266.78</u>	<u>14.6%</u>
Excess Revenues Over Expenditures	<u>\$397,244.91</u>	<u>(\$195,000.00)</u>	<u>\$592,244.91</u>	<u>-203.7%</u>		<u>(\$195,000.00)</u>	<u>\$592,244.91</u>	<u>-203.7%</u>

TOWN OF ELLERY - FIRE DISTRICT
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% of Budget</u>	<u>Budget Transfers</u>	<u>Amended Budget</u>	<u>Amended Budget Variance</u>	<u>Amended % of Budget</u>
Revenues:								
SF1001 · REAL PROPERTY TAXES								
SF1001.1 · REAL PROP. TAX - DEWITTVILLE	\$10,400.00	\$10,400.00	\$0.00	100.0%	\$0.00	\$10,400.00	\$0.00	100.0%
SF1001.2 · REAL PROP. TAX - SINCLAIRVILLE	10,000.00	10,000.00	0.00	100.0%	0.00	10,000.00	0.00	100.0%
SF1001.3 · REAL PROP. TAX - BEMUS POINT	136,600.00	136,600.00	0.00	100.0%	0.00	136,600.00	0.00	100.0%
Total SF1001 · REAL PROPERTY TAXES	<u>157,000.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>	<u>0.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>
Total Revenues	<u>157,000.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>	<u>0.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>
Expenditures:								
3410.0 · FIRE PROTECTION								
3410.4 · FIRE PROTECTION - DEWITTVILLE	10,400.00	10,400.00	0.00	100.0%	0.00	10,400.00	0.00	100.0%
3410.41 · FIRE PROTECTION - SINCLAIRVILLE	10,000.00	10,000.00	0.00	100.0%	0.00	10,000.00	0.00	100.0%
3410.42 · FIRE PROTECTION - BEMUS POINT	136,600.00	136,600.00	0.00	100.0%	0.00	136,600.00	0.00	100.0%
Total 3410.0 FIRE PROTECTION	<u>157,000.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>	<u>0.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>
Total Expenditures	<u>157,000.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>	<u>0.00</u>	<u>157,000.00</u>	<u>0.00</u>	<u>100.0%</u>
Excess Revenues Over Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>0.00</u>	<u>100.0%</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>100.0%</u>

TOWN OF ELLERY - SPECIAL LIGHTING
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% of Budget</u>	<u>Budget Transfers</u>	<u>Amended Budget</u>	<u>Amended Budget Variance</u>	<u>Amended % of Budget</u>
Revenues:								
SL1001 · REAL PROPERTY TAXES								
SL1001.1 · REAL PROP. TAX - GREENHURST	\$5,000.00	\$5,000.00	\$0.00	100.0%	\$0.00	\$5,000.00	\$0.00	100.0%
SL1001.2 · REAL PROP. TAX - ORIENTAL PARK	7,000.00	7,000.00	0.00	100.0%	0.00	7,000.00	0.00	100.0%
SL1001.3 · REAL PROP. TAX - MAPLE SPRINGS	5,000.00	5,000.00	0.00	100.0%	0.00	5,000.00	0.00	100.0%
Total SL1001 · REAL PROPERTY TAXES	17,000.00	17,000.00	0.00	100.0%	0.00	17,000.00	0.00	100.0%
SL2401 · INTEREST & EARNINGS	175.56	0.00	175.56	0.0%	0.00	0.00	175.56	100.0%
Total Revenues	<u>17,175.56</u>	<u>17,000.00</u>	<u>175.56</u>	<u>101.0%</u>	<u>0.00</u>	<u>17,000.00</u>	<u>175.56</u>	<u>101.0%</u>
Expenditures:								
5182.0 · STREET LIGHTING								
5182.4 · STREET LIGHTING - GREENHURST	1,460.93	\$5,000.00	3,539.07	29.2%	0.00	5,000.00	3,539.07	29.2%
5182.41 · STREET LIGHTING - ORIENTAL PARK	1,869.57	7,000.00	5,130.43	26.7%	0.00	7,000.00	5,130.43	26.7%
5182.42 · STREET LIGHTING - MAPLE SPRINGS	1,509.21	5,000.00	3,490.79	30.2%	0.00	5,000.00	3,490.79	30.2%
Total 5182.0 · STREET LIGHTING	4,839.71	17,000.00	12,160.29	28.5%	0.00	17,000.00	12,160.29	28.5%
Total Expenditures	<u>4,839.71</u>	<u>17,000.00</u>	<u>12,160.29</u>	<u>28.5%</u>	<u>0.00</u>	<u>17,000.00</u>	<u>12,160.29</u>	<u>28.5%</u>
Excess Revenues Over Expenditures	<u>\$12,335.85</u>	<u>\$0.00</u>	<u>\$12,335.85</u>	<u>100.0%</u>		<u>\$0.00</u>	<u>\$12,335.85</u>	<u>100.0%</u>

TOWN OF ELLERY - ORIENTAL PARK GARBAGE
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% of Budget</u>	<u>Budget Transfers</u>	<u>Amended Budget</u>	<u>Amended Budget Variance</u>	<u>Amended % of Budget</u>
Revenues:								
SR1001 · REAL PROPERTY TAXES	\$24,000.00	\$24,000.00	\$0.00	100.0%	\$0.00	\$24,000.00	\$0.00	100.0%
SR2401 · INTEREST & EARNINGS	315.32	250.00	65.32	126.1%	0.00	250.00	65.32	126.1%
Total Revenues	<u>24,315.32</u>	<u>24,250.00</u>	<u>65.32</u>	<u>100.3%</u>	<u>0.00</u>	<u>24,250.00</u>	<u>65.32</u>	<u>100.3%</u>
Expenditures:								
8160.4 · REFUSE & GARBAGE - CONTRACTUAL	7,747.32	24,000.00	16,252.68	32.3%	0.00	24,000.00	16,252.68	32.3%
Total Expenditures	<u>7,747.32</u>	<u>24,000.00</u>	<u>16,252.68</u>	<u>32.3%</u>	<u>0.00</u>	<u>24,000.00</u>	<u>16,252.68</u>	<u>32.3%</u>
Excess Revenues Over Expenditures	<u>\$16,568.00</u>	<u>\$250.00</u>	<u>\$16,318.00</u>	<u>6627.2%</u>		<u>\$250.00</u>	<u>\$16,318.00</u>	<u>6627.2%</u>

TOWN OF ELLERY - CAPITAL PROJECTS
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% of Budget</u>	<u>Budget Transfers</u>	<u>Amended Budget</u>	<u>Amended Budget Variance</u>	<u>Amended % of Budget</u>
Revenues:								
H2801 · ARPA TRANSFERS FROM GF	\$0.00	\$0.00	\$0.00	100.0%	\$0.00	\$0.00	\$0.00	100.0%
Total Revenues	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.0%</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.0%</u>
Expenditures:								
H1997.2 · GENERAL GOVT, EQUIP & CAPITAL PI	0.00	0.00	0.00	100.0%	0.00	0.00	0.00	100.0%
Total Expenditures	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.0%</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.0%</u>
Excess Revenues Over Expenditures	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>100.0%</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>100.0%</u>

TOWN OF ELLERY - MISCELLANEOUS SPECIAL REVENUE
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	Actual	Budget	Variance	% of Budget	Budget Transfers	Amended Budget	Amended Budget Variance	Amended % of Budget
Revenues:								
CM2401 · INTEREST & EARNINGS	\$5.98	\$0.00	\$5.98	100.0%	\$0.00	\$0.00	\$5.98	100.0%
Total Revenues	5.98	0.00	5.98	100.0%	0.00	0.00	5.98	100.0%
Excess Revenues Over Expenditures	\$5.98	\$0.00	\$5.98	100.0%		\$0.00	\$5.98	100.0%

TOWN OF ELLERY - PRIVATE PURPOSE TRUST
Statement of Revenues Expenditures - Modified Cash Basis
YTD Actual vs. Annual Budget for the Period Ended 05/31/2026

	<u>Actual</u>	<u>Budget</u>	<u>Variance</u>	<u>% of Budget</u>	<u>Budget Transfers</u>	<u>Amended Budget</u>	<u>Amended Budget Variance</u>	<u>Amended % of Budget</u>
Revenues:								
TE2401 - INTEREST & EARNINGS								
BEMUS CEMETERY - EXPENDABLE	\$4.63	\$0.00	\$4.63	100.0%	\$0.00	\$0.00	\$4.63	100.0%
REDBIRD CEMETERY - EXPENDABLE	3.27	0.00	3.27	100.0%	0.00	0.00	3.27	100.0%
Total Revenues	<u>\$7.90</u>	<u>\$0.00</u>	<u>\$7.90</u>	<u>100.0%</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>100.0%</u>
Excess Revenues Over Expenditures	<u>\$7.90</u>	<u>\$0.00</u>	<u>\$7.90</u>	<u>100.0%</u>		<u>\$0.00</u>	<u>\$7.90</u>	<u>100.0%</u>

TOWN OF ELLERY
Supplemental Material
SUMMARY OF CASH AND INVESTMENTS
May 31, 2026

		Prior Month	Change (+/-)	Current Month
GENERAL FUND				
TOWNWIDE				
	Checking Account	\$ 20,423.89	\$ 62.29	\$ 20,486.18
	Money Market Savings	2,526,088.91	(60,866.40)	2,465,222.51
	Cemetery Equipment Reserve	530.59	0.67	531.26
	Park Playground Reserve	4,396.07	5.54	4,401.61
	Building Reserve	503,634.65	634.90	504,269.55
	ARPA Funds	-	-	-
	Petty Cash	250.00	-	250.00
		<u>\$ 3,055,324.11</u>	<u>\$ (60,163.00)</u>	<u>\$ 2,995,161.11</u>
GENERAL FUND				
TOWN OUTSIDE VILLAGE				
	Checking Account	\$ 10,374.50	\$ 37.29	\$ 10,411.79
	Money Market Savings	108,135.66	336,819.27	444,954.93
	Lake Management Reserve	104,093.26	131.22	104,224.48
		<u>\$ 222,603.42</u>	<u>\$ 336,987.78</u>	<u>\$ 559,591.20</u>
HIGHWAY FUND				
TOWNWIDE				
	Checking Account	\$ 22,283.50	\$ -	\$ 22,283.50
	Money Market Savings	1,143,003.79	(21,337.19)	1,121,666.60
	Machinery Reserve	39,642.40	50.66	39,693.06
	Equipment Reserve	207,125.39	84,060.14	291,185.53
	Building Reserve	44,543.92	56.92	44,600.84
	Repair Reserve	17,947.47	22.94	17,970.41
	Fuel Island Reserve	254,639.56	325.41	254,964.97
	10 Wheeler Reserve	86,517.01	110.56	86,627.57
		<u>\$ 1,815,703.04</u>	<u>\$ 63,289.44</u>	<u>\$ 1,878,992.48</u>
HIGHWAY FUND				
TOWN OUTSIDE VILLAGE				
	Checking Account	\$ 19,584.24	\$ -	\$ 19,584.24
	Money Market Savings	809,175.95	(137,708.23)	671,467.72
		<u>\$ 828,760.19</u>	<u>\$ (137,708.23)</u>	<u>\$ 691,051.96</u>
FIRE DISTRICT				
	Money Market Savings	\$ -	\$ -	\$ -
		<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
ORIENTAL PARK GARBAGE DISTRICT				
	Checking Account	\$ 2,532.58	\$ -	\$ 2,532.58
	Money Market Savings	51,761.80	(1,874.02)	49,887.78
		<u>\$ 54,294.38</u>	<u>\$ (1,874.02)</u>	<u>\$ 52,420.36</u>
SPECIAL LIGHTING DISTRICT				
	Checking Account	\$ 3,354.39	\$ -	\$ 3,354.39
	Money Market Savings	28,706.11	(1,150.49)	27,555.62
		<u>\$ 32,060.50</u>	<u>\$ (1,150.49)</u>	<u>\$ 30,910.01</u>