

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

SS

July 28, 2026

TOWN BOARD SPECIAL MEETING

Minutes of the Special Town Board Meeting held on July 28, 2026 at the Town Hall Sunnyside Avenue, Bemus Point, NY commencing at 6:30 PM.

PRESENT: Lawrence A Anderson, Supervisor
 John C Cresanti Sr., Councilmember
 Mark R Schlemmer, Councilmember
 David W Boughton, Councilmember
ABSENT: Jeremy D Crist, Councilmember

Minutes Taken By: Jill J Braund, Town Clerk

Supervisor Anderson called the meeting to order at 6:30 PM.

Supervisor Anderson stated the purpose of the meeting is to consider passing Resolution No.3 of 2026 entitled: "Support and Commitment of In-Kind Match to County of Chautauqua's Bemus Creek Local Waterfront Revitalization Program Implementation Grant Application" and to motion to authorize Supervisor Anderson to sign a letter of support for the said grant application. A brief discussion followed.

RESOLUTION #3 of THE YEAR 2026

**Town of Ellery
RESOLUTION No. 3**

Support and Commitment of In-Kind Match to County of Chautauqua's Bemus Creek Local Waterfront Revitalization Program Implementation Grant Application

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened by tributary flooding; and

WHEREAS, Chautauqua County and the four Villages and five Towns that surround Chautauqua Lake collaborated to prepare and adopt a New York State Department of State (DOS) approved Local Waterfront Revitalization Program (LWRP) for Chautauqua Lake in 2011, which identified priority waterfront development projects in the Town of Ellery and Village of Bemus Point that included the dredging of sediment areas at creek deltas, creek outlets and canal outlets; and

WHEREAS, Chautauqua County and the Town of Ellicott collaborated to prepare a DOS funded Dredging Feasibility Report for Chautauqua Lake tributaries in April 2013 that recommended the removal of 20,000 cubic yards of accumulated debris and sediment from the mouth of Bemus Creek, which has not been dredged since 1981; and

WHEREAS, numerous flooding events have occurred along Bemus Creek and are likely to continue to occur unless the hydraulic conductivity of Bemus Creek is restored; and

WHEREAS, Chautauqua County, after thorough consideration of tributary flooding associated with Bemus Creek watershed, has hereby determined that a flood mitigation project is desirable and is in the public interest (the Project); and

WHEREAS, the Chautauqua County Department of Planning and Development (CCDPD) partnered with the Chautauqua Lake and Watershed Management Alliance (Alliance) to secure a state grant to complete the Sediment and Debris Management Plan for Bemus Creek in March 2026, which recommended the removal of approximately 20,000 cubic yards of accumulated sediment and debris from the mouth of Bemus Creek; and

WHEREAS, CCDPD, the Town of Ellery and the Alliance are collaborating to submit a DOS LWRP Implementation Grant to complete the final project design, permitting and dredging of approximately 20,000 cubic yards of sediment and debris from the outlet of Bemus Creek at an estimated cost of \$400,000, and

WHEREAS, DOS requires that the Town of Ellery provide written consent and support for the County to apply for funding on behalf of the Town of Ellery, and

WHEREAS, the DOS LWRP Implementation Grant has 25% local match requirement of \$100,000 that if successful will be funded by \$70,583.55 from the County and by \$29,416.45 of in-kind services provided by the Town of Ellery that will consist of dewatering, trucking and stockpiling at the Town's Highway Department, now therefore be it

RESOLVED, that the Town of Ellery consents to and supports the grant application being submitted by the County of Chautauqua in accordance with the state grant requirements, and if the grant is awarded, the Town commits to providing its share of the local match required by the grant (\$29,416.45 of Highway Department in-kind services). If the grant is awarded, the Town Supervisor is authorized to assist the County in all matters related to Project.

MOTION – RESOLUTION #3 of THE YEAR 2026

Motion by Councilmember Schlemmer, second by Councilmember Boughton: That **Resolution No. 3 of the Year 2026** entitled: "Support and Commitment of In-Kind Match to County of Chautauqua's Bemus Creek Local Waterfront Revitalization Program Implementation Grant Application" be adopted as written and presented to the Town Board.

Mr. Boughton – Aye
Mr. Cresanti – Aye
Mr. Crist - Absent

Mr. Crist – Aye
Mr. Anderson – Aye - Motion Carried

MOTION - LETTER OF SUPPORT FOR LWRP GRANT APPLICATION

Motion by Councilmember Cresanti, second by Councilmember Schlemmer: That the Town Supervisor is authorized to sign the letter of support for the County of Chautauqua's grant application to the New York State Consolidated Funding Application's Department of State – Local Waterfront Revitalization Program, entitled Bemus Creek Local Waterfront Revitalization Program Implementation Project.

Mr. Boughton – Aye
Mr. Cresanti – Aye
Mr. Crist - Absent

Mr. Crist – Aye
Mr. Anderson – Aye - Motion Carried

ADJOURNMENT

Motion by Councilmember Schlemmer, second by Councilmember Boughton: That the Town Board Special Meeting be adjourned at 6:34 PM.

Mr. Boughton – Aye
Mr. Cresanti – Aye
Mr. Crist - Absent

Mr. Crist – Aye
Mr. Anderson – Aye - Motion Carried

Submitted by,


Jill J Braund, RMC
Ellery Town Clerk

July 29, 2026