

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

SS

DECEMBER 9, 2025

TOWN BOARD WORKSHOP

Minutes of the Town Board Workshop meeting held Tuesday, December 9, 2025 at the Town Hall, Sunnyside Avenue, Bemus Point, NY commencing at 6:00 PM.

PRESENT: Lawrence A. Anderson, Supervisor
John C. Cresanti Sr., Deputy Supervisor/Councilmember
David W. Boughton, Councilmember (Arrived at 6:07)

ABSENT: Jeremy D. Crist, Councilmember
Mark R. Schlemmer, Councilmember

MINUTES TAKEN BY: Jill J. Braund, Town Clerk

OTHERS PRESENT: Greg Hallberg, Highway Superintendent
Robert Samuelson, Code Enforcement Officer
Anne Golley, Assessor/Zoning Officer
Neil Robinson, Town Attorney

Supervisor Anderson called the Workshop meeting to order at 6:07 pm.

The Town Board members audited the vouchers for December 2025. There were no exceptions taken at this time. Town Board members looked over their board materials for the Regular Monthly board meeting.

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Workshop meeting be adjourned at 6:30 PM.

Mr. Boughton – Aye
Mr. Cresanti - Aye

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

REGULAR MONTHLY MEETING

Minutes of the Town Board meeting held Tuesday, December 9, 2025 at the Town Hall, Sunnyside Avenue, Bemus Point, NY commencing at 6:30 PM.

PRESENT: Lawrence A. Anderson, Supervisor
John C. Cresanti Sr., Deputy Supervisor/Councilmember
David W. Boughton, Councilmember

ABSENT: Jeremy D. Crist, Councilmember
Mark R. Schlemmer, Councilmember

MINUTES TAKEN BY: Jill J. Braund, Town Clerk

OTHERS PRESENT: Greg Hallberg, Highway Superintendent
Robert Samuelson, Code Enforcement Officer
Anne Golley, Assessor/Zoning Officer
Neil Robinson, Town Attorney

Supervisor Anderson called the meeting to order at 6:30 PM. The Pledge of Allegiance was observed.

NOVEMBER 2025 TOWN BOARD MINUTES – RECEIVED

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Town Board acknowledges receipt of the minutes for the November 3, 2025 Town Board meeting as presented.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

6:30 PM – PUBLIC HEARING – LOCAL LAW #7 FOR 2025

Supervisor Anderson opened the Public Hearing at 6:30 PM. The purpose of the Public Hearing is to consider the advisability of adopting Local Law #7 for the year 2025 entitled “**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.**” 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. This local Law does not apply to a single wind energy conversion system on a single or two-family residence or outbuildings. This local law will be an amendment to the Zoning Law of 2014.

Attorney Robinson stated he received a letter from the Chautauqua County Department of Planning and Development stating this a matter of local concern.

No one from the public wished to speak at this time.

Motion by Councilmember Cresanti, second by Councilmember Boughton: That Supervisor Anderson close the Public Hearing at 6:35 PM.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Town of Ellery be the Lead Agency for the purpose of completing Part 2 of the Short Environmental Assessment form.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

The Town of Ellery Town Board completed Part 2 of the Short Environmental Assessment form.

Motion by Councilmember Boughton, second by Councilmember Cresanti: That the Town of Ellery has determined that, based on the answers in Part 2 of the Short Environmental Assessment form, the proposed action will NOT result in any significant adverse environmental impacts.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

ADOPTION OF LOCAL LAW #7 OF 2025

Motion by Councilmember Boughton, second by Councilmember Cresanti: That Local Law #7 for the year 2025 entitled “a Local Law Establishing a six-month Moratorium on the Construction, Installation and/or Permitting of Wind Farms in the Town of Ellery, County of Chautauqua and State of New York.” be adopted.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

PUBLIC HEARING – SOLAR FARM/ MORATORIUM EXTENSION

Motion by Councilmember Boughton, second by Councilmember Cresanti: That a Public Hearing be scheduled on January 13, 2026 at 6:30 PM for Local Law #1 of 2026 to extend the Moratorium for Solar Farms for an additional 6 months.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

PUBLIC

1. Jim Wehrfritz updated the Town Board regarding the CLPOA activities. “Wetlands” meeting #14 will be held January 10, 2026 at the Lawson Center.

Motion by Councilmember Boughton, second by Councilmember Cresanti: That the Town Board authorizes an amount not to exceed \$300 to be used to promote the CLPOA “Wetlands” Public Meeting #14.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

NOVEMBER REPORTS

Town Clerk, Jill Braund submitted the Town Clerk’s report in the amount of \$3,121.00. The check to the Town totaled \$3,058.05.

The Town Board reviewed and discussed the reports from the Zoning Officer, Code Enforcement Officer, Assessor, Town Justices’, and the Dog Control Officer.

Assessor Golley provided the Town Board with a proposed property assessment value of \$700 for the Town property Mark and Katharine Sexson wish to purchase. The Board members were in agreement with that assessment.

Attorney Robinson will send a letter to the Sexson's notifying them of the Town's sale price for the property. If Mr. & Mrs. Sexson agree with the Town's offer, a Public Hearing for the sale of the property will be scheduled.

There was a brief discussion regarding entering into a Dog Kennel Agreement with Jeffrey Johnson. Mr. Johnson is the DCO for the Town of Gerry. He has 20 kennels available for stray dogs. The cost is \$35 per day for small dogs and \$45 per day for large dogs. Attorney Robinson reported Mr. Johnson has passed the NYS Inspection and has been approved for another year.

DOG KENNEL AGREEMENT - JEFFERY JOHNSON

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Town of Ellery authorize Supervisor Anderson to execute the Dog Kennel Agreement with Jeffrey Johnson for the term of one year from 1/1/2026 - 12/31/2026.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

TOWN SUPERVISOR FINANCIAL REPORT

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Town Supervisor's Financial report for November 2025 be accepted as presented.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Hallberg stated the Highway Department is in Winter mode, plowing, maintaining the trucks and working in the shop. The new truck is running well. Pete Samuelson has retired. The new hires, Jeff and Adam, have completed their CDL class. They will be taking their road tests this Friday and next Monday. Once they have passed their road test, they will have a Class A CDL.

TOWN ATTORNEY REPORT

- Attorney Robinson opened a brief discussion regarding the construction of the new Town Hall. Mr. Robinson stated if the Town makes a motion to construct the new Town Hall, it will be subject to a Permissive Referendum. Mr. Robinson recommended the Town work with Municipal Solutions with regards to guidance with financing the balance of what is needed for construction. The Town Board stated Laura Napoli from BLB suggested that as well.
- Attorney Robinson provided the Town Board with a brief update regarding the Hannold property. The house is partially sided. Mr. Hannold stated he plans to rebuild the barn but in the mean time there is a fence around it. Slow progress is being made.

LEGISLATOR REPORT

- We adopted a resolution requesting inclusion of Phase 1 of the proposed new JCC Wellness Complex in SUNY's capital request for the 2026-2027 Executive Budget
- We appropriated the County share of the design costs for the entire JCC/YMCA capital project, amounting to 1/4th of the JCC portion of the design costs, equaling \$195,000.
- We accepted a NYS grant of \$1,515,197, with no local match, to implement the Next Generation 911 program.
- We authorized the distribution of Mortgage taxes:
 - Ellery increased 3.4% from the same period last year
 - North Harmony decreased 6.2% from the same period last year
 - Bemus Point increased 2.9% from the same period last year
- We established equalization rates for 2026 for apportioning County taxes:
 - Ellery 62%
 - North Harmony 58.7%

BUDGET TRANSFERS/MODIFICATIONS

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Town Board approve the following budget transfers and modifications for November 2025.

GENERAL FUND TOWN WIDE**Budget Transfers:**

\$84	FROM	A5132.4 - GARAGE - CONTRACTUAL
\$84	TO	A1010.4 - TOWN BOARD - CONTRACTUAL
\$29	FROM	A5132.4 - GARAGE - CONTRACTUAL
\$29	TO	A1220.4 - SUPERVISOR - CONTRACTUAL
\$195	FROM	A5132.4 - GARAGE - CONTRACTUAL
\$195	TO	A1320.4 - INDEPENDENT ACCOUNTING - CONTRACTUAL
\$61	FROM	A5132.4 - GARAGE - CONTRACTUAL
\$61	TO	A7510.4 - HISTORIAN - CONTRACTUAL
\$8,845	FROM	A5132.4 - GARAGE - CONTRACTUAL
\$8,845	TO	A9010.8 - EMPLOYEE BENEFITS - STATE RET.

Budget Modifications:

We resolve to increase the General Fund Town Wide 2025 expenditure budget by \$257,202 due to the use of ARPA funds for part of the purchase of the 2025 Mack truck. This will increase accounts A4039 - FEDERAL AID - ARPA and A9901.9 - APRA TRANSFERS TO OTHER FUNDS.

GENERAL FUND OUTSIDE VILLAGE**Budget Transfer:**

\$1,318	FROM	B5182.4 · STREET LIGHTING CONTRACTUAL
\$1,318	TO	B9010.8 · EMPLOYEE BENEFITS - STATE RET

HIGHWAY FUND TOWN WIDE**Budget Transfer:**

\$5,081	FROM	DA9060.8 · EMPLOYEE BENEFITS- HOSP. & MED.
\$5,081	TO	DA9010.8 · EMPLOYEE BENEFITS - STATE RET.

\$78	FROM	DA9060.8 · EMPLOYEE BENEFITS- HOSP. & MED.
\$78	TO	DA9050.4 · EMPLOYEE BENEFITS - UNIFORMS

Budget Modifications:

We resolve to increase the Highway Fund Town Wide 2025 expenditure budget by \$275,202 due to the use of ARPA fund for the purchase of the 2026 MACK truck. This will increase accounts DA2801 - APRA TRANSFERS FROM OTHER FUNDS and DA5130.29 - MACHINERY - EQUIPMENT - ARPA.

We resolve to increase the Highway Fund Town Wide 2025 expenditure budget by \$76,175 due to the use of 10-WHEELER RESERVE for the purchase of the 2026 MACK truck. This will increase account DA5130.2 - MACHINERY - EQUIPMENT and decrease 10-WHEELER RESERVE.

HIGHWAY OUTSIDE VILLAGE**Budget Transfer:**

\$3,576	FROM	DB5110.4 - GENERAL REPAIRS - CONTRACTUAL
\$3,576	TO	DB9010.8 · EMPLOYEE BENEFITS - STATE RET.

CAPITAL PROJECTS**Budget Transfer:**

\$18,000	FROM	H2801 · ARPA TRANSFERS FROM GF
\$18,000	TO	H5031 · INTERFUND REVENUE

Budget Modifications:

We resolve to **rescind** the following budget modification:

We resolve to increase the Capital Projects 2025 expenditure budget by 31,500 due to the use of ARPA funds for Phase IV of the design for the Town Hall. This will increase accounts H2801 - ARPA TRANSFERS FROM OTHER FUNDS and H1997.29 - GENERAL GOVT-TOWN HALL-ARPA.

We resolve to increase the Capital Projects 2025 expenditure budget by \$13,500 due to the use of ARPA funds for Phase IV of the design for the Town Hall. This will increase accounts H2801 -

We resolve to increase the Capital Projects 2025 expenditure budget by \$18,000 due to the use of ARPA funds for Phase IV of the design for the Town Hall. This will increase accounts H5031 - INTERFUND REVENUE and H1997.2 - GENERAL GOVT-TOWN HALL

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion

VOUCHERS

Motion by Councilmember Cresanti, second by Councilmember Boughton: That Voucher #'s 581 through 644, Warrant/Abstract # 012 in the amount of \$265,535.10 be paid as audited.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

SET DATE/TIME ORGANIZATIONAL MEETING

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Town of Ellery Organizational Meeting be held on January 6, 2026 at 6:00 PM.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

SET DATE/TIME JANUARY REGULAR BOARD MEETING

Motion by Councilmember Cresanti, second by Councilmember Boughton: That the Town of Ellery Regular Monthly Board Meeting be held on January 13, 2026 at 6:30 PM with a workshop session commencing at 6:00 PM.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

MUSEUM ALLOCATIONS

A brief discussion was held regarding what appears to be an oversight in the 2025 Budget in that funds were not budgeted for the Historical Society or the Lawson Center. The Town Board members were in agreement that that the Town should allocate \$1,750 to the Historical Society and \$1,750 to the Lawson Center.

Motion by Councilmember Boughton, second by Councilmember Cresanti: That the Town of Ellery provide funding for the Historical Society and The Lawson Center for a total of \$3,500 as in prior years budgets.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

NEW TOWN HALL - BID ADVERTISEMENT

Supervisor Anderson led a brief discussion regarding going out to bid for the new Town Hall building. Supervisor Anderson stated the Town has funds appropriated for the new Town Hall and there is an estimate for what the Town will need to finance or apply for through grants. More discussion followed. Attorney Robinson recommended the Town advertise for bids. Mr. Robinson stated with an official bid, the Town will know what the financial numbers are. At that point, the Town can make a decision on how to proceed. Mr. Robinson stated the Town does not have to accept any of the bids. Supervisor Anderson confirmed the specs have been completed. Councilmember Cresanti stated he is agreement and would like to advertise for bids.

Motion by Councilmember Boughton, second by Councilmember Cresanti: That the Town of Ellery advertise for bids for construction of the New Town Hall Building.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

ADJOURNMENT

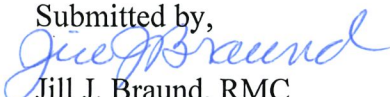
Motion by Councilmember Cresanti, seconded by Councilmember Boughton: That the Town Board meeting be adjourned at 7:29 PM.

Mr. Boughton – Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

Submitted by,



Jill J. Braund, RMC

Ellery Town Clerk

December 23, 2025