

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

SS

MARCH 10, 2026

TOWN BOARD WORKSHOP

Minutes of the Town Board Workshop Meeting held Tuesday, March 10, 2026, 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
Jeremy D. Crist, Councilmember

ABSENT: David W. Boughton, Councilmember
Mark R. Schlemmer, Councilmember

MINUTES TAKEN BY: Jill J. Braund, Town Clerk

OTHERS PRESENT: Neil M. Robinson, Town Attorney
Greg Hallberg, Highway Superintendent
Jill Colburn, Deputy Town Clerk
Robert Samuelson, Code Enforcement Officer
Jeff Johnson, Dog Control Officer

Supervisor Anderson called the Workshop Meeting to order at 6:00 PM.

The Town Board members audited the vouchers for March, 2026. There were no questions or comments regarding the vouchers. Board Members also looked over their board materials for the Regular Monthly Board Meeting.

Motion by Councilmember Cresanti, seconded by Councilmember Crist: That the Workshop Meeting be adjourned at 6:30 PM.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

REGULAR MONTHLY MEETING

Minutes of the March Town Board Meeting held Tuesday, March 10, 2026 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
Jeremy D. Crist, Councilmember

ABSENT: David W. Boughton, Councilmember
Mark R. Schlemmer, Councilmember

MINUTES TAKEN BY: Jill J. Braund, Town Clerk

OTHERS PRESENT: Neil M. Robinson, Town Attorney
Greg Hallberg, Highway Superintendent
Jill Colburn, Deputy Town Clerk
Robert Samuelson, Code Enforcement Officer
Jeff Johnson, Dog Control Officer

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

FEBRUARY 2026 TOWN BOARD MINUTES - RECEIVED

Motion by Councilmember Cresanti, seconded by Councilmember Crist: That the Town Board acknowledges receipt of the February 10, 2026 Town Board meeting minutes as presented.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

FEBRUARY REPORTS

Court Clerk, Crossley presented the Justice Report. Councilmembers Schlemmer and Cresanti audited the 2025 Justice Court Records on February 19, 2026.

Motion by Councilmember Crist, second by Cresanti: That the Town Board accepts the findings of the 2025 Justice Court Records Audit.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

Ms. Crossley stated Justice Ferrara has requested the Town Board's input regarding Attorney, Lori Thierfeld's, request for a reduction in fines regarding the SULU property. Court Clerk, Crossley's report indicates that SULU has satisfied the CEO and the fines have stopped tolling as of February 22, 2026. A brief discussion followed. Town Attorney Robinson stated there needs to be a formal request from SULU's attorney. Once Mr. Robinson receives the request, he will present it to the Board. Discussion followed regarding more junk cars reported to be on the property, and the two unresolved issues of siding on the garage and the parking space next to the garage. Mr. Robinson stated he has a call into SULU's attorney to discuss these issues. He has not heard back.

Town Clerk, Jill Braund, submitted the Town Clerk's report for February in the amount of 6,438.00. The check to the Town totaled \$6,336.88. Town Clerk, Braund reported the amount of property taxes collected through the 1% penalty period of tax collection is \$6,892,206.85. Clerk Braund stated March 7st started the 2% penalty period of tax collection. This will go through the last day of tax collection on April 1st. Unpaid Tax Notices were mailed on March 6th.

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

Code Enforcement Officer, Samuelson reported the Lutgen property remains in limbo. Mr. Samuelson stated, in talking to the owner's wife, that the property will be cleaned up if the taxes get paid. If the taxes don't get paid, the property will go up for tax sale in June.

Mr. Samuelson reported on information he received from two residents, on Beck Road, of a church camp being built on a piece of property purchased by Triumphant Church out of Erie. At this time, neither the Zoning Officer or the Code Enforcement Officer have received inquiries as to what is allowed on the property. Zoning Officer, Anne Golley, sent a letter and is waiting to hear back. There is a house on the property that is being worked on, which is allowed. Mr. Samuelson stated the church is posting on YouTube their plans for developing the church camp. Mr. Samuelson indicated it's quite extensive and most of it is not allowed.

Mr. Johnson stated he addressed a couple calls this month. Mr. Johnson would like to look at the previous Dog Control Officer's records. Mr. Johnson will contact the Humane Society to obtain a key so he can drop off stray dogs. A brief discussion regarding the Humane Society followed.

6:45 PM - PUBLIC HEARING – MAPLE SPRINGS – PROPERTY SALE

Supervisor Anderson opened the Public Hearing at 6:45 PM. The purpose of the Public Hearing is for the Town Board to consider a purchase offer by James and Kimberly Barnett to purchase a portion of Town right-of-way for Chautauqua Avenue, in Maple Springs, approximately 30 feet in width by 173 feet in length for the purchase price of \$700. This property is adjacent to the real property owned by James and Kimberly Barnett. Tax Map Section: 298.14-4-14.1, 5608 Summit Ave., Maple Springs. Attorney Robinson outlined the process for the purchase of Town owned property including all expenses associated with the sale be paid by the purchaser and there is a 30-Day Permissive Referendum. Assessor Golley assessed the value of the property to be \$700, which is the Barnett's purchase offer price. Discussion followed.

Superintendent Hallberg stated the property has no use or public benefit to the Town. The Town Board members agreed and stated they have no objection to the sale.

The property owned by the Maple Springs Improvement Committee, located in between these two pieces of property, was briefly discussed. Mr. Barnett provided the requested map showing the Maple Springs Improvement Property in relation to the property he would like to purchase. The Town Board members reviewed the map.

No one from the public wished to speak.

Motion by Councilmember Crist, second by Councilmember Cresanti: That Supervisor Anderson close the Public Hearing at 6:52 PM.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Town Board has reviewed the request of Mr. and Mrs. Barnett and based on the evidence provided at the hearing, the Town Board has determined that the particular portion of Town property they wish to purchase has no public use or benefit and the purchase price of \$700 is fair and equitable and in the best interest of the Town.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

Attorney Robinson advised Mr. Barnett to wait until the 30-day Permissive Referendum period is over, then contact his attorney to start the purchase process and to have a survey completed.

PUBLIC

1. Jane Conroe questioned the Resolution regarding Article 15 of the New York State Environmental Conservation Law. Supervisor Anderson and Attorney Robinson explained that the Resolution, on the agenda for adoption tonight, is for the Town of Ellery to support the CLP's applications for Herbicide Permits, bordering the Town of Ellery's jurisdiction, as a riparian owner. Ms. Conroe discussed information involving herbicide data showing that Eurasian Milfoil is only increasing in the South Basin, despite herbicide Treatment, and the toxicity of copper sulfate that is to be used in the channels. At Supervisor Anderson's request, Ms. Conroe will send an email with the links for this information.
2. Karen Engstrom asked about a Public Hearing for the Solar Law. Supervisor Anderson and Attorney Robinson stated the Town Board would like to review the information they have been given and discuss possible revisions to the final draft of the Solar Law. Mr. Robinson stated Battery Energy Storage Systems will be a separate local law. Without a full board present, Supervisor Anderson recommended tonight's discussion regarding the Solar Law be tabled. The other Board members agreed. Ms. Engstrom provided the Town Board and Attorney Robinson with additional information regarding; Industrial Wind, Wind Turbines and Human Health, and Battery Energy Storage Systems. Discussion followed.
3. Carl and Cheryl Feidler praised the Town Board and Greg Hallberg for their efforts in installing a special needs swing at the Town Park. Mr. & Mrs. Feidler stated they have observed children using and enjoying the swing.
4. Steve Hayes reported the Steering Committee for the new Town Hall met on March 3rd. The Village Mayor, Jeff Molnar, is now on the committee. At this meeting, they reviewed; a high-level project plan, the need for a community member on the committee, gathering documentation for deficiencies of the current Town Hall Building and documentation of the current Fund Balance for the project. Mr. Hayes discussed the RFQ draft for a Project Manager. Mr. Hayes recommended the Town Board review the RFQ document and when the Board is ready, make a motion to file a Legal Notice for the RFQ for planning services. Supervisor Anderson recommended that Mr. Hayes reach out to Keri Belovarec. The next committee meeting will be the beginning of April. At this meeting, documentation of need will be worked on.
5. Carl Sparn presented the Town Board members with a written update regarding the CLPOA activities. In the written document, there is a request for support for "Wetlands" Public Meeting #15 to be held on April 11, 2026 at the Lawson Center

Motion by Councilmember Cresanti, second by Councilmember Crist: That the Town Board authorizes an amount not to exceed \$300 to be used to promote the CLPOA "Wetlands" Public Meeting #15.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

TOWN SUPERVISOR FINANCIAL REPORT

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Town Supervisor's Financial report for February 2026 be accepted as presented.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

HIGHWAY SUPERINTENDENT REPORT

- Superintendent Hallberg stated things are slowing down. The Highway Department is still on shifts, the bins are full of salt and the roads have been posted.
- Mr. Hallberg stated a representative from the YMCA contacted him to ask if they could provide free lunches, to kids, at the park through the their Summer Meal Program. Free lunches will be provided Monday through Friday at noon. The lunches are to be assembled at the Fluvanna Church and will be dispersed to 7 or 8 parks in the area. The Town Board members approved of this request as long as the Town of Ellery is listed as an additional insured on the YMCA's insurance. Mr. Hallberg will let this contact person know the Boards decision.
- Mr. Hallberg stated he, and ten other representatives from the County, participated in Albany's Advocacy Day for CHIPS money. Mr. Hallberg reported there are encouraging indications from the Assembly and the Senate, for a substantial increase in CHIPS money this year, however the budget still needs to be worked on.
- Superintendent Hallberg opened a discussion regarding the Intermunicipal Agreement, that Attorney Robinson prepared, between the Town of Ellery and the Town of North Harmony for the purchase of a shared Roller. Attorney Robinson listed the contents of the agreement as follows; page 2 sets forth the agreement, the Town of Ellery and the Town of North Harmony will split purchase price, the Town of Ellery houses the roller in our Highway Building, each party gives reasonable notice for use of the roller, the roller is on the Town of Ellery's insurance, the Town of Ellery is responsible for all maintenance, the Town of North Harmony agrees to pay for half of the insurance and maintenance, and the agreement lasts for the life of the roller. Mr. Hallberg stated North Harmony passed a Resolution for the shared roller at their Board meeting. A copy of that Resolution has been given to each Board member.

INTERMUNICIPAL AGREEMENT / NORTH HARMONY / ROLLER

Motion by Councilmember Crist, second by Councilmember Cresanti: That Supervisor Anderson is authorized enter into the Intermunicipal Agreement between the Town of Ellery and the Town of North Harmony for the purchase of the roller.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

Mr. Robinson stated he will send two signed copies of this agreement to North Harmony. If they are in agreement, they can sign it and send us a copy back.

TOWN ATTORNEY REPORT

Attorney Robinson stated he received a proposal amount of \$1,750 from Wendel Engineering for drafting the Town's proposed Wind Energy Law. Included in this proposal is, conducting a meeting and mileage. Mr. Robinson stated the Board needs to approve this proposal. Once the proposal is approved, work on the Wind Energy Law will begin. Mr. Robinson stated this firm provides comprehensive work and is excellent to work with.

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Town Board approve the proposal from Wendel for \$1,750 for consultation on the Town's Wind Energy Law. This proposed amount includes a meeting and mileage.

Mr. Cresanti – Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

CLP HERBICIDE PERMIT APPLICATION SUBMISSION

Glenn Sullivan, from Ready Scout, LLC requested that the Town Board adopt a resolution to approve the CLP's submission of the application for the permits to apply herbicides in the Town of Ellery's jurisdiction of Chautauqua Lake.

RESOLUTION #1 2026

WHEREAS, the Chautauqua Lake Partnership is considering whether to undertake the application of herbicides to areas of Chautauqua Lake bordering the Town of Ellery's jurisdiction

WHEREAS, pursuant to Article 15 of the New York State Environmental Conservation Law and Part 327 of the Official Compilation of Codes, Rules, and Regulations of the State of New York, the New York State Department of Environmental Conservation must issue a permit prior to the application of herbicides to waters within the State of New York; and

WHEREAS, the Town of Ellery is a riparian owner;

Now, therefore be it,

RESOLVED, That the Town Board Councilmembers of the Town of Ellery, does hereby approve the Chautauqua Lake Partnership's submission of an application for Article 15 permit(s) and a New York State Pollution Discharge Elimination System (if so required) related to the application of herbicides to areas of Chautauqua Lake bordering the Town of Ellery.

Motion by Councilmember Cresanti, second by Councilmember Crist: That **Resolution #1 for 2026** for the CLP to submit the application for herbicide permits be adopted.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

LEGISLATOR REPORT

- We proclaimed March 16 – 20 as Agricultural Literacy Week in Chautauqua County.
- We adopted a local law implementing the recommendations and proposed amendments to the Chautauqua County Charter from the Chautauqua County Charter and Code Review Commission.
- We adopted two local laws adjusting the management salary plan for County officers and employees.
- We requested the HR Director to explain in detail to Legislature committees the entire process of adjusting the management salary plan, including the requirements of Civil Service, and facilitate consideration of opportunities for improvement.
- We made no change to the rules and regulations of the Chautauqua County Legislature regarding the 2nd privilege of the floor.
- We increased the income limit for senior real property tax exemption by \$2,000 to reflect the impact of inflation.
- We increased the 2025 Budget for expenditures exceeding budget by \$1.6 million for Day Care, \$1.7 million for Family Assistance, \$1.3 million for foster and institutional Child Care, \$1.5 million for Handicapped Child Education, and \$2.7 million for Safety Net. That brings the total cost of these mandated programs to \$49.4 million, a 33% increase over the adopted budget.

VOUCHERS

Motion by Councilmember Cresanti, seconded by Councilmember Crist: That Voucher #'s 70 through 120, Warrant number 3, in the amount of \$92,437.99 be paid as audited.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

REQUEST FOR QUALIFICATIONS (RFQ)

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Steering Committee for the New Town Hall is authorized to publish a Request For Qualifications Legal Notice for planning services.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

MISCELLANEOUS

A brief discussion followed regarding first points of contact should the Town Hall Building's security alarm go off. It makes sense to have individuals who live close to the building be the points of contact. The discussion was tabled until there is a full board present to discuss further.

ADJOURNMENT

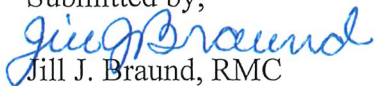
Motion by Councilmember Cresanti, seconded by Councilmember Crist: That the Town Board Meeting be adjourned at 8:56 PM.

Mr. Cresanti - Aye

Mr. Crist - Aye

Mr. Anderson – Aye – Motion Carried

Submitted by,



Jill J. Braund, RMC

Ellery Town Clerk

March 24, 2026