

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

SS

JUNE 9, 2026

TOWN BOARD WORKSHOP

Minutes of the Town Board Workshop Meeting held Tuesday, June 9, 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: Mark R. Schlemmer, Councilmember
 David W. Boughton, Councilmember

MINUTES TAKEN BY: Jill J. Braund, Town Clerk

OTHERS PRESENT: Neil M. Robinson, Town Attorney
 Anne Golley, Assessor/Zoning Officer
 Jill Colburn, Deputy Town Clerk
 Greg Hallberg, Highway Superintendent
 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 June 2026. There were no questions or comments regarding the vouchers. Board Members looked over their board materials for the Regular Monthly Board Meeting.

There was a brief discussion led by Councilmember Cresanti regarding the Town's position concerning the Water Surveys. Dan Balling, owner of Enclave apartments, is inquiring about the status of the public water line possibly coming into the Town of Ellery. Mr. Balling indicated to Councilmember Cresanti that the City of Jamestown will not commit to a pipe size because they have not heard anything from the Town of Ellery. Supervisor Anderson will contact Mr. Balling to discuss.

Motion by Councilmember Crist, seconded by Councilmember Cresanti: 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 June Town Board Meeting held Tuesday, June 9, 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: Mark R. Schlemmer, Councilmember
 David W. Boughton, Councilmember

MINUTES TAKEN BY: Jill J. Braund, Town Clerk

OTHERS PRESENT: Neil M. Robinson, Town Attorney
 Anne Golley, Assessor/Zoning Officer
 Jill Colburn, Deputy Town Clerk
 Greg Hallberg, Highway Superintendent
 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.

MAY 2026 TOWN BOARD MINUTES - RECEIVED

Motion by Councilmember Crist, seconded by Councilmember Cresanti: That the Town Board acknowledges receipt of the May 12, 2026 Town Board meeting minutes as presented.

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

6:30 PM - PUBLIC HEARING / LOCAL LAW #2 OF THE YEAR 2026

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 #2 for the year 2026 entitled “**a Local Law Establishing a Moratorium on Commercial Solar Farms in the Town of Ellery, County of Chautauqua and State of New York.**”

Attorney Robinson clarified that this Local Law places a Moratorium on Commercial Solar Farms in the Town of Ellery for a period of at least six months. Not smaller projects such as houses and businesses.

The purpose of this Moratorium is to 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.

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

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

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

Motion by Councilmember Crist, 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. Cresanti – Aye
Mr. Crist – Aye
Mr. Anderson – Aye – Motion Carried

Attorney Robinson outlined the contents of the Local Law. Attorney Robinson stated this Local Law allows the Town Board, by motion, the ability to extend the moratorium by two or three months at a time because the town is so close to passing a local law.

Supervisor Anderson asked for public comment. No one wished to address the Town Board.

ADOPTION OF LOCAL LAW #2 OF 2026

Motion by Councilmember Crist, second by Councilmember Cresanti: That Local Law #2 for the year 2026 entitled “a Local Law Establishing a six-month Moratorium on Commercial Solar Farms in the Town of Ellery, County of Chautauqua and State of New York.” be adopted.

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

6:37 PM - PUBLIC HEARING / LOCAL LAW #3 OF THE YEAR 2026

Supervisor Anderson opened the Public Hearing at 6:37 PM. The purpose of the Public Hearing is to consider the advisability of adopting Local Law #3 for the year 2026 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.**” This Local Law shall prohibit the construction, installation or permitting of commercial Wind Farms in the Town of Ellery together with the construction, installation or permitting of wind measuring devices or equipment such as wind measuring towers for a period of at least six months from the adoption of this Local Law by establishing a moratorium on such activity.

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 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.

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

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

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

Motion by Councilmember Crist, 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. Cresanti – Aye
Mr. Crist – Aye
Mr. Anderson – Aye – Motion Carried

Attorney Robinson outlined the contents of the Local Law.

Supervisor Anderson asked for public comment. No one wished to address the Town Board.

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Public Hearing for Local Law #3 for 2026 be closed at 6:43 PM.

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

ADOPTION OF LOCAL LAW #3 OF 2026

Motion by Councilmember Crist, second by Councilmember Cresanti: That Local Law #3 for the year 2026 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. Cresanti – Aye
Mr. Crist – Aye
Mr. Anderson - Aye – Motion Carried

CLOSE PUBLIC HEARING ON LOCAL LAW #2 OF 2026

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Public Hearing for Local Law #2 for the year 2026 be closed at 6:44 PM.

RE-ADOPTION OF LOCAL LAW #2 OF 2026

Motion by Councilmember Cresanti, second by Councilmember Crist: That Local Law #2 for the year 2026 entitled “a Local Law Establishing a six-month Moratorium on Commercial Solar Farms in the Town of Ellery, County of Chautauqua and State of New York.” be adopted.

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

6:45 PM - PUBLIC HEARING / LOCAL LAW #4 OF THE YEAR 2026

Supervisor Anderson opened the Public Hearing at 6:45 PM. The purpose of the Public Hearing is to consider the advisability of adopting Local Law #4 for the year 2026 entitled “**a Local Law Establishing a Moratorium on Battery Energy Storage Systems in the Town of Ellery, County of Chautauqua and State of New York.**” Attorney Robinson clarified that this Local Law places a Moratorium on Battery Energy Storage Systems in the Town of Ellery for a period of at least six months.

The purpose of this Moratorium is to 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.

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

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

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

Motion by Councilmember Cresanti, second by Councilmember: Crist 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. Cresanti – Aye
Mr. Crist – Aye
Mr. Anderson - Aye – Motion Carried

Attorney Robinson outlined the contents of the Local Law.

Supervisor Anderson asked for public comment. No one wished to address the Town Board.

Motion by Councilmember Cresanti, second by Councilmember Crist: That the Public Hearing for Local Law #4 for 2026 be closed at 6:50 PM.

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

ADOPTION OF LOCAL LAW #4 OF 2026

Motion by Councilmember Cresanti, second by Councilmember Crist: That Local Law #4 for the year 2026 entitled “a Local Law Establishing a six-month Moratorium on Battery Energy Storage Systems in the Town of Ellery, County of Chautauqua and State of New York” be adopted.

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

PUBLIC

1. Heather Nolan-Caskey, representing the CLA, provided the Town Board with an update of the organization's activities. Ms. Nolan-Caskey thanked the Town Board for their support.
2. Mike LaTone, representing the CLP, provided the Town Board with an update of the organization's activities. Mr. LaTone thanked the Town Board for their support.
3. Valerie Benjamin, of 4740 Whiteside Parkway, Maple Springs, approached the Town Board with an offer to purchase a piece of property that abuts to the two parcels she currently owns. Assessor Golley has assessed the property value to be \$700. Attorney Robinson outlined the process for purchasing Town owned Property including the purchaser being responsible for absorbing all costs incurred with the sale.

Motion by Councilmember Cresanti, second by Councilmember Crist: That a Public Hearing be scheduled for July 14, 2026 at 6:30 PM for the possible purchase of Town Property located at 4740 Whiteside Parkway in Maple Springs.

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

4. Kathy O' Brien addressed the Town Board regarding the CLPOA update. Topics from meeting #16 included; the Wetlands Suit/State Supreme Court Decision, NYSDEC Response to the decision, CLPOA appeal/next steps and the Centralized Lake District/Lake Management Plan. For the first time, the CLPOA will participate in the CRCF - sponsored GiveBigCHQ fundraiser on June 11, 2026. For more detailed information, visit the CLPOA's website www.chqlpoa.org
5. Greg Wozneak, of Beck Road, approached the Town Board to discuss his concerns regarding the plans for a development of a church camp on Beck Road. Discussion followed. According to the Town of Ellery's Zoning Law, a church camp is not allowed in the Agricultural District. Mr. Wozneak expressed his concern that the plans for the development of the church camp will proceed anyway. More discussion followed. Zoning Officer Golley stated she has not received a letter, from the Attorney for the church, stating their plans. Nothing has been done on the property.
6. Andy Powell, representing the Bemus Point Football Little League, approached the Town Board for permission to have a "Fun Day" on June 20, 2026 in the town Park in an attempt to get more kids to sign up to play football. There will be games, food and a bounce house. Attorney Robinson stated their insurance will cover the bounce house. Mr. Powell stated he will coordinate the event with Randy Trim. A brief discussion followed. The Town Board gave their approval as long as there are no conflicts.

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Town Board approves of the park use request by Andy Powell for the Bemus Point Football Little League.

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

MAY REPORTS

Town Clerk Jill Braund submitted the Town Clerk's report for May in the amount of \$7,744.00. The check to the Town totaled \$7,630.54. The Town's Annual Financial Report has been submitted to the State Comptroller's Office. It has been posted on the Town's website and is available for review at the Town Clerk's Office during regular business hours.

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

TOWN SUPERVISOR FINANCIAL REPORT

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

Mr. Cresanti – Aye

Mr. Crist – Aye

Mr. Anderson - Aye – Motion Carried

HIGHWAY SUPERINTENDENT REPORT

- Highway Superintendent Hallberg stated the department is busy ditching, patching and mowing. Summer road work is underway with the Town of Ellery helping other towns.
- Mr. Hallberg stated the 4 benches that were ordered for the park are in. He will be picking them up. The spots to place the benches have been picked out.
- Mr. Hallberg led a discussion regarding a park use request from Kayla Crosby, Executive Director of #IntegrityFirst, Inc and owner of the Jackals. Her organization would like to host a community "Park Play with Pros" program event in the Ellery Town Park. The program will be led by Jackals players and staff combining a variety of sports activities for youth ages 6-18. The program would be for one week from August 10-14, 2026 from 9:00 AM – 12:00 PM. Ms. Crosby is asking for the park use fees to be waived for this event. Discussion followed. The Town Board members agreed to wave any fees associated with this week-long program as long as there are no conflicts and the organization is responsible for any clean up. Mr. Hallberg will check to see if there are any conflicts.

Motion by Councilmember Cresanti second by Councilmember Crist: That the Town Park use fees are waived for the "Park Play with Pros" event hosted by Kayla Crosby, Executive Director of #IntegrityFirst, Inc and owner of the Jackals for the week of August 10-14, 2026 from 9:00 AM to 12:00 PM.

Mr. Cresanti – Aye

Mr. Crist – Aye

Mr. Anderson - Aye – Motion Carried

Mr. Hallberg will contact Ms. Crosby and let her know of the Board's decision.

- Mr. Hallberg stated the Revolutionary Patriot Marker sign post is in at Red Bird Cemetery. The Patriot Marker sign will be hung on the post on Friday. The dedication ceremony will on June 14, 2026 at 2:00 PM.
- Superintendent Hallberg provided the Town Board members with the seller/auction information from Roy Teitsworth for the three items being sent to the auction.

TOWN ATTORNEY REPORT

- Mr. Robinson stated he has been to court for zoning violations. Some progress is being made on these cases.
- Attorney Robinson reported he went to Supreme Court in Mayville for SULU regarding the motion filed by SULU's attorney to dismiss the Supreme Court's action on the basis it is similar to the action pending in Town court. Attorney Robinson opposed this motion on the basis that the relief sought is different. Mr. Robinson stated the Judge agreed with him, therefore the case continues. Mr. Robinson reported he has been in contact with SULU's attorney to get a status update regarding the junk cars hidden in the trees. Mr. Robinson reported he has not heard back from the attorney.
- Mr. Robinson stated, at next month's meeting, he hopes to have a final draft of the Solar Farm Local Law reflecting the recommended changes the Town Board made in May. After reviewing the new draft, if the board is in agreement, the Town can proceed with passing the local law.
- Mr. Robinson stated he has not received a response from Wendel regarding scheduling a meeting for the Wind Farm Local Law. Mr. Robinson stated he will follow up.
- There was a brief discussion regarding Wendel assisting the Town with drafting the Town's Battery Energy Storage System Local Law.

LEGISLATOR REPORT

- A Local Law to amend the County Charter to eliminate the annual cost of living adjustments for County legislators' salary was rejected. The County Charter was amended in 2024 adding this provision as recommended by the 2023 bi-partisan Elected Officials Salary Commission to keep salaries in line with inflation.
- A Local Law to amend the County Charter to reduce the salary of the County Clerk effective 2027 was rejected. The politically motivated initiative to reduce the salary of the third lowest paid County Clerk in New York State was defeated.
- We authorized an agreement for the 2027 Chautauqua County Airshow at Chautauqua County Jamestown Airport.
- We authorized the semi-annual distribution of mortgage taxes to municipalities. Compared to the same period last year, Town of Ellery received 55% more, Town of North Harmony received 15% more, Town of Chautauqua received 71% more, and Village of Bemus Point received 54% more.
- We received comments on the State of the County address by the Democrat Committee. While the County Executive's State of the County address in April focused generally on what was good about the County and progress that was being made, the comments by the Democrat Committee in contrast focused generally on what was not good about the County and progress that was not being made.

BUDGET TRANSFERS / MODIFICATIONS

There are no Transfers or Budget Modifications.

VOUCHERS

Motion by Councilmember Cresanti, second by Councilmember Crist: That Voucher #'s 233 through, 269 Warrant number 6, in the amount of \$60,386.24 be paid as audited.

Mr. Cresanti – Aye

Mr. Crist – Aye

Mr. Anderson – Aye – Motion Carried

MISCELLANEOUS

Supervisor Anderson opened a discussion regarding Congressman George Borrello's request asking the Town of Ellery support the resolution for Williams' Constitution Pipeline Project. A brief discussion followed.

Motion by Councilmember Cresanti, second by Councilmember Crist; That the Town of Ellery support **Resolution #2 for 2026** in support of Williams' Constitution Pipeline Project.

RESOLUTION #2 OF 2026

Support of Williams' Constitution Pipeline Project

WHEREAS, Williams is a national energy infrastructure company that handles approximately one third of the natural gas used each day in the United States to heat homes, cook food, and generate electricity;

WHEREAS, the Northeast region faces persistent energy affordability challenges and natural gas supply constraints that have resulted in higher electricity and heating costs for families and businesses;

WHEREAS, currently much of the Northeast region relies on foreign sources of energy;

WHEREAS, dependence on foreign sources of energy leave consumers more susceptible to price spikes caused by global affairs;

WHEREAS, domestically produced energy supports the American workforce and provides consumers with insulation from energy market impacts of international conflicts;

WHEREAS, increased interstate natural gas pipeline capacity alleviates energy supply constraints, improves system reliability during peak demand periods, and places downward pressure on energy costs for residential, commercial, and industrial customers;

WHEREAS, the Constitution Pipeline is a proposed natural gas transmission line designed to transport energy from the Marcellus Shale region in northeastern Pennsylvania to support key markets across New York and New England;

WHEREAS, the project adds approximately 650,000 dekatherms per day (Dth/d) of pipeline capacity, equivalent to the daily energy needs of about 3 million homes in the U.S. Northeast;

WHEREAS, the Constitution Pipeline strengthens the Northeast's energy infrastructure by enhancing energy security and supporting economic growth, and provides a cleaner, lower-emitting alternative to heating oil;

WHEREAS, construction activities span Pennsylvania and New York and include pipeline installation, metering and regulating stations, and connecting new infrastructure to existing transmission systems;

WHEREAS, the Constitution Pipeline is associated with approximately 1,500 construction jobs and \$295 million in direct labor income;

WHEREAS, the project is associated with \$13 million in property tax revenues and \$100,000 in additional New York and Pennsylvania income tax revenue;

NOW, THEREFORE, BE IT RESOLVED, that the **Town of Ellery** supports the Constitution Pipeline Project and urges timely consideration and approval of necessary authorizations;

BE IT FURTHER RESOLVED, that the **Town of Ellery** supports investments in energy infrastructure projects that promote U.S. energy independence, improve reliability, affordability, and economic opportunity for residents and businesses.

Mr. Cresanti – Aye

Mr. Crist – Aye

Mr. Anderson – Aye – Motion Carried

ADJOURNMENT

Motion by Councilmember Crist, second by Councilmember Cresanti: That the Town Board meeting be adjourned at 7:58 PM.

Mr. Cresanti – Aye

Mr. Crist – Aye

Mr. Anderson – Aye – Motion Carried

Submitted by,



Jill J. Braund, RMC

Ellery Town Clerk

June 23, 2026