

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

SS

August 11, 2026

TOWN BOARD WORKSHOP

Minutes of the Town Board Workshop Meeting held Tuesday, August 11, 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
Mark R. Schlemmer, Councilmember
David W. Boughton, Councilmember
Jeremy D. Crist, 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 August 2026. There were no questions or comments regarding the vouchers. Board Members looked over their board materials for the Regular Monthly Board Meeting.

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

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

REGULAR MONTHLY MEETING

Minutes of the August Town Board Meeting held Tuesday, August 11, 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
Mark R. Schlemmer, Councilmember
David W. Boughton, Councilmember
Jeremy D. Crist, 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.

JULY 2026 TOWN BOARD MEETING / SPECIAL BOARD MEETING / MINUTES - RECEIVED

Motion by Councilmember Schlemmer, second by Councilmember Crist: That the Town Board acknowledges receipt of the July 14, 2026 Town Board meeting minutes and the July 28, 2026 Special Town Board meeting minutes as presented.

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

6:30 PM – PUBLIC HEARING POTENTIAL PROPERTY SALE

Supervisor Anderson opened the Public Hearing at 6:30 PM. The purpose of the Public Hearing is for the Town Board to consider a purchase offer by James and Cheryl Shephard to purchase a parcel of vacant land adjacent to the bridle path in the Oriental Park allotment in the Town of Ellery.

Attorney Robinson stated after a search in Mayville of the County Clerk records, no records were found indicating the Town owns this parcel. Mr. Robinson further stated that based on the parcel map presented to the Town Board, it is evident that a portion of this parcel includes the Bridal Path, which is not Town owned but rather, common property used by the lot owners in Oriental Park. It is assumed the balance of the parcel is also common property. Therefore, the Town does not have any interest to sell.

Motion by Councilmember Crist, second by Councilmember Boughton: That Supervisor Anderson close the Public Hearing at 6:40 PM.

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

6:40 PM – PUBLIC HEARING / LOCAL LAW #10 OF THE YEAR 2026

Supervisor Anderson opened the Public Hearing at 6:40 PM. The purpose of the Public Hearing is for the Town Board to consider the advisability of adopting Local Law #10 for the year 2026 Rescinding Existing Solar Law and Adopting a Local Law Independent of the Town of Ellery Zoning Law Entitled: “A Local Law Creating New Regulations for Solar Energy Systems.” The purpose of this law shall be to provide substantive and procedural standards for the siting, development, operation, and decommissioning of all types of Solar Energy Systems in the Town of Ellery.

Motion by Councilmember Schlemmer, 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 for Local Law #10 for the year 2026.

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

Mr. Schlemmer - 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 Boughton: 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. Crist - Aye

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

Supervisor Anderson opened the Public Hearing up for public comment. No one from the public wished to speak.

Attorney Robinson stated this local law is not part of the Town of Ellery's Zoning Law. It is an independent law. Mr. Robinson sent notices to the neighboring towns and the County regarding the local law. The County has requested a County Referral as well. Attorney Robinson submitted the referral form to the County but has not heard back as to whether it is a matter of local concern or not. Attorney Robinson recommended the Town Board table the action on this local law until he hears back from the county.

Motion by Councilmember Schlemmer, second by Councilmember Crist: That the Public Hearing for Local Law #10 for 2026 be closed at 6:45 PM.

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

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

LOCAL LAW #10 OF 2026 / ACTION TABLED

Motion by Councilmember Schlemmer, second by Councilmember Cresanti: That the Town Board table acting on Local Law #10 for the year 2026 until September's Board Meeting to wait for the County referral.

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

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

PUBLIC

1. Residents representing the Maple Springs Allotment, addressed the Town Board regarding vehicles driving too fast on the roads in the area. The residents stated they are concerned for the safety of the children and are worried an accident will happen. The residents asked the Town Board if anything can be done to slow traffic down. A discussion followed. Options discussed were; the Town applying to the State to reduce the speed limit in that area, asking the Sheriff and the State Troopers to patrol the area, and utilizing a speed trailer to monitor the speed of vehicles. The Maple Springs Allotment residents will contact the Sheriff and State Troopers to inquire about patrolling the neighborhood.
2. Pastor Greg Buzzanco, of Triumphant Life Church, addressed the Town Board with detailed information as to what they would like to do with the Beck Road Property. He also requested a Special Use Public Hearing be scheduled for September. Discussion followed. The Board stated they would like to have the Special Use request application along with all the proper documentation / information to review before scheduling the Special Use Public Hearing. Councilmember Schlemmer stated the requested information may be emailed to the Board prior to September's meeting for their review then, at September's meeting, a Special Use Public Hearing could be scheduled.
Greg Wozneak asked the Town Board for clarification regarding what activities are permitted on the property without the Special Use Permit. Attorney Robinson stated it depends on what they are doing. The Special Use comes in when it becomes an organization with different activities.

JULY REPORTS

Town Clerk, Jill Braund, submitted the Town Clerk's report for July in the amount of \$ 7,818.00. The check to the Town totaled \$7,677.28. The Town Clerk's Office has started selling Hunting Licenses. Town Clerk Braund reminded the Town Board members of a Chautauqua County Battery Energy Storage System training opportunity being held on August 14, 2026. Clerk Braund informed the Town Board that as of July 1st, 2026 the Federal mileage rate increased from 72.5 cents to 76 cents through December 31, 2026. Should the Town Board wish to increase the Town's mileage reimbursement rate to the Federal rate of 76 cents, a motion will be needed. After a brief discussion, the Town Board decided not to increase the Federal mileage reimbursement rate for the Town employees.

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 Historian Cherrie Clark updated the Town Board regarding the activities her department is working on including; setting up a booth at the County Fair, completing paperwork for a Revolutionary War Patriot sign for Lewis Cemetery and assisting with the Revolutionary War Patriot sign for Fluvanna Cemetery. There was a discussion regarding the grave sites of four of the patriots buried at Red Bird Cemetery. Two patriots do not have markers, one patriot does not have a stone, and one grave stone is badly damaged. Ms. Clark has sent an application to the Veteran's Administration to see if they will provide bronze markers for these patriots at no charge. Ms. Clark has a quote of \$1,200 from Riles & Wooley and a quote of \$875 from Powers-Present & Sixbey for the one grave stone. Ms. Clark indicated that if the Veteran's Administration can't provide the bronze markers, she will approach the Board to see if the Town can help with providing a stone for the one grave site.

TOWN SUPERVISOR FINANCIAL REPORT

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

Mr. Boughton– Aye

Mr. Schlemmer - Aye

Mr. Cresanti – Aye

Mr. Anderson – Aye – Motion Carried

Mr. Crist - Aye

HIGHWAY SUPERINTENDENT REPORT

Superintendent Hallberg reported the Highway Department has been busy with road work, mowing, patching, pipe jobs and putting gravel on dirt roads. There was a discussion regarding when to resurface the Town of Ellery tennis courts. It was decided to start the bid process next year, around March, with a completion date for the project by Memorial Day weekend. Supervisor Hallberg will reach out to Andy Johnson, of ECO Strategies, and Chad Jespersen, of G.P.I, to obtain a quote to put together bid packages for resurfacing the tennis courts and overseeing the project.

TOWN ATTORNEY REPORT

Attorney Robinson stated he received a check for the Chautauqua Ave. property sale to David and Francis Ward of Maple Springs. Mr. Robinson stated he is unsure of the payment status of the other Maple Springs property sales. Mr. Robinson has given the check to Town clerk Braund.

LEGISLATOR REPORT

Supervisor Anderson acknowledged Legislator Chagnon being honored with the John D. Hamilton Community Service Award. Legislator Chagnon's report is as follows:

- We were honored to hold our meeting at the Robert H. Jackson Center, which is celebrating its 25th anniversary.
- We adopted a Local Law opting out of NYS property tax exemptions for battery-based energy storage equipment and systems. This adds to exemptions we opted out of in 2007 for solar, wind, and farm waste energy systems.
- We adopted a user rate increase for the South & Center Chautauqua Lake Sewer Districts. The first-rate increase in 25 years will increase the existing system rate by \$70 per year. But the new Phase 1 extension up to Stow will decrease by \$74 per year as the rate is equalized with the Phase 2 extension up from Stow that is just coming on line.
- We accepted \$2.23 million increased NYS aid for CHIPS and Extreme Weather Recovery.
- We approved an application for a local waterfront revitalization program 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.

- We authorized a lease agreement for 310 – 322 East Third Street in Jamestown. Between now and 2027 the offices of Chautauqua County Department of Mental Hygiene and Social Services and the Department of Motor Vehicles will be centrally located in the facility. We also encouraged the new owner of the building to continue to provide community support to the Striders and Infinity programs currently located in the facility.

BUDGET TRANSFERS / MODIFICATIONS

Motion by Councilmember Schlemmer, second by Councilmember Crist: That the Town Board approve the following Budget Modifications.

Budget Modification / Highway Outside Village

We resolve to increase the Highway Fund Outside Village 2026 expenditure budget by \$144,810 due to additional CHIPS funds available. This will increase accounts DB3501 – CHIPS Safer Road Program and DB5112.2 – Improvements – Capital Outlay.

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

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

VOUCHERS

Motion by Councilmember Cresanti, second by Councilmember: Boughton: That Voucher #'s 324 through 381, Warrant number 8, in the amount of \$ 143,782.75 be paid as audited.

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

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

CLA AND CLP DONATIONS

Supervisor Anderson led a discussion regarding a donation amount for the CLA and the CLP. The Board was in agreement that the CLA has demonstrated the need for a donation. Discussion followed regarding whether or not the CLP needs funds from the Town of Ellery because they have been funded from other sources. It was mentioned that the Alliance has County money available for work in the lake and the CLP has not requested any of it. After further discussion, the Town board agreed not to make a donation to the CLP at this time.

CLA DONATION

Motion by Councilmember Schlemmer, second by Councilmember Cresanti: That the Town of Ellery is authorized to make a donation to the Chautauqua Lake Association (CLA) in the amount of \$10,000 for their services in 2026 for Town of Ellery Lake Support.

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

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

WORKERS' COMPENSATION

There was a brief discussion as to why the Town of Ellery's Workers' compensation has increased 12%. Highway Superintendent Hallberg stated the Town of Ellery has had no recent injuries to report. He reminded the Town Board that all the fire departments in the Town are under the Town's Workers' compensation. Mr. Hallberg stated he will ask the Fire Commissioners, at their next meeting, if they know of any fire department related injuries.

MAPLE SPRINGS FIRE DISTRICT CONTRACT REQUEST

Councilmember Crist stated the Maple Springs Fire District sent Supervisor Anderson a letter regarding a request for consideration of contract with the Town of Ellery for the Maple Springs Fire District to provide emergency protection services including BLS First Response EMS to the portion of the Town of Ellery now known as the North Lake (Dewittville) Fire Protection District of the Town of Ellery for the year 2027.

Motion by Councilmember Crist, second by Councilmember Boughton: That the Town of Ellery contracts with the Maple Springs Fire District, not with North Lake Fire District, for the year 2027. The Maple Springs Fire District is further requesting the agreement for remuneration of this service to be equal to this year's sum of \$10,400 currently being paid to the North Lake Fire District.

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

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

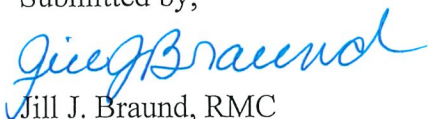
ADJOURNMENT

Motion by Councilmember Schlemmer, second by Councilmember Boughton: That the Town Board meeting be adjourned at 8:16 PM.

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

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

Submitted by,



Jill J. Braund, RMC
Ellery Town Clerk
August 25, 2026