

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS DECEMBER 10, 2020
TOWN OF ELLERY)

MINUTES OF THE TOWN BOARD MEETING HELD THURSDAY, DECEMBER 10, 2020, AT THE ELLERY TOWN HALL, SUNNYSIDE AVENUE, BEMUS POINT, NY COMMENCING AT 7:30 PM.

PRESENT: ARDEN E. JOHNSON, SUPERVISOR
STEVEN K. HAYES, COUNCILMAN
JOHN C. CRESANTI, SR., COUNCILMAN
MARK R. SCHLEMMER, COUNCILMAN

ABSENT: G. CRAIG MILLER, COUNCILMAN

MINUTES TAKEN BY: REBECCA H. HAINES, TOWN CLERK

OTHERS PRESENT: ANNE GOLLEY, ASSESSOR/ZONING OFFICER
NEIL M. ROBINSON, TOWN ATTORNEY
ROBERT SAMUELSON, CODE ENFORCEMENT OFFICER
GREG HALLBERG, HIGHWAY SUPERINTENDENT

SUPERVISOR JOHNSON CALLED THE MEETING TO ORDER AT 7:30 PM. THE PLEDGE OF ALLEGIANCE WAS OBSERVED.

DAVID MARSHALL, WEST OAK HILL ROAD – CANDIDATE FOR EAGLE SCOUT – RETURNED TO ADDRESS THE TOWN BOARD WITH FURTHER DETAILS ABOUT HIS PROPOSED EAGLE SCOUT PROJECT – AN ALL WEATHER SAND VOLLEYBALL COURT AT THE TOWN PARK. AFTER BACK AND FORTH DISCUSSION BETWEEN THE BOARD AND DAVID IT WAS DECIDED THAT THE LOCATION OF THE PROPOSED COURT WOULD BE NEAR THE BASKETBALL COURTS.

MOTION BY COUNCILMAN CRESANTI, SECOND BY COUNCILMAN SCHLEMMER: THAT DAVID MARSHALL BE GRANTED PERMISSION TO PROCEED WITH HIS PROPOSED EAGLE SCOUT PROJECT AT THE ELLERY TOWN PARK.

MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE

ACCEPTANCE – NOVEMBER 8, 2020 BOARD MEETING MINUTES

MOTION BY COUNCILMAN HAYES, SECOND BY COUNCILMAN CRESANTI: THAT THE MINUTES OF THE NOVEMBER 12, 2020 BOARD MEETING BE ACCEPTED FOR FILING.

MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE

NOVEMBER REPORTS

TOWN CLERK, REBECCA HAINES SUBMITTED HER NOVEMBER REPORT IN THE AMOUNT OF \$2,960.00. THE CHECK TO THE TOWN TOTALED \$2,575.49.

THE BOARD REVIEWED/DISCUSSED THE NOVEMBER REPORTS SUBMITTED BY THE ZONING OFFICER, CODE ENFORCEMENT OFFICER, ASSESSOR, AND TOWN JUSTICES.

APPOINTMENT – BOARD OF ASSESSMENT REVIEW

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN CRESANTI: THAT ELISABETH HALL BE RE-APPOINTED TO ANOTHER 5 YEAR TERM ON THE BOARD OF ASSESSMENT REVIEW.

MR. HAYES – AYE
MR. CRESANTI – AYE
MR. SCHLEMMER – AYE

MR. JOHNSON – AYE
MR. MILLER – ABSENT - MOTION CARRIED

PUBLIC

1. STEVE ROBERTS, SUNSET BAY – VIA ZOOM – ASKED ABOUT THE COLBY CREEK PROJECT HE HAD TALKED ABOUT WITH HIGHWAY SUPERINTENDENT HALLBERG AND TOWN ATTORNEY ROBINSON. MR. HALLBERG SAID HE IS ALL SET AND JUST WAITING FOR EASEMENTS THAT THE SUNSET BAY RESIDENTS WILL HAVE TO SIGN BEFORE THE TOWN CAN DO ANY WORK ON THE CREEK. MR. ROBINSON SAID THE AGREEMENTS ARE NOT YET DONE BUT HE WILL EMAIL THEM TO MR. ROBERTS WHEN COMPLETED.

BUDGET TRANSFERS/MODIFICATIONS

THERE WAS A LOT OF DISCUSSION ABOUT THE BUDGET TRANSFERS PRESENTED. COUNCILMAN SCHLEMMER ASKED HIGHWAY SUPERINTENDENT HALLBERG WHY THE ACCOUNT FOR UNIFORMS WAS OVER BUDGET. MR. HALLBERG SAID THE BOARD UNDERBUDGETED. SUPERVISOR JOHNSON SAID THERE IS NO MONEY FOR UNIFORMS IN THE 2021 BUDGET. MR. HALLBERG SAID THAT THE TOWN HAS A CONTRACT FOR UNIFORMS THROUGH 2023.

THE BOARD DISCUSSED 2 ACCOUNTS SPECIFICALLY: DA5130.41 AND A5132.4. COUNCILMAN SCHLEMMER SAID HE WANTS ONLY THE MONTH END DEFICIT AMOUNTS TRANSFERRED AND DOES NOT WANT TRANSFERS TO BE ESTIMATED AS HAVE BEEN PRESENTED.

THERE WAS ALSO DISCUSSION ABOUT THE MONEY SPENT ON THE FUEL ISLAND BEING APPROPRIATED FROM THE INCORRECT ACCOUNT.

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN HAYES: THAT THE BUDGET TRANSFERS BE APPROVED WITH 2 MODIFICATIONS: \$953.03 FROM DA9060.8 TO DA5130.41 AND \$1,621.99 FROM A1990.4 TO A5132.4:

\$1,621.99 from A1990.4 – Special Items – Contingent to A5132.4 – Garage – Contractual

\$1,208.00 from A1990.4 – Special Items – Contingent to A9010.8 – Employee Benefits – State Retirement

\$761.00 from B9010.8 – Employee Benefits – State Retirement,
\$374.00 from B9040.8 – Employee Benefits – Worker’s Comp
\$200.00 from B4020.4 – Registrar – Contractual
\$1335.00 to B3620.4 – Safety Inspection – Contractual;

\$953.03 from DA9060.8 – Employee Benefits – Hosp & Med to DA5130.41 – Machinery – Uniform Cleaning

\$746.00 from DA9060.8 – Employee Benefits – Hosp & Med to DA9010.8 – Employee Benefits – State Retirement

\$1,316.00 from DA9060.8 – Employee Benefits – Hosp & Med to DA9785.73 – Installment Debt – Interest – John Deere Loader,

\$489.00 from DB9060.8 – Employee Benefits – Hosp & Med to DB9010.8 – Employee Benefits – State Retirement

MR. HAYES – AYE	MR. JOHNSON – AYE
MR. CRESANTI – AYE	MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE	

HIGHWAY SUPERINTENDENT’S REPORT

HIGHWAY SUPERINTENDENT HALLBERG NOTED THAT THE DEPARTMENT HAS BEEN WORKING ON EQUIPMENT MAINTENANCE, MARKING ROADS/RIGHTS OF WAY WITH SNOW MARKERS AND WORKING IN THE SHOP.

VOUCHERS

MOTION BY COUNCILMAN CRESANTI, SECOND BY COUNCILMAN SCHLEMMER: THAT VOUCHER #’S 585 THROUGH 646, WARRANT #12, IN THE AMOUNT OF \$251,926.65 BE PAID AS AUDITED.

MR. HAYES – AYE	MR. JOHNSON – AYE
MR. CRESANTI – AYE	MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE	

ATTORNEY’S REPORT

MR. ROBINSON SAID HE WILL DRAW UP THE EASEMENT FOR THE SUNSET BAY HOME OWNERS TO SIGN. THE TOWN WILL INSTALL A SEDIMENT TRAP IN COLBY CREEK WHICH IS ON PRIVATE PROPERTY BUT THE TOWN WILL THEN TAKE THE GRAVEL ACCUMULATED BEHID THE TRAP AND IT BENEFITS THE RESIDENTS AND WILL ALSO IMPROVE THE WATER QUALITY OF THE LAKE.

MOTION BY COUNCILMAN HAYES, SECOND BY COUNCILMAN CRESANTI: THAT THE TOWN SUPERVISOR IS AUTHORIZED TO SIGN THE AGREEMENT WITH THE SUNSET BAY HOMEOWNERS ASSOCIATION.

MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE

2020 HISTORIAN REPORT

SUPERVISOR JOHNSON NOTED THAT THE BOARD HAS RECEIVED THE 2020 HISTORIAN REPORT.

SET DATE – 2021 ORGANIZATIONAL MEETING

MOTION BY COUNCILMAN HAYES, SECOND BY COUNCILMAN CRESANTI: THAT THE 2021 ORGANIZATIONAL MEETING FOR THE TOWN BE SET FOR JANUARY 7TH AT 4:00 PM.

MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE

SET DATE – JANUARY MEETING

MOTION BY COUNCILMAN HAYES THAT THE JANUARY BOARD MEETING BE SET FOR 7:00 PM, THURSDAY, JANUARY 14TH. THERE WAS NO SECOND TO THE MOTION.

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN CRESANTI: THAT THE JANUARY BOARD MEETING BE SET FOR 7:30 PM, THURSDAY, JANUARY 14TH.

MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE

EXECUTIVE SESSION

MOTION BY COUNCILMAN CRESANTI, SECOND BY COUNCILMAN HAYES: THAT THE BOARD GO INTO EXECUTIVE SESSION AT 8:50 PM, UNDER SUBSECTION 105, F, OF NEW YORK STATE OPEN MEETINGS LAW, CONDUCT OF EXECUTIVE SESSIONS.

MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE

RETURN TO REGULAR SESSION

MOTION BY COUNCILMAN HAYES, SECOND BY COUNCILMAN CRESANTI: THAT THE EXECUTIVE SESSION CONCLUDE AND THE BOARD RETURN TO REGULAR SESSION AT 9:18 PM.

MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE MR. MILLER – ABSENT - MOTION CARRIED
MR. SCHLEMMER – AYE

ADJOURNMENT

MOTION BY COUNCILMAN HAYES, SECOND BY COUNCILMAN SCHLEMMER: THAT THE BOARD MEETING BE ADJOURNED AT 9:19 PM.

MR. HAYES – AYE
MR. CRESANTI – AYE
MR. SCHLEMMER – AYE

MR. JOHNSON – AYE
MR. MILLER – ABSENT - MOTION CARRIED

SUBMITTED:

REBECCA H. HAINES, RMC/MMC
ELLERY TOWN CLERK

/RHH