

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

SS

JANUARY 7, 2021

MIINUTES OF THE TOWN OF ELLERY 2021 ORGANIZATIONAL MEETING HELD THURSDAY,
JANUARY 7, 2021, AT THE ELLERY TOWN HALL, SUNNYSIDE AVENUE, BEMUS POINT, NY,
COMMENCING AT 4:03 PM.

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

MINUTES TAKEN BY: REBECCA H. HAINES, TOWN CLERK

OTHERS PRESENT: GREG HALLBERG, HIGHWAY SUPERINTENDENT
ANNE GOLLEY, ASSESSOR/ZONING OFFICER
ROBERT SAMUELSON, CODE ENFORCEMENT OFFICER @ 7:33 PM

SUPERVISOR JOHNSON CALLED THE MEETING TO ORDER AT 4:03 PM.

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN CRESANTI: THAT THE
FOLLOWING APPOINTMENTS AND SALARIES BE SET FOR 2021, AND THE EMPLOYEE HANDBOOK
WHICH INCLUDES POLICIES, BE ADOPTED:

Records Management Officer - Rebecca H. Haines

Records Management Fee - \$1,190.00

Registrar - Rebecca Haines

Registrar Fee - \$1,628.00 and \$800.00 (Deputy)

Historian - Cherrie Clark

Historian Fee - \$1,500.00

Official Newspaper - The Post-Journal

Official Bank - M & T Bank

Town Attorney - Neil M. Robinson

Attorney Fee - \$31,000.00

Meeting Date/Time/Place - 2nd Thursday each month, 7:30 PM, Town Hall

Town Officials Salaries:

Supervisor	- \$10,763.00
Town Justice I	- 11,811.50
Town Justice II	- 11,811.50
Councilman (4)	- 2,705.25 (each)
Town Clerk	- 54,000.00
Highway Supt.	- 59,000.00

Assessor Salary - \$52,000.00

Code Enforcement Officer - Robert Samuelson

Code Enforcement Officer Salary - \$32,967.00

Zoning Officer Salary - \$14,746.00

Library Funding - Bemus Point Library - \$10,900.00
Fluvanna Library - 6,800.00

Dog Control Officer – Kristina Wiles

Dog Control Officer Salary - \$4,439.00

Deputy Town Clerk - Jill J. Braund

Deputy Town Clerk Salary - \$36,000.00

Accounting Firm – Bahgat & Laurito Bahgat

Accountant Fee - \$16,900.00

Court Clerk - Deanna Crossley

Court Clerk Salary - \$35,667.00

Deputy Highway Superintendent – Vance Lutgen

Deputy Highway Superintendent Fee - \$2,244.00

Cemetery Sexton – Jason Adams

Cemetery Sexton Fee - \$2,931.00

Board of Appeals/Planning Board Clerk - Anne M. Golley

Highway Department Base Wage - \$24.50 per hour

Deputy Supervisor – Mark R. Schlemmer

Supervisor’s Committees:

- Highway - Hayes & Cresanti
- Cemetery - & Hayes
- Personnel - Full Board
- Buildings - Cresanti & Schlemmer
- Zoning - Hayes & Schlemmer
- Audit - & Cresanti
- Creeks - Cresanti & Hayes
- Insurance - & Johnson
- Youth Rec. - Hayes & Schlemmer
- Park - Hayes &

Board of Appeals – Jeremy Crist – 1/1/2021- 12/31/2027
 Mark Tarbrake – 1/1/2021 – 12/31-2025

Planning Board – George Spanos – 1/1/2021 – 12/31/2027

2021 Mileage Rate - \$.56 per mile

MR. HAYES – AYE
 MR. CRESANTI – AYE

MR. SCHLEMMER - AYE
 MR. JOHNSON – AYE – MOTION CARRIED

CEMETERY/PARK PAYMENT – HIGHWAY SUPERINTENDENT

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN HAYES: THAT TOWN CLERK HAINES IS AUTHORIZED TO CALL AMY AT BAHGAT & LAURITO BAHGAT AND HAVE THE \$5,000 FOR THE CEMETERY/PARK SUPERVISOR POSITION PAID TO HIGHWAY SUPERINTENDENT, GREG HALLBERG FOR HIS WORK DURING 2020.

MR. HAYES – AYE
 MR. CRESANTI – AYE

MR. SCHLEMMER - AYE
 MR. JOHNSON – AYE – MOTION CARRIED

ADJOURNMENT

MOTION BY COUNCILMAN CRESANTI, SECOND BY COUNCILMAN HAYES: THAT THE MEETING BE ADJOURNED AT 4:20 PM.

MR. HAYES – AYE
 MR. CRESANTI – AYE

MR. SCHLEMMER - AYE
 MR. JOHNSON – AYE – MOTION CARRIED

SUBMITTED:



REBECCA H. HAINES, MMC/CTO
 ELLERY TOWN CLERK

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS JANUARY 14, 2021
TOWN OF ELLERY)

MINUTES OF THE TOWN BOARD MEETING HELD THURSDAY, JANUARY 14, 2021, 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
LAWRENCE A. ANDERSON, COUNCILMAN AFTER BEING APPOINTED

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.

APPOINTMENT – LAWRENCE A. ANDERSON, COUNCILMAN

SUPERVISOR JOHNSON SAID THAT FORMER COUNCILMAN LAWRENCE A. ANDERSON HAS AGREED TO RETURN TO THE TOWN BOARD.

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN CRESANTI: THAT LAWRENCE A. ANDERSON BE APPOINTED AS COUNCILMAN TO FILL THE VACANCY CREATED WHEN COUNCILMAN G. CRAIG MILLER, RESIGNED LATE LAST YEAR.

MR. HAYES – AYE MR. SCHLEMMER – AYE
MR. CRESANTI – AYE MR. JOHNSON – AYE – MOTION CARRIED

ACCEPTANCE – DECEMBER 10, 2020, BOARD MEETING MINUTES

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN HAYES: THAT THE MINUTES OF THE DECEMBER 10, 2020 BOARD MEETING BE ACCEPTED FOR FILING.

MR. ANDERSON – AYE MR. SCHLEMMER – AYE
MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE

DECEMBER REPORTS

THE TOWN BOARD REVIEWED/DISCUSSED THE DECEMBER REPORTS SUBMITTED BY THE ZONING OFFICER AND CODE ENFORCEMENT.

TOWN CLERK, REBECCA HAINES SUBMITTED HER DECEMBER REPORT IN THE AMOUNT OF \$2,965.00. THE CHECK TO THE TOWN TOTALED \$2,899.50. ALSO SUBMITTED WAS THE TOWN CLERK'S 2020 ANNUAL REPORT IN THE AMOUNT OF \$63,789.00.

IN OTHER BUSINESS, TOWN CLERK HAINES NOTED THAT SHE HAD PROVIDED PRINTED COPIES OF THE NEW EMERGENCY PLANNING REQUIREMENT FOR NEW YORK STATE TOWNS. THE BOARD REVIEWED THE NEW LAW AND COUNCILMAN HAYES VOLUNTEERED TO LOOK INTO THE MATTER ON BEHALF OF THE TOWN BOARD.

THE BOARD ALSO RECEIVED THE DECEMBER REPORTS SUBMITTED BY THE ASSESSOR, THE TOWN JUSTICES AND TOWN SUPERVISOR.

PUBLIC

1. STEVE ROBERTS, SUNSET BAY – VIA ZOOM – ASKED ABOUT THE COLBY CREEK PROJECT HE HAD TALKED ABOUT AT THE DECEMBER MEETING. TOWN ATTORNEY ROBINSON SAID HE HAD COMPLETED THE PROPOSED EASEMENT TODAY AND HAD SENT IT TO MR. ROBERTS FOR HIS REVIEW AND THE REVIEW OF THE SUNSET BAY ASSN. MR. ROBERTS SAID THE SUNSET BAY BOARD HAS NOT YET REVIEWED THE EASEMENT BUT SHOULD HAVE A CHANCE IN A WEEK OF SO. THE EASEMENT WILL ALLOW THE TOWN TO INSTALL A SEDIMENT TRAP IN COLBY AND WORK IN A 300 FEET BY 40 FEET AREA OF THE CREEK. THE TOWN WILL PERIODICALLY BE ABLE TO REMOVE GRAVEL/SEDIMENT FROM THE TRAP. TOWN HIGHWAY SUPERINTNDENT HALLBERG SAID THE EASEMENT SHOULD REFLECT THAT THE TOWN WILL BE WORKING IN CONJUNCTION WITH CHAUTAUQUA COUNTY SOIL & WATER.

MR. ROBINSON NOTED THAT HE WILL FORWARD THE EASEMENT TO THE TOWN SUPERVISOR ONCE THE SUNSET BAY BOARD HAS REVIEWED AND SIGNED IT.

VOUCHERS

MOTION BY COUNCILMAN CRESANTI, SECOND BY COUNCILMAN HAYES: THAT VOUCHER #'S 647 THROUGH 697, WARRANT #13, IN THE AMOUNT OF \$94,662.75 BE PAID AS AUDITED, AND VOUCHER #'S 1 THROUGH 18, WARRANT #1, IN THE AMOUNT OF \$65,698.37, BE PAID AS AUDITED.

MR. ANDERSON – AYE
MR. HAYES – AYE
MR. CRESANTI – AYE

MR. SCHLEMMER – AYE
MR. JOHNSON – AYE

LEGISLATOR'S REPORT

MR. CHAGNON REPORTED THAT THE COUNTY IS STILL DEALING WITH MANY CHALLENGES, MANY DOMINATED BY COVID-19 IMPACTS.

THE STAFF OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES HAS DONE EXTRAORDINARY WORK THROUGHOUT THE PANDEMIC; THE MAYVILLE PUBLIC DRINKING WATER EMERGENCY WAS THE SECOND THE COUNTY HAD TO DEAL WITH; THE COUNTY LEGISLATURE HAS AUTHORIZED FUNDING FOR ADDITIONAL POSITIONS, BUT THERE IS A HUGE CHALLENGE AS QUALIFIED CANDIDATES ARE ALMOST ENTIRELY UNAVAILABLE; THE DISTRICT ATTORNEY IS VERY BUSY PROCESSING MANY BACKLOGGED CASES; NOEL GUTTMAN HAS BEEN APPOINTED AS THE DIRECTOR OF THE OFFICE OF EMERGENCY SERVICES AND FACES MANY CHALLENGES AS HE GOES FORTH; THERE HAS BEEN AN ONGOING INTERVIEW PROCESS FOR A NEW DIRECTOR OF REAL PROPERTY TAX SERVICES AND AN APPOINTMENT SHOULD BE FORTHCOMING; SALES TAX RECEIPTS HAVE EXCEEDED PREDICTIONS BUT THERE HAVE BEEN DRAMATIC DECREASES IN PROPERTY TAXES COLLECTED AS WELL AS OCCUPANCY TAXES.

HIGHWAY SUPERINTENDENT’S REPORT

HIGHWAY SUPERINTENDENT HALLBERG NOTED HIS DEPARTMENT HAS BEEN WORKING ON MAINTENANCE OF TRUCKS AND SIGNS. THEY HAVE ALSO HAD SOME ICE/SNOW EVENTS THAT HAVE NECESSITATED EXTRA ATTENTION. MR. HALLBERG NOTED THAT IT IS TIME FOR THE BOARD TO APPROVE THE HIGHWAY 284 LAW AND ALSO THE SHARED SERVICES AGREEMENT WITH CHAUTAUQUA COUNTY.

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN CRESANTI: THAT THE TOWN BOARD APPROVES OF ENTERING INTO A CONTRACT WITH CHAUTAUQUA COUNTY FOR SHARED SERVICES.

MR. ANDERSON – AYE MR. SCHLEMMER – AYE
MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN ANDERSON: THAT THE TOWN SUPERVISOR AND TOWN BOARD MEMBERS APPROVE TOWN HIGHWAY LAW 284 AND SIGN THE NECESSARY PAPERWORK.

MR. ANDERSON – AYE MR. SCHLEMMER – AYE
MR. HAYES – AYE MR. JOHNSON – AYE
MR. CRESANTI – AYE

MR. HALLBERG NOTED THAT THE PARK MOWER IS CURRENTLY AT LANDPRO FOR SOME RECALL ADJUSTMENTS.

COUNCILMAN SCHLEMMER ASKED IF MR. HALLBERG HAD CALLED THE UNIFORM SUPPLIER ABOUT CANCELLING THE HIGHWAY DEPARTMENT UNIFORMS. MR. HALLBERG SAID HE HAS PLACED THE CALL AND IS WAITING FOR A RETURN CALL. MR. HALLBERG DID NOTE THAT THE EMPLOYEE HANDBOOK WHICH THE TOWN BOARD JUST ADOPTED DOES PROVIDE THE HIGHWAY DEPARTMENT WORKERS WITH UNIFORMS.

DISCUSSION ENSUED ABOUT THE PARK/CEMETERY STIPEND.

COUNCILMAN SCHLEMMER ASKED HIGHWAY SUPERINTENDENT HALLBERG IF HE HAS DECIDED WHO IS GOING TO BE CREW CHIEF THIS YEAR AT THE TOWN PARK AND MR. HALLBERG INDICATED THAT HE HASN'T. MR. HALLBERG WAS ASKED IF HE COULD DECIDE BY NEXT MONTHS MEETING AND MR. HALLBERG SAIE HE PROBABLY COULD.

THE BOARD WENT BACK TO THE DISCUSSION ABOUT UNIFORMS.

ATTORNEY’S REPORT

MR. ROBINSON SAID THE TOWN WILL SOON COMMENCE COLLECTIVE BARGAINING WITH THE HIGHWAY DEPARTMENT UNION REPRESENTATIVE. MR. ROBINSON GAVE NEW COUNCILMAN, LARRY ANDERSON A BRIEF SUMMARY OF THE HIGHWAY DEPARTMENT EMPLOYEES DECISION TO JOIN A UNION. MR. ROBINSON NOTED THAT DATES NEED TO BE SCHEDULED TO MEET WITH THE UNION REP. IT WAS DECIDED THAT MR. ROBINSON, MR. JOHNSON, MR. SCHLEMMER AND MR. CRESANTI SHOULD BE THE NEGOTIATION TEAM FOR THE TOWN. MR. ROBINSON SAID HE WILL GET BACK TO THE BOARD WITH SOME DATES/TIMES FOR A MEETING.

FOIL REQUEST – COUNTY – ALLIANCE RECORDS

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN ANDERSON: THAT THE TOWN ATTORNEY IS AUTHORIZED TO PROCESS A FOIL REQUEST TO CHAUTAUQUA COUNTY FOR RECORDS FROM THE ALLIANCE.

MR. ANDERSON – AYE	MR. SCHLEMMER – AYE
MR. HAYES – AYE	MR. JOHNSON – AYE
MR. CRESANTI – AYE	

APPOINTMENT – JIM WEHRFRITZ – ALLIANCE LAKE MANAGEMENT COMMITTEE

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN CRESANTI: THAT JIM WEHRFRITZ BE APPOINTED AS THE TOWN OF ELLERY REPRESENTATIVE TO SERVE ON THE ALLIANCE LAKE MANAGEMENT COMMITTEE.

MR. ANDERSON – AYE	MR. SCHLEMMER – AYE
MR. HAYES – AYE	MR. JOHNSON – AYE
MR. CRESANTI – AYE	

APPLICATION – DEC PERMIT – HERBICIDES

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN HAYES: THAT THE TOWN SUPERVISOR IS AUTHORIZED TO SIGN THE APPLICATION TO THE DEC FOR HERBICIDES (CURLY LEAF PONDWEED) WHEN/AS PREPARED BY SOLITUDE.

MR. ANDERSON – AYE	MR. SCHLEMMER – AYE
MR. HAYES – AYE	MR. JOHNSON – AYE
MR. CRESANTI – AYE	

APPOINT DELEGATE – A0T ANNUAL MEETING

MOTION BY COUNCILMAN ANDERSON, SECOND BY COUNCILMAN HAYES: THAT REBECCA HAINES IS APPOINTED AS THE TOWN OF ELLERY DELEGATE TO THE ASSOCIATION OF TOWNS ANNUAL MEETING

MR. ANDERSON – AYE
MR. HAYES – AYE
MR. CRESANTI – AYE

MR. SCHLEMMER – AYE
MR. JOHNSON – AYE

ADJOURNMENT

MOTION BY COUNCILMAN SCHLEMMER, SECOND BY COUNCILMAN CRESANTI: THAT THE BOARD MEETING BE ADJOURNED AT 8:30 PM.

MR. ANDERSON – AYE
MR. HAYES – AYE
MR. CRESANTI – AYE

MR. SCHLEMMER – AYE
MR. JOHNSON – AYE

SUBMITTED:



REBECCA H. HAINES, RMC/MMC
ELLERY TOWN CLERK

/RHH