

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549**

**FORM 8-K/A**

**CURRENT REPORT**

PURSUANT TO SECTION 13 OR 15(D) OF  
THE SECURITIES EXCHANGE ACT OF 1934

Date of Report (Date of earliest event reported): March 23, 2009

**ES BANCSHARES, INC.**

(Exact Name of Registrant as Specified in its Charter)

Maryland  
(State or Other Jurisdiction)  
of Incorporation)

000-52178  
(Commission File No.)

20-4663714  
(I.R.S. Employer  
Identification No.)

68 North Plank Road, Newburgh, New York  
(Address of Principal Executive Offices)

12550  
(Zip Code)

Registrant's telephone number, including area code: (845) 561-0003

Not Applicable

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

**Item 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

ES Bancshares, Inc. (the “Company”) announced that Charles E. Burnett, age 60, has joined the Company and its wholly owned subsidiary, Empire State Bank, as its Vice President and Chief Financial Officer, effective March 23, 2009. Mr. Burnett is replacing Arthur W. Budich who was terminated due to health related issues, effective February 27, 2009, as previously disclosed by the Company.

On March 24, 2009 the Company inadvertently reported that Mr. Burnett was becoming the Company’s Chief Executive Officer.

Mr. Burnett has more than 38 years of experience in the banking industry. He most recently served, from December 2008 until February 2009, as Senior Vice President and Chief Financial Officer of North Penn Bank, a Pennsylvania chartered savings bank located in Scranton, Pennsylvania and prior to this, from 2000 until 2008, as Senior Vice President and Chief Financial Officer of The First National Bank of Jeffersonville, a national bank headquartered in Jeffersonville, New York.

**Item 9.01. Financial Statements and Exhibits.**

Not Applicable.

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned, hereunto duly authorized.

**ES BANCSHARES, INC.**

A handwritten signature in black ink, appearing to be 'Philip Guarnieri', written over a horizontal line.

DATE: March 25, 2009

By: \_\_\_\_\_  
Philip Guarnieri  
President and Co-Chief Executive Officer