

**REGULAR MEETING  
TOWN OF CONESUS  
FEBRUARY 15, 2022**

A regular meeting of the Town Board of the Town of Conesus, County of Livingston and the State of New York was held at the Town Hall, 6220 South Livonia Road, Conesus, New York on the 15th day of February 2022.

<b>PRESENT:</b>	Donald Wester	-----	Supervisor
	Richard Corrigan	-----	Councilman/Deputy Supervisor
	John Fama	-----	Councilman
	Anita Martucio	-----	Councilwoman
	Gary Sparks	-----	Councilman
	Annette McNinch	-----	Clerk
	Dan Marusiak	-----	Highway Superintendent

**OTHERS PRESENT:** Ron Maxwell, Code Enforcement Officer; Stephen Martucio, Deputy Highway Superintendent; Alissa deWit, ZBA Co-Chair and members of the community.

Supervisor Wester called the meeting to order at 7:00 PM  
Supervisor Wester led the Pledge to the Flag.

**PRIVILEGE OF THE FLOOR:** Michael Hicks, Congressman Jacobs Staff Member from the Congressperson’s Geneseo Office.

- He took questions from the Board and the Public and encouraged individuals to reach out to him with concerns.

**ANNOUNCEMENTS AND COMMUNICATIONS**

1. Next Town Board Tuesday March 1, 2022, 7PM

**REPORTS OF TOWN OFFICIALS:**

**Supervisor – *Don Wester:***

- No Report

**Town Clerk – *Annette McNinch:***

- No Report

**Highway Superintendent – *Dan Marusiak:***

- The 2009 International 10-Wheeler that was in an accident was declared a total loss by the insurance company. The claim is in the amount of \$188,000 with a \$500 deductible. The options would be to purchase the truck back for \$5,100 and repair it, to purchase a used truck, or purchase a new truck. The estimate for a new vehicle is \$250,000 and would not be delivered for over a year due to the current backlogs. If the vehicle is repaired in house an estimate of the parts is \$3,900. It was the recommendation of Superintendent Marusiak to buy back the vehicle, repair it in house and use the remainder of the funds toward the purchase of a new truck. The Board was in favor of the repair and the purchase a new truck.

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**Code Officer Report – Ron Maxwell**

- McMillan Creek is a navigable waterway and the dredging/clearing of it without Army Corp of Engineers and the DEC permission is not allowed. The recent ice damming and the island created by sediment in recent have contributed to property flooding and erosion during the thawing ice and heavy rains. This issue is out of the Town's authority and must be taken up with the appropriate authorities.
- The office has been busy with permits and inspections.
- Mr. McGrain has items ready for Attorney Young regarding court and junk violations.

**UPDATES ON KEY ISSUES:**

**Conesus Lake: Councilman Fama**

- Watershed Education Center is offering the following programs-Pre-Register at the CLA Website: [www.conesuslake.org](http://www.conesuslake.org)
  - On February 17, 2022 at 6:30 PM ZOOM only Genesee Valley Conservancy will present on Land Conservation in the watershed.

**Conesus and Livingston County Planning Board: Reports: Councilwoman Martucio**

- County Planning Board
  - Avon presented a solar project. The County Planning Board did not approve the project and sent it back to the Avon with comments.
  - Avon presented a Battery Storage Moratorium.
  - Discussed redoing the County's stance on protecting prime soil.
- Town Planning Board:
  - Meeting this Thursday February 17th

**ZBA Reports: Councilman Corrigan**

- The Governor is presenting legislation that would override local zoning laws to ban single family zoning areas.

**Town Facilities Maintenance Report: Councilman Corrigan**

- No Report

**Livingston County/Town Report: Supervisor Wester**

- A 2022 strategic financial planning meeting was held last Friday. Broadband is on the top of the list. Grants are being sought to provide broadband to every home in Livingston County.
- ARPA funds could take a couple of years to come to fruition.
- A meeting will be held on the 26<sup>th</sup> with Empire to discuss the start of infrastructure in Conesus. A fiber hut may be placed in Conesus which would be good for the Town.
- Annual Glow and DEC Reports are completed
- Supervisor Wester will be nominated for the chair of the watershed committee.

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**UNFINISHED BUSINESS:**

**Fence Law – Attorney Young and Brad Francis**

- Tabled until meeting with Planning Board on Thursday February 17<sup>th</sup> and then review by Attorney Young. It is planned to be presented at the March 1<sup>st</sup> Town Board Meeting

**Codification Project – Councilwoman Martucio**

- It was Councilwoman Martucio’s opinion that the project was ready for ratification.
- The items that have been questioned have been answered. The issues were numbering changes to reflect the appropriate chapters in the code and changes that included the appropriate NYS Code references.
- The items that were thought to not exist are in fact in the code and have been renumbered to take the appropriate places in the code. Nothing has been lost or missing just renumbered.
- Code Officer Ron Maxwell said that he has had no problem working with the code and was in favor of adopting it.
- Supervisor Wester asked that it be tabled again as he would like Councilwoman Martucio to speak with Attorney Young to be sure he is also in favor.

**Code Enforcement Computer Upgrade**

- The desktop computer used by Code Officer Maxwell needs replacement to be compatible with software and support from Microsoft. A quote from Hurricane Technologies from the Dell State Contract was received in the amount of \$1,2450.00. The Board agreed to make this purchase.

**RESOLUTION #17.22**

**APPROVAL OF MINUTES**

On a motion of Councilman Fama and seconded by Councilwoman Martucio following resolution was

<b>ADOPTED</b>	Ayes	4	Wester, Corrigan, Fama, Martucio
	Nays	0	
	Abstain	1	Sparks (was absent from the meeting)

Resolved that the Town Board approves the minutes from the Town Board Meeting dated December 7, 2021.

**RESOLUTION #18.22**

**APPROVE PURCHASE OF DESKTOP COMPUTER STATION FOR CODE ENFORCEMENT**

On a motion of Councilman Fama and seconded by Councilman Sparks the following resolution was

<b>ADOPTED</b>	Ayes	5	Wester, Corrigan, Fama, Martucio, Sparks
	Nays	0	

Resolved that the Town Board approves the purchase of a Dell Optiplex 3090 computer workstation from the NYS Contract with Dell form Hurricane Technologies in the amount of \$1,245.00.

**RESOLUTION #19.22**

**AUDIT OF HIGHWAY FUND CLAIMS**

On a motion of Councilman Sparks and seconded by Councilman Fama the following resolution was

<b>ADOPTED</b>	Ayes	5	Wester, Corrigan, Fama, Martucio, Sparks
	Nays	0	

Resolved that Highway Fund Vouchers #25- #34 as set forth in Abstract No. 4 of 2022 in the amount of \$24,855.53 are approved.

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**RESOLUTION #20.22**

**AUDIT OF GENERAL FUND CLAIMS**

On a motion of Councilwoman Martucio and seconded by Councilman Corrigan the following resolution was

<b>ADOPTED</b>	Ayes	5	Wester, Corrigan, Fama, Martucio, Sparks
	Nays	0	

Resolved that General Fund Vouchers #53-#74 as set forth in Abstract No. 4 of 2022 in the amount of \$166,406.23 are approved.

**RESOLUTION #22.22**

**OPEN EXECUTIVE SESSION**

On a motion of Councilwoman Martucio, and seconded by Councilman Sparks, the following resolution was

<b>ADOPTED</b>	Ayes	5	Wester, Corrigan, Fama, Martucio, Sparks
	Nays	0	

Resolved that this Board interrupts this meeting to enter an Executive Session at 08:20PM to discuss the employment history of a particular individual and further resolved that Clerk McNinch is invited

**EXECUTIVE SESSION- *No Action Taken***

**RESOLUTION #23.22**

**CLOSE EXECUTIVE SESSION AND RETURN TO REGULAR MEETING**

On a motion of Councilwoman Martucio and seconded by Councilman Sparks, the following resolution was

<b>ADOPTED</b>	Ayes	5	Wester, Corrigan, Fama, Martucio, Sparks
	Nays	0	

Resolved that the Town Board closes the Executive Session and returns to Regular Session at 08.38PM

With no further business, on a motion of Councilman Fama and seconded by Councilman Sparks, the meeting was adjourned at 8:39 PM. Carried unanimously.

Respectfully submitted,

*Annette M. McNinch*

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Annette M. McNinch  
Town Clerk