

**REGULAR MEETING, TOWN OF CONESUS
SEPTEMBER 19, 2023**

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, 6210 South Livonia Road, Conesus, New York on the 19th day of September 2023.

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|-----------------|---------------------------|-------|--|
| PRESENT: | Donald Wester | ----- | Supervisor |
| | Jerome Butterbrodt | ----- | Councilman |
| | Richard Corrigan | ----- | Councilman |
| | John Fama | ----- | Councilman |
| | Gary Sparks | ----- | Deputy Supervisor |
| | Dan Maxwell | ----- | Code Enforcement Officer |
| | Sharon M. Knight, MMC/RMC | ----- | Deputy Town Clerk |
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| GUESTS: | Mary Underhill | ----- | Conesus Lake Watershed Council Updates |
| | Joe Galante | ----- | NYSDEC Grant Initiatives |

OTHERS PRESENT: Kelley Wester, Elizabeth Corrigan, Holly Sampson, Jason Sampson, Lois Wester, Charlie Dickerson, and Cathy Dickerson

Councilman Fama led the salute to the Pledge to the American Flag.

DISCUSSION – PRESENTATION OF 2022 CONESUS LAKE WATERSHED COUNCIL REPORT

Supervisor Wester welcomed everyone to the meeting and introduced Mary Underhill to present the Conesus Lake Watershed 2022 Annual Report. Highlights included:

- Conesus Lake Watershed Council 2022 Annual Report Card found at <https://www.livingstoncounty.us/DocumentCenter/View/17563/2022-Annual-Report-Card>
- Invasive species
- Grant Updates
- Conesus Lake Watershed Management Plan & GI Zoning Update Grant
- Landowner issues with flooding, erosion and ice jams – 3-part series
- HABSs response plan update, HAB’s reports this season to date: 4
- Next Conesus Lake Watershed Council Meeting, December 1, 2023
- Solar Tour in Livingston County, September 22, 2023 – 12 seats left. The tour will be held on Friday, September 22nd from 10:30 A.M. – 6:00 P.M.

DISCUSSION – PRESENTATION OF 2022 CONESUS LAKE WATERSHED COUNCIL REPORT-continued

There was discussion on the television media’s report of the blue/green algae in Conesus Lake over the summer months. It was suggested to the media to use the Press Releases issued in the future. The Livingston County News provided accurate coverage.

Ms. Underhill invited the Town Board, Planning Board or Zoning Board of Appeals to attend the Solar Tour as there are 12 seats left. The tour will be held on Friday, September 22nd from 10:30 A.M. – 6:00 P.M.

Supervisor Wester and the Board thanked Mary, her department personnel, and teams for the hours of dedication.

DISCUSSION – PRESENTATION NYSDEC GRANT INITIATIVES

Supervisor Wester welcomed Joe Galante to the meeting to present grant opportunities for the Town of Conesus. Mr. Galante requested Board action to approve grant application (s) regarding the Ricky Green Park management plan, tree inventory (includes healthy and dead trees), invasive species plant removal and replacing with natives, removal of ash trees and replacement, modifying grounds and green areas to be handicapped and disable accessible, development of green spaces to encourage environmental, conservation, educational, physical skills and experiences and practices for all ages and groups, etc. His presentation was very detailed and acknowledged the importance of preparedness to complete applications in a short time frame and the potential for local financial support. Our Livingston County Grant Writer, Sean Farnsworth, Councilman Fama, Mary Underhill, and Joe have met and will be following through on completing the applications. Types of grants awarded to other Municipalities were discussed. It was questioned if the Town of Conesus has a Parks and/or a Tree Management Committee. Separate Town Board approvals are required as follows:

1. Research and write a grant application.
2. Approve grant application prior to submission.
3. Accept or reject the grant after awarded.

The Board took the following action.

RESOLUTION # APPROVAL THE PREPARATION OF AVAILABLE GRANTS

On motion of Deputy Supervisor Sparks, second by Councilman Butterbrodt the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to approve the Grant Committee prepare grants for opportunities for the Town of Conesus.

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

DISCUSSION – MOMENT OF SILENCE

Supervisor Wester requested a moment of silence for the recent passing of Charles Braun

Deputy Town Clerk Knight reported working with Supervisor Wester, Michael Dougherty, and Mr. Braun’s daughter, Megan Smith, to prepare a proclamation. Megan requested the Board be informed they are invited to her dad’s calling hours to be held on October 5th from 4:00 – 7:00 P.M., St. Matthews Church on October 6, 2023, at 10:30 A.M. and a reception at the Conesus Gulf Club on at noon. The proclamations will be provided to the grandchildren of Charles Baun at the reception. The Board took the following action:

RESOLUTION # APPROVAL THE PREPARED RESOLUTION ACKNOWLEDGING CHARLES BAUN

On motion of Deputy Supervisor Sparks, second by Councilman Corrigan, the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to approve the following proclamation:

PROCLAMATION

Presented in honor of Charles W. Braun to his family

Whereas, a Town is only as great as its citizens who demonstrate exemplary service to their community, whether through participation in voluntary programs, through unique personal achievement in their professional or other endeavors or simply through a lifetime of good citizenry; and

Whereas, it is with honor the Town Board can recognize and pay tribute to those within the Town of Conesus who have made strong contributions to their communities and serve as role models for their peers; and

Whereas, Mr. Braun’s was widely known for his love of life, community and family; and

Whereas, Charles W. Braun began his service to the Conesus Lake Association beginning in 2002, and served as Vice President, President and as the Executive Director; and

Whereas, throughout his tenure he successfully campaigned for increased education opportunities at the Watershed Educational Center, which now bears his name; and

Whereas, Charles had two daughters Meghan (Scott) Smith and Courtney (Jeremy) Fox, and was a grandfather to Christopher Desiderio, Emily Desiderio, Avery Smith and Ayla Fox; and

RESOLUTION # APPROVAL THE PREPARED RESOLUTION ACKNOWLEDGING CHARLES BAUN-continued

Whereas, Mr. Braun serviced as a mentor and leader and will be remembered for his work ethic and intelligence; and

Whereas, Charles was described as the strongest dignified man we have ever known; and

Whereas, the Town Board has chosen to recognize a true lifelong friend, “Charlie”; and

Whereas, the Official Minutes of the Conesus Town Board were ratified by the adoption of this proclamation on September 19, 2023 to become a permanent record of the Town of Conesus; and

Therefore, Be it Resolved, Charles W. Braun, an influential resident with deep roots in the Conesus community has exemplified outstanding citizenry, a tradition of excellence and a commitment to the Conesus Lake Association Community, Town of Conesus, and the great State of New York.

Dated: September 19, 2023

Supervisor Donald Wester

Deputy Supervisor Gary Sparks

Councilman Jerome Butterbrodt

Councilman John Fama

Councilman Richard Corrigan

In Witness Whereof, I have hereunto set my Hand and Signature

Deputy Town Clerk Sharon M. Knight, MMC/RMC

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks – Aye, Donald Wester Supervisor – Aye

RESOLUTION # APPROVAL THE MINUTES OF AUGUST 15, 2023

On motion of Councilman Fama, second by Councilman Butterbrodt the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of August 15, 2023, as presented, and request they be published on the Town of Conesus website at <https://www.townconesus-ny.org>.

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

RESOLUTION # APPROVAL THE MINUTES OF AUGUST 28, 2023

On motion of Councilman Fama, second by Councilman Butterbrodt the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of August 28, 2023, as presented, and request they be published on the Town of Conesus website at <https://www.townconesus-ny.org>.

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

RESOLUTION # ACCEPT SUPERVISOR’S AUGUST REPORT

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

RESOLVE to accept the Supervisor’s August Report with receipts in the amount of \$50,820.37 and disbursements in the amount of \$96,199.96.

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

RESOLUTION # ACCEPT TOWN CLERK’S AUGUST REPORT

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

RESOLVE to accept the Town Clerk’s August Report as follows:

Local Shares Remitted:	\$ 658.44
NYS Ag & Markets for spay/neuter program	\$ 7.00
NYS Environmental Conservation	<u>\$ 336.36</u>
Total State, County & Local Revenues:	\$1,001.80

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

REPORTS OF TOWN OFFICIALS:

Assessor Report – Supervisor Wester read the following written report:

Hello everyone, we will be sending out exemption renewals the first week of October, we will be away at the NYS Assessor’s Association Conference from Tuesday the 3rd of October to October 6th. Mike will put a sign on the door to let property owners know that we will be out of the office

REPORTS OF TOWN OFFICIALS:-continued

on the 4th. We have no concerns currently, if anyone has any questions or concerns, please feel free to contact either Mike or Tina. Mike and Tina Rados, SCA

Code Enforcement Report – Ron Maxwell updated the Board on MRB Group’s review of the proposed Cell Tower, the need for approval of the Planning Board (scheduled for Thursday), and a variance to be considered by the Zoning Board of Appeals. Dead spots of cell use will be improved for both Conesus and Groveland.

Highway Superintendent – *Dan Marusiak*:

- Wrapping up summer work and preparing for winter
- The building repair plan continues.

UPDATES ON KEY ISSUES:

Conesus Lake: Councilman Fama

- Watershed Education Center is offering the following free program - Pre-Register at the CLA Website: www.conesuslake.org
 - On Saturday, October 7, 2023, on February 8, 2023 at 2:30 PM – 4:30 PM Bird Walk with birding expert Hans Kunze on his farm nearby Wyoming County
 - On Friday, September 29th Chip Holt Nature Center – Bald Eagles

Conesus and Livingston County Planning Board: Reports: Supervisor Wester

- Supervisor Wester did not attend the last County Planning Board meeting. He attended an Association of Counties Conference where resolutions to be sent to the Governor’s office were completed regarding Public Safety, Public Health, Mental health and Agricultural. Town Planning - the Fugel subdivision was approved.

ZBA Reports: Councilman Corrigan

- No permits were issued. He did not attend the Town Board Special Meeting as he attended the Zoning Board of Appeals meeting for discussions of citizen issues. Resident Charlie Dickerson provided a detail update of the meeting including property located at 6709 Dug Way Road – An order of violation requesting a “cease and assist” was prepared by Code Enforcement Officer Rick McGrain and it needs to be processed served.

Livingston County/Town Report: Supervisor Wester

- The GLOW Solid Waste budget was approved.

Town Facilities Maintenance Report:

- The following resolution was approved.

RESOLUTION # APPROVAL OF ARPA FUNDS AND RE-GRANT ARPA FUNDS

On motion of Councilman Fama, second by Councilman Butterbrodt the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to approve the ARPA funds and ARPA re-grant funds for three projects. The Town Hall Siding, highway facility improvements and Rick Green Park improvements.

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

RESOLUTION # APPROVAL OF PURCHASE HIGHWAY EQUIPMENT

On motion of Deputy Supervisor Sparks, second by Councilman Butterbrodt the following resolution was ADOPTED BY ROLL CALL VOTE AYES 5 NAYS 0

Whereas the Highway Department provided a settlement of \$182,400 on 3/10/2022 check number 000005031 to replace the 2009 International 10-wheel dump truck that was severely damaged.

Whereas the Town Superintendent of Highways did, on the 19th day of September 2023, duly recommend the purchase of certain highway equipment pursuant to the provisions of Section 142 of the Highway Law.

Now, Therefore, be it resolved that the Town Superintendent of highways is authorized to purchase, in accordance with the provisions of Article 5-A of the General Municipal Law, the following:

A model year 2025 Western Star model 4700X 10-wheel truck on the Onondaga County Bid as Number 8996, for a maximum price of \$265,527.32 from certified Vendor's Tracy Road Equipment and TENCO dump body with fifteen-foot dump body, Roll Rite tarp system, Harder Spreader Model ES144 and snowplow equipment priced at \$101,380.00 also on the Onondaga County Bid Number 8996 for a total cost of \$265,527.32.

Whereas the vender is uncertain about the actual date of delivery due to supply chain issues it is imperative that this equipment be ordered as soon as possible.

A contract for the items purchased shall be duly executed between the Town Superintendent of Highways and such vendor. When the contract has been executed and upon delivery of the items purchased, the supervisor shall pay the following amounts as specified:

\$265,527.32 budgetary appropriations for purchase of equipment in the 2024 Highway Budget for \$265,527.32 from the proceeds of obligations issued pursuant to the local financial law.

Resolution Authorizing the Purchase of Town Highway Machinery, September 19, 2023

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

DISCUSSION – PRESENTATION OF TENTATIVE BUDGET BY SUPERVISOR

Supervisor Wester present the 2024 Tentative Budget and it will be posted on the Town’s website at <https://www.townconesus-ny.org>.

DISCUSSION – VISITOR COMMENTS

Visitor Charlie and Kathy Dickerson asked questions and answers were provided regarding the purchase of the highway truck, grant usage and the proposed cell tower.

RESOLUTION # AUDIT OF HIGHWAY FUND CLAIMS

On motion of Deputy Supervisor Sparks, second by Councilman Fama the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE that Highway Fund Vouchers #140 - #158 as set forth in Abstract No. 14 of 2023 in the amount of \$67,721.85 are approved.

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

RESOLUTION # AUDIT OF GENERAL FUND CLAIMS

On motion of Councilman Corrigan, second by Councilman Fama the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE that Highway Fund Vouchers #307- #338 as set forth in Abstract No. 14 of 2023 in the amount of \$30,914.42 are approved.

Councilman Jerome Butterbrodt - Aye, Councilman Richard Corrigan - Aye, Councilman John Fama - Aye, Deputy Supervisor Gary Sparks - Aye Donald Wester Supervisor – Aye

DISCUSSION – 80TH MISSION OF THE TO WASHINGTON, DC

Councilman Butterbrodt reported the 80th Mission to Washington DC will return to the Rochester International Airport on October 1st at 12.00 noon, carrying 62 Veterans.

With no further business, on a motion of Deputy Supervisor Sparks and seconded by Councilman Corrigan, the meeting was adjourned at 9:00 PM. Carried unanimously.

Respectfully submitted,

Sharon M. Knight, MMC/RMC
Deputy Town Clerk