

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 4th day of June 2024 at 7:00 PM.

PRESENT:	Donald Wester	-----	Supervisor
	Gary Sparks	-----	Deputy Supervisor
	Jerome Butterbrodt	-----	Councilman
	Brian McCarty	-----	Councilman
	John Fama	-----	Councilman
\	Julie C. Shutt	-----	Appointed Town Clerk
	Ron Maxwell	-----	Code Enforcement Officer

OTHERS PRESENT: Town Attorney, Donald Young and approximately 8 visitors

Supervisor Wester opened with prayer and led everyone in the Pledge of Allegiance

ANNOUNCEMENTS AND COMMUNICATIONS

1. Next Town Board Tuesday July 2, 2024 at 7:00 P.M.
2. The Board of Assessment Review will meet to hear complaints on June 5th, 2024, from 4:00 – 8:00 PM. Grievance is held by appointment. Please call 585-346-3130 to schedule an appointment time.

RESOLUTION #80 ACCEPT THE TOWN CLERK’S MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSTAIN 1 (Councilman Fama)

RESOLVE to accept the Town Clerk’s minutes of April 9, 2024, and request they be posted on the Town of Conesus website.

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Abstain, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

RESOLUTION #81 ACCEPT THE TOWN CLERK'S MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Town Clerk's minutes of May 7, 2024, and request they be posted on the Town of Conesus website.

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

RESOLUTION #82 ACCEPT THE SUPERVISOR REPORT

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Supervisor's monthly report for May 2024 as follows:

Receipts:

General Fund \$25,150.78
Highway Fund \$17,730.42
Special Districts \$0.00
TOTAL \$42,881.20

Disbursements:

General \$102,377.82
Highway \$93,148.49
Special District \$0.00
Cell Tower \$301.00
TOTAL \$195,827.31

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

RESOLUTION #83 ACCEPT THE TOWN CLERK'S REPORT

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Town Clerk's monthly report for May 2024 as follows:

Total Local Shares Remitted \$749.00

New York State Department of Health \$0.00

NYS Ag. & Markets for spay/neuter program \$8.00

NYS Environmental Conservation \$0.00

TOTAL \$757.00

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

DISCUSSION – TOWN CLERK REPORT

DISCUSSION – TOWN CLERK REPORT - continued

DISCUSSION ASSESSOR REPORT

Assessor Rados shared a written report with us, but was not physically in attendance:

- Grievance Day is on Wednesday, June 5 from 4:00 PM – 8:00 PM. As of today, no one has called for an appointment.
- Final Roll will be filed on or before July 1st, 2024.

DISCUSSION CODE ENFORCEMENT REPORT

Code Enforcement Officer Maxwell reported on the following:

- Rick and Ron went up to write-up a site visit report at the 6709 Dugway Rd property.
- Not many complaints on the lake at the present time. There is quite a bit of tearing down of houses and rebuilding.
- Rick is going stir crazy. Giving him plans to review and some things to work on at home.

DISCUSSION HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Marusiak was not present, but asked Supervisor Wester to report the following:

- Highway Superintendent Marusiak fell off a ladder and broke his heel. He had surgery.
- They are getting ready to chip seal Turkey Hill Rd. They are also working on the north end of Partridge Corners to prepare for chip and seal as well.
- They are giving some attention to a very bad section of East Swamp Rd.
- Mowing is underway and the new mower is working great.
- MRB and Jeff Wilson (engineer) will work together on bid packets for work at the highway barn.
- Supervisor Wester added that the highway barn project might not be completely covered by ARPA funds and that will have to be addressed as more is known.

DISCUSSION PARK UPDATE

Councilman Butterbrodt reported on the following:

- At the end of the last meeting, Elaine Jacobs informed Councilman Butterbrodt that a toilet was backed up in the women's restroom. That has been resolved.
- They believe the light issues have all been remedied.
- It appears someone has cut down the flowers at the park. Cook's Lawn Service stated that they did not cut the flowers.
- Councilman Butterbrodt is waiting to hear from Audrey DeWit regarding her potential Eagle Scout Project on the park gazebo.
- Supervisor Wester added that the park projects will also cost extremely little to taxpayers. Some municipalities that do not have parks have offered to give their funds designated specifically for parks to towns that do have parks.

DISCUSSION TOWN HALL PROJECT

Supervisor Wester reported on the following:

- The town hall project is nearly complete. It is beautiful. It did not cost any additional tax money. Former Supervisor Donohue left us in good shape with funds.
- Supervisor Wester thanked Charlie Dickerson for his initial suggestion to side the town hall.
- Deputy Supervisor Sparks shared how much positive feedback the project got during the Memorial Day Service at the town hall. People are really taking pride in their town.

DISCUSSION UPDATES ON KEY ISSUES:**Conesus Lake Association Representative**

Councilman Fama reported on the following:

- .The Watershed Education Center Program for June 12th is titled “What’s New in Our Lake’s Fisheries Management”. Sign up at conesuslake.org.
- Flare distribution will be Saturday, June 22rd 10am – 2 pm, Sunday, June 23rd 12pm – 2 pm, Saturday, June 29th, 10am – 2 pm, Sunday, June 30th, 12pm – 2 pm. and the last pick up will be Monday, July 1st 4 pm-7pm.

Town of Conesus and Livingston County Planning Board Representative/ Livingston County Board of Supervisor/GLOW/Liv. Cty. Water & Sewer (LCW&S)

Supervisor Wester reported the following:

- GLOW will meet on Friday, June 7, so nothing to report yet.
- No report from County Planning Board
- Livingston County Board of Supervisors working to find a new Livingston County Administrator. Ian Coyle has agreed to stay on and help for a while longer.

Town of Conesus Zoning Board of Appeals Representative

Councilman McCarty reported the following:

- The Zoning Board of Appeals met on May 20, 2024. New business at that meeting was that Michael and Ellen Gardner of 5684 Mission Rd. are asking for conditional use permit to operate 1 bedroom bed and breakfast. ZBA was informed that the planning board had no concerns. Motion was made and approved for public hearing.
- Howard Heitner is requesting an area variance of 2 feet on the side yard and 3 feet from the property line to be able to put up a deck. This would take his lot coverage from 60.1% to 67.8%. The ZBA is unsure 60.1% is correct and would like further explanation as to how they arrived at this number. The ZBA is concerned about there not being enough permeable surface. The ZBA suggested removing the asphalt driveway and replacing it with a permeable surface to compensate for the deck. They are requesting an engineered design to show how the driveway will be made permeable.

UNFINISHED BUSINESS UPDATES/RESOLUTIONS

DISCUSSION POP UPDATE

Deputy Supervisor Sparks updated us on the POP (point of presence)

Things have been inactive all month, but there was a surprise meeting of the contractor and Empire Access today and Deputy Supervisor Sparks was able to attend. He showed them some locations near the hamlet that are owned by Livingston County. Those locations may fit the project well and if chosen, it would leave the town out of the project. The project has already cost the town a bit of money in preliminary research.

DISCUSSION FINALITY OF SALE OF PARK BLEACHERS

Holly and Jason Sampson submitted a bid for \$800. Another party had been interested but did not submit a bid.

RESOLUTION #84 TO SELL PARK BLEACHERS

On motion of Deputy Supervisor Sparks, seconded by Councilman Butterbrodt the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town of Conesus will sell the park bleachers to Holly and Jason Sampson for the amount of \$800.00.

**Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye,
Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye**

NEW BUSINESS/RESOLUTIONS

DISCUSSION SUPPORT FOR LIBRARY

The Town Board received the yearly letter from Livonia Public Library. A analysis of library patrons showed that 13.16% of their active patrons reside in the town of Conesus with the 2nd highest circulation volume of 7,614 materials borrowed. We yearly support the library with a \$1500.00 donation.

RESOLUTION #85 TO SUPPORT LIVONIA PUBLIC LIBRARY

On motion of Councilman Butterbrodt, seconded by Councilman Fama, the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town of Conesus will support the Livonia Public Library in 2024 with an amount of \$1,500.00

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

DISCUSSION ADDENDUM FOR TOWN HALL PROJECT

A few items have been added to the current town hall project: rot repair on exterior wall and window areas \$500.00, new meter service \$950.00, exterior lighting \$250.00, dusk til dawn light sensors \$250.00, and painting front door \$200.00.

RESOLUTION #86 TO ACCEPT ADDENDUM FOR TOWN HALL PROJECT

On motion of Councilman Butterbrodt, seconded by Deputy Supervisor Sparks, the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board approves the addendum for additional work order to be done by ACR Construction in the amount of \$2,150.00.

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

PUBLIC COMMENTS:

- Charlie Dickerson congratulated the board for a job well done on the town hall project. He asked for an update on the next steps for the Mountain Meadow property. He also asked for an up-to-date interest figure.
- Holly Sampson asked about shore stabilization for McMillan Creek.
- Cathy Dickerson spoke again on Mountain Meadows – reminding the board that the access to the property is a right of way only and cannot be used for commercial purposes, Mr. Ribble does not own the property and she is under the understanding that the taxes have not been paid in a couple of years.

RESOLUTION #87 ACCEPT THE CLAIMS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to pay the vouchers in the following amounts:

General Fund: Vouchers #160 - #183 totaling \$32,256.70

Highway Fund: Vouchers #76 – #85 totaling \$26,299.66

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

RESOLUTION #88 ADJOURN THE MEETING

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

ADOPTED AYES 5 NAYS 0

RESOLVE to adjourn the meeting at 8:00 P.M.

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye, Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

Respectfully submitted,

Julie C. Shutt
Appointed Town Clerk