

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 6th day of August 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
Dan Marusiak	-----	Highway Superintendent

OTHERS PRESENT: Ron Maxwell, Code Enforcement Officer, Town Attorney, Donald Young, Michael Marusiak – Conesus Teen Recognition Recipient of the Year, Heather Ferraro – Livingston County Planning Dept., Krista Greer – JM Davidson Engineering, Angela Gardner – JM Davidson Engineering, and approximately 14 other visitors

Supervisor Wester opened with a moment of silence and Councilman Fama led everyone in the Pledge of Allegiance

PRIVILEGE OF THE FLOOR:

Supervisor Wester honored Michael Marusiak as one of two Conesus residents to receive the Livingston County Teen Recognition Award for 2024. Supervisor Wester read Michael's accomplishments and presented him with a certificate signed by the Town Board. Emily Foley was the other Conesus recipient, but she was not in attendance tonight.

PRIVILEGE OF THE FLOOR (continued):

Heather Ferraro from Livingston County Planning Department, Krista Greer and Angela Gardner from JM Davidson Engineering, D.P.C. presented their findings from a field assessment done on North McMillan Creek.

The town made a streambank repair in 2016, and that repair has begun to fail. Problems and possible solutions were presented. It does come down to what the town and landowner affected are willing to do. It can be looked at as an “a la carte” – the ability to pick and choose options, but at the minimum, the engineers believe that restacking the rocks is basic and necessary maintenance. The NYSDEC does have some stake in it, but it is a Class C Stream – will need a permit from Army Corps of Engineers. Goal is to have permits by year end and have project underway by next “construction season” – spring 2025. These projects are just to stabilize. This stream truly changes dynamically from year to year.

DISCUSSION: It is a long-term project. No work on it will be permanent – it will be a forever ongoing project due to the nature of streams. Concerned citizens who are affected by the stream spoke. Citizens are concerned about their properties eroding and washing away. Livingston County’s number one concern at this time is to protect infrastructure – in this case, DaCola Shores Rd. It is up to the property owner to protect and deal with the affects of the stream – it is not the responsibility of the town.

Things to consider: cost to the town, town highway dept. doing the work, cost of materials, etc., concerns of the homeowners, etc.

Thoughts of the town board and highway superintendent...

Dan Marusiak feels if we’re going in to do any work, we might as well do the whole project. He does feel the cost is a bit higher than estimated because the town has to have the large stones hauled in and needs to rent a track excavator.

Supervisor Wester – in agreement with Highway Supt. – none of these issues will fix themselves. If we only do part of the project, we may be in a situation again sooner than later.

RESOLUTION #95 MOVE AHEAD WITH NORTH MCMILLAN CREEK

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board has decided to move forward with all options given as solutions to the failing repair of North McMillan Creek, thus giving the Livingston County Planning Department the go ahead to obtain any permits necessary.

RESOLVE that the Town Board will give formal approval before any work on said project can begin.

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

ANNOUNCEMENTS AND COMMUNICATIONS

1. Next Town Board Tuesday September 3, 2024 at 7:00 P.M.

RESOLUTION #96 ACCEPT THE TOWN CLERK'S MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board accepted the Town Clerk's minutes of July 2, 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 #97 ACCEPT THE SUPERVISOR'S REPORT

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board accepted the Supervisor's monthly report for June 2024 as follows:

Receipts:

General Fund \$136,003.95

Highway Fund \$19,917.78

Special Districts \$0.00

TOTAL \$185,683.54

Disbursements:

General \$55,344.47

Highway \$68,187.68

Special District \$0.00

Cell Tower \$0.00

TOTAL \$123,532.15

Vote of the Board: Councilman Butterbrodt - Aye, Councilman Fama- Aye,

Councilman McCarty - Aye, Deputy Supervisor Sparks - Aye, Supervisor Wester – Aye

RESOLUTION #98 ACCEPT THE TOWN CLERK'S REPORT

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board accepted the Town Clerk's monthly report for June 2024 as follows:

Total Local Shares Remitted \$1017.70

New York State Department of Health \$22.50

NYS Ag. & Markets for spay/neuter program \$19.00

NYS Environmental Conservation \$0.00

TOTAL \$1,059.20

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

DISCUSSION – TOWN CLERK REPORT

Appointed Town Clerk Julie Shutt shared the following:

- Unfortunately, the DEC has not provided the training that they require in order to sell hunting and fishing licenses, so at this time, I am not authorized to sell them, but that could change. New format: hunting and fishing licenses will be printed on plain 8 ½ x 11 paper, not on the orange veleron paper that was used for a number of years. Also, hunters are no longer required to wear their license on their back, they only need to have it on their person – a coat pocket, a backpack, etc.
- The Town Clerk's new hours as of July 29 are as follows: Monday: 12:00 PM – 5:00 PM, Tuesday: 10:00 AM – 2:00 PM, Thursday: 8:00 AM – 3:00 PM. I am hopeful that this variety will better serve the residents of Conesus.

DISCUSSION ASSESSOR REPORT

Assessor Rados was not present, but Supervisor Wester shared that the assessor is on vacation until Aug. 20th.

DISCUSSION CODE ENFORCEMENT REPORT

Code Enforcement Officer Maxwell reported on the following:

- A lot of permits have gone out.
- New house going up on the east side of E. Lake Rd.
- There are a few upcoming demolitions with permits.
- No update on Ribble property – it is still in the hands of the attorneys.

DISCUSSION HIGHWAY SUPERINTENDENT REPORT

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

- Crossover pipe on N. Railroad is done.
- Still mowing
- Trying to keep things running – there have been a few big break downs.
- CHIPS reimbursement came through.

DISCUSSION HIGHWAY BARN PROJECT

Supervisor Wester shared that a 231-page bid packet has been prepared by MRB. Later, these will be printed and available to contractors wishing to put a bid in on the highway facility repairs.

DISCUSSION PARK UPDATE

Councilman Butterbrodt reported on the following:

- Audrey deWit will be at the park on August 16th and 17th to work on her Eagle Scout project: gazebo and fence
- New glider swing has been put in
- Supervisor Wester will get with MRB to have them work on the specs for the roof projects at the park.

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

Councilman Fama reported on the following:

- Watershed Education Program for August 14: Muller Field Station and Educational Outreach Program located at 6455 County Road 36 in Honeoye.

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

Supervisor Wester reported the following:

- Conesus Lake Watershed Management Plan Public Meeting will be held on Sept. 30 at 5:30 at Camp Stella Maris.

Town of Conesus Zoning Board of Appeals Representative

Councilman McCarty reported the following:

- ZBA has no new or old business from their July 29th meeting.

UNFINISHED BUSINESS UPDATES/RESOLUTIONS

RESOLUTION #99 TO APPOINT A MEMBER TO ZONING BOARD OF APPEALS

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board appointed Ed Hynes as a member of the Board of Assessment Review, effective August 6, 2024.

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

NEW BUSINESS/RESOLUTIONS

Brenda Avery spoke about the piece of property across from the Town Hall where a gazebo sits in memory of her mother-in-law, former Town Supervisor Donna Avery. She is very frustrated that she cannot get to the gazebo to power wash and stain it due to multiple cars

Ryan Storke has asked for the easement back on property on Mill St.

Supervisor Wester has mentioned the need for resealing the Town Hall parking lot, Tot Lot, and Ricky Greene Memorial Park parking lot.

RESOLUTION #100 TO GET QUOTES FOR RESEALING

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board agreed that multiple proposals should and can be sought for the resealing of the Town Hall parking lot, Ricky Greene Park parking lot, as well as the blacktop surface at the “Tot Lot”.

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

PUBLIC COMMENTS:

Tina Monachino thanked Highway Supt. Marusiak for the curve signs at Bishop/Patridge Corners Rd. She asked if suggested speed signs could be put up.

Charles Dickerson came forward and asked for clarification on the Ribble property. Per Attorney Don Young, the next step is likely the town re-inspecting the property to determine if compliance has been met.

RESOLUTION #101 ACCEPT THE CLAIMS

On a motion of Deputy Supervisor Sparks 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 #233 - #259 totaling \$21,352.90

Highway Fund: Vouchers #102 - #126 totaling \$31,024.89

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

RESOLUTION #102 ADJOURN THE MEETING

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

ADOPTED AYES 5 NAYS 0

RESOLVE to adjourn the meeting at 8:46 PM

**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