

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 2<sup>nd</sup> of December, 2025.

**PRESENT:**

Donald Wester	-----	Supervisor
Gary Sparks	-----	Deputy Supervisor
Brian McCarty	-----	Councilman
John Fama	-----	Councilman
Jerome Butterbrodt	-----	Councilman
Julie C. Shutt	-----	Town Clerk
Dan Marusiak	-----	Highway Superintendent

**OTHERS PRESENT:** Ron Maxwell, Code Enforcement Officer and 2 other guests

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

**ANNOUNCEMENTS AND COMMUNICATIONS**

Next Town Board Meeting/Organizational Meeting will be January 6, 2026.

**DISCUSSION: ACCEPT SUPERVISOR'S NOVEMBER REPORT**

**RESOLUTION #89 TO ACCEPT THE SUPERVISOR'S REPORT**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board accepted the Supervisor's monthly report for November 2025 as follows:

**Receipts:**

General Fund \$50,430.82

Highway Fund \$19,460.09

Special Districts \$0

TOTAL \$69,890.91

**Disbursements:**

General \$60,886.01

Highway \$136,192.31

Special District \$0.00

Cell Tower \$0.00

TOTAL \$197,078.32

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

**DISCUSSION: ACCEPT TOWN CLERK'S NOVEMBER REPORT****RESOLUTION #90 TO ACCEPT THE TOWN CLERK'S REPORT**

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 monthly report for November 2025 as follows:

Total Local Shares Remitted \$447.36

New York State Department of Health \$0

NYS Ag. & Markets for spay/neuter program \$17.00

NYS Environmental Conservation \$0.00

TOTAL \$464.36

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

### **DISCUSSION: HIGHWAY REPORT**

Highway Superintendent Marusiak updated us on the following:

Winter started early this year. We're keeping everything up and running and keeping out on the roads.

### **DISCUSSION: CPR/AED TRAINING**

Councilman McCarty updated us on the following:

An evening training session has been held and some town employees attended as well as Conesus United Methodist Church members. An evening session will be held for the highway employees as well as any other town employees who would like to attend.

### **DISCUSSION: CODE ENFORCEMENT REPORT**

Code Enforcement Officer, Ron Maxwell updated us on the following:

He has been working on annual fire inspections. The Legion, The Barns, the golf course, the Town Hall have all been done. Folks are turning in their plans in order to be under the 2020 code instead of the new state code beginning January 1, 2026. Code Enforcement Officer Rick McGrain is taking some classes online.

### **DISCUSSION PARK UPDATE**

Councilman Butterbrodt updated us on the following:

The new sidewalk is complete at the park. The handrails are not in yet, but Councilman Butterbrodt will remain in contact with the contractor. The sidewalk approaches the parking lot right at the spot where the first handicap accessible parking spot was. The spots have been moved over one. Councilman Butterbrodt presented a quote to the Town Board for installation of the basketball hoop that was purchased some time ago. The quote is from Holley Construction – the same contractor doing the sidewalk.

## **RESOLUTION #91 TO ACCEPT QUOTE FOR INSTALLATION OF BASKETBALL HOOP**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board accepts the quote from Holley Construction LLC for the installation of the already purchased basketball hoop at Ricky Greene Park as follows:

Concrete Base Installation at \$1,797.54

Basketball Hoop Install and Assembly at \$1447.68

For a total cost of: \$3,245.00

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

## **DISCUSSION UPDATES ON KEY ISSUES:**

### **Conesus Lake Association Update:**

Councilman Fama updated us on the following: Watershed Education Program – SUNY Brockport students presenting their projects. For more information and registration, visit [conesuslake.org](http://conesuslake.org).

### **Livingston County Updates:**

Supervisor Wester updated us on the following: As of January 1, 2026, the Livingston County Sheriff's Dept. will take over Dog Control for Livingston County.

### **Zoning Board of Appeals:**

Councilman McCarty updated us on the following:

The ZBA met on November 24<sup>th</sup> and approved the minutes from the June 30<sup>th</sup> meeting.

They had one item of new business: Kevin and Lauren O'Donoghue of 5687 DaCola Shores Rd. requested a 7 foot yard setback variance. Their plan is to remove an existing garage, which is only about 2 feet from the public road right-of-way, and construct a new garage in a location that lines up better with the existing driveway and sidewalk. The proposed placement would also create more open space between the garage and the house.

The ZBA discussed the plan with the O'Donoghues and felt the project would be an improvement, especially since the garage would be moved farther from the road.

A public hearing has been scheduled for December 29, 2025.

### **DISCUSSION: HIGHWAY SHOP REPAIR PROJECT UPDATE:**

Deputy Supervisor Sparks updated us on the following:

Things are wrapping up on the project, but likely won't be able to be completed until the spring of 2026 due to the weather. There is some painting of unfished wood that needs to occur, but it needs to air out first. The floor also needs to be altered a bit to improve the slope to the drain. There is a retainage amount of over \$23,000 that will not be paid until those items are complete.

### **NEW BUSINESS**

### **DISCUSSION: NORTH MCMILLAN CREEK MOU**

### **RESOLUTION #92-2025 TO APPROVE NORTH MCMILLAN CREEK MOU BETWEEN LIVINGSTON COUNTY AND THE TOWN OF CONESUS**

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

AYES- 5 NAYS- 0

WHEREAS, the County has presented an MOU to the Town whereby, in sum, the Town would contribute certain matching funds, primarily in the form of Town labor, toward the project at North McMillan Creek, while other costs, including for materials and equipment rental, would be covered by grant proceeds via reimbursement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves such MOU, and authorizes the Supervisor to execute the same, subject to approval by the Town Board of the underlying project.

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

### **DISCUSSION: PURCHASE OF AUGER STYLE SPREADER**

Superintendent Marusiak has expressed interest in purchasing a new 2025 Lagasse Auger Style Spreader. They have one very old spreader yet that needs replacing and he feels the auger style is more efficient and consistent than the chain style. They were able to save some money on the excavator they purchased and have some extra funds. The Highway Fund has more than enough money to purchase. They will drive to Lyons to pick it up and save money on delivery.

**RESOLUTION # 93 TO AUTHORIZE PURCHASE OF TOWN HIGHWAY MACHINERY**

## Resolution Authorizing the Purchase of Town Highway Machinery

Resolution By: Councilman ButterbrodtSeconded by: Councilman McCarty

Whereas, the Town Superintendent of Highways did, on the 5<sup>th</sup> day of March 2024, 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 by the Town Board to purchase the following equipment, in accordance with the provisions of Article 5-A of the General Municipal Law:

A Lagasse Iron Works Spreader Model EAS144 Auger Style Slide In Spreader, for a maximum price of Thirteen Thousand Seven Hundred Dollars (\$13,700.00) from certified OGS Vendor George & Swede Sales & Service, Inc., Per Quote.

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:

\$13,700.00 budgetary appropriations for purchase of equipment or \$13,700.00 from the proceeds of obligations issued pursuant to the local financial law.

Vote of the Town Board ☒ (Aye) ☐ (Nay)

[Signature]  
Supervisor

Vote of the Town Board ☒ (Aye) ☐ (Nay)

[Signature]  
Town Counsel person

Vote of the Town Board ☒ (Aye) ☐ (Nay)

[Signature]  
Town Counsel person

Vote of the Town Board ☒ (Aye) ☐ (Nay)

[Signature]  
Town Counsel person

Vote of the Town Board ☒ (Aye) ☐ (Nay)

[Signature]  
Town Counsel person

### **DISCUSSION: BUDGET MODIFICATIONS**

Supervisor Wester shared that the Town Board has no budget modifications to approve, which means we have stayed within our budget allocations.

### **DISCUSSION: TOWN CLERK BECOMING A NOTARY**

#### **RESOLUTON #94 APPROVE TOWN CLERK BECOMING NOTARY PUBLIC**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board approves Town Clerk Julie Shutt taking training and testing necessary to become a Notary Public.

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

### **PUBLIC COMMENTS:**

Paula Lunn asked if there are separate line items for each area at Ricky Greene Park, such as playground equipment, roofing, mowing, etc. She is requesting a better breakdown of the income and expenses for the park. Paula is asking about repairs being made. It was suggested that Paula give her list of repairs she would like to see done to Councilman Butterbrodt who is our Park Liaison.

**DISCUSSION: PAYMENT OF BILLS**

**RESOLUTION #95 ACCEPT THE CLAIMS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to pay the vouchers in the following amounts:

General Fund: Vouchers #327 - #356 totaling \$53,423.48

Highway Fund: Vouchers #194 - #207 totaling \$36,215.47

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

**DISCUSSION: ADJOURNMENT OF MEETING**

**RESOLUTION #96 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 7:55 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, Town Clerk