

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 May 2025 at 7:00 PM.

<b>PRESENT:</b>	Gary Sparks	-----	Deputy Supervisor
	Jerome Butterbrodt	-----	Councilman
	Brian McCarty	-----	Councilman
	John Fama	-----	Councilman
\	Julie C. Shutt	-----	Town Clerk
	Donald Wester	-----	Supervisor
	Dan Marusiak	-----	Highway Superintendent

**OTHERS PRESENT:** Code Enforcement Officer, Ron Maxwell, and 5 guests

### **CALL TO ORDER**

Supervisor Wester called the meeting to order at 7:00 PM. Councilman Butterbrodt then led the Pledge of Allegiance.

### **ANNOUNCEMENTS AND COMMUNICATIONS**

Next Regular Town Board Meeting will be Tuesday June 3 at 7:00 P.M.

### **DISCUSSION TOWN CLERK'S MINUTES**

#### **RESOLUTION #29 ACCEPT 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 for the March 4, 2025 Regular Town Board Meeting.

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

**DISCUSSION SUPERVISOR'S REPORT**

**RESOLUTION #30 ACCEPT THE SUPERVISOR'S REPORT**

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

ADOPTED AYES 5 NAYS 0

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

**Receipts:**

General Fund \$55,904.01

Highway Fund \$23,137.37

Special Districts \$0.00

TOTAL \$79,041.38

**Disbursements:**

General \$62,385.10

Highway \$62,824.46

Special District \$0.00

Cell Tower \$0.00

TOTAL \$125,209.56

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

**DISCUSSION TOWN CLERK REPORT**

**RESOLUTION #31 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 January 2025 as follows:

Total Local Shares Remitted \$906.18  
New York State Department of Health \$0.00  
NYS Ag. & Markets for spay/neuter program \$1.00  
NYS Environmental Conservation \$0.00  
TOTAL \$907.18

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

**DISCUSSION ASSESSOR REPORT**

Assessor Rados was not present, but his written report was shared:

We have entered all the sales we have received from the county. The tentative assessment roll has been filed with the county. All the change of assessment notices have been mailed to individuals with new construction or other physical changes. We have no concerns currently, if anyone has any questions or concerns, please feel free to contact us.

**DISCUSSION CODE ENFORCEMENT REPORT**

Code Enforcement Officer Ron Maxwell reported on the following:

The busy season is picking up. There are a lot of projects going on – porches, additions, demolitions and rebuilds. Two new houses are going up at Errigo's old gravel pit on East Lake Rd. The ZBA has been very busy. An application has been given to someone who is interested in starting a campground.

**DISCUSSION PARK UPDATE**

Councilman Butterbrodt reported on the following:

The annual Easter Egg Hunt will be held on April 19 and attendance was phenomenal. Eagle Scout Audrey deWit will be working on her projects on May 17<sup>th</sup> and 18<sup>th</sup>. Materials will need to be at the park by the 16<sup>th</sup>.

Paula Lunn is proposing a new sign at the park as a memorial to Bill and Betty Greene and their son Ricky, whom the park was named after. Sign Blazer has quoted \$612.63 just for the collage portion of the sign. It does not include the price for a roof over the top to protect the sign. Board feels they would like a full estimate to be known. This topic is tabled until a full estimate is presented.

**DISCUSSION CONESUS LAKE ASSOCIATION**

The Watershed Education Program for June 19<sup>th</sup> will be on the history of picnics at Long Point Park. More information at [conesuslake.org](http://conesuslake.org)

**DISCUSSION PARK BID UPDATE**

Deputy Supervisor Sparks shared the roof on the cabin is tough because it's a historical building. It's difficult to find someone to write specs for cedar shake roof.

The sidewalk portion of the project is moving a long. Needs a SEQR, which he is looking into.

He is hopeful that bid packets will be ready to publish next month.

**DISCUSSION UPDATES ON KEY ISSUES:**

**Town of Conesus Zoning Board of Appeals Representative**

Councilman McCarty reported the following:

The ZBA met on March 31, 2025

Minutes of the December 2024 and February 2025 meetings were tabled due to an insufficient number of members present to vote.

Old Business: Public Hearing – 5925 East Lake Rd. (Anita Pethic)

The property is located within the Lake Upland District

A public hearing was held for Anita Pethic who requested a front yard setback variance of 39 feet. The applicant intends to rebuild an existing home but not in the same footprint, as a portion of the current structure encroaches into the county right-of-way. The proposed plan includes:

- reuse of the existing basement from the main house
- removal of the existing front porch
- addition of a side deck

Following discussion, the ZBA approved the requested variance.

The ZBA met on April 28, 2025.

Minutes of the December 2024, February 2025 and March 2025 meetings were approved.

Old Business: none

New Business:

1) Variance Application – 5730 DaCola Shores Rd. (Kate Chesbro)

The applicant, Kate Chesbro, is proposing to construct a new 3-bedroom, 2-bath modular home with a 2 car garage to replace a previous structure lost in a fire. The variance request includes:

- ~Two front yard setback variances of 15 feet each
- ~A side yard setback variance of 3.5 feet
- ~ A rear yard setback (to be determined)
- ~A lot coverage variance of 440 square feet (current lot coverage is 320 square feet).

During the review, the ZBA identified that the submitted lot size was inaccurate. The applicant was advised to consult with Code Enforcement Officer, Ron Maxwell to revise and resubmit accurate lot dimensions and figures.

The ZBA expressed general support for the proposal, noting it would be an improvement to the lot. They also suggested potential design adjustments to help bring the project closer to code compliance, including:

**DISCUSSION UPDATES ON KEY ISSUES (CONTINUED):**

**Town of Conesus Zoning Board of Appeals Representative (CONTINUED)**

- ~Repositioning the garage further back on the lot
- ~Using permeable surfaces for the patio instead of building a deck
- ~Attaching the garage directly to the house

The application has been scheduled for a public hearing at the next ZBA meeting.

2) Variance Request – 6155 East Lake Rd. (Ryan and Jessica DeBarros)

The applicants, Ryan and Jessica DeBarros, requested a variance to replace an existing chain link fence with a 6-foot high privacy fence. This does not comply with Section 155-36.1, which prohibits fences over 4 feet in height in the front yard of any lot.

Mr. and Mrs. DeBarros were not present at the meeting, which prevented the ZBA from asking clarifying questions. The ZBA did not look favorably on the request as submitted and expressed concern over lack of applicant participation. The Board will reach out to the applicants to determine whether they wish to move forward with a public hearing.

**UNFINISHED BUSINESS**

**DISCUSSION – AED & CPR UPDATE**

Councilman McCarty reached out to Congresswoman Tenney's office. There are no grants available at this time.

Livonia Ambulance will provide free CPR and AED training. BLS – Basic Life Support (designed for medical providers needing or those needing recertification OR Heart Saver Course (designed for general public). \$18.50 cost if a CPR certification card is desired.

- **AED Market** \$1,840 (new includes \$300 discount) or \$795 recertified AED
- **Cardiac Life** \$1,828.77 new Zoll 3 AED
- **Cintas** \$2,600.00 new Zoll 3 AED – Quarterly service plan \$6/month – covers quarterly inspections, as recommended by Cintas. Full service lease option: \$135/month ongoing. Includes the AED and service plan.

**RESOLUTION #32 PURCHAS OF AEDS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board approved the purchase of 2 AEDs from Cardiac Life of Rochester – one for replacement of the existing AED in the Town Hall and one for placement in the Highway Barn.

RESOLVE that the Town Board has decided not to purchase the PlusCare Preferred Maintenance plan.

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

**NEW BUSINESS**

**DISCUSSION HIGHWAY PROJECT**

There are two change orders – one for floor and one with a man door. This is a new upcharge of \$9,500.00. \$422,099 is the new total. There are 10 lump sum items. When complete, contractor issues request for payment. Engineer has 10 days to inspect and notify us that it is complete. Town has 10 days to pay.

**RESOLUTION #33 AUTHORIZE AND RATIFY HIGHWAY PROJECT CHANGE ORDER #1**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board authorized and ratified Highway Project Change Order #1

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

**DISCUSSION NYSLRS STANDARD WORK DAY AND REPORTING RESOLUTION**

**RESOLUTION #34 APPROVE NYSLRS STANDARD WORK DAY AND REPORTING RESOLUTION**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board approves the NYSLRS Standard Work Day and Reporting Resolution for Elected and Appointed Officials.

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



Received Date

**Standard Work Day and  
Reporting Resolution for  
Elected and Appointed Officials**

Employer Location Code

30527

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

**RS 2417-A**

(Rev.12/23)

BE IT RESOLVED, that the Town of Conesus

(Name of Employer)

/ 30527 (Location Code)

hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials:</b>									
Brian McCarty			Councilman		6 hr	.84	<input type="checkbox"/>	monthly	<input type="checkbox"/>
Daniel Marusiak			Highway Superintendent		8 hr	20	<input type="checkbox"/>	biweekly	<input type="checkbox"/>
Julie Shutt			Town Clerk		6 hr	20	<input type="checkbox"/>	biweekly	<input type="checkbox"/>
<b>Appointed Officials:</b>									
Michael Rados			Assessor		6 hr	2.73	<input type="checkbox"/>	biweekly	<input type="checkbox"/>
Debra Coburn			Court Clerk		6 hr	5.73	<input type="checkbox"/>	biweekly	<input type="checkbox"/>
Julie C. Shutt							<input type="checkbox"/>		<input type="checkbox"/>

Julie C. Shutt

secretary/clerk of the governing board of the Town of Conesus

(Name of Secretary or Clerk)

(Name of Employer)

of the State of New York,

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 6th day of May, 2025 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Conesus

on this day of 20

(Name of Employer)

20

(Signature of Secretary or Clerk)

Affidavit of Posting: I,

(Name of Secretary or Clerk)

being duly sworn, deposes and says that the posting of the Resolution began on

05/13/2025

and continued for at least 30 days. That the Resolution was available to the public on the:

(Date)

Employer's website at: town.conesus.ny.us

Official sign board at: 6210 S. Livonia Rd. Conesus, NY 14435

Main entrance Secretary or Clerk's office at: 6210 S. Livonia Rd. Conesus, NY 14435

(seal)

**Please type or print clearly  
in blue or black ink**

Employer Location Code

3 0 5 2 7

**Received Date**

## Standard Work Day and Reporting Resolution for Elected and Appointed Officials Continuation Form

**RS 2417-B**

{Rev.04/20}

Name	Social Security Number	NYS LRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
<b>Elected Officials:</b>									
Gary Sparks			Councilman/Deputy Supervisor		6 hr	8.5	<input type="checkbox"/>	monthly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
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							<input type="checkbox"/>		<input type="checkbox"/>
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							<input type="checkbox"/>		<input type="checkbox"/>
<b>Appointed Officials:</b>									
							<input type="checkbox"/>		<input type="checkbox"/>
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							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
Town of Canastota									

Employer: Town of Conesus

Location Code: 30527

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\_\_\_\_(use with form RS 2417-A)

**DISCUSSION HIGHWAY LAW SECTION 149 PERMIT**

**RESOLUTION #35 ISSUANCE OF HIGHWAY LAW SECTION 149 PERMIT FOR SERVICE**

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

ADOPTED AYES 5 NAYS 0

WHEREAS, the Town of Conesus has received a request from Spectrum Northeast, LLC pursuant to Highway Law Section 149 for a permit from the Town Highway Superintendent to allow directional drilling underneath McGinty Road in order to place conduit with coax feed able to provide services to 6154 McGinty Road; (the "work"); and

WHEREAS, the Town Board is agreeable to the issuance of such permit, subject to approval by the Town Highway Superintendent (including so long as the request/permit is made on a form agreeable to the Highway Superintendent and so long as the permit is subject to any conditions required of the Town Highway Superintendent.

RESOLVE that the Town Board hereby consents to the issuance of a permit for the work as described herein, subject to the final approval of the Town Highway Superintendent.

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

**PUBLIC COMMENTS:**

Councilman Butterbrodt announced that on May 31, Honor Flight departs the Rochester Airport and returns on June 1 for anyone that would like to welcome the Veterans back from their trip.

**RESOLUTION #36 ACCEPT THE CLAIMS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to pay the vouchers in the following amounts:

General Fund: Vouchers #102 - #154 totaling \$45,584.23

Highway Fund: Vouchers #62 - #83 totaling \$14,071.73

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

**DISCUSSION ADJOURN MEETING**

On a motion of Councilman Fama and seconded by Councilman McCarty, the meeting was adjourned at 8:35 PM

Respectfully submitted,

Julie C. Shutt

Julie C. Shutt, Town Clerk