

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 2nd day of September 2025 at 7:00 PM.

PRESENT:

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

ABSENT:

Jerome Butterbrodt	-----	Councilman
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Others Present: Code Enforcement Officer, Ron Maxwell, Mary Underhill Conesus Lake Watershed Manager/Planner, and approximately 5 other guests

Supervisor Wester opened the meeting at 7:00 PM with a moment of silence. Councilman McCarty led us in the Pledge of Allegiance.

PRIVILEGE OF THE FLOOR:

Mary Underhill, Conesus Lake Watershed Manager/Planner from Livingston County updated us on the Conesus Lake Watershed Management Plan Update. She also shared the Conesus Lake Watershed Council 2024 Annual Report. The Conesus Lake Watershed Management Plan is 20 years old and in need of updating. The new plan is done and close to being made official. There is one more meeting for the public to give input on September 29th at 7:00 PM in Room 205/208 of the Livingston County Government Center in Geneseo. The new plan is over 200 pages long, has 8 goals and 55 recommendations total that fall under those goals. Senator Pam Helming has been very interested and invested in the Conesus Lake Watershed Management Plan. She will continue to stay involved – likely on an every other month basis. Senator Helming believes that we don't need more local laws, but rather, more follow-through on the laws already in existence. Assemblywoman Andrea Bailey will also become involved. There were only 5 HABS (Harmful Algae Blooms) reported/positively identified this summer. There were two false reports of Hydrilla.

ANNOUNCEMENTS AND COMMUNICATIONS

Next Town Board Meeting will be Tuesday, October 7, 2025 at 7:00 P.M.

DISCUSSION: TOWN CLERK'S MINUTES

RESOLUTION #62 ACCEPT THE TOWN CLERK'S MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE that the Town Board accepted the Town Clerk's minutes of May 6, 2025, and requests they be posted on the Town of Conesus website.

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

RESOLUTION #63 ACCEPT THE TOWN CLERK'S MINUTES

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

ADOPTED AYES 3 NAYS 0 ABSENT 1 ABSTAIN 1

RESOLVE that the Town Board accepted the Town Clerk's minutes of Special Meeting May 27, 2025, and requests they be posted on the Town of Conesus website.

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

RESOLUTION #64 ACCEPT THE TOWN CLERK'S MINUTES

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

ADOPTED AYES 3 NAYS 0 ABSENT 1 ABSTAIN 1

RESOLVE that the Town Board accepted the Town Clerk's minutes of June 3, 2025, and requests they be posted on the Town of Conesus website.

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

RESOLUTION #65 ACCEPT THE TOWN CLERK'S MINUTES

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

ADOPTED AYES 3 NAYS 0 ABSENT 1 ABSTAIN 1

RESOLVE that the Town Board accepted the Town Clerk's minutes of July 1, 2025, and requests they be posted on the Town of Conesus website.

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

DISCUSSION: SUPERVISOR'S REPORT

Not available at this time.

DISCUSSION: TOWN CLERK'S REPORT

RESOLUTION #66 ACCEPT THE TOWN CLERK'S REPORT

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

ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE that the Town Board accepted the Town Clerk's monthly report for August 2025 as follows:

Total Local Shares Remitted \$1,223.26

New York State Department of Health \$22.50

NYS Ag. & Markets for spay/neuter program \$13.00

NYS Environmental Conservation \$0.00

TOTAL \$1,258.76

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

ASSESSOR'S REPORT

None submitted

Highway Department Report

Highway Superintendent Dan Marusiak updated us on the following:

The new 2026 truck has arrived. It is at Western Star in Batavia. The crew wrapped up the North McMillan Creek Project today. Mowing is continuing. They will soon start wedging roads. They were able to access a driveway to make the creek project much easier without entering the creek with all of the equipment.

Code Enforcement Report

Code Enforcement Officer Ron Maxwell updated us on the following:

The office is caught up on complaints. NYS building code is changing on Dec. 31, 2025. Many people are worried that they won't be able to install anything gas in their new builds. The recommendation is to have plans in early in December so that they can be stamped received before the change takes place.

Conesus Lake Association Update

Councilman John Fama updated us on the following:

The program on September 27 from 1:00 PM to 4:00 PM is a collaboration between Chip Holt and the Watershed Education Center: "Learn About Living in the Watershed." It is a family program. Go to conesuslake.org to register.

Livingston County Updates

Supervisor Wester updated us on the following: Solar hot topics – prime farm land. County planning board had 1 subdivision.

Board of Supervisors are busy with the budget process beginning. Ian Coyle is back part-time to assist with meeting with department heads to work on the budget process.

There are some personnel issues at the county level but they are working through it. Folks are stepping up to the plate to keep the county running smoothly.

Zoning Board of Appeals Update

No new business

HIGHWAY SHOP REPAIR PROJECT UPDATE

Deputy Supervisor Sparks updated us on the following:

Things have slowed down since the floor was poured. They waited at least 60 days to seal or put weight on the floor. They are currently doing a moisture test on the floor and will “rough up” the floor for the epoxy to better adhere.

There has been a lot of talk about the seal that will go on the floor. There is talk about possibly making it slip resistant. The doors are currently being worked on. There’s some pressure to finish the project in time for the Highway crew to get in and use the building to ready trucks and such for winter.

DISCUSSION: PARK ROOF BIDS

The bids for a new roof on the log cabin and new roof on the gazebo currently are submitted with a metal roof on the gazebo and wooden shingles on the cabin. Since the bid specification packets were created, it has been found out that the Town does not have to put wooden shingles on the cabin. There are some metal materials that look similar to the wooden shingles. The Town Board feels the prices are very high. The gazebo roof is the highest priority at this point to wrap up that improvement project on that structure. The Town Board wishes to look into doing the gazebo roof by way of RFP (Request for Proposal)

RESOLUTION #67/2025

To Reject Responses to the Call for Bids for the Ricky Greene Park Roof Repairs Project

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

ADOPTED AYES 4 NAYS 0 ABSENT 1

WHEREAS, earlier this year, the Town of Conesus called for bids relative to cabin and gazebo roofing repair/replacement at Ricky Greene Park, all in accord with a Bid Package issued for the same, and received a number of bids relative to the same; and

WHEREAS, however, upon further review, the Town Board has found that quoted prices in the responses exceed those expected and/or acceptable to the Town at this time; and

WHEREAS, the Bid Package permits the rejection of all bids; and

WHEREAS, the Town would like to look further into the matter to determine how it might better control costs relative to this matter.

NOW, THEREFORE, BE IT RESOLVED, that, relative to the call for bids for the roof replacement/repair project at Ricky Greene Park in the Town of Conesus, NY, the Town rejects all bids/responses/proposals.

Roll Call Vote:

Supervisor Wester – Aye, Deputy Supervisor Sparks – Aye,
Councilman Butterbrodt – Absent, Councilman Fama – Aye, Councilman McCarty – Aye

DISCUSSION: PARK SIDEWALK BIDS

Supervisor Wester is discouraged by the prices set forth for the Ricky Greene Park Project bids: both sidewalks and roofs on gazebo and cabin. He reminded all that it is not his decision and is Town Board decision. Deputy Supervisor Sparks mentioned that there is a wide range of bids with a very different range from the lowest bid to the highest bid. This sidewalk will go from the parking lot to the upper pavilion where there currently is no sidewalk and then from there to the bathrooms. This will include an ADA compliant railing which may be the most expensive part of the project. The Town has a \$20,000 grant for the sidewalk from Livingston County ARPA.

RESOLUTION #68/2025 Award Contract for Ricky Greene Park – Sidewalks Project

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

ADOPTED AYES 4 NAYS 0 ABSENT 1

WHEREAS, the Town Board of the Town of Conesus (the “Town”) has found that additional sidewalks are necessary at Ricky Greene Park in the Town of Conesus in order to facilitate pedestrian circulation within the Park (the “Project”), and the Town has duly called for bids for the Project, including consistent with the bid package and bid specifications prepared by MRB Group on behalf of Town relative to the Project; and

WHEREAS, bids for the Project received by the Town were publicly opened; and

WHEREAS, the lowest responsible bidder was identified as Holley Construction, LLC, 2697 Lakeville Rd., Suite 2, Avon, NY 14414, with a total price (inclusive of both Sidewalk A and Sidewalk B) of \$49,500.00; and

WHEREAS, the Town Board has previously addressed SEQR relative to the Project, including issuing a negative declaration in relation thereto.

NOW, THEREFORE, BE IT, RESOLVED, that the Town hereby acknowledges and accepts the bid of Holley Construction, LLC, 2697 Lakeville Rd., Suite 2, Avon, NY 14414, for the Project, with a total price of \$49,500.00, and hereby awards the contract for the Project to Holley Construction, LLC, the lowest responsible bidder, for the total price of \$49,500.00 (forty-nine thousand five-hundred dollars and zero cents), all in accord with the Town’s “Contract Documents” (also sometimes known as and referred to as the “bid package”) associated with the Project; and, be it further

RESOLVED, that a notice of this award be sent to Holley Construction, LLC, 2697 Lakeville Rd., Suite 2, Avon, NY 14414; and, be it further

RESOLVED, that the Town is authorized to proceed with the Project in accord with the Contract Documents (including, e.g., that insurance, bonds, etc. as required by the Contract Documents shall be provided by the winning bidder, etc.), including that an agreement be required to be executed as per the Contract Documents; and, be it further

RESOLVED, that a written agreement in the form provided by the Town consistent with the Contract Documents shall be promptly executed by Holley Construction, LLC, and provided to the Town, all in accord with the Contract Documents, and further that the Supervisor is hereby authorized to execute the same; and, be it further

RESOLUTION #68/2025 Award Contract for Ricky Greene Park – Sidewalks Project

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RESOLVED, that any and all payments to Holley Construction, LLC are authorized to be made in accordance with the Bid Documents, said executed agreement and this Resolution; and, be it further

RESOLVED, that the costs of the Project, \$49,500.00, which total cost is hereby authorized, shall be paid for via a combination of any available and eligible grant funds, if any, with the remainder, up to the total Project cost, to be paid from the Town's Park fund(s), including but not limited to from any available donations or funds received from the Town for use at Ricky Greene Park.

Roll Call Vote:

Supervisor Wester – Aye, Deputy Supervisor Sparks – Aye,
Councilman Butterbrodt – Absent, Councilman Fama – Aye, Councilman McCarty – Aye

DISCUSSION: HOMETOWN HERO BANNERS

There has been some interest show by residents in proceeding with the Hometown Hero Banner concept. The Town Board is seeking someone who may like to head up this project and organize it. More information and interest will be looked into.

DISCUSSION: CFO AUDIT

Councilman Butterbrodt and Deputy Supervisor Sparks conducted an audit on Supervisor Wester in his role of Chief Financial Officer of the Town. The audit format used is directly from the NYS Comptroller's Office. This is something that has not been done in many years – since before Supervisor Wester took office. The suggestions brought forth were for him to have a lock box for any deposits that will not go immediately to the bank and a numbered receipt book for any monies he receives. No errors or problems of note were discovered in the audit.

Supervisor Wester took a moment to go off tangent and thanked the Town Board and the entire team that currently keeps the Town of Conesus running.

DISCUSSION: AED & CPR TRAINING

In addition to the Town getting two new AEDs (one for Town Hall and one for Highway Dept), the Conesus United Church purchased an AED and would like to have training. They offered the church hall as a training location. Councilman McCarty will look into how many from the Town will be interested in training. The Conesus Legion Auxiliary is also interested in CPR training. Councilman McCarty will take these numbers back to the Livonia Ambulance who will provide training for both AED and CPR.

DISCUSSION: RECYCLING CENTER DIRECTOR

Dan Walkley will be retiring. The position will need to be filled, but the Town Board is re-examining the way the Recycling Center operates with the purchase of permits and tickets. It may be fiscally a much better choice to have all monies run through the Town Clerk's office. There will be discussion and meeting with Livonia for direction and possibly more support from them.

PUBLIC COMMENTS:

Charlie Dickerson asked about cemetery records and where they would be kept.

DISCUSSION: PAYMENT OF VOUCHERS

RESOLUTION #69 ACCEPT THE CLAIMS

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

ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to pay the vouchers in the following amounts:

General Fund: Vouchers #237 - #275 totaling \$29,195.81

Highway Fund: Vouchers #128 - #146 totaling \$213,991.25

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

DISCUSSION: ADJOURN THE MEETING

RESOLUTION #70 TO ADJOURN MEETING

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

ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to adjourn the meeting at 8:55 PM.

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

Respectfully submitted,


Julie C. Shutt

Julie C. Shutt, Town Clerk