

A public hearing on Local Law 1-2025, a public hearing on the Preliminary 2026 Budget and 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 November, 2025.

PRESENT:

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

OTHERS PRESENT: Ron Maxwell, Code Enforcement Officer and approximately 4 other guests.

- Supervisor Wester opened the meeting with a moment of silence.
- Deputy Supervisor Sparks led us in the Pledge of Allegiance.

Public Hearing Local Law 1-2025 – Override Tax Levy Limit

Opened at 7:10

Closed at 7:15

Public Hearing 2026 Preliminary Budget

Opened at 7:15

Closed at 7:18

Regular Town Board Meeting

Opened at 7:18

Announcement:

Next meeting, Tuesday, December 2, 2025

Privilege of the Floor:

Heather Ferraro from Livingston County Planning informed us of the History of Town of Conesus Grants in partnership with Livingston County.

Heather anticipates that the next project that is grant funded, the NYSDEC Water Quality Improvement Program 2021-2026, will begin in the spring/summer of 2026. This project is a ditch remediation project on Jones Hill Rd. in the Town of Conesus.

DISCUSSION: SUPERVISOR'S OCTOBER REPORT

RESOLUTION #79 ACCEPT SUPERVISOR'S REPORT

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

ADOPTED AYES 4 NAYS 0 ABSTAIN 1

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

Receipts

General Fund \$53,214.34
Highway Fund \$7,330.02
Special Districts \$0.00
TOTAL: \$60,544.36

Disbursements:

General Fund \$216,318.38
Highway Fund \$83,705.14
Special Districts: \$0.00
Cell Tower: \$0.00
TOTAL: \$300,023.52

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

DISCUSSION: TOWN CLERK'S OCTOBER REPORT

RESOLUTION #80 ACCEPT TOWN CLERK'S REPORT

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 accepted the Town Clerk's monthly report for October 2025 as follows:

Total Local Shares Remitted \$2,455.48
New York State Department of Health \$0.00
NYS Ag. & Markets for spay/neuter program \$31.00
NYS Environmental Conservation \$0.00
TOTAL \$2,486.48

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:

HIGHWAY REPORT

Highway Superintendent Marusiak updated us on the following:

The crew is getting ready for ice and snow. A cylinder is broken on mow tractor, so pretty much done with that for the season.

CODE ENFORCEMENT REPORT

Code Enforcement Officer Ron Maxwell updated us on the following:

The office has been inundated with phone calls about what to do to get plans in before the new code comes in Jan. 1, 2026. On the new code, there's an exemption on generators for using fossil fuels. Modular homes, however, can use fossil fuels. He's issuing a lot of permits for barns. A big pole barn just went up down on East Lake Rd.

ZONING BOARD OF APPEALS REPORT

No new business to report.

DISCUSSION UPDATES ON KEY ISSUES CONTINUED:

LIVINGSTON COUNTY UPDATES

Supervisor Wester updated us on the following:

The county is in the middle of budget process. Ian Coyle has returned as a consultant to help with the county budget. Livingston County Watershed Council meets next week. There are a lot of people complaining about the lake levels, but it's Mother Nature. Don went to the Conesus Lake Association Annual Meeting and really learned a lot. With the drought and weather we have been having, we are losing 9 million gallons of water a day through evaporation. Temperature, precipitation, etc. of course play a role. Supervisor Wester and Councilman Fama have both been around the lake all their lives and they do not recall the lake being this low before.

RICKY GREENE PARK UPDATE

Councilman Butterbrodt updated us on the following:

Councilman Butterbrodt met with Holley Construction and planned out where the sidewalk will go. Work will likely begin on Monday. We will likely need to replace a toilet in the men's room in the spring. The water is now shut off at the park until the spring. We will check the cabin roof again and double check if it needs replacing soon or not. There is no evidence that it is leaking.

UNFINISHED BUSINESS:

HIGHWAY BARN PROJECT UPDATE

Deputy Supervisor Sparks updated us on the following:

The contractors, Thompson Builds, say that they are done. Our engineer will look and confirm that the work is complete as it should be. Jeff Wilson has been our engineer for this project, and he has done an outstanding job throughout the process and has had great communication.

AED/CPR TRAINING UPDATE

Councilman McCarty updated us on the following:

Livonia Ambulance is willing to train us as Town officials and employees for AED and CPR on November 20th at 6:00 PM. Councilman McCarty will see if he can get daytime session for the Highway Dept.

DISCUSSION: UPCOMING FOOD DRIVE

The Town Board has acknowledged that there will be a food drive at the CLEAN Recycling Center on November 15, 2025. Any food collected will be split between the Little Lakes Community Center food pantry and the Conesus-Webster Crossing Food Pantry.

DISCUSSION: ROAD DITCH REMEDIATION MOU

RESOLUTION #81-2025 TO APPROVE ROAD DITCH REMEDIATION MOU BETWEEN LIVINGSTON COUNTY AND THE TOWN OF CONESUS

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

ADOPTED on November 6, 2025

AYES- 5 NAYS- 0

WHEREAS, in sum, the County of Livingston has secured grant funds to pay the costs of various ditch remediation work in the County, including in the Town of Conesus; and

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 Jones Hill Road in the Town of Conesus, 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

RESOLUTION #82-2025 TO APPROVE ROAD DITCH REMEDIATION PROJECT IN ACCORD WITH MOU BETWEEN LIVINGSTON COUNTY AND THE TOWN OF CONESUS

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

ADOPTED on November 6, 2025

AYES- 5 NAYS- 0

WHEREAS, in sum, the County of Livingston has secured grant funds to pay the costs of various ditch remediation work in the County, including in the Town of Conesus; and

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 Jones Hill Road in the Town of Conesus, while other costs, including materials, would be covered via reimbursement by grant proceeds; and

WHEREAS, the Town Board has approved such MOU, which is attached hereto and made a part hereof.

NOW, THEREFORE, BE IT, RESOLVED, that, the Town Board hereby approves proceeding with the project as described in the MOU, including approving the cost thereof, inclusive of the use of Town labor for such project as well as the use of Town equipment, with payment for materials and equipment rental subject to reimbursement per the MOU, all in accord with the MOU, all subject to law and any other requirements; and, be it further

RESOLVED, that this resolution is subject to permissive referendum.

Vote of the Board:

Councilman Butterbrodt – Aye

Councilman Fama- Aye

Councilman McCarty – Aye

Deputy Supervisor Sparks – Aye

Supervisor Wester – Aye

NEW BUSINESS:

DISCUSSION: ADOPTING LOCAL LAW 1-2025 – OVERRIDE TAX LEVY LIMIT

While the 2026 Preliminary Budget does not exceed the tax levy limit, it is in the best interest of the Town to adopt a local law to override the tax levy limit in the event that it should occur.

RESOLUTION #83 TO ADOPT LOCAL LAW 1-2025 – OVERRIDE TAX LEVY LIMIT

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board adopts Local Law 1-2025 as follows:

LOCAL LAW NO. 1-2025 TO OVERRIDE THE TAX LEVY LIMIT FOR THE FISCAL YEAR 2026

BE IT ENACTED, by the Conesus Town Board, Town of Conesus, Livingston County, State of New York, as follows:

Section I. Authorization

This local law is adopted pursuant to General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. _____ -2025 to Override the Tax Levy Limit for the Fiscal Year 2026. The purpose of this Local Law is to override the tax levy limit established at New York General Municipal Law Section 3-C for the fiscal year 2026.

Section III. Legislative Finding

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Conesus, pursuant to General Municipal Law §3-c, and to allow the Town of Conesus to adopt a budget for the fiscal year 2026 that requires a real

LOCAL LAW NO. 1-2025 TO OVERRIDE THE TAX LEVY LIMIT FOR THE FISCAL YEAR 2026 CONTINUED

property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c. The Town Board finds such override will allow the Town to continue to effectively manage and maintain the health of the finances of the Town.

Section IV. Tax Levy Limit Override

The Town Board of the Town of Conesus, County of Livingston, is hereby authorized to adopt a budget for the fiscal year 2026 that requires a tax levy that is greater than the tax levy limit otherwise prescribed by General Municipal Law Section 3-c.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other Ordinances or Local Laws of the Town of Conesus which are in conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect during its effective period.

Section VII. Effective Date

This Local Law, after its adoption by the Town Board of the Town of Conesus, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

Roll Call Vote:

Supervisor Wester: Aye

Deputy Supervisor Sparks: Aye

Councilman Butterbrodt: Aye

Councilman Fama: Aye

Councilman McCarty: Aye

DISCUSSION: ADOPTING THE TOWN BUDGET FOR 2026

RESOLUTION #84 TO ADOPT THE ANNUAL BUDGET FOR TOWN OF CONESUS FOR 2026

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Town Board agrees to adopt the 2026 Preliminary Budget as the 2026 Adopted Budget.

Roll Call Vote:

Supervisor Wester: Aye

Deputy Supervisor Sparks: Aye

Councilman Butterbrodt: Aye

Councilman Fama: Aye

Councilman McCarty: Aye

DISCUSSION: NOISE ORDINANCE/LOCAL LAW 1-2004

Town Attorney, Don Young shared his thoughts and suggests a small work group with him and a couple of Board members.

DISCUSSION INTERSECTION OF ROWLAND RD/RTE 15

Supervisor Wester shared an experience of a resident on Rowland Rd. as well as his own recent experience where Rowland Rd. meets Rte. 15. It is very difficult to see when turning from Rowland Rd. onto Rte. 15. He shared this with the Livingston County Traffic Safety Board as well. Highway Superintendent Marusiak shared how difficult it is to pull out there with the plow truck, dump the snow, and then back up again (Rowland Rd. is a town road, Rte. 15 is a state road). The Town Board feels there is enough to ask NYSDOT to conduct a traffic study. These studies can sometimes take years.

RESOLUTION #85 TO REQUEST TRAFFIC STUDY AND REDUCTION OF SPEED ON ROUTE 15

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

ADOPTED on November 6, 2025

AYES- 5 NAYS- 0

RESOLVE that the Town Board of the Town of Conesus requests a traffic study to be conducted on State Route 15 (South Livonia Rd) between Niver Rd. and Footes Corners Rd.

FURTHER RESOLVE that the Town Board of the Town of Conesus requests that the speed on State Route 15 (South Livonia Rd) be reduced - specifically near the intersection of Rowland Rd. and State Route 15 (South Livonia Rd).

Vote of the Board:

Councilman Butterbrodt – Aye

Councilman Fama- Aye

Councilman McCarty – Aye

Deputy Supervisor Sparks – Aye

Supervisor Wester – Aye

DISCUSSION: EXTENSION OF LIVINGSTON COUNTY HIGHWAY INTERMUNICIPAL AGREEMENT

RESOLUTION #86 TO EXTEND HIGHWAY INTERMUNICIPAL AGREEMENT

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

ADOPTED on November 6, 2025

AYES- 5 NAYS- 0

RESOLVE that the Town Board of the Town of Conesus has agreed to extend the Intermunicipal Agreement with Livingston County Highway Department for Equipment, Machinery, Tools, and Services Sharing

FURTHER RESOLVE that the Town Board of the Town of Conesus agrees to an additional term of one (1) year to terminate on December 31, 2026. This is the third of five renewal options being exercised under the originally executed Agreement.

FURTHER RESOLVE that for this renewal year, the Town of Conesus agrees to a 5% increase in pricing for equipment, machinery, and tools effective as of January 1, 2026.

FURTHER RESOLVE that the Town of Conesus agrees to all other terms and conditions of the Intermunicipal Agreement originally made effective January 1, 2023.

Vote of the Board:

Councilman Butterbrodt – Aye

Councilman Fama- Aye

Councilman McCarty – Aye

Deputy Supervisor Sparks – Aye

Supervisor Wester – Aye

DISCUSSION: UNION CONTRACT

RESOLUTION #87-2025 TO ACCEPT UNION CONTRACT

On motion of Councilman Fama, and seconded by Councilman McCarty, the following resolution was **ADOPTED** on November 6, 2025
AYES- 5 NAYS- 0

RESOLVE that the Town Board of the Town of Conesus has agreed to accept the Union Contract for Highway Department Employees effective January 1, 2026 through December 31, 2029 as follows:

The following modifications and additions represent agreements negotiated between the Town of Conesus and The Town of Conesus Highway Association affiliated with CWA Local 1170 and conclude negotiations to a successor agreement. This stipulation is contingent upon the ratification by the membership.

Article 3 – Compensation

Section 3.1

2025 Hourly Rate

HMEO \$28.66
MEO \$26.57

Effective January 1, 2026

2026 Hourly Rate Increase \$2.50/hr + 5% = \$32.72

Effective January 1, 2027

2027 Hourly Rate Increase by 5% = \$34.36

Effective January 1, 2028

2028 Hourly Rate Increase by 4% = \$35.73

Effective January 1, 2029

2029 Hourly Rate Increase by 4% = \$37.16

Supporting Information Below:

Inflation

2021 7%
2022 8%
2023 4.12%
2024 2.89%
2025 3.04%

Effective January 1, 2021

2021 Hourly Rate

	2022	2023	2024	2025	2026
HMEO \$25.96	\$27.78	\$30.00	\$31.24	\$32.14	\$33.10
MEO \$24.07	\$25.75	\$27.81	\$28.96	\$29.80	\$30.69

Inflation Rates Above

Section 3.2 Part Time Employees

\$18.00 to \$21.00 per hour

RESOLUTION #87-2025 TO ACCEPT UNION CONTRACT

-CONTINUED-

Article 12 – Health Insurance

Section 12.1 Modify:

All employees shall be eligible to forego coverage and be eligible for lump sum payment of \$2,500.

Section 12.2

c) Employees who become full time after January 1, 2018, shall contribute the following amounts toward the monthly premium for their health care coverage:

0-2 years	25%	20%
3-10 years	20%	15%
11-15 years	15%	10%
16-20 years	10%	10%
21-25 years	5%	5%
26 years or more	0%	0%

Section 12.5

Effective January 1, 2022, the Town will pay \$70.00 per month for each employee to the Union's Health and Welfare Fund.

Article 13 – Sick Leave

Modify: Employees shall be allowed to accumulate all unused sick, personal, vacation, catastrophic, or compensatory days at 100% value to their future monthly payments of health care premiums, which they are fully responsible for.

Article 16 – Holidays

Section 16.1 Full time employees covered by this Agreement shall be entitled to thirteen (13) paid holidays per year and Juneteenth.

Article 22 – Term of Agreement and Future Negotiations

Section 22.1 Update Dates

Section 22.2 Update Dates

Vote of the Board:

Councilman Butterbrodt – Aye

Councilman Fama- Aye

Councilman McCarty – Aye

Deputy Supervisor Sparks – Aye

Supervisor Wester – Aye

DISCUSSION DOG CENSUS

Town Clerk, Julie Shutt, brought up the idea of doing a dog census to be included in the mailing of tax receipts for the 2026 Town and County Tax bills. Receipts are mandatory and including the dog census would eliminate the need for an additional mailing. Livingston County Dog Control is in favor of this approach as door-to-door enumerations are no longer safe to conduct. Livingston County Dog Control feels that if one town in the county conducts this dog census, all must do so. Clerk Shutt will be discussing this with fellow Town Clerks at the Livingston County Town Clerk's Association meeting on November 12th.

PUBLIC COMMENTS:

- Charlie Dickerson came up with a question regarding NYCLASS interest. He informed us of an article about reducing salt going into the lake.
- Richard Corrigan asked about the Union Contract for the Highway Dept. It is a 3 year contract.

DISCUSSION: PAYMENT OF VOUCHERS

RESOLUTION #88 ACCEPT THE CLAIMS

On a motion of Councilman McCarty 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 #299 - #326 totaling 21,921.83

Highway Fund: Vouchers #163 - #193 totaling \$53,678.22

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

DISCUSSION ADJOURN MEETING

Supervisor Wester thanked all for the privilege of their time.

On a motion of Councilman Fama and seconded by Councilman McCarty, the meeting was adjourned at 8:55 PM.

Respectfully submitted,



Julie C. Shutt, Town Clerk