

**Regular Monthly Meeting
Avon Town Board
February 12, 2026**

The Regular Monthly Meeting of the Town Board of the Town of Avon was held February 12, 2026, with start time of 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee St, Avon, NY 14414.

Supervisor LeFeber called the meeting to order and led in the Pledge of Allegiance.

PRESENT: Supervisor David LeFeber
 Deputy Supervisor Thomas Mairs
 Councilman Paul Drozdziel
 Councilman Malachy Coyne
 Councilman Collin Hayes
 Town Clerk Faye Beshures

OTHERS: Attorney James Campbell, Engineer Dave Willard

ATTENDEES FROM SIGN-IN SHEET: Jim Harrington, Cindy Kellen, Ellen Turner, Robert Westfall, Kathy Cole

RESOLUTION 26-2026

APPROVAL OF JANUARY 22, 2026 MINUTES

On motion of Deputy Supervisor Mairs seconded by Councilman Hayes the following resolution was ADOPTED – Aye – LeFeber, Mairs, Coyne, Hayes Nay – 0 Absent – 0 Abstain Drozdziel

RESOLVED, that the minutes of January 22, 2026 be approved as presented and request they be published to the Town of Avon’s website at www.avon-ny.gov.

DEPARTMENT REPORTS

JIM CAMPBELL – ATTORNEY

Attorney Jim Campbell updated the Board on the following:

- Attorney Campbell reported that today marked the official closing of the bond anticipation renewal for the third-floor renovation project.
- Attorney Campbell discussed the PILOT payment received from Avon on the Green and reviewed the distribution of funds among the Town, Village, and School. Supervisor LeFeber stated that the funds will be vouchered to the Village and the School at the next meeting.
- Attorney Campbell discussed the Carson Energy Battery Energy Storage System project located near Niagara Scenic Tours. The Town received notice that the utility company has approved only two 5-megawatt facilities, as opposed to three 5-megawatt facilities as originally intended. This change to the project is due to capacity limitations on the utility company side. As a result, Carson Energy will be revising its proposed project plans and is expected to submit a formal application with the revised plans within the next few weeks.
- Supervisor LeFeber stated that he has several questions regarding the Carson Energy project, noting that he has been reviewing reports of incidents involving battery energy storage systems and believes additional information is needed. A brief discussion followed with Councilman Coyne and Attorney Campbell regarding advancements in battery storage technology. Attorney

Campbell advised the Board that members should submit their questions via email to begin a dialogue, allowing adequate time for research and consideration of whether the project is appropriate for the Town.

- Attorney Campbell reported that discussions were held regarding a water supply agreement with Anderson Farms for its dairy operations. He advised that a draft water supply agreement was prepared and emailed to the Board, outlining the expectations of both Anderson Farms and the Town. A discussion followed between the Board and Attorney Campbell. Attorney Campbell stated that, if the agreement meets the Board's approval, the Board may authorize the Supervisor to execute the agreement on behalf of the Town to move the matter forward.
- Engineer Willard inquired whether the Village should be notified of the execution of the agreement. Supervisor LeFeber responded that the Village can be informed at the joint workshop meeting scheduled for the 26th.

RESOLUTION 27-2026

WATER SUPPLY AGREEMENT WITH ANDERSON FARMS

On motion of Deputy Supervisor Mairs seconded by Councilman Coyne the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board accepts Supervisor LeFeber signing the Water Supply Agreement with Anderson Farms.

THOMAS CRYE – HIGHWAY DEPARTMENT

Highway Superintendent Thomas Crye was absent and sent the Board his report which included the following:

Highway Department

- The Highway Department crew has been busy with snow removal.
- Routine maintenance on Town equipment has been completed.

Water Department

- Routine daily maintenance and water sampling were conducted by the Water Department.
- The Water Department reported that meter readings were completed.

BRIAN SHANNON – CODE ENFORCEMENT

Code Enforcement Officer Brian Shannon was absent and sent the Board his report which included the following:

- Continued work on permits; noted fewer site visits since the last meeting.
- Addressed one active complaint.
- Conducted a site visit to the area near the railroad where retention ponds are being installed; no activity was observed at the time of the visit.
- Reported that Kleis Equipment is making progress on the building project, with framing currently underway.
- Reported that the Old Stratford Motel project is nearing completion but remains ongoing. Met with the owner and the fire alarm company; the facility currently has 24-hour monitoring service in place, and the East Avon Fire Department has been notified.

- Reported that the dispensary located at 1745 Lakeville Road is currently working on the installation of a fire alarm system. A site meeting was held with the alarm company; no definitive timeframe is available at this time.
- Fire inspections are scheduled for the end of the month.
- Continued work related to the property located at 2750 Avon–Geneseo Road (red house at the corner of Avon–Geneseo Road and South Avon Road).

DAVE WILLARD – ENGINEER

Dave Willard of MRB Group updated the Board on the following items:

- Engineer Willard reported that the Anderson Farms engineer needs to make a few minor adjustments to the report and plans.
- Engineer Willard also discussed the upcoming joint workshop meeting scheduled for the 26th with the Town, Village, and Fire Department. He noted that repairs to the water tower hatch were mentioned and will be discussed further at the joint meeting.
- Engineer Willard advised that concept designs and the required study for Sackett Road and Pole Bridge Road have been completed, including culvert sizing. He stated that the team is prepared to make a recommendation on materials and discussed the potential use of Lane Construction for material supply, with consideration of aluminum and/or coated steel culverts.
- The Board discussed the anticipated project timeline once construction begins, with an estimated duration of approximately four weeks for Sackett Road. Discussion also included the type of fill to be used, potential protective measures for the culverts related to the fill material, and whether a single bid would be issued for both roads. Engineer Willard confirmed that one bid could be used and that both projects could be completed within one year.
- The Board discussed the possibility of preordering materials around May, pending approval.
- The proposed estimate for the two road projects is approximately \$2,356,000.00, with the Town responsible for a 20% local share. Discussion was held regarding borrowing up to \$2.75 million to provide a financial cushion.
- SEQR paperwork was distributed for Board review, with the stated goal of adopting a resolution declaring the Town’s intent to act as lead agency. A list of involved and interested agencies was also provided.
- It was discussed that coordination packages, including concept plans, will be prepared and distributed to all agencies with a response form allowing 30 days for comment. MRB will handle this process.
- Supervisor LeFeber asked the Board if they were comfortable acting on the SEQR matter this evening, and the Board unanimously agreed.

RESOLUTION 28 -2026

SEQR APPROVAL PROCESS FOR SACKETT & POLE BRIDGE RD TO BE LEAD AGENT

On motion of Deputy Supervisor Mairs seconded by Councilman Drozdziel the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board shall proceed with sending out notification of its intent to act as lead agency for the SEQR review related to this project. MRB will send out the notices to the involved and interested agencies, which will commence the 30 day response period.

RESOLUTION 29-2026

SEQR APPROVAL FOR SUPERVISOR LEFEBER TO SIGN PART 1 OF THE ENVIRONMENTAL ASSESSMENT

On motion of Councilman Coyne seconded by Councilman Hayes the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board approved of Supervisor LeFeber signing part 1 of the Full Environmental Assessment Form for the Sackett and Pole Bridge Road repair project.

FAYE BESHURES – TOWN CLERK’S REPORT – JANUARY 2026

Town Clerk Faye Beshures presented the following report to the Board:

<u>Account#</u>	<u>Account Description</u>	<u>Fee Description</u>	<u>Qty</u>	<u>Local Share</u>
A1255	Marriage License Fees	Marriage License Fee	2	35.00
	Minor Sales	Certified Copies- Marriage	1	10.00
			Sub-Total:	\$45.00
A1410.4	EZ PassFee	EZ Pass	1	25.00
			Sub-Total:	\$25.00
A2544	Dog Licensing	Exempt Dogs	1	0.00
		Female, Spayed	20	180.00
		Female, Unspayed	1	12.00
		Male, Neutered	14	126.00
		Male, Unneutered	4	48.00
		Purebred Licenses	1	25.00
		Replacement Tags	1	3.00
			Sub-Total:	\$394.00
A2770	Minor Sales	Death Certificates	5	50.00
			Sub-Total:	\$50.00
B2115	Planning & Zoning	Zoning Compliance Letter	1	25.00
			Sub-Total:	\$25.00
B2555	Permits	Building Permit	4	276.40
			Sub-Total:	\$276.40
			Total Local Shares Remitted:	\$815.40
Amount paid to: New York State Department of Health				45.00
Amount paid to: NYS Ag. & Markets for spay/neuter program				55.00
Total State, County & Local Revenues:		\$915.40	Total Non-Local Revenues: \$100.00	

As of this date, Faye has collected approximately 90% of the 2026 Tax Warrant.

To date, Clerk Beshures has remitted the following funds:

- Town Budget, Fire Districts, and Library Districts: \$2,657,654.10
- Advance Payment to Livingston County: \$2,000,000.00 toward the County budget

In addition to tax collection activities, the following services were completed during the month of January:

- 3 Marriage License transactions
- 1 E-ZPass transaction
- 40 Dog Licenses issued
- 1 Dog Tag issued
- 5 Death Certificates issued
- 4 Building Permits processed
- 1 Zoning Compliance Letter issued

Total revenue collected for Clerk-related services for the month of January was \$915.40, distributed as follows:

- \$45.00 remitted to the New York State Department of Health
- \$55.00 remitted to New York State
- \$815.40 remitted to the Town Supervisor

Additionally, a separate check was issued to the Supervisor for funds remaining in the account from the prior year.

Activity to Date – February 2026

So far this month, the following services have been completed:

- 3 Marriage Certificate copies
- 10 Dog License renewals
- 4 Death Certificates issued
- 1 Building Permit processed

There has also been steady foot traffic in the office, including residents visiting the Court Clerk and Assessor's offices, as well as community members stopping in to offer their support and welcome.

Clerk Beshures stated that she continues to grow more confident in her role and is adjusting to the responsibilities of the office each day.

SUPERVISOR'S ITEMS – SUPERVISOR DAVID LEFEBER

DISCUSSION – MONTHLY BUDGET REPORTS

Supervisor LeFeber asked if the board had any questions with the reports and no one did

RESOLUTION 30-2026

APPROVAL OF MONTHLY BUDGET REPORTS

On motion of Deputy Supervisor Mairs seconded by Councilman Coyne the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board accepts the Monthly Budget Reports.

DISCUSSION – RECREATION BOARD RESIGNATION & APPOINTMENT

Supervisor LeFeber brought to the Board's attention a letter of resignation from Jody Rumfola from the

Recreation Board, as well as the appointment of Callum Pollok to fill the vacancy on the Recreation Board. A brief discussion followed.

RESOLUTION 31-2026

RECREATION BOARD RESIGNATION OF JODY RUMFOLA

On motion of Deputy Supervisor Mairs seconded by Councilman Drozdziel the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0
RESOLVED, that the Town Board accepts the resignation of Jody Rumfola.

RESOLUTION 32-2026

REMOVAL OF JODY RUMFOLA FROM THE COMPENSATION SCHEDULE

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0
RESOLVED, that the Town Board accepts the removal of Jody Rumfola from the Compensation Schedule.

RESOLUTION 33 -2026

RECREATION BOARD APPOINTMENT OF CALLUM POLLOK

On motion of Supervisor LeFeber seconded by Councilman Hayes the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0
RESOLVED, that the Town Board accepts the appointment of Callum Pollok to the Recreation Board.

RESOLUTION 34 -2026

ADDITON OF CALLUM POLLOK ON COMPENSATION SCHEDULE

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0
RESOLVED, that the Town Board accepts the placement of Callum Pollok to the Compensation Schedule at the rate assigned for those Board members.

DISCUSSION – EMERGENCY WATERSHED PROTECTION PROGRAM

Supervisor LeFeber announced that the Town has been awarded funding through a program administered by the Natural Resources Conservation Service (NRCS). Supervisor LeFeber and Attorney Campbell recently met with Dan Tithe, an NRCS representative, to review the program details. The funding structure consists of 75% federal funding and a 25% local match, which may be satisfied through in-kind services or a cash contribution by the Town.

Three projects have been identified under the program. It was proposed that two projects be undertaken in 2026, with the third scheduled for 2027. Engineering for the 2026 projects will be completed by the State engineer who conducted a site visit in September following storm damage.

The first proposed 2026 project is located on Reservoir Road. Storm damage altered the natural watercourse prior to its entry into the culvert beneath the roadway, shifting the flow closer to the road. If left unaddressed, future storm events could result in roadway damage. The proposed work includes clearing and restoring the channel area before the water enters the culvert and redirecting the stream to its pre-storm alignment. The Town will be required to obtain temporary work easements and approval from the DEC, as NRCS cannot directly obtain DEC approvals due to agency conflicts. Supervisor LeFeber noted that Dan Tide will work closely with the Town to assist with the approval process.

The second potential 2026 project is located on the east side of Sackett Road, between North Littleville Road and Sackett Road, where significant debris and wood accumulation currently restrict water flow. The proposed work includes debris removal and channel clearing to improve drainage and reduce future risk.

The third project, proposed for 2027, is located on North Littleville Road, where significant washout occurred during the June storm. It was determined that water flowing beneath North Littleville Road is redirected toward Sackett Road, causing channel erosion and instability. The recommendation is to stabilize and build up the banks and improve water flow management as it crosses the roadway.

Dave Willard noted that the North Littleville Road project aligns with the Town's non-point source planning study and may complement the Watershed Protection Grant, allowing the projects to work together.

Attorney Campbell stated that the program represents a significant opportunity for the Town and recommended informing the public through the Town's website. He noted that while the projects will not resolve all stormwater issues, they demonstrate the Town's proactive efforts to secure funding and address infrastructure concerns.

The Board, Attorney Campbell, and Dave Willard discussed the process for obtaining DEC approvals and securing the required work easements. Attorney Campbell advised that the first grant award totals \$174,000 and the second totals \$275,000. Supervisor LeFeber stated that the Town's total matching obligation would be approximately \$107,000.

Councilman Drozdziel asked how the Town became eligible for the grants. Supervisor LeFeber explained that he had been in communication with NRCS following the storm damage and that, in September, he toured the affected areas with the NRCS representative and the State engineer, which led to the development of the three proposed projects. Councilman Drozdziel commented that Supervisor LeFeber was instrumental in securing funding for the Town.

It was further noted that, when combined with previously secured funding for Papermill Park, the Watershed Program, the Joint Water Project, and the Sackett Road and Pole Bridge projects, the Town will have nearly \$3 million in funding available for infrastructure and improvement efforts.

The Board reiterated the importance of keeping residents informed through the Town's website to highlight the proactive steps being taken to secure funding and address infrastructure needs.

RESOLUTION 35-2026

APPROVAL FOR SUPERVISOR LEFEBER TO ADVANCE WITH GRANT WITH THE WATERSHED PROTECTION PROGRAM

On motion of Councilman Coyne seconded by Deputy Supervisor Mairs the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne Nay – 0 Absent – 0 Abstain- Hayes

RESOLVED, the Board authorizes Supervisor LeFeber to advance the two grant awards under the Emergency Watershed Protection Program, with the understanding that the Town's combined local match will be approximately \$107,000.

DISCUSSION – LEAD AGENCY – CNY FEEDS

Supervisor LeFeber asked the Board for consent for the Planning Board to take the lead on the CNY Feeds matter.

RESOLUTION 36 -2026

APPROVAL FOR LEAD AGENCY – CNY FEEDS

On motion of Deputy Supervisor Mairs seconded by Councilman Hayes the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board will consent to the Planning Board acting as the lead agency on the SEQR review.

DISCUSSION – USDA INVASIVE INSECT SURVEY

The Board agreed to proceed with the USDA Invasive Species Survey.

DISCUSSION – 3RD FLOOR USE REQUEST

A discussion was had about a resident of Avon requesting use of the 3rd floor on March 28th.

RESOLUTION 37-2026

APPROVAL OF 3RD FLOOR BUILDING USE

On motion of Deputy Supervisor Mairs seconded by Councilman Coyne the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board approves the usage of the 3rd floor for March 28th.

DISCUSSION – 3RD FLOOR USE REQUEST

A discussion was had about an organization requesting use of the 3rd floor on March 13th.

RESOLUTION 38-2026

APPROVAL OF 3RD FLOOR BUILDING USE

On motion of Supervisor LeFeber seconded by Councilman Coyne the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board approves the usage of the 3rd floor for March 13th.

DISCUSSION – 2ND FLOOR USE REQUEST

A discussion was had about an organization requesting use of the 2nd floor boardroom every Monday March 16th-May 18th from 8am-12:30pm.

RESOLUTION 39-2026

APPROVAL OF 2ND FLOOR BOARDROOM BUILDING USE

On motion of Supervisor LeFeber seconded by Councilman Drozdziel the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the Town Board approves the usage of the 2nd floor for every Monday March 16th-May 18th from 8am-12:30pm.

RESOLUTION 40-2026

ACCEPTANCE OF CLAIMS & PAYMENT OF BILLS

On motion of Deputy Supervisor Mairs seconded by Councilman Hayes the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the bills be paid in the following amounts:

Fund	Amount
General Fund	\$ 41,739.26

Highway Fund	\$ 29,143.67
Water Fund	\$ 61,493.24
Cemetery Fund	\$ No voucher
Opera Block Capital Improvement	\$ No voucher
Royal Springs Lighting	\$ 1,200.81
Cross Roads Drainage District	\$ No voucher
Bruckel Drainage District	\$ No voucher
Royal Springs Drainage	\$ No voucher
Town of Avon Fire Protection	\$ No voucher
Rte. 39 Water SW2	\$ No voucher

DISCUSSION – TRAFFIC & SAFETY REQUEST

Supervisor LeFeber advised the Board that the owner of the Dutch Hollow Store contacted him to request that the 40 mph speed zone be extended from the store to the DEC property.

RESOLUTION 41-2026

LIVINGSTON COUNTY TRAFFIC SAFETY BOARD

On motion of Supervisor LeFeber seconded by Councilman Coyne the following resolution was

ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that a request for a 40 mph speed zone from Dutch Hollow to the DEC be submitted to the Livingston County Traffic and Safety Board.

OPEN ITEMS – TOWN BOARD MEMBERS

DISCUSSION - GRANT

Councilman Drozdziel reported that he and Confidential Supervisor’s Secretary McDowell participated in a Zoom meeting regarding a potential grant opportunity. Although the grant was not awarded, Councilman Drozdziel stated that the meeting was very informative and recommended applying again in the future.

DISCUSSION – ANNUAL AUDITS

Deputy Supervisor Mairs announced that he will be conducting an audit of the Town Clerk and the Court Clerk on Wednesday, February 18, 2026. Deputy Supervisor Mairs also advised the Board that he will be unable to attend the February 26 meeting.

DISCUSSION – CNY FEEDS

Councilman Hayes inquired about the use of the CNY Feeds property. Attorney Campbell advised that no action can be taken until completion of the SEQR process.

VISITOR COMMENTS

Kathy Cole stated that she had intended to raise the issue of cleaning out the waterways on Sackett Road and maintaining ongoing preventative maintenance; however, she noted that Supervisor LeFeber had already addressed the matter earlier in the meeting.

Cindy Kellen asked the Board about activity at the campground near the Niagara Scenic bus tour location involving the importation and hauling of dirt, and inquired as to how much work may be performed without requiring DEC involvement.

VISITOR COMMENTS:

Ellen Turner suggested that the Town notify the newspaper regarding the recently awarded grants and the concerns of the battery energy storage projects. Ms. Turner also commented favorably on the format and level of detail in Clerk Beshures' meeting minutes, noting that they are interesting and informative.

Jim Harrington questioned Attorney Campbell regarding the battery energy storage project, specifically whether National Grid reduced the approved wattage from 3 megawatts to 2 megawatts. Attorney Campbell responded in the affirmative. Mr. Harrington also asked how the Town was able to restrict Spallina's traffic to one direction on a County road. It was explained that, at the time Spallina was granted use of the road, the company representative agreed to the one-direction restriction. Mr. Harrington further inquired whether the culvert on Sackett Road would be similar to the one located near Louie Lee's residence, to which it was responded that it would not.

On motion of Deputy Supervisor Mairs seconded by Councilman Coyne and carried by all, the Board meeting was adjourned at 8:03pm.

Respectfully submitted,

Faye Beshures
Town Clerk