

A Regular meeting of the Town of Avon was held on Thursday, November 6, 2025 at 6:00 P.M. at the Avon Town Hall, 23 Genesee Street, Avon, New York 14414.

PRESENT: Supervisor David LeFeber, Deputy Supervisor Thomas Mairs, Councilmen Malachy Coyne, Councilmen Paul Drozdziel

ABSENT: Councilmen James Harrington

OTHERS: Tom Crye, Highway/Water Supervisor, Dave Willard, MRB Group Engineer, Brian Shannon, Code Enforcement Officer, Attorney James Campbell, Kim McDowell, Town Clerk

VISITORS: Mary Clarke, Cindy Kellen, Cheri Frew, Carol Carrick, Jim Carrick, David Prindle, Kathy Cole, Joe Ricotta, Karl Bitz, Jeff Bauman, Tami Snyder, Todd Etshman, Anne Czymmek, Charlie Leonard, Tim Hayes, Bob Westfall, Jeff Schweitzer, Brian Ossont, Laura Roland, Liam Coyne, Lorie Helmbold, Fritz Helmbold, Susan Horne, Abigail Horne, Bill Montague, Bill Nevin, Shelly Read, Bryan Read, Kim Gillette

Supervisor David LeFeber called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance.

Supervisor LeFeber stated we are going to begin with the new business in Avon and then will have comments after for the budget.

Supervisor LeFeber invited Mr. Bitz to discuss their request for approval of a dairy feed business on Lakeville Road behind the Travel Plaza. Mr. Bitz stated this is a family-owned and operated business that is a feed mixing facility and they would like to expand to western New York. This property is beneficial due to both the rail and expressway access. He described the preliminary site plan to the Board. There was discussion on the day-to-day operations, utility uses, number of employees, hours of operations, and how the additional traffic will affect Bruckel Drive. Mr. Bitz stated that this will be done in two phases but will request approval for both during the application process and any variance approvals needed. Attorney Campbell described the process for approval since it is in a PDD zoning district along with the SEQR review which will include a joint meeting with the Planning/ZBA Boards. Supervisor LeFeber stated this is a great project for the Town of Avon and he has allocated some additional money in this budget due to prior knowledge of the application and the extra responsibilities for some Town employees. The one concern our Highway Superintendent has is if Bruckel Drive needs to have work done, and how that will affect this business. Mr. Bauman stated they can do an alternate route if the road needs to be fixed, only for emergency exits if Bruckel Drive is unavailable. Attorney Campbell stated if it is the Board's pleasure, he will prepare a resolution for the use at the next Board meeting.

RESOLUTION #209 REQUEST ATTORNEY CAMPBELL TO PREPARE A DRAFT RESOLUTION FOR THE USE OF CNY FEED IN THE PDD OF LA&L RAILROAD ON LAKEVILLE ROAD

On motion of Supervisor LeFeber seconded by Councilmen Coyne the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to request Attorney Campbell to prepare a draft resolution for the approval of the use of CNY Feed in the PDD zoning on Lakeville Road.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

CONTINUED DISCUSSION - PUBLIC HEARING FOR THE 2026 BUDGET

Supervisor LeFeber stated the public hearing is still open for the 2026 budget. Since the library proposition passed, he asked the Board if they would like to take out the \$57,000 that was allocated for the library. Supervisor LeFeber also stated he went back to his very first budget and the tax rate in 2003 was \$2.20/1,000 in the Village and \$3.73/1,000 in Town outside the Village fund. The purposed budget numbers for 2026 are \$2.22/1,000 in the Village and \$2.80/1,000 in the Town outside the Village with the Library dollars taken out of the Town Budget. He also stated the water rate has not been raised for 24 years.

Supervisor LeFeber asked if there were any comments on the budget since the last meeting and they were as follows:

- Tami Snyder asked if the library is considered a special district charge now that it has passed and it is not a special district charge but its own line in the budget.
- Bryan Read, E. Main Street, asked why you would keep the \$57,000 in the budget if you don't need it and that it would be up to the Board if they want to remove it.
- Jeff Schwitzer, Antonio Drive, does going over the tax levy limit affect us with grant applications, etc. and the Board is unsure but if the library is out of the budget we would be under the cap.
- Shelly Read, E. Main Street, did any of the other budget items change from the comments of the previous meeting.
- Bill Nevin, asked about salaries again.
- Melissa Read, Dutch Hollow Road, wondering if there is a job description for each of these job titles in the Town and Village and yes, job descriptions are under Livingston County that we certify each year.
- Ellen Turner, East Main Street, feels that people don't really know what the jobs involve by just looking at it on paper.

RESOLUTION #210 CLOSE THE PUBLIC HEARING FOR THE 2026 TOWN BUDGET

On motion of Councilmen Drozdziel seconded by Supervisor LeFeber the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to close the public hearing for the 2026 Town Budget.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

There was discussion on making changes to the 2026 Budget by removing the \$57,000 for the library and other items.

RESOLUTION #211 ADOPT THE 2026 TOWN BUDGET

On motion of Councilmen Drozdziel seconded by Supervisor LeFeber the following resolution was ADOPTED BY ROLL CALL AYES 4 NAYS 0 ABSENT 1

RESOLVE to Adopt the 2026 Final Budget to be provided to the Town Clerk that includes the 2026 Preliminary Budget with the library change.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

RESOLUTION #212 APPROVAL OF MINUTES OF BOARD MEETING OF OCTOBER 23, 2025

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to approve the minutes of October 32, 2025, as presented by e-mail and to request they be published on the Town of Avon website at townofavon-ny.org.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

DISCUSSION-ATTORNEY REPORT

Attorney Jim Campbell was present and reported the following:

- The six-month battery storage moratorium has been referred to the Livingston County Planning Board and will be reviewed at their next meeting. Attorney Campbell has reached out to the potential applicant and discussed how they can proceed with this project through the moratorium. There was much discussion on how this would all work during a moratorium.

RESOLUTION #213 SCHEDULE PUBLIC HEARING FOR SIX-MONTH BATTERY STORAGE MORITORIUM FOR DECEMBER 11, 2025 AT 6:30PM

On motion of Deputy Supervisor Mairs seconded by Councilmen Drozdziel the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to schedule a public hearing for six-month battery storage moratorium for December 11, 2025 at 6:30PM.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

DISCUSSION-ATTORNEY REPORT (CONT)

- Madison Energy, the new owner of Gary Wheat solar project, will need an extension for the site stabilization due to the timing and weather to meet our requirements. They are proposing to do a bond and have the work done in the Spring.
- Will need to work with Bill Fuller on how to get the library on the tax bill. Supervisor LeFeber also looks over the tax bills before they are printed, so he will make sure the library is on the bill.

DISCUSSION- HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was present and reported the following:

HIGHWAY:

- Shop work – repairing & maintaining equipment
- Snow fence
- Brom mowing
- Driveways
- Ditching

WATER:

- Everyday maintenance & sampling
- Meter readings

Supervisor LeFeber has the 2026 Inter-Municipal Agreement extension for the term of January 1, 2026 – December 31, 2026 with Livingston County that needs a resolution for approval.

RESOLUTION #214 EXTEND THE MUNICIPAL AGREEMENT WITH LIVINGSTON COUNTY HIGHWAY DEPARTMENT

On motion of Deputy Supervisor Mairs seconded by Councilmen Coyne the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to extend the terms of the Intermunicipal agreement for equipment, machinery, tools, and services sharing originally made effective January 1, 2026, for a term of one year to terminate on December 31, 2026.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

Highway Superintendent Thomas Crye requested the two seasonal employees get a \$2.00 per hour raise taking them to \$25.00 per hour each effective November 6, 2025.

RESOLUTION #215 AMEND THE COMPENSATION SCHEDULE FOR SEASONAL EMPLOYEES FOR HIGHWAY SNOW REMOVAL

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs the following resolution was ADOPTED BY ROLL CALL AYES 4 NAYS 0 ABSENT 1

RESOLVE to AMMEND THE Compensation Schedule to change seasonal employee, James Kime, hourly rate from \$23.00/hour to \$25.00/hour and Nicholas Mothershed, hourly rate from \$23.00/hour to \$25.00/hour.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

DISCUSSION- CODE ENFORCEMENT REPORT

Code Officer Brian Shannon was present and reported the following:

- Permits are coming in consistently, no complaints
- Niagara Scenic Tours have finished Phase 1 of the project now waiting for the drainage to be installed
- Did some research on Battery Energy storage and fire department training included in the application process
- Kleis Equipment wants to get moving but allowed silk fencing and waiting until final paperwork is submitted
- November 20th he will be at the fire house and will send his report via email
- Hotel/Motel renovations are moving along slowly

Supervisor LeFeber stated that we are participating in the County Leak Detention program and will have more information at the next meeting.

DISCUSSION – ENGINEERING REPORT

MRB Group, Dave Willard was present and reported the following:

- Anderson Farms/Agar Road Pump station – jockey pump will need an upgrade since they will be doing about 190 gallons per minute, will the new jockey pump increase our electric bills and if that is the case would Anderson be responsible for those costs. The plans will be sent to the Town for review soon before sending it to Anderson.
- Topographic survey for Pole Bridge/Sackett Road tentatively next week
- Grant notification should be in December. There was discussion regarding the BAN for this project and what could potentially be needed dollar wise and when it would be needed.

DISCUSSION – TOWN CLERK REPORT

Kim McDowell was present and reported the following:

- Day-to-day operations are running very smoothly, dog and hunting licenses, handicap permits, abstracts and vouchers. Opened on November 1, 2025 for a few hours and there were 35 extra tags sold. Foot traffic in the Town Clerk’s office from October 10 – October 23, 2025 was 60 people.
- The building will be closed on Monday and Tuesday due to me being away and the only other office open on Monday’s is court so they are closing for the day and Veterans’ Day on Tuesday, there will be a note on the door.

RESOLUTION #216 ACCEPT THE MONTHLY REPORTS TOWN SUPERVISOR & TOWN CLERK

On motion of Deputy Supervisor Mairs seconded by Councilmen Drozdziel the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to accept the monthly reports for October 2025 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk’s October 2025 Report:

<u>Total Local Shares Remitted:</u>	<u>\$ 3,073.50</u>
<u>New York State Department of Health</u>	<u>\$ 22.50</u>
<u>NYS Ag. & Markets for spay/neuter program</u>	<u>\$ 44.00</u>
<u>NYS Environmental Conservation</u>	<u>\$ 1,225.00</u>
<u>TOTAL</u>	<u>\$ 4,365.00</u>

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

RESOLUTION #217 RE-LEVY FOR UNPAID WATER BILLS

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to approve the re-levy of water bills in the amount of \$16,026.71 on the 2026 Town and County Tax bills.

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington - Absent

DISCUSSION – TOWN SUPERVISOR ITEMS

- The Town received the water application for Sotak on Route 39. They will be responsible for paying, it is a short side with meter pit.

RESOLUTION #218 ACCEPT THE CLAIMS

On motion of Deputy Supervisor Mairs seconded by Councilmen Coyne the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to accept for payment Abstract 2025-21 in the following amounts:

Concerning ABSTRACT of Claims Number 2025-21 including claims as follows:

General Fund	Amounts totaling \$ 46,756.27
Highway Fund	Amounts totaling \$ 7,905.12
Water Fund	Amounts totaling \$ 7,600.05
Cemetery Fund	Amounts totaling \$
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Amounts totaling \$ 1,188.78
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

Vote of the Board: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilmen Drozdziel – Aye, Councilmen Coyne - Aye, Councilmen Harrington – Absent

DISCUSSION – TOWN SUPERVISOR ITEMS

- Supervisor LeFeber stated the new Town Clerk will be needing health care and we need to reach out to our new payroll provider and possibly the Union will allow one non-union employee

OPEN ITEMS:

- Deputy Supervisor Mairs and Councilmen Coyne had no open items.
- Councilmen Drozdziel stated the 3rd floor received another recognition and he and his wife will be attending an award ceremony in Syracuse next week.
- Councilmen Drozdziel meet with Eric Hendrick and Kim McDowell to look over possibly getting a new water billing program.
- Supervisor LeFeber stated NYMIR will be here on November 17th as part of our insurance carrier requirements.
- Councilmen Drozdziel stated we had the fire department here due to smoke in the building from a coupling malfunction and Kenron repaired the unit the same day.

VISTOR COMMENTS:

- Bob Westfall wanted to thank the Board for allowing some of the Planning and ZBA Board members to attend the yearly Livingston County AG Tour.
- Supervisor LeFeber stated next year there will be two vacancies on the Planning Board, we will need to find some new members.
- Jeff Schweitzer asked about the battery storage and if there are any soil studies; not sure and will have to look up if there are any.
- Kathy Cole stated the highway guys did a great job cleaning up the banks.

On motion of Councilmen Drozdziel seconded by Deputy Supervisor Mairs the meeting was adjourned at 8:09 P.M.

Respectfully submitted by:

Kim McDowell, Town Clerk