

**Regular Town Board Meeting  
Avon Town Board  
April 9, 2026**

The Regular Meeting of the Town Board of the Town of Avon was held April 9, 2026, with a 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.

<b><u>PRESENT:</u></b>	Supervisor	David LeFeber
	Deputy Supervisor	Thomas Mairs
	Councilman	Paul Drozdziel
	Councilman	Malachy Coyne
	Councilman	Collin Hayes
	Town Clerk	Faye Beshures

**OTHERS:** Attorney Jim Campbell, Code Enforcement Officer Brian Shannon, and Highway Superintendent Tom Crye

**ATTENDEES FROM SIGN-IN SHEET:** Jim Harrington, Ellen Turner, Susan LaBine, Bill LaBine and Bob Westfall

**RESOLUTION 64-2026**

**APPROVAL OF MARCH 26, 2026 MINUTES**

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 minutes of March 26, 2026 be approved as presented and request they be published to the Town of Avon’s website at [www.avon-ny.gov](http://www.avon-ny.gov).

**DEPARTMENT REPORTS**

**JIM CAMPBELL – ATTORNEY**

Attorney Jim Campbell updated the Board on the following:

➤ **NRCS / DEC PERMITTING UPDATE:**

The Board was informed that Attorney Campbell is currently working with the Natural Resources Conservation Service (NRCS) on a grant to support the preparation of a permit application to the New York State Department of Environmental Conservation (DEC). This application is necessary to begin work, particularly on Reservoir Road. NRCS representatives have been actively conducting fieldwork, including site visits following last week’s rain event, to gather the data and materials required for the application process.

➤ **BATTERY ENERGY STORAGE SYSTEM DISCUSSION:**

Supervisor LeFeber, Councilman Drozdziel, and Attorney Campbell met with Wendel Engineering to discuss ongoing Battery Energy Storage System (BESS) concerns, including the Carson Battery Storage project, fire safety considerations, and environmental impacts. This discussion led to broader Board conversation regarding electrical infrastructure, including who would benefit from the project and the overall impact to the Town. Supervisor LeFeber reported that Carson representatives indicated they do not intend to install as many utility poles as

originally proposed.

The Board also expressed interest in understanding the different types of battery storage systems available and the respective benefits of each. Councilman Malachy inquired about the project timeline; Supervisor LeFeber stated that Carson has not yet completed the application process. Code Enforcement Officer Shannon noted that Erik Anderson of Carson contacted him regarding coordination with Matt Pelligrino of the East Avon Fire Department and other emergency personnel to further discuss BESS-related safety considerations.

➤ **BRUCKEL PROJECT – SITE ACTIVITY:**

Attorney Campbell reported that, following prior discussions with Josh Bruckel regarding his proposed flex space and storage unit project, there appears to be some site activity, including minor earthwork. As no permits have been issued, Attorney Campbell has reached out to the project engineer and requested a return call to address the matter.

➤ **FOIL REQUEST:**

Attorney Campbell informed the Board that Clerk Beshures received a Freedom of Information Law (FOIL) request from a resident of Nune Park requesting various records. The Clerk and the Attorney will be preparing and issuing a response. The Board noted that the resident has contacted multiple individuals regarding this matter.

➤ **BOND RESOLUTION – ROAD WORK & CULVERTS:**

Attorney Campbell reviewed a proposed bond resolution for the reconstruction of North Littleville Road, Pole Bridge Road, and Reservoir Road, as well as the replacement of culverts on Sackett Road and Pole Bridge Road, for the Board’s consideration.

**RESOLUTION 65-2026**

**ACCEPTANCE TO MOVE FORWARD WITH BOND RESOLUTION FOR NORTH LITTLEVILLE, NORTH & SOUTH POLEBRIDGE, RESERVOIR AND SACKETT ROADS**

On motion of Deputy Supervisor Mairs seconded by Supervisor LeFeber the following resolution was ADOPTED with a ROLL CALL VOTE – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – RESOLVED, that the Town Board of Avon hereby approves moving forward with a Bond Resolution for North Littleville, North and South Polebridge, Reservoir, and Sackett Roads.

**THOMAS CRYE – HIGHWAY DEPARTMENT**

Highway Superintendent Thomas Crye updated the Board on the following:

**Highway Department:**

- Shop maintenance
- Truck maintenance
- Drainage work in response to flooding
- Ditching work
- Tree work performed for the County
- Hauled 600 tons of state salt

**Water Department:**

- Routine maintenance sampling

- Site stakeouts

Supervisor LeFeber reported that Water Clerk Kim McDowell and Erik Hendrick will be working on a water loss PILOT program. He noted that they plan to meet several times to develop and implement the program.

Councilman Coyne asked Highway Superintendent Crye whether the Water Department had taken possession of the meters from the Town of Hilton. Superintendent Crye confirmed that they had and added that additional equipment may be acquired. He stated that the Town of Hilton will be providing pricing information and an inventory list of available equipment.

#### **BRIAN SHANNON – CODE ENFORCEMENT**

Code Enforcement Officer Brian Shannon updated the Board on the following:

- Addressed three complaints as of April 9, 2026
- Processed new permit applications
- Dispensary at 1745 Lakeville Road is seeking a Certificate of Occupancy; additional work is required
- Six Sprouts has closed
- Addressed a complaint at Nune Park
- Erik Anderson of Carson Power is working to schedule a public question-and-answer session regarding the battery storage project

#### **DAVE WILLARD – ENGINEERS**

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

- Dave Willard reported that bid openings for the Joint Water Project with the Town and Village will take place on Wednesday at 2:00 PM, not 11:00 AM as previously stated.
- Dave Willard stated that he has addressed questions from bidders. Deputy Supervisor Mairs inquired about the number of bidders, and Dave Willard reported there are five (5) General Contractors, three (3) Electrical contractors, and three (3) HVAC contractors. Supervisor LeFeber asked about attendance at the pre-bid meeting; Dave Willard noted that attendance was not mandatory but approximately ten (10) different contractors were present.
- Dave Willard discussed Anderson Farms, noting that he has emailed Aqualogics to request a formal proposal. This led to a brief discussion among the Board, Attorney Campbell, and Dave Willard.
- Dave Willard informed the Board that he has been assisting Supervisor LeFeber's Confidential Secretary McDowell, with paperwork related to two grants: the Non-Point Source Culvert Study Grant and the Utilization Plans for Sackett Road and Pole Bridge Road grants.
- Dave Willard stated that for Sackett Road, he is working to complete the Joint Application materials for submission to the DEC and expects to have application forms ready for Supervisor LeFeber's signature next week.
- Supervisor LeFeber noted that a Waterworks meeting is scheduled for Monday, April 13th.

**FAYE BESHURES – TOWN CLERK’S**

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

**MARCH ACTIVITY:**

For the month of March, Clerk Beshures processed 3 fishing licenses, 3 marriage copies, 31 dog licenses, 16 death certificates, 1 zoning compliance letter, and 7 building permits.

These transactions generated total revenue of \$1,190.80. Of this amount, \$1,064.78 remains with the Town. A total of \$41.00 was remitted to NYS Agriculture & Markets for the spay/neuter program, and \$85.02 was remitted to the NYS Department of Environmental Conservation (DEC).

**APRIL ACTIVITY (TO DATE):**

So far in the month of April, Clerk Beshures has processed 22 dog license renewals, 2 building permits, 1 fishing license, and 4 accessible parking permits. Total revenue collected to date is \$305.00, of which \$276.28 remains with the Town.

**TAX COLLECTION SUMMARY:**

Tax collection season has concluded. The original warrant totaled \$7,032,987.29, with an adjusted warrant of \$7,030,177.89 due to small claims adjustments totaling \$2,809.40.

Disbursements and collections are as follows:

- Paid to the Supervisor: \$2,658,752.71
- Collected by the Treasurer: \$549,095.73
- Advance given to the Treasurer: \$2,000,000.00
- Tax roll adjustments: \$4,487.68

A total of 74 parcels remain unpaid, totaling \$313,667.75, with unpaid notice penalties of \$148.00.

A check in the amount of \$1,506,835.42 was issued for cash settlement with the Treasurer. Additionally, a check for \$6,522.54 was issued to the Supervisor for interest and penalties. One additional check will be issued to the Supervisor in May for any remaining accrued interest.

All unpaid taxes have been turned over to the Livingston County Treasurer.

**OFFICE UPDATES:**

Clerk Beshures continues working on organizing documents and becoming more familiar with Laserfiche. The office continues to experience steady foot traffic, assisting residents with court office matters, assessor inquiries, third-floor usage questions, building permits, and general information requests.

Clerk Beshures inquired about the procedure when Town officials or employees are out of the office and individuals need access to perform work. She asked whether there is a spare set of keys available to grant entry, or if there is a designated contact person who can be called to provide access. Deputy Supervisor Mairs advised Clerk Beshures to contact him if anyone requires access to the office.

**2026 TAX COLLECTION REPORT – CLERK BESHURES**

<b>TAX WARRANT FOR 2026</b>	\$ 7,032,987.29
<b>ADJUSTED TAX WARRANT FOR 2026</b> - \$2,809.40 (SMALL CLAIMS ADJUSTMENTS)	\$ 7,030,177.89
<b>TOTAL SUPERVISOR'S RECEIPTS</b> CHECK #1072 \$ 600,000.00 CHECK #1074 \$ 400,000.00 CHECK #1075 \$ 600,000.00 CHECK #1078 \$ 1,055,943.31 CHECK #1079 \$ 1,710.79 CHECK #1082 \$ 1,098.61	\$ 2,658,752.71
<b>TAXES COLLECTED BY TREASURER</b>	\$ 549,095.73
<b>ADVANCES MADE BY COLLECTOR TO TREASURER</b> CHECK #1081 on February 9, 2026	\$ 2,000,000.00
<b>TAX ROLL ADJUSTMENTS</b>	\$ 4,487.68
<b>RETURNED UNPAID TAXES</b>	\$ 313,667.75
<b>TOTAL UNPAID NOTICE PENALTIES (\$2 PER PARCEL)</b> 74 Unpaid	\$ 148.00
<b>CASH SETTLEMENT TO TREASURER</b> CHECK #1083 on April 6, 2026	\$ 1,506,835.42
<b>INTEREST &amp; PENALTIES TURNED OVER TO SUPERVISOR FOR 2026 TAX COLLECTION</b> CHECK #1084 on April 6, 2026	\$ 6,522.54  (without next month's interest)
<b>TOWN OF AVON TAX ROLL RELEASE OF BOND</b> Not yet received	

<u>Account#</u>	<u>Account Description</u>	<u>Fee Description</u>	<u>Qty</u>	<u>Local Share</u>
A1255	Conservation	Conservation	3	4.98
	Minor Sales	Certified Copies - Marriage	3	30.00
		<b>Sub-Total:</b>		<b>\$34.98</b>
A1410.4	EZ Pass Fee	EZ Pass	2	50.00
		<b>Sub-Total:</b>		<b>\$50.00</b>
A2544	Dog Licensing	Female, Spayed	13	117.00
		Female, Unspayed	4	48.00
		Male, Neutered	13	117.00
		Male, Unneutered	1	12.00
		<b>Sub-Total:</b>		<b>\$294.00</b>
A2770	Minor Sales	Death Certificates	16	160.00
		<b>Sub-Total:</b>		<b>\$160.00</b>
B2115	Planning & Zoning	Zoning Compliance Letter	1	25.00
		<b>Sub-Total:</b>		<b>\$25.00</b>
B2555	Permits	Building Permit	7	500.80
		<b>Sub-Total:</b>		<b>\$500.80</b>
		<b>Total Local Shares Remitted:</b>		<b>\$1,064.78</b>
Amount paid to: NYS Ag. & Markets for spay/neuter program				41.00
Amount paid to: NYS Environmental Conservation				85.02
<b>Total State, County &amp; Local Revenues:</b>	<b>\$1,190.80</b>	<b>Total Non-Local Revenues:</b>	<b>\$126.02</b>	

**RESOLUTION 66-2026**

**ACCEPTANCE OF THE MONTHLY BUDGET REPORTS FROM THE TOWN SUPERVISOR & TOWN CLERK**

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, to accept the monthly reports from the Town Supervisor & Town Clerk.

**RESOLUTION 67-2026**

**APPROVAL OF 3<sup>RD</sup> FLOOR BUILDING USE**

On motion of Councilman Coyne 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 3<sup>rd</sup> floor on May 5<sup>th</sup>, 2026.

**THIRD-FLOOR DURING CORN FEST – COUNCILMAN HAYES**

Councilman Hayes raised the request to use the third floor during Corn Fest and inquired about parking arrangements, noting that both the front parking spaces and rear lot will be occupied by vendors. It was suggested that individuals may park in the school parking lot and utilize bus transportation to the event.

**RESOLUTION 68-2026**

**APPROVAL FOR THE RETIREMENT CALENDARS FOR CLERK BESHURES, SUPERVISOR LEFEBER, JUDGE HOFFMAN, ASSESSOR SNYDER, AND COUNCILMAN HAYES.**

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 of Avon hereby accepts the Retirement Calendars and establishes the following as standard work days for elected and appointed officials, and will report the days worked to the New York State and Local Employees’ Retirement System based on records of activities maintained and submitted by such officials to the Clerk of this body.

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Workday	Term Begins/Ends	Participates in Employer’s Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
<b>Elected Officials</b>							
Town Supervisor	David LeFeber	XXXX	XXXXXX	6	1/01/26-12/31/28	N	6.98
Town Clerk	Faye Beshures	XXXX	XXXXXX	6	01/01/26-12/31/27	N	23.62
Councilman	Collin Hayes	XXXX	XXXXXX	6	01/01/26-12/31/28	N	2.92
Town Justice	David Hoffman	XXXX	XXXXXX	6	01/01/26-12/31/29	N	2.23
<b>Appointed Officials</b>							
Assessor	Tami Snyder	XXXX	XXXXXX	6	10/01/25-09/30/31	N	10.16
Code Enforcement Officer	Brian Shannon	XXXX	XXXXXX	6	01/01/26-12/31/26	N	12.37

BE IT FURTHER RESOLVED that the Clerk of the Town of Avon is directed to post a certified copy of this resolution for a minimum of thirty-days. A certified copy of this resolution and an affidavit of posting shall be filed with the State Comptroller within **45 days of adoption.**

**RESOLUTION 69-2026**

**ACCEPTANCE OF CLAIMS & PAYMENT OF BILLS**

On motion of Councilman Hayes seconded by Councilman Coyne 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:

<b>Fund</b>	<b>Amount</b>
General Fund	\$ 23,380.60
Highway Fund	\$ 37,603.47
Water Fund	\$ 7,780.45
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	\$ 1,161.53
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

**OPEN ITEMS – TOWN BOARD MEMBERS**

**DISCUSSION – LIVINGSTON COUNTY TREATMENT COURT COMMUNITY SERVICE**

Supervisor LeFeber informed the Board that he received an email from the Livingston County Treatment Court regarding a program in which participants are required to complete community service. He asked if any Board members had ideas for potential projects or tasks for these individuals. Deputy Supervisor Mairs suggested utilizing them in one of the cemeteries; however, Highway Superintendent Crye stated that no assistance is needed at this time.

**DISCUSSION – MAINTENANCE ITEMS ON HENTY ROAD**

Councilman Hayes discussed the solar development on Henty Road, noting that there is a dead tree along the roadside. He stated that, with the arrival of spring, the Town should contact the developer to have it removed. Code Enforcement Officer Brian Shannon indicated that he has the same contact information as last year and will reach out.

Councilman Drozdziel asked whether solar developers follow a maintenance checklist for their sites. Code Enforcer Shannon responded that there is no formal checklist and that he monitors site conditions during routine travel. Councilman Hayes added that developers are required to mow their fields twice annually and suggested this would be an appropriate opportunity for them to address additional maintenance items as well.

### **DISCUSSION – DUMP DAYS**

Deputy Supervisor Mairs inquired about the schedule for Dump Days. Highway Superintendent Crye responded that they are held on the second Saturday of May and the second Saturday of September.

Deputy Supervisor Mairs also discussed a deteriorating single-arch structure located between Sackett Road and Route 39. He asked whether the Town would consider addressing the condition and suggested contacting the Historical Society to explore potential grant opportunities. Supervisor LeFeber noted that the structure is located on private property.

### **VISITOR COMMENTS:**

#### **DISCUSSION – BATTERY ENERGY STORAGE BENEFITS**

Jim Harrington referenced prior discussions by Councilman Drozdziel and Councilman Coyne regarding the benefits of Battery Energy Storage to the Town. He asked Attorney Campbell if there was an estimated PILOT revenue amount for the Town. Attorney Campbell responded that the intent is to generate greater revenue from battery storage projects than from solar fields, noting that payments are expected through both a PILOT and a Community Benefit Agreement, likely as lump sums for each 5-megawatt project, resulting in two payments.

#### **DISCUSSION – FLOODING**

Mr. Harrington also addressed recent flooding, stating that during the storm the previous Saturday, his property—despite being situated at a higher elevation than neighboring properties—experienced approximately five (5) inches of water in the basement. He believes the water is flowing from east side of Pole Bridge Road through surrounding areas, including the mall, Tom Wahl’s property, and Hal Bar Road, with significant accumulation near neighboring properties. He requested that the Board revisit the issue of a private ditch on Pole Bridge Road, noting that it has impacted multiple residents for several years.

Bill LaBine of 290 Genesee Street discussed recurring flooding concerns, noting that what were once considered “500-year floods” are occurring more frequently. He stated that although the Village has taken steps to mitigate damage, they have indicated that much of the issue originates from the Town. Mr. LaBine expressed concern that continued flooding could eventually compromise his home’s foundation and emphasized the need for cooperation between the Town and Village to identify causes and implement solutions.

Bob Westfall, also of Genesee Street, reported that he experienced water in the finished portion of his basement for the first time, indicating that conditions are worsening. He agreed with Mr. Harrington that improvements to the ditch on Pole Bridge Road could help alleviate some of the issues.

Deputy Supervisor Mairs provided observations from the recent storm, noting that prior mitigation efforts involving Ag & Markets and installed measures appear to be helping in certain areas. However, he described multiple contributing factors to the flooding, including roadway changes, undersized culverts, blocked drainage areas, and water flow from multiple directions. He emphasized that existing infrastructure, particularly 2-foot culverts, is insufficient to handle the volume of water and recommended that the Town, Village, and railroad coordinate efforts to develop a comprehensive solution.

Mr. Harrington noted that since 2015, Pole Bridge Road has been the first road in Avon to close during flooding events, having been closed multiple times. This led to further discussion regarding responsibility between the Town and Village, as well as maintenance of private ditches and public drainage systems.

Discussion continued regarding available grant funding, including approximately \$400,000 recently awarded, and prior studies, including a 2015 joint Town and Village study. Attorney Campbell explained that grant funding is restricted to specific uses identified by agencies such as NRCS and that addressing these issues will require coordinated planning and potentially significant expense.

Mr. LaBine expressed interest in reviewing the 2015 study and suggested revisiting prior findings to guide future actions. Susan LaBine suggested using drone imagery during flooding events to better understand water flow patterns. Ellen Turner raised the possibility of utilizing retention ponds, prompting further discussion.

Councilman Drozdziel commented on the complexity of water flow patterns and the impact on multiple areas, including railroad property, noting the Town has limited authority over such areas and that collaboration will be necessary. Supervisor LeFeber added that development has altered natural water flow patterns.

Councilman Hayes asked whether incentives could be offered to property owners to encourage mitigation efforts on private property.

Mr. Harrington recommended revisiting the 2015 study with the Board, engineer, and Attorney. Councilman Drozdziel agreed, noting the value in utilizing existing resources rather than letting them go unused. Attorney Campbell suggested forming a committee to review the study and determine next steps.

Bob Westfall supported the idea of forming a group to assist with maintenance efforts throughout the Town and Village. Ellen Turner expressed appreciation for the discussion and collaboration on these issues.

On motion of Deputy Supervisor Mairs seconded by Supervisor LeFeber and carried by all, the Board meeting was adjourned at 7:27p.m.

Respectfully submitted,

Faye Beshures  
Town Clerk

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 35.00

NOTICE IS HEREBY GIVEN THAT the Town Board of the Town of Avon, New York (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board has, on April 9, 2026, adopted, pursuant to the Local Finance Law of the State of New York, a bond resolution stating that:

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on July 24, 2025, has duly determined and found a portion of the purpose to be a type II action which will not have a significant impact on the environment and is not subject to any further environmental review under SEQRA and, on March 26, 2026, has duly issued a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF AVON, NEW YORK, (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

1. capital improvements consisting of road reconstruction to include, without limitation, replacement in kind to specific areas of North Littleville Road, Pole Bridge Road (South), Pole Bridge Road (North) and Reservoir Road, Sackett Road, and Reservoir Road, and replacement of culverts on Sackett Road and Pole Bridge Road, and other incidental and emergency improvements in connection therewith for such construction and Town use (hereinafter referred to as "purpose"), are authorized and general obligation serial bonds in an aggregate principal amount up to \$3,000,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are authorized to be issued to finance said purpose; and

2. the maximum aggregate cost to the Town is estimated to be \$3,000,000 for said purpose and such amount is appropriated therefor and the plan for financing of said purpose is to provide all of such maximum cost by issuance of serial bonds and bond anticipation notes as authorized, to be offset and reduced dollar for dollar by the amount grants received, currently expected to be \$1,976,670 from a Water Quality Improvement Project Grant and \$322,575 from the USDA Natural Resources Conservation Service Emergency Watershed Protection Program; and

3. (a) said purpose is one of the classes of objects or purposes described in Subdivisions 3, 20(c) and 91 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is restricted to fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by the resolution

will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds; and

4. the bonds and notes authorized by the resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes; and

5. the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, from the proceeds of the obligations authorized for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations, and such is a declaration of official intent under Treasury Regulation §1.150-2; and

6. the power to further authorize the issuance of said bonds and bond anticipation notes and to prescribe the terms, form and contents of said bonds and bond anticipation notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for and determinations with respect to, credit and liquidity enhancements, if any, and to sell and deliver said bonds and bond anticipation notes subject to the provisions of the resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is delegated to the Town Supervisor, the Town's chief financial officer, the Town Supervisor and the Town Clerk are authorized to sign by manual or facsimile signature any bonds and bond anticipation notes issued pursuant to the resolution, and are authorized to affix to such bonds and bond anticipation notes the corporate seal of the Town of Avon and to attest the same; and

7. the faith and credit of the Town of Avon, New York, are irrevocably pledged for the payment of the principal of and interest on such bonds and bond anticipation notes as the same respectively become due and payable, and an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; and


8. after compliance with the next paragraph hereof, the resolution shall be published in full by the Town Clerk of the Town of Avon together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law, and the validity of said bonds and bond anticipation notes issued in anticipation of

the sale of said serial bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of the resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

9. Such bond resolution is subject to a permissive referendum of the qualified electors of the Town of Avon pursuant to Section 35.00 of the Local Finance Law and petitions protesting and requesting that it be submitted to the electors of the Town of Avon for their approval or disapproval, may be filed with the Town Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By order of the Town Board of the Town of Avon, New York.

DATED: April 9, 2026

  
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Faye Beshures, Town Clerk  
Town of Avon, New York

EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD  
ADOPTING BOND RESOLUTION

At a meeting of the Town Board of the Town of Avon, Livingston County, New York, held at the Town Offices in Avon, New York, on the 9<sup>th</sup> day of April, 2026:

PRESENT: Supervisor Dave LeFeber, Deputy Supervisor Thomas Mairs, Councilman Paul Drozdziel, Councilman Malachy Coyne, and Councilman Collin Hayes

ABSENT: None

Deputy Supervisor Mairs presented the following resolution and duly moved that it be adopted and was seconded by Supervisor LeFeber:

BOND RESOLUTION DATED APRIL 9, 2026 OF THE TOWN BOARD OF THE TOWN OF AVON, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE CERTAIN CAPITAL IMPROVEMENTS CONSISTING OF ROAD IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on July 24, 2025, has duly determined and found a portion of the purpose to be a type II action which will not have a significant impact on the environment and is not subject to any further environmental review under SEQRA and, on March 26, 2026, has duly issued a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF AVON, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Avon shall undertake certain capital improvements consisting of road reconstruction to include, without limitation, replacement in kind to specific areas of North Littleville Road, Pole Bridge Road (South), Pole Bridge Road

(North) and Reservoir Road, Sackett Road, and Reservoir Road, and replacement of culverts on Sackett Road and Pole Bridge Road, and other incidental and emergency improvements in connection therewith for such construction and Town use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$3,000,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$3,000,000, and such amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount grants received, currently expected to be \$1,976,670 from a Water Quality Improvement Project Grant and \$322,575 from the USDA Natural Resources Conservation Service Emergency Watershed Protection Program.

Section 3. It is hereby determined and declared that (a) said purpose is one of the classes of objects or purposes described in Subdivisions 3, 20(c) and 91 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue

bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Avon.

Section 7. The faith and credit of the Town of Avon, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Town Clerk of the Town of Avon together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Town of Avon, pursuant to Section 35.00 of the Local Finance Law.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES

NAYS

## NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The bond resolution published herewith was adopted on April 9, 2026, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Avon is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. The bond resolution was subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law. The period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.



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Faye Beshures, Town Clerk  
Town of Avon, New York

STATE OF NEW YORK        }  
  }  
COUNTY OF LIVINGSTON    }

ss:

I, the undersigned clerk of the Town of Avon, DO HEREBY CERTIFY as follows:

1. A meeting of the Town Board of the Town of Avon, Livingston County, State of New York, was held on April 9, 2026, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.

3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Avon this 14 day of April, 2026.

{SEAL}

*Jay Beshures*  
Town Clerk  
Town of Avon

Form For Publication  
After Permissive Referendum  
Time Period Has Run

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The bond resolution published herewith was adopted on April 9, 2026, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Avon is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. The bond resolution was subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law. The period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Faye Beshures, Town Clerk  
Town of Avon, New York

BOND RESOLUTION DATED APRIL 9, 2026 OF THE TOWN BOARD OF THE TOWN OF AVON, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE CERTAIN CAPITAL IMPROVEMENTS CONSISTING OF ROAD IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on July 24, 2025, has duly determined and found a portion of the purpose to be a type II action which will not have a significant impact on the environment and is not subject to any further environmental review under SEQRA and, on March 26, 2026, has duly issued a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF AVON, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Avon shall undertake certain capital improvements consisting of road reconstruction to include, without limitation, replacement in kind to specific areas of North Littleville Road, Pole Bridge Road (South), Pole Bridge Road (North) and Reservoir Road, Sackett Road, and Reservoir Road, and replacement of culverts on Sackett Road and Pole Bridge Road, and other incidental and emergency improvements in connection therewith for such construction and Town use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$3,000,000 and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$3,000,000, and such amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount grants received, currently expected to be \$1,976,670 from a Water Quality Improvement Project Grant and \$322,575 from the USDA Natural Resources Conservation Service Emergency Watershed Protection Program.

Section 3. It is hereby determined and declared that (a) said purpose is one of the classes of objects or purposes described in Subdivisions 3, 20(c) and 91 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to fifteen (15) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of

official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Avon.

Section 7. The faith and credit of the Town of Avon, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. After compliance with Section 9 hereof, this resolution shall be published in full by the Town Clerk of the Town of Avon together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution is subject to a permissive referendum of the qualified electors of the Town of Avon, pursuant to Section 35.00 of the Local Finance Law.