

A Regular meeting of the Town of Avon was held on Thursday, July 10, 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 James Harrington

ABSENT: Councilmen Paul Drozdziel, Brian Shannon, Code Enforcement Officer, Attorney James Campbell, Tom Crye, Highway/Water Supervisor

OTHERS: Dave Willard MRB Group Engineer, Kim McDowell, Town Clerk

VISITORS: Faye Beshures, Cindy Kellen, Kitty Bressington, Maryann O'Donnell, Colleen Walsh-Williams, Chuck Morgan, Robert Westfall, Lance Parker, Grace Frenzel, Helen Zamboni, Anne Czymmek

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

VISITOR COMMENTS:

- Kitty Bressington asked if the new union contract is available on the NYS website yet, she can see the Village contracts but not the Town's. Supervisor LeFeber stated he would investigate that request, but in the meantime, she can make a FOIL request.
- Lance Parker thanked the Board for holding the joint meeting and is hoping that the questions posed to the Boards will be addressed and will be made available to the residents.
- Maryann O'Donnell showed pictures of the drainage ditch on her property to the Board and the damage that has been done.

RESOLUTION #138 APPROVAL OF MINUTES OF BOARD MEETING OF JUNE 26, 2025

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

RESOLVE to approve the minutes of June 26, 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 – Absent, Councilmen Coyne - Aye, Councilmen Harrington - Aye

RESOLUTION #139 APPROVAL OF MINUTES OF BOARD MEETING OF JUNE 30, 2025

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

RESOLVE to approve the minutes of June 30, 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 – Absent, Councilmen Coyne - Aye, Councilmen Harrington - Aye

DISCUSSION – TOWN SUPERVISOR ITEMS

- Grace Frenzel and Helen Zamboni were present to discuss the Library Ballot Proposition. The library would like to change its funding structure through a Chapter 414 Budget referendum to unify all funding under one source, this will not change the amount of funding received. They are hoping to get this on the ballot for the general election in November. The Town would collect the taxes and then distribute them to the library once they are all collected each year. The library is planning on doing an education campaign to inform the public starting at the end of summer and running to November.

RESOLUTION #140 ACCEPT THE LIBRARY PETITION FOR THE GENERAL ELECTION IN NOVEMBER

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

RESOLVE to accept the petition from the Library a Chapter 414 Budget Referendum in the General Election on November 4, 2025.

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

DISCUSSION-ATTORNEY REPORT

Attorney Jim Campbell was not present

DISCUSSION- HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was not present, but reported the following via email:

HIGHWAY:

- Storm repair
- Parks & Cemetery's mowed
- Mowed roadsides
- Some shop repair

WATER:

- Everyday maintenance & sampling

DISCUSSION- CODE ENFORCEMENT REPORT

Code Officer Brian Shannon was not present, but reported the following via email:

- Working on permits, pools and roofing
- Not too many complaints
- Still working with engineering firm out of Buffalo along with Lance from MRB on paving project at Niagara Scenic Tours
- I have not heard anything from Bruckel as far a site plan, no work currently being done.
- Sent report from MRB to Mr. & Mrs. Blowers with no response from them.

DISCUSSION – ENGINEERING REPORT

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

- There are some resolutions that need to be approved tonight for the grant applications. There was discussion on what the grants entail, the process for the grants, and when it will be decided if we are awarded the grant monies.

RESOLUTION #141 RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE TOWN OF AVON 2025 NON-AGRICULTURAL NONPOINT SOURCE PLANNING GRANT – CULVERT REPAIR AND REPLACEMENT

On motion of Councilmen Coyne seconded by Councilmen Harrington the following resolution was ADOPTED AYES 4 NAYS 0

**Town of Avon
Resolution of Support & Authorization for the Town of Avon
2025 Non-Agricultural Nonpoint Source Planning Grant- Culvert Repair and Replacement**

WHEREAS, the Town of Avon, Livingston County, supports the submission of a 2025 Non-Agricultural Nonpoint Source Planning Grant application under the Culvert Repair and Replacement category to conduct an overall study of several failing culverts in the Town; and

WHEREAS, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide grant program to assist in the initial planning of non-agricultural nonpoint source water quality improvement projects; and

WHEREAS, the Town of Avon considers this project a priority, as several culverts in the Town are failing and becoming unstable through erosion, negatively affecting water quality in the area; and

WHEREAS, if funding is received, the Town of Avon will prepare a planning report that will explore cost-effective solutions to replace failing culverts causing erosion and water quality issues, as well as

enable the Town to seek further funding for construction through the Water Quality Improvement Program to continue the advancement of the water quality improvements.

NOW THEREFORE BE IT RESOLVED, the Town Board, on behalf of the Town, identifies the Supervisor as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

BE IT FURTHER RESOLVED, the Town Board does hereby accept that they shall provide at least a 10% match of the total of any grant funding awarded as a local match in the form of in-kind services or cash contributions hereby appropriated and obligated from the Town of Avon General Fund; and

BE IT FURTHER RESOLVED, that the Town of Avon recognizes and fully supports the submission of the Non-Agricultural Nonpoint Source Planning Grant by MRB Group for an evaluation and study of failing culverts in the Town.

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

RESOLUTION #142 RESOLUTION OF NYS DEC NONPOINT SOURCE PLANNING GRANT PROJECT CULVERT STUDY, SEQR TYPE II ACTION

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

**TOWN OF AVON TOWN BOARD RESOLUTION
NYS DEC NONPOINT SOURCE PLANNING GRANT PROJECT**

CULVERT STUDY

SEQR RESOLUTION – TYPE II ACTION

WHEREAS, the Town of Avon Town Board (hereinafter referred to as the Board) is submitting an application through the New York State Consolidated Funding Application (CFA) under the New York State Department of Environmental Conservation (DEC), for the preparation of a culvert improvement study; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c)[27] of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Board, in making this classification, has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Deputy Supervisor Mairs and seconded by Councilmen Coyne at a meeting of the Town Board held on July 10, 2025. Following discussion thereon, the following roll call vote was taken and recorded:

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

RESOLUTION #143 RESOLUTION OF SUPPORT & AUTHORIZATION FOR THE TOWN OF AVON 2025 WATER QUALITY IMPROVEMENT PROJECT - NON-AGRICULTURAL NONPOINT SOURCE ABATEMENT & CONTROL

On motion of Councilmen Harrington seconded by Councilmen Coyne the following resolution was ADOPTED AYES 4 NAYS 0

**Town of Avon
Resolution of Support & Authorization for the Town of Avon
2025 Water Quality Improvement Project – Non-Agricultural Nonpoint Source Abatement and Control**

WHEREAS, the Town of Avon, Livingston County, supports the submission of a 2025 New York State Department of Environmental Conservation (NYS DEC) Water Quality Improvement Project (WQIP) on behalf of the Town to construct improvements to two culverts that were washed away during recent storms; and

WHEREAS, the NYS DEC provides competitive statewide grant funding through the Non-agricultural Nonpoint Source Abatement and Control project subcategory for the replacement of culverts and the Town of Avon considers this project a priority as the recent storm washed away the culverts and sections of road, creating safety and environmental concerns; and

WHEREAS, if funding is received, it will allow the Town to replace these deficient culverts and address erosion and aquatic connectivity in the area; and

NOW THEREFORE BE IT RESOLVED, the Town Board, on behalf of the Town, identifies the Town Supervisor as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

BE IT FURTHER RESOLVED, the Town Board does hereby acknowledge the required 25% match for all grant funding awarded as a local match in the form of in-kind services or cash contributions hereby appropriated and obligated from the General Fund; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Avon recognizes and fully supports the submission of the WQIP for a Non-Agricultural Nonpoint Source Abatement and Control grant by MRB Group on behalf of the Town.

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

DISCUSSION – ENGINEERING REPORT (CONTINUED)

- There are support letters that need resident signatures of support for the grant applications, we will put a notice on the website for residents to come in and sign, they will need to be done by July 25, 2025, for the application deadline.
- The Villager has pulled the tree out and other debris on Sackett Road. They also surveyed Pole Bridge Road North. Next week they will have a plan for the retaining wall and then the NYS DEC needs to review it.
- An update on the progress of the road work was given and Pole Bridge Road South is completed.
- They are working on a proposal for Sackett Road and Pole Bridge Road box culverts, hoping to have that done next week.
- More discussion on the grant applications and what work will be done for each.

DISCUSSION – TOWN CLERK REPORT

Kim McDowell was present and reported the following:

- Day-to-day operations are running very smoothly, dog licenses, handicap permits, abstracts and vouchers.

RESOLUTION #144 ACCEPT THE MONTHLY REPORTS TOWN SUPERVISOR & TOWN CLERK

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

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

Town Clerk’s June 2025 Report:

Total Local Shares Remitted:	\$ 1,313.00
New York State Department of Health	\$ 0.00
NYS Ag. & Markets for spay/neuter program	\$ 55.00
NYS Environmental Conservation	\$ 10.00
TOTAL	\$ 1,378.00

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

RESOLUTION #145 ACCEPT ELECTED OFFICIAL CALENDAR FOR 2025

On motion of Deputy Supervisor Mairs, seconded by Councilmen Harrington the following resolution was ADOPTED AYES 4 NAYS 0

BE IT RESOLVED, that the Town of Avon/30058 hereby establishes the following standard workday for the Code Enforcement Officer and will report to the officials to the New York State and Local Retirement System based on that record of activities.

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

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RESOLUTION #146 ADOPT LETTERHEAD

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

RESOLVE to adopt the following letterhead:

	Town of Avon 23 Genesee Street Avon, New York 14414 Phone: (585) 226-2425	
David LeFeber, Supervisor	Fax: (585) 226-9299	Thomas Mairs, Deputy Supervisor
James Harrington, Councilman	Web Site: www.avon-ny.org	Malachy Coyne, Councilman
Paul Drozdziel, Councilman		Clara Mulligan, Historian
Tami Snyder, Assessor		Brian Shannon, Code Enforcement Officer
Thomas Crye, Highway/Water Superintendent		Kimberly McDowell, Town Clerk

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

DISCUSSION – TOWN SUPERVISOR ITEMS

- The Villager approval for estimates for areas #1 & #3 were done at the Joint Meeting on July 7, 2025

RESOLUTION #147 ACCEPT THE CLAIMS

On motion of Councilmen Harrington seconded by Councilmen Coyne the following resolution was ADOPTED AYES 4 NAYS 0

RESOLVE to accept for payment Abstract 2025-13 in the following amounts:

Concerning ABSTRACT of Claims Number 2025-13 including claims as follows:

General Fund	Amounts totaling \$ 25,190.76
Highway Fund	Amounts totaling \$ 31,312.48
Water Fund	Amounts totaling \$ 3,060.77
Cemetery Fund	Amounts totaling \$
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Amounts totaling \$ 960.40
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 – Absent, Councilmen Coyne - Aye, Councilmen Harrington - Aye

- Next meeting we will have the public hearings for the Short-Term Rental Local Law and Comprehensive Plan Update.
- We must schedule a public hearing for our special unit districts; letters need to be sent to each resident as well.

RESOLUTION #148 SCHEDULE PUBLIC HEARING FOR UNIT CHARGE SPECIAL DISTRICT

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

RESOLVE to set the hearing for 6:30PM on August 14, 2025, at the Town Hall, 23 Genesee Street, Avon.

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

OPEN ITEMS:

- Councilmen Coyne is wondering about the railroad tracks, who is supposed to maintain the culverts and tracks, and it is the railroads responsibility to maintain those.

VISTOR COMMENTS:

- Cindy Kellen was wondering what the outcome was of Code Enforcement Officer Shannon visiting the campground on Lakeville Road, since CEO Shannon was not present, he will give us a report next meeting.

On motion of Deputy Supervisor Mairs seconded by Councilmen Harrington the meeting was adjourned at 7:19P.M.

Respectfully submitted by:

Kim McDowell, Town Clerk