Regular Board Meeting
Avon Town Board
October 22, 2026

The Regular Meeting of the Town Board of the Town of Avon was held October 22, 2026, at 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 Jim Campbell, and Dave Willard MRB

ATTENDEES FROM SIGN-IN SHEET: Cindy Kellen, Bob Westfall, Deb Spratt, Jim Harrington, Thomas Cushing, and Christopher White

VISITOR COMMENTS: Resident Deb Spratt asked the Board for an update regarding the Highway Superintendent position. Supervisor LeFeber reported that interviews had been conducted; however, no formal resignation had been received. Spratt stated that she had heard a resignation had been submitted. Supervisor LeFeber clarified that neither he nor the Town Clerk had received a resignation.

Deb Spratt also inquired about the status of the Sackett Road project. Supervisor LeFeber reported that approval had been received from the New York State Department of Environmental Conservation (NYSDEC), and MRB Group had begun preparing the final design. He further stated that the project was anticipated to go out to bid in January.

Additionally, Deb Spratt asked why work had once again stopped at a property on Littleville Road near her residence. Supervisor LeFeber acknowledged that he had also observed the lack of activity at the property. However, with Code Enforcement Officer Brian Shannon absent from the meeting, he indicated that he had not received an update regarding the property's current status.

Supervisor LeFeber asked whether there were any additional comments from visitors. Hearing none, he closed the visitor comment portion of the meeting and requested that the Board consider approval of the October 1 and October 8 meeting minutes.

RESOLUTION 163-2026
APPROVAL OF OCTOBER 1, 2026 MINUTES
On motion of Councilman Hayes seconded by Councilman Drozdziel the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent – 0

RESOLVED, that the minutes of October 1, 2026 be approved as presented and request they be published to the Town of Avon's website at www.avon-ny.gov.

RESOLUTION 164 -2026
APPROVAL OF OCTOBER 8, 2026 MINUTES
On motion of Deputy Supervisor Mairs seconded by Councilman Drozdziel the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne Nay – 0 Absent – 0 Abstain- Hayes

RESOLVED, that the minutes of October 8, 2026 be approved as presented and request they be published to the Town of Avon's website at www.avon-ny.gov.

DEPARTMENT REPORTS

ATTORNEY – JIM CAMPBELL
Attorney Jim Campbell updated the Board on the following:

- Attorney Jim Campbell reported that discussions continued with Carson regarding the battery energy storage project, including preparation of a decommissioning agreement. Carson remained the owner of the property and was reportedly exploring a potential sale while continuing preliminary work toward permitting.
- Negotiations regarding payments in lieu of taxes (PILOT) with the County and school district remained ongoing.
- Attorney Campbell was also preparing a proposed water agreement relating to Central New York Feeds for further discussion.
- He reported that he had researched options available to the Town concerning a potential vacancy in the Highway Superintendent position.
- Regarding the proposed data center moratorium, Attorney Campbell advised that Livingston County Planning Board review had been moved to November due to scheduling constraints. The public hearing was scheduled to remain open to allow the County's review and comments to be considered.
- Attorney Campbell stated that the Board would conduct the public hearing for the Tax Cap later in the meeting.

DAVE WILLARD – ENGINEERS
Dave Willard of MRB Group updated the Board on the following items:

- Dave Willard reported that work had begun on the NCRS project, including preparation of the State Environmental Quality Review (SEQR) documentation. The Board discussed addressing the matter at the November 5th meeting.
- A survey had been completed at the Littleville site.
- The representative reported that CP Ward continued to anticipate the Village project in mid-November. Work on the Sackett and Pole Bridge Road project was progressing steadily without reported issues. The culvert study had been temporarily placed on hold to prioritize the road project on Sackett and Pole Bridge Roads.

BRIAN SHANNON-CODE ENFORCEMENT
Supervisor LeFeber had a written report from Code Enforcement Brian Shannon and updated the Board on the following:

- Working on permits.
- Getting permit inspections for completed jobs.
- Working on a complaint at South Lima and Bronson Hill (garbage being dumped in yard mattresses etc.)

- CNY Feeds is moving along. Administration building frames are completed and foundations for two others complete. Hoping to have some drone footage to share at next meeting.
- Still waiting on Kleis Equipment for smoke alarms to be installed, and C of O to be completed.

THOMAS CRYE-HIGHWAY DEPARTMENT

Supervisor LeFeber had a written report from Highway Superintendent Tom Crye and updated the Board on the following:

Highway:

- Continued ditching.
- Routine maintenance.
- Preparations for winter operations.
- Snow fencing.
- Brush work.

Water:

- Anticipated completing water service leads the following week and preparing the November billing.

Supervisor LeFeber reported that the new program being used by Water Clerk McDowell and Eric Hendric from the Water Department appears to be working well, and they're also continuing working on the water-loss pilot program through the water authority.

FAYE BESHURES – TOWN CLERK'S

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

Town Clerk Faye Beshures reported processing 6 hunting licenses, 4 fishing licenses, 3 marriage licenses, 13 dog licenses, 3 death certificate copies, 2 zoning letters, and 16 building permits. These services generated a total of $2,687.10, of which $2,139.48 remains in the Town.

Clerk Beshures noted that there has been steady traffic in the Town Hall with residents visiting the court office, the assessor's office, the Code Clerks office for building permits, the Town Clerks office for routine business, and the middle school kids that are casting the Winnie the Pooh play on the third floor this weekend.

Clerk Beshures informed the Board that she is working on updating the Town Hall's Proudly Serving Veteran's wall to honor and recognize the veterans in the community. She also informed the Board that she had attended a Clerk's meeting in Oakfield this past Wednesday to learn more about the NYS Retirement system.

PUBLIC HEARINGS

Supervisor LeFeber opened the following public hearings at 6:15p.m. and he read the following notices for the record:

TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to New York State Town Law that a public hearing shall be held by the Town Board of the Town of Avon, at the Opera Block/Town Hall, located at 23 Genesee Street, Avon, New York at 6:15 P.M. on Thursday, October 22, 2026, for the purpose of considering public opinion and comment about or concerning the following:

> A Local Law to impose a twelve (12) month moratorium on the acceptance or review of applications for zoning approvals, building permit issuance or any other type of approvals or permitting related to Data Centers within the Town of Avon, Livingston County, New York.

A copy of the proposed local law is available for review by the public at the office of the Town Clerk during regular Town Clerk hours, or by visiting the Town Government page of the Town and Village web site at www.avon-ny.org

All interested persons are invited to appear and be heard at the aforesaid time and place.

Supervisor LeFeber stated he was going to open the other two of the public hearings and if anyone wanted to comment on them they could do so at that time. Councilman Hayes asked the Supervisor if he'd like him to read them which Supervisor LeFeber agreed, and Councilman Hayes read the following:

TOWN OF AVON
NOTICE OF PUBLIC HEARING ON THE
PRELIMINARY BUDGET OF THE TOWN OF AVON
FOR THE YEAR 2027

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Avon for the fiscal year beginning January 1, 2027, including General Town Funds, Highway Fund, Water Funds, Special Districts, Royal Spring Lighting & Drainage District, Crossroads Drainage District, Bruckel Drainage District, Cemetery, Water District Route 39, Ext, and Fire District, is completed and filed in the office of the Town Clerk of the Town of Avon, 23 Genesee Street, Avon, New York 14414, the tentative and the preliminary budgets will be available for inspection by any interested person during office hours, Pursuant to Real Property Tax Law Chapter 258 & 495, an exemption report is attached to the preliminary budget and includes every type of exemption granted by the taxing authority and the cumulative impact of each type of exemption, the cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services, and the cumulative impact of all exemptions granted.

The Town Board of the Town of Avon shall hold a hearing on said preliminary budget on October 22, 2026 at 6:30 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, showing such changes, alterations and revisions as shall have been made therein by the Town Board of the Town of Avon. At such hearing, any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained. The following are the proposed 2027 salaries of Town of Avon

ELECTED OFFICIALS:

Supervisor	$34,421.00
Councilperson(4)	$ 7,533.00
Town Justice (2)	$16,723.00
Town Clerk	$60,224.00
Highway Superintendent	$84,755.00

By Order of the Town Board
Faye Beshures
Avon Town Clerk
DATED: October 12, 2026
PUBLISHED: October 12, 2026

TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to New York State Town Law that a public hearing shall be held by the Town Board of the Town of Avon, at the Opera Block/Town Hall, located at 23 Genesee Street, Avon, New York at 6:15 P.M. on Thursday, October 22, 2026, for the purpose of considering public opinion and comment about or concerning the following:

> A Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Avon pursuant to General Municipal Law §3-c 5, and to allow the Town of Avon to adopt a budget for the fiscal year 2027 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c 2 (g).

A copy of the proposed local law is available for review by the public at the office of the Town Clerk during regular Town Clerk hours, or by visiting the Town Government page of the Town and Village web site at www.avon-ny.org

All interested persons are invited to appear and be heard at the aforesaid time and place.

Supervisor LeFeber asked if anyone had any questions or comments on the three public hearings.

Deb Spratt asked the Supervisor if he had a copy of the Budget and if she could look at it. Supervisor LeFeber handed her the copy.

Chris White of East Avon spoke in favor of the proposed moratorium, expressing concern that data centers could increase electricity demand and costs and potentially create exhaust emissions if powered by natural gas generators.

Resident Deb Spratt also expressed support for the moratorium and asked how the proposed local law would relate to the statewide moratorium announced by the Governor.

Councilman Hayes and Attorney Campbell discussed the relationship between the proposed Town moratorium and the statewide measures. The Board discussed the potential for the Town to adopt additional restrictions and the need for time to review available information and consider appropriate regulations.

Supervisor LeFeber stated that if the Town proceeded with the moratorium, the intent would be to establish a committee to research data centers and periodically report its findings and recommendations to the Town Board.

The Board also discussed whether future data center approvals could be subject to a public referendum, noting that this would depend on the regulatory framework adopted and applicable legal requirements.

The public hearing remained open pending further review.

The Board reviewed the proposed local law that would authorize the Town to adopt a 2027 budget requiring a tax levy in excess of the State tax levy limit.

The Board discussed the purpose of the local law and the option of retaining the ability to exceed the tax cap if circumstances required it. Attorney Campbell explained that the hearing and procedural steps would preserve the Board's ability to adopt the local law before adopting the budget, if necessary.

The Board and residents engaged in further discussion regarding potential adjustments to the Preliminary Budget to remain within the New York State property tax cap. Various options were considered to avoid exceeding the cap without reducing proposed budget appropriations. One option discussed was the potential use of interest earnings accumulated by the Town to offset the amount needed to be raised through property taxes.

Following discussion, the Board elected not to adopt the proposed tax cap override local law at that time, expressing a preference to make additional budget adjustments in an effort to remain within the allowable tax levy limit.

The public hearings on the Preliminary Budget and the proposed data center moratorium remained open.\

The following motion was made:

RESOLUTION 165-2026
APPROVAL TO NOT GO OVER THE TAX CAP
On motion of Deputy Supervisor Mairs seconded by Supervisor LeFeber the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne, Hayes Nay – 0 Absent –0

RESOLVED, that the Town Board intends to revise the proposed 2027 budget to remain within the New York State tax levy limit and not exceed the tax cap.

SUPERVISOR'S ITEMS – SUPERVISOR DAVID LEFEBER

DISCUSSION OF THE RESOLUTION FOR CAPITALIZATION, WHISTLEBLOWER, ONLINE BANKING, AND INVESTMENT POLICIES
Supervisor LeFeber advised the Board that several policies recommended through the Town's audit process required review. These included:

- Online banking policy
- Whistleblower policy
- Investment policy
- Capitalization policy

He particularly emphasized the importance of reviewing the investment policy in connection with federal grant requirements and potential audits. The policies were to be reviewed for possible adoption at a future meeting.

DISCUSSION OF AVON CENTRAL SCHOOL THEATRE USE THE THIRD FLOOR ON 12/7, 12/9,12/10,12/11,12/12 AND 12/13/26 FOR PRACTICES AND PERFORMANCES OF SCROOGE.
Supervisor LeFeber mentioned to the Board that the Avon Central School Theatre wanted to use the third floor in December for practices and their performance, so the Board made the following:

RESOLUTION 166-2026
ACCEPTANCE TO LET THE AVON CENTRAL SCHOOL THEATRE USE THE THIRD FLOOR ON 12/7,12/9,12/10,12/11,12/12 AND 12/13/26 FOR PRACTICES AND PERFORMANCES OF SCROOGE.
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, to approve the use of the third floor for the Avon Central School Theatre on 12/7, 12/9,12/10,12/11,12/12 and 12/13/26 for practices and performances of Scrooge.

DISCUSSION OF ASHANTEE NATION GIRLS SCOUTS USE OF THE THIRD FLOOR ON MARCH 14, 2027, FROM 12:30-4:30PM
Supervisor LeFeber brought to the Boards attention that the Ashantee Nation Girl's Scouts would like to use the third floor on March 14th, so the Board made the following:

RESOLUTION 167-2026
ACCEPTANCE TO LET THE ASHANTEE NATION GIRLS SCOUTS USE THE THIRD FLOOR ON MARCH 14, 2027 FROM 12:30-4:30PM
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, to approve the use of the third floor for the Ashantee Nation Girls Scouts on March 14, 2027, from 12:30-4:30pm.

DISCUSSION OF CLAIMS & PAYMENT OF BILLS
Supervisor LeFeber asked the Board if they had any questions about the claims and bills, there were none so the Board made the following:

RESOLUTION 168-2026
ACCEPTANCE OF CLAIMS & PAYMENT OF BILLS
On motion of Councilman Drozdziel 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:

Fund	**Amount**
General Fund	$ 46,095.13
Highway Fund	$ 14,272.81
Water Fund	$ 1,128.87
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	No Voucher
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

Councilman Hayes discussed correspondence from the New York State Department of Transportation (DOT) regarding a possible road-widening project and installation of a left-turn lane near the DEC entrance.

The correspondence indicated that the work could potentially be completed by the DEC or municipality under a highway work permit, although DOT had not determined that a safety need existed at the location.

The Board discussed the possibility of obtaining grant funding through the GTC process and expressed caution about using Town tax dollars for improvements to a state road.

The Board also discussed vegetation removal near Twin Cedars, which was expected to be completed by state maintenance crews as scheduling permitted.

Councilman Coyne brought up a brief discussion about how many dumpsters were used during dump days and Deputy Supervisor Mairs confirmed there were 9 and that they had quite a few senior pickups.

VISITOR COMMENTS:

A visitor requested that the Town express its concerns to federal immigration authorities regarding the reported detention of a Mount Morris restaurant owner. The visitor asked the Town to support due process and request the individual's release.

Councilman Drozdziel expressed support for the request as well as resident Deb Spratt. The Board discussed whether a formal letter or resolution would be appropriate.

The Board agreed that Attorney Campbell would prepare proposed language for consideration at the next meeting. No formal action was taken on the request during this meeting.

Village Trustee Tom Cushing announced that the Village had received a $9.9 million grant for its wastewater treatment plant project. The Board congratulated the Village and discussed the project's anticipated costs and the possibility of additional grant funding.

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs and carried by all, the Board meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Faye Beshures
Town Clerk