

York Town Board Meeting

March 10th, 2026

7:00 p.m.

Present: Supervisor Gerald L. Deming, Councilmen: Amos Smith, Jay Swede, and John Morgan.

Others: John Witmer (Town Attorney rep.), Carl Peter (Code/Zoning officer), George Worden (Highway Superintendent), Dustin Geiger (chair of Zoning Board of Appeals), Joe McIlroy (chair of Planning Board)

Sign in sheet:

Town Board Meeting

7pm 03/10/2026

Sign in attendance

PLEASE PRINT

1. Angela Ellis
2. Victoria DiCastro
3. Troy DiCastro
4. Christie Mahany
5. Joe McIlroy
6. Amos Walker
7. Steven C...
8. David & Colia Demel
9. Candy Pond
10. Sue Achley
11. Mary Hopkins
12. Emily Conable
13. Phil & Franoy Grand
14. Joe Edmonds

Dustin Geiger

Carl Peter
Karen Halburst
Scott Halburst

Supervisor Deming opened the Town Board meeting at 7:00 p.m. and invited Councilman Swede to lead in the Pledge of Allegiance.

Councilman Rose arrived at 7:02pm

MINUTES:

RESOLUTION offered by Mr. Smith and seconded by Mr. Morgan to approve the minutes of the February 10th 2026 Public Hearing, and the February 10th 2026, 7pm Board meeting. Voted on and approved, Yes-5, No-0.

BILLS:

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to approve all claims brought before the Board. Voted on and approved, Yes-5, No-0.

- General Fund Claim #64 - 93 \$ 27,137.50
- Consolidated Water/Sewer #57 - 78 \$ 86,785.96
- Highway Fund #35 - 55 \$ 28,702.79

Privileges of the Floor:

- 1) Franny & Neil Froid – NY for All

March 10, 2026

Thank you for being here tonight and for the work you do.

I am here to ask you to work toward the passing of NY 4 All.

NY 4 ALL Act: Protecting immigrant communities by prohibiting state and local resources, law enforcement, and agencies from collaborating with federal immigration authorities ICE/CBP. It seeks to prevent the sharing of private information and stop local officers from siding in federal deportation.

Everyone in the United State except Native Americans, is either an immigrant or descendant of an immigrant. There is a human quality to seeking freedom. The information I am about to share is my own immigration journey.

In 1913 My Grandmother was an alien steerage passenger on a ship from Poland bound for America. Grandma's, Aunt, who came before her, shared this advice: "bring dill pickles to eat to help with nausea". Grandma had the courage to make this journey on her own in hopes of a safer, better life. She entered at the port of Ellis Island, given a brief health inspection, stated her name, destination, and had to have \$20 to \$25 dollars. She gained entrance without papers and without fear. She married and raised 12 children never returning to Poland but always sending stuff to the "Old Country" when she could.

In 1942 during the time my father served in the Navy, the Bracero Program or the Mexican Farm Labor Program was established. This program allowed millions of Mexican workers to come legally as guest workers. It was created to address the US labor shortage caused by WWII. They worked for little under hard conditions. Bracero is Spanish for working with your arms. Immigration policies changed in 1965 when the Bracero Program ended. Between 1942 and 1964, 4.6 million workers came legally.

In 1981 my family jointly sponsored a refugee family of 4 from Vietnam. Somsee, Pan, Dara – 3 years old and Ratri – a baby lived with us until housing was found. The community of York and Covington welcomed and helped support this family. Housing, food, furnishings, transportation, a job, English lessons etc., were given. Since 1975 over 1.4 million refugees have been settled.

In 2016, I took part in a walk/run with our grandson at MCC. Avon Central was doing a unit on the journey of 30,000 boys that fled Sudan and walked the dessert of Africa fleeing for their lives. They were called the "the Lost Boys of the Sudan". The walk at MCC was symbolic of the journey made by the boys. There were 13,000 survivors from this journey. Over 3,600 boys were allowed to come to the US and were granted asylum. One of the lost boys, Salva Dut, worked to educate students about the struggles of the survivors. The walk helped raise money for water in the Sudan a program Dut supported.

In 2014, I stood in the home of a mother of 3 as 3 ICE agents fingerprinted her and declared her an undocumented immigrant. She and the children had visas under her husband's work visa. He fled the country after getting into trouble and abandoned the family. The ICE agents

entered her home without a warrant. They gave her one chance to accept a ticket home or be fingerprinted. If she stayed her visa status would be taken away and she and the children would be undocumented. She presented papers showing hospital stays from abuse by her husband, and an email from her husband threatening her life if she returned. The brave young mother said she would stay. There was no legal aid provided or offered. The ICE agents said just go to Buffalo and ask for asylum. After seeking legal immigration aid, this young mother waited for 7 years for a court appearance to receive a U- Visa. There just were not enough judges around to hear the multitude of cases. She received a U-Visa which allowed her to be here legally, obtain a social security number and legally work but it is up for renewal. If it expires for whatever reason, red tape – not enough judges, etc. she will be placed back on the undocumented list.

The guidelines for entry into the US have continually changed. Consistent immigration reform is long overdue. I believe in a fair and compassionate pathway into this country. I do not agree with the misuse of agencies to gain a quota for detention.

The former head of Homeland Security, while riding a horse in front of Mt. Rushmore, filmed a \$220,000,000 campaign ad on immigration. She asked:

“Why do I love these wide-open spaces? They remind me of why our forefathers came here. Not just for its beauty, but for the freedom only America provides.”

How did your foremothers and forefathers arrive here – did they come on a boat for a better life – maybe fleeing religious oppression – resettled after fleeing their home country at war– welcomed to help with labor when workers were needed in the US – seeking asylum – abandoned?

Perhaps the taxpayers’ \$220,000,000 would have been better spent funding adequate judicial agencies to help people obtain citizenship or spent funding the work needed to establish fair Immigration pathways into the “country which offers freedom”.

Why am I here – I am here because of my grandmother’s courageous journey to this country – and my faith which teaches us to welcome the stranger. I am here because I have worked to help the stranger. I am here because young people need to see all of us working for a welcoming, free America. Not an America where you live in fear of family separation and deportation, for yourself and for your neighbors. Not to be detained and put in a cell because you look like you do not belong here.

I am here tonight asking you, the first level of my elected government, to ensure the safety of people that are here, our neighbors. To support a written statement that the York Town Board affirms the NY 4 All Act which protects those waiting for a pathway into America. Then take the statement to the next government level, the Board of Supervisors, and ask for their support. Work to keep it moving up the ladder showing support until it passes! Have I come to the right place. Do you have a calling to discuss this issue and make a statement to bring it up the government ladder? What are your thoughts?

Sincerely, Franny Froid

3) David Deuel – Research information

“People are entitled to their own opinions but not to their own facts.”

Financier Bernard Baruch has been given credit for this quote, first in 1918 and then in 1946. This information is from the website [Quote Investigator](#).

Tonight, I will give the Town Board information I have researched over the past 18 months and the sources of this information. Each member can verify it on their own time. If anyone finds any discrepancies, please inform me of my errors. This information is the foundation of my opinions and beliefs and therefore the actions I request the board to take.

The following figures are for 2024 and come from the US Census Bureau, Department of Homeland Security and US Immigration and Customs Enforcement agency. There are 11 million unauthorized immigrants in the US. This is 3.3% of the population of 340 million.

8.3 million, or 75% have jobs

17,048, or 0.16% have criminal records

Breakdown of criminal records.

Assault, battery, domestic violence 1084

Theft, fraud 697

DUI 2844

Homicide 29

Drugs 1566

Weapons 232

Sexual offenses 221

Miscellaneous 3276

Illegal entry/re-entry 10,935

The definition of Illegal Entry, from the US Department of Justice, “Occurs when a person enters or attempts to enter the US at any time or place other than at a designated port of entry, eludes inspection by immigration officers, or uses fraudulent documents.” First offenses are a misdemeanor, most after processed through civil immigration proceedings for removal. Subsequent offenses, illegal re-entry, is a felony punishable by 2-20 years in federal prison. I do not have

figures as to how many of these 10,935 illegal entry cases are 1st time entry and how many are subsequent re-entry. When you remove the 10,935 crimes for illegal entry/re-entry which are not crimes against the general public or safety related, the crime rate for unauthorized immigrants is 0.06%. Using the FBI Crime Data Reporter, which is the official US government website collecting data from the Livingston County Sheriff's Department, the crime rate in Livingston County is between 1.3% and 1.4%, or 22 times greater than that of the undocumented immigrant population. The reality is that the unauthorized immigrant population has a much, much lower crime rate than the naturalized citizens of Livingston County. I believe our local law enforcement assets should be used for local law enforcement, not federal immigration policy.

While researching immigration law I came across an article from the Albany Law School website. I believe it to be a reliable, trustworthy source. "Sanctuary Policies: What are the Decisions Facing State and Local Government? Written by Ava Ayers. She has a very impressive biography. I encourage you to read it. The web address of this article is albanylaw.edu/government-law-center/sanctuary-jurisdictions. She starts by stating the word "sanctuary" has no legal definition; it can refer to a diverse array of state and local policies on immigration enforcement. Simply stated, the federal government cannot compel local law enforcement personnel to participate in federal immigration enforcement, investigation, or detention. Thus, state and localities must make their own choices about whether to participate directly, and at what level, in federal immigration enforcement.

Up to this point, the Livingston County Sheriff has not cooperated with Federal agencies in the investigation, detention, or housing of unauthorized immigrants without a judicial criminal warrant. The Board of Supervisors and the County Sheriff Dept. have stated that they see no need to change this policy. If that is the case, I am asking this town board to request and encourage the county to put this into writing as a county resolution. That the county continues to take a measured, neutral position based on transparency and public engagement.

Why am I so concerned about this? In Developing the 2026 county budget, Ian Coyle was very clear that HR1, passed in July 2025, will have a major negative

impact on our county's budget in 2027 and 2028. This will require exploring new revenue sources to avoid major increases to property tax levies or serious curtailment of county services that provide for the quality of life that county residents have come to expect and enjoy.

The Department of Homeland Security, and this is directly from its website, has \$14 billion in federal funding available to state and local law enforcement agencies as incentive to assist in immigration enforcement. My greatest concern is that the county sheriff will enter into a 287(G) agreement, in order to address budgetary challenges. Given the information presented, I absolutely believe using county law enforcement for federal immigration law enforcement is a misappropriation of resources. Again, I urge the town board to direct the county to prevent this from occurring.

Continuing my research, I came across a research paper all of us should review. The web address is [cato.org/white-paper/immigrants-recent-effects-government-budgets-1994-2023](https://www.cato.org/white-paper/immigrants-recent-effects-government-budgets-1994-2023) Hopefully, all of us will read it and share it with our government representatives. I would love to discuss it at length with all of you.

Thank you,

David Deuel

4) Cindy Pond – National Events

**How National Events Affect The Town Board
York Town Board
March 10, 2026**

Essentially, those at the local level of government are now front-line responders. As regulations change, laws change, polarization of the country filters right down to you. It's no longer the "nuts and bolts" of county maintenance – the water, the sewer, the roads and winter storms. The Town Board role has moved from managing local services to navigating complex and divisive issues that affect daily life, public safety and monetary stability.

Counties are feeling the 'National' tone – and if you're not listening, you're not in the right place. Given the impact of federal politics, citizens are now paying attention, getting involved, using social media widely and those 20-35 year olds are not at all "checked out" like you or I may have assumed.

At the local level, they just want their government to function and function well. Understandably, they are skeptical. They are questioning everything. If someone at the national level can skip playing by the rules, they ask: can that be happening here in my county? Can I trust my elected officials? Is somebody getting something that I'm not getting? Will they respond to my concerns?

There was no shortage of volunteers to staff the petition drive for the Board of Supervisors recent Local Law erasing some public competitive bidding on real property. After an article in the LCN, one young man started a social media drive with a few comments, worked to develop a permissive referendum, garnered support of LivCo residents through social media and suddenly there were over 300+ comments on the LCN article. Many people were asking: "Where do I sign?"

In case you missed it, I have included some of the social media comments from the article which reflect a fear of corruption, suspicions about the timing of the regularly scheduled BOS meeting that somehow was designed to exclude them, many expressing fears that there were ulterior motives, often around money.

Now, we can choose to criticize and dismiss these comments but I want you to remember that these are your voters, people who elected you to office and trusted you to hear their concerns and fight for protecting their way of life. And they'll be coming back to the voting booths in November.

I volunteered at one of the petition drives and within a couple of days we had over 400 signatures and the townspeople who walked in to sign it also stayed to talk about their ideas. They are expecting accountability in local government. They want local farmland protected and they want their natural freshwater lakes preserved. The most common complaints were about Solar farms and the new AI Data Centers!

There was a definite sense of helplessness that the Solar companies could come onto land near them and build Solar installations on the rich farmland in the Genesee Valley.

Meanwhile, as Congress fights over how to fix the immigration issues that have long plagued our country, it would be wise for us to define how we expect people in our county to be treated. Will we abide by the rule of law? Are we going to jail immigrant parents with their children who may well be innocent US citizens with no criminal history? With the Big Beautiful Bill giving Department of Homeland Security a boost of \$45B going forward, will that tempt us to expand immigration detention centers to those closed correctional facilities when our local budgets become unbalanced? Will we look away at the documented abuse occurring in these detention centers, including the abuses of children?

Who could have predicted the dramatic effects on our country in 2025 – the Tariffs, the DOGE cuts, the boat strikes, the government shutdown, the Epstein files and now an unconstitutional War. But here we are – and it is imperative that we act now and prepare ourselves with open, honest feedback and firm actions that will support our way of life and define our county's values.

LCN Comments Online

"They tried to sneak it through. I've started paying attention due to the corruption at the state and federal level."

"Would the new law give local officials the chance to AVOID having big company solar come in and destroy the land?"

"AI companies risk contaminating our freshwater lakes."

"There was probably a reason the vote was held mid-day mid-week – a lot less involvement from the public."

"Here come the solar panels and the windmills."

"AI storage containers that use fresh water to cool their mega servers."

"Hope this isn't a ramp up to a Data Center deal."

"As long as it lines their pockets."

"We should demand that all hearings - from planning to approval stages - be recorded and on social media so that people can understand it."

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- 5) Troy & Tori D'Agostino – property 2576 Telephone Road
- a) Requesting lot to be rezoned from agriculture to a planned development and extending the town water.

Much discussion was had with the land owners, Town Board, Planning Board Chair – Joe McLilroy, ZBA Chair – Dustin Geiger and Angela Ellis. The conversation directed the D'Agostino's to start with the Livingston County Department of Health to check on water/sewer requirements before moving to rezone.

HIGHWAY:

Mr. Worden reported the following for the Highway Department:

- Conservancy wanted to put in parking lot area for the Little Italy Trail on land that they own. I am confirming with Town that we would allow them use our lot that is at the end of Spring Street. This would prevent people from walking on the street to get to the Trail. We would request signage during the winter months as to where trail users can park so that the plows are able to still come in and turn around.
- We would like to move forward with item(s) in our budget for the purchase of trailer and equipment so that we get moving on putting that out to bid.
- Brush clean up day for the Town will be April 13th, 2026

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to approve the use of the parking lot, moving forward on putting equipment purchase out to bid, and moving forward with scheduling the brush pick up start date. Voted on and approved, Yes-5, No-0.

WATER/SEWER:

Mr. Worden reported the following for the Water & Sewer Department:

- We had to replace bearings in the old pump from 1972.... this is just a patch on the old system.

Old BUSINESS:

- 1.) River Road Water Extension – This project is ready to go out to bid.

RESOLUTION offered by Mr. Swede and seconded by Mr. Smith to put the project out to bid. Voted on and approved, Yes-5, No-0.

NEW BUSINESS:

- 1.) Retirement Letter from J. Hodges - After 22 ½ years James Hodges will be retiring on March 30th, 2026.

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to accept the letter and date of retirement from James Hodges and start the process to have a replacement team member. Voted on and approved, Yes-5, No-0.

- 2.) Dwelling/Lot sizes Recommendations – Amend zoning ordinance to revise certain minimum lot sizes, minimum lot frontages, and minimum square footage of dwelling units. By doing so the Town Board is hoping to encourage the development of affordable housing, which aligns with the Town of Yorks Comprehensive Plan.

RESOLUTION offered by Mr. Morgan and seconded by Mr. Smith to move forward with the proposal of Local Law #2 of 2026 and schedule the Public Hearing for April 14th, 2026 at 6pm. Voted on and approved, Yes-5, No-0.

**RESOLUTION
OF THE TOWN BOARD
OF THE TOWN OF YORK**

March 10, 2026

**RESOLUTION INTRODUCING THE PROPOSED
LOCAL LAW NO. 2 OF 2026 AND RELATED SEQRA EAF
FOR REVIEW, ESTABLISHING SEQRA LEAD AGENCY,
REFERRING PROPOSED LOCAL LAW NO. 2 OF 2026
TO THE LIVINGSTON COUNTY PLANNING BOARDS
AND SETTING A PUBLIC HEARING**

WHEREAS, the Town Board of the Town of York (“Town”) commissioned a team consisting of members of the Town Board, Planning Board, and Zoning Board of Appeals to review and propose revisions to the Town of York Zoning Ordinance (the “Zoning Ordinance”) to encourage the development of affordable housing in the Town consistent with the goals of the Town of York Comprehensive Plan; and

WHEREAS, the team has developed a proposed Local Law No. 2 of 2026, annexed hereto as Exhibit A (the “Proposed Local Law”), to amend the Zoning Ordinance to revise certain minimum lot sizes, minimum lot frontages, and minimum square footage of dwelling units as follows:

| Zoning District/ Requirement | Standard | Current Requirement | Proposed Requirement |
|---|-------------------------------------|--|--|
| All | Minimum Dwelling Size (§513) | 860 square feet for all residential dwellings | <p>1-family dwelling=1,000 square feet</p> <p>2-family dwelling=550 square feet per dwelling unit</p> <p>Accessory dwelling units=550 square feet per dwelling unit</p> <p>Multi-family dwelling:</p> <p>1-bedroom=550 square feet</p> <p>2-bedroom=650 square feet</p> <p>3-bedroom=800 square feet</p> <p>Note: the minimum for single- and double-wide manufactured homes</p> |

| | | | |
|------------------|------------------|--------------------|---|
| | | | (§522, 750 and 860 square feet respectively) is unchanged |
| Residential (R) | Minimum lot size | 40,000 square feet | 30,000 square feet |
| Agricultural (A) | Minimum lot size | 3 acres | 30,000 square feet |
| Agricultural (A) | Lot Frontage | 250 feet | 150 feet |

WHEREAS, adoption of the Proposed Local Law could be considered an unlisted action under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, Part 1 of a Short Form SEQRA Environmental Assessment Form (“EAF”), annexed hereto as Exhibit B, has been prepared for the Proposed Local Law; and

WHEREAS, the Proposed Local Law is required to be referred to the Livingston County Planning Board pursuant to General Municipal Law § 239-m; and

WHEREAS, the Proposed Local Law is subject to the notice and hearing requirements of Town Law § 264.

NOW, THEREFORE, IT IS RESOLVED that the Proposed Local Law is introduced for consideration by the Town Board; and

RESOLVED, that, pursuant to 6 N.Y.C.R.R. §617.6(b)(1), the Town Board shall serve as Lead Agency for the SEQRA review of the Proposed Local Law; and

RESOLVED, that the Town Board accepts and directs the Town Supervisor to sign the EAF; and

RESOLVED, that the Town Board directs the Town Supervisor to arrange for the referral of the Proposed Local Law, EAF, and Existing Solar Law to the Livingston County Planning Board for review pursuant to General Municipal Law § 239-m; and

IT IS HEREBY FURTHER RESOLVED that a public hearing before the Town Board at the York Town Hall regarding the Proposed Local Law and the SEQRA review for the Proposed Local Law is set for the 14th day of April 2026 at 6:00 pm; and

RESOLVED, pursuant to Town Law § 264, notice of the time and place of the public hearing shall be published in the *Livingston County News* at least ten days prior to the date of the public hearing; and

RESOLVED, pursuant to Town Law § 264, at least ten days prior to the date of the public hearing, written notice of the Proposed Local Law shall be mailed or personally delivered to the Town Clerks of the Towns of Caledonia, Pavillion, Covington, Avon, Geneseo, the Village Clerk of the Village of Geneseo the Genesee Region of the NYS Parks Commission, the Clerk of the Genesee County Board of Supervisors, and the Clerk of the Wyoming County Board of Supervisors.

DATE: March 10, 2026

LOCAL LAW NO. 2 OF THE YEAR 2026

OF THE TOWN OF YORK

A local law to amend the Zoning Ordinance of the Town of York, Livingston County, New York to modify Article IV, Section 402. C.

Be it enacted by the Town Board of the Town of York as follows:

SECTION 1. TITLE AND SCOPE

This local law shall be known as "A LOCAL LAW TO AMEND ARTICLE IV OF THE ZONING ORDINANCE OF THE TOWN OF YORK, LIVINGSTON COUNTY, NEW YORK TO MODIFY REQUIREMENTS FOR RESIDENTIAL DWELLINGS."

SECTION 2. PURPOSE.

(a) Authority. This Local Law is adopted pursuant to the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, Article 16, and Articles 2 and 3 of the Municipal Home Rule Law, to protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of York in a fashion that is not inconsistent with the Comprehensive Plan of the Town of York. This Local Law regulates the use of buildings and structures and the development and use of land within the Town of York.

(b) To these ends, this local law and the Articles that it amends is designed to:

1. Enhance and regulate the orderly growth, development and redevelopment of the Town in accordance with a well-considered plan so that the Town may realize its potential as a place to live and work, with the most beneficial and convenient relationships among the agricultural, commercial, industrial, and residential areas within the Town and with due consideration to the character of each district and its suitability for particular uses; and
2. Protect and manage the character of the Town.

SECTION 3. CHANGES TO SECTION 513—MINIMUM DWELLING SIZE

The current Section 513 of the Zoning Ordinance of the Town of York is hereby modified and amended to eliminate the requirement that all residential dwellings be a minimum of 860 square feet in size and create subsections A, B, D, and D that shall read as follows:

- A. All single-family residential dwellings shall be a minimum of 1,000 square feet in size. This minimum area shall not include the cellar, basement, garage, attic, or any other unfinished areas.

- B. All accessory dwelling units, as such term is defined in Section 613, shall be a minimum of 550 square feet in size. This minimum area shall not include the cellar, basement, garage, attic, or any other unfinished areas.
- C. The minimum size of a dwelling unit in a two-family dwelling shall be 550 square feet. This minimum area shall not include the cellar, basement, garage, attic, or any other unfinished areas.
- D. The minimum unit size of dwelling units within a multi-family dwelling are as follows, which areas shall not include cellar, basement, garage, attic, or any other unfinished areas:
 - (1) One bedroom dwelling units shall be a minimum of 550 square feet.
 - (2) Two bedroom dwelling units shall be a minimum of 650 square feet.
 - (3) Three bedroom dwelling units shall be a minimum of 800 square feet.

SECTION 4. CHANGES TO SECTION 401 -RESIDENTIAL DISTRICT (R)

The current Section 401.D of the Zoning Ordinance of the Town of York is hereby modified and amended to reduce the minimum lot size from 40,000 square feet to 30,000 square feet and shall read as follows:

D. Lot Size. Minimum 30,000 square feet

SECTION 5. CHANGES TO SECTION 400-AGRICULTURAL DISTRICT (A)

(a) The current Section 400.D of the Zoning Ordinance of the Town of York is hereby modified and amended to reduce the minimum lot size from three (3) acres to 30,000 square feet and shall read as follows:

D. Lot Size. Minimum 30,000 square feet

(b) The current Section 400.E of the Zoning Ordinance of the Town of York is hereby modified and amended to change the minimum lot frontage from 250 feet to a minimum lot frontage of 150 feet and shall read as follows:

E. Lot Frontage: Minimum 150 feet

SECTION 6. EFFECTIVE DATE.

This local law shall be effective thirty (30) days after its filing with the Office of the Secretary of State.

3.) Angela Ellis-

- a) Bond Resolution Tap Grant- moving forward to submit the Bond Resolution for reconstruction/construction of sidewalks in the Hamlet of Greigsville Corridor – Phase 2

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF YORK, LIVINGSTON COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS FOR THE HAMLET OF GREIGSVILLE CORRIDOR – PHASE 2; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$1,519,445; AND AUTHORIZING THE ISSUANCE OF UP TO \$303,889 IN SERIAL BONDS OF THE TOWN TO FINANCE A PORTION OF SAID APPROPRIATION

WHEREAS, the Town Board of the Town of York, Livingston County, New York (the “Town Board”) proposes to authorize the issuance of up to \$303,889 in serial bonds of the Town to finance the construction or reconstruction of sidewalks for the Hamlet of Greigsville Corridor – Phase 2, including curbs and gutters, and all ancillary and related improvements (the “Project”), at an estimated maximum cost of \$1,519,445; and

WHEREAS, this resolution will be subject to the Town Board completing State Environmental Quality Review Act (“SEQRA”) review within the regulations of the New York State Department of Environmental Conservation thereunder.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of York, Livingston County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake the Project as hereinabove described and issue up to \$303,889 principal amount of serial bonds (including, without limitation, statutory installment bonds), or bond anticipation notes in anticipation of such bonds pursuant to the provisions of the Local Finance Law of the State of New York, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated cost of the Project.

SECTION 2. The Town is hereby authorized to undertake the construction or reconstruction of sidewalks for the Hamlet of Greigsville Corridor – Phase 2, including curbs and gutters, and all ancillary and related improvements. It is hereby determined that the maximum estimated cost of the aforementioned class of object or purpose is \$1,519,445, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$303,889 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of any grant monies expected to be received from the New York State Department of Transportation - Transportation Alternatives Program, to pay or reimburse costs of the Project, (iii) available funds of the Town, and (iv) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of object or purpose is ten (10) years, pursuant to subdivision 24. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of the Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the class of objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Town Board.

SECTION 11. In the absence of the Town Supervisor, the Deputy Town Supervisor of the Town is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such 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

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 13. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law; provided, however, that no bond anticipation notes or bonds shall be issued prior to the completion of the SEQRA review of the Project and the subsequent ratification and confirmation of this bond resolution by re-adoption thereafter by the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| | <u>AYE</u> | <u>NAY</u> |
|------------------------------------|------------|------------|
| Gerald L. Deming, Supervisor | X | |
| Frank Rose, Jr., Deputy Supervisor | X | |
| Amos Smith, Council Member | X | |
| Jason Swede, Council Member | X | |
| John Morgan, Council Member | X | |

The resolution was thereupon declared duly adopted by a vote of 5 ayes and 0 nays.

Dated: March 10, 2026

RESOLUTION offered by Mr. Swede and seconded by Mr. Morgan to submit Bond Resolution for the sidewalks in the Hamlet of Greigsville Corridor – Phase 2. Voted on and approved, Yes-5, No-0.

4). Municipal Solutions Inc – approval required to use them if needed for the Bond Borrowing

RESOLUTION offered by Mr. Morgan and seconded by Mr. Rose to contract with Municipal Solutions Inc. if additional funding is needed. Voted on and approved, Yes-5, No-0.

5). Water/Sewer Tap – T. Fraser at 2642 Dow Road, Piffard

The water tap at this property has already been paid by the previous landowner; therefore Mr. Fraser will only need to pay \$1,500 for the sewer tap. The clerk will contact Mr. Fraser to return the check that was issued for both water & sewer taps totaling \$3,000 and have a new check for the sewer tap only in the amount of \$1,500.00.

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to approve the Sewer & Water tap application for property located at 2642 Dow Road. Voted on and approved, Yes-5, No-0

RESOLUTION offered by Mr. Smith and seconded by Mr. Swede to return the initial check for the incorrect amount and obtain a check in the amount of \$1,500. Voted on and approved, Yes-5, No-0.

ADJOURNMENT: Motion offered by Mr. Swede & seconded by Mr. Morgan to adjourn the Town Board meeting until April 14th, 2026. Voted on and approved, Yes-5, No-0.

Town Board meeting closed at 8:30 p.m.

Respectfully submitted,

Tara L. Johnson

Tara L. Johnson

York Town Clerk