

**Eaton Town Council Annual and Regular Board Meeting Minutes,
Tuesday, January 9th, 2024 at 6:00 pm**

Town of Eaton Office Building, 35 Cedar Street, Morrisville, New York, there were present:

Joseph Wicks, Supervisor
Jeff Golley, Councilmember
Dave Verne, Councilmember
Stephen Dickerson, Councilmember
Jean Hilts, Councilmember
Dean Curtis, Town Clerk
Pam Locke, Deputy Town Clerk
Larry Phillips, Highway Superintendent (Absent)

Also present: Amy Will, Bookkeeper, Jamie Benedict, Clyde Benedict

Call to order & Welcome: The Meeting opened at 6:00 pm with the Pledge of Allegiance.

ANNUAL ORGANIZATIONAL MEETING:

ELECTED OFFICIAL INFORMATION:

Paula Highers, Justice: 4 year. Term 01-01-2024 thru 12-31-2027
Larry Phillips, Highway Superintendent: 4 year. Term 01-01-2022 thru 12-31-2025
Joseph Wicks, Town Supervisor: 4 year. Term 01-01-2024 thru 12-31-2027
Stephen Dickerson, Councilperson: 4 year Term 01-01-2024 thru 12-31-2027
Jean Hilts, Councilperson: 4 year Term 01-01-2024 thru 12-31-2027
Dave Verne, Councilperson: 4 year Term 01-01-2022 thru 12-31-2025
Jeff Golley, Councilperson: 4 year Term: 01-01-2022 thru 12-31-2025
Dean Curtis, Town Clerk/Tax Collector: 4yr. Term: 01-01-2022 thru 12-31-2025

STAFFING & CONTRACTUAL APPOINTMENTS & RE-APPOINTMENTS:

One Year Appointments: Commencing January 1, 2024 & expiring December 31, 2024:

RESOLUTION 2024-1 : Annual Appointments for Positions as Listed. On a motion of Councilmember Golley, seconded by Councilmember Dickerson, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the following appointments for 1/1/2024 – 12/31/2024 as follows:

- Historian – Susan Greenhagen
- Court Clerk – Brenda Herrick

- Dog Control Officer – Dan Hilts
- Zoning & Codes Enforcement Officer – Larry Cesario

- Deputy Town Clerk – Pam Locke
- Planning Board/Zoning Board of Appeals Clerk & Secretary – Karen Jacobs
- Budget Officer – Joseph Wicks

RESOLUTION 2024-2 : Annual Contractual Appointment for Town Attorney. On a motion of Councilmember Verne, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that Costello, Cooney & Fearon, PLLC be the town attorneys for 1/1/2024 – 12/31/2024.

PLANNING BOARD, ZONING BOARD OF APPEALS APPOINTMENTS:

RESOLUTION 2024-3 : Planning Board Appointment of James Crowell. On a motion of Councilmember Hilts, seconded by Councilmember Dickerson, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that James Crowell be appointed to Planning Board for a new 5-year Term: 1/1/2024 - 12/31/2028

RESOLUTION 2024-4 : Planning Board Chair Appointment.
On a motion of Councilmember Golley, seconded by Councilmember Verne, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that Paul Rhyde is appointed Chair of the Planning Board for 1/1/2024-12/31/2024

RESOLUTION 2024-5 : Zoning Board of Appeals Appointment of Fenton Groves.
On a motion of Councilmember Hilts, seconded by Councilmember Dickerson, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that Fenton Groves be appointed to Zoning Board of Appeals for a new 5-year Term: 1/1/2024 - 12/31/2028

RESOLUTION 2024-6 : Zoning Board of Appeals Annual Chair Appointment. On a motion of Councilmember Dickerson, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
Resolved that Mike Mazza is appointed Chair of the Zoning Board of Appeals for 1/1/2024-12/31/2024

APPOINTMENTS & COMMITTEES BY TOWN SUPERVISOR:

RESOLUTION 2024-7 : Appointments by Supervisor.

On a motion of Councilmember Verne, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 4, Nays: 0, Abstained: 1 (Golley)

Resolved that Jeff Golley be appointed as Deputy Supervisor for 1/1/2024-12/31/2024

Annual Reorganizational Resolutions:

RESOLUTION 2024-8 : Official Newspaper – Oneida Daily Dispatch.

On a motion of Councilmember Verne, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0, Resolved that Oneida Daily Dispatch be designated as the Town’s official newspaper.

RESOLUTION 2024-9 : Official Bank – Community Bank.

On a motion of Councilmember Golley, seconded by Councilmember Dickerson, the following resolution was: ADOPTED: Ayes: 5, Nays: 0, Resolved that Community Bank be designated as the Town’s official bank.

RESOLUTION 2024-10 : Authorize Issuance of Payroll – Bi Weekly and BiAnnually.

On a motion of Councilmember Dickerson, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 5, Nays: 0, Resolved that the issuance of payroll on either bi-weekly or bi-annually basis be authorized.

RESOLUTION 2024-11 : Designate Town Board Meetings.

On a motion of Councilmember Golley, seconded by Councilmember Verne, the following resolution was: ADOPTED: Ayes: 5, Nays: 0, Resolved that Town Board Meetings are designated to be held on the Second Tuesday of each month, at 6:00 p.m. at the Town Office Building at 35 Cedar Street, Morrisville, NY 13408

□ *Legal notice to follow informing public*

RESOLUTION 2024-12 : Authorize Mileage Reimbursement at .67 cents/mile.

On a motion of Councilmember Verne, seconded by Councilmember Dickerson, the following

resolution was: ADOPTED: Ayes: 5, Nays: 0,
Resolved that 2024 Town mileage reimbursement rate be in accordance with NYS & Federal rate of .67 cents per mile.

RESOLUTION 2024-13 : Authorization of Pre-Pays of Bills.

On a motion of Councilmember Vern, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0,
Resolved that authorization is given for advance payment of certain monthly bills such as electric, telephone, internet, postage, insurances relating to heal and dental, property, automobile, liability, and surety be paid as pre-pays. *(Bills that are paid in advance will be listed on the next available abstract and designated as prepaid)*

RESOLUTION 2024-14 : Town of Eaton Observation of Holidays.

On a motion of Councilmember Hilts, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0,
Resolved that Town of Eaton observes the following as legal Holidays, Town offices will be closed on these days.

New Year's Day - Monday, January 01, 2024

Dr. Martin Luther King, Jr. Day - Monday, January 15, 2024

Lincoln's Birthday Monday, February 12, 2024

Washington's Birthday - Monday, February 19, 2024

Memorial Day - Monday, May 27, 2024

Juneteenth National Independence Day - Wednesday, June 19, 2024

Independence Day - Thursday, July 04, 2024

Labor Day - Monday, September 02, 2024

Columbus Day - Monday, October 14, 2024

Election Day - Tuesday, November 05, 2024

Veterans' Day - Monday, November 11, 2024

Thanksgiving Day - Thursday, November 28, 2024, Friday, November 29, 2024

Christmas Day - Wednesday, December 25, 2024

Public Comments: None

REGULAR MONTHLY MEETING

PUBLIC COMMENT:

Jamie and Clyde Benedict had come before the board asking for help once again about a tenant at Candy Lane Trailer park not following Department of Health Laws and Ag &

Markets Law along with Town of Eaton Dog Licensing Laws. The particular tenant has been served with Notice to Comply and a written Citation for Not Licensing their Dog. Court Date has been scheduled for January 17th at 4:00 pm. The Town has also brought these issues to our Town Attorney and are awaiting further direction.

CODES OFFICER REPORT:

**Town of Eaton
Codes Officer Report
12/1/2023 - 12/31/2023**

| Type | Date | Comment | Name | Fee |
|-------------------------|------------|---------------------------------|-------------------|----------|
| Building Permit Renewal | 12/08/2023 | #36-18 Cobblestone Trading | Hutchinson, Barry | \$50.00 |
| Building Permit Renewal | 12/08/2023 | #71-22 24'x38' Garage w/ office | Smith, James | \$50.00 |
| Building Permit | 12/28/2023 | #59-23 Shed | Caraher, Eric H | \$134.00 |
| | | | | |
| | | Total | | \$234.00 |

TOWN CLERKS REPORT: (see agenda packet),

Total taxes collected \$ 550,403.12
 NYMIR training starting soon
 .gov domain pending
 Oath of Office Cards prepared

RESOLUTION 2024-15 : Approval of Minutes – 12/12/2023 Work Shop: On a motion of Councilmember Verne, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
 Resolved that the minutes for December 12th 2023 Work Shop be approved.

RESOLUTION 2024-16 : Approval of Minutes – 12/12/2023:
 On a motion of Councilmember Verne, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0
 Resolved that the minutes for December 12th 2023 be approved.

HIGHWAY REPORT:

Absent but see Resolution under New Business

SUPERVISOR REPORT:

RESOLUTION 2024-17 : Approval Supervisor Report as Submitted:

On a motion of Councilmember Hilts, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the Supervisor Report for the month of December be approved.

NEW BUSINESS:

RESOLUTION 2024-18 : Designating Polling Place at Town Building:

On a motion of Councilmember Verne, seconded by Councilmember Golley, the following

resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the designated Polling Place as the Town of Eaton Office Building, 35 Cedar Street, Morrisville NY 13408

RESOLUTION 2024-19 : Introduction of Local Law 1-2024 (“A Local Law Amending Chapter 120 of the Town of Eaton Code to Regulate Solar Energy

Systems within the Town of Eaton”).):

On a motion of Councilmember Dickerson, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that approval to advertise and hold public hearing on Local Law 1-2024 (“A Local Law Amending Chapter 120 of the Town of Eaton Code to Regulate Solar Energy Systems within the Town of Eaton”).)

Roll Call

Councilmember Golley Yes, Councilmember Verne Yes, Supervisor Wicks Yes, Councilmember Dickerson Yes, Councilmember Hilts Yes

**TOWN OF EATON
TOWN BOARD RESOLUTION 19-2024**

January 9th, 2024

TOWN OF EATON LOCAL LAW 1 OF 2024

(“A Local Law Amending Chapter 120 of the Town of Eaton Code to Regulate Solar Energy Systems within the Town of Eaton)

Councilmember Dickerson introduced proposed Local Law No. 1-2024, “Amending Chapter 120 of the Town of Eaton Code to Regulate Solar Energy Systems within the Town of Eaton”, which will result in adding a new Article VD of Chapter 120 of the Town Code so as to adopt regulations which are intended to preserve the health, safety and welfare of the Town while also facilitating the production of renewable energy, and made the following motion, which was seconded by Councilmember Golley:

WHEREAS, proposed Local Law 1-2024 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Sections 617.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law of New York (SEQRA), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the adoption of said Local Law is a Type I action for purposes of environmental review under SEQRA; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Eaton, such that there are no other involved agencies within the meaning of the SEQRA with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the Town Board has determined that a Full Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said full EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED that the enactment of proposed Local Law No. 12024 is a Type I action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; and it is further

RESOLVED AND DETERMINED that the Town Board has determined this action shall have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED AND DETERMINED that the reasons for the foregoing declaration are as follows:

1. If adopted, proposed Local Law No. 1-2024, much like the local law recently introduced amending Chapter 120 to regulate commercial wind facilities, will address changes in renewable energy and permit and regulate the construction of solar energy systems in the Town of Eaton in a manner that preserves the health, safety and welfare of the Town while also facilitating the production of renewable energy.

2. In reviewing and regulating the placement and use of certain solar energy systems, the Town has recognized that a carefully coordinated special use permit and site plan review will be taken by the Planning Board.

3. In regulating the placement and use of solar energy systems, the Town proposed regulations are designed to minimize the impact of such uses on the environment and surrounding properties while encouraging appropriate placement of those facilities in the proper circumstances.

4. This Local Law seeks to accommodate public demand for solar energy systems, while minimizing potential adverse impacts upon neighboring uses.

5. Aesthetic impacts will be reduced as a result of this Local Law which imposes various site requirements upon these facilities, including screening, height limitations, separations, design, proliferation, lighting, utility services, setbacks, and others.

6. Enactment of proposed Local Law No. 1-2024 will be more protective of the environment than the proliferation of solar energy systems in the absence of regulations.

7. Proposed Local Law No. 1-2024 seeks to minimize aesthetic and other impacts of such uses on their neighbors, and as such, its adoption will have no significant effect on land use, air or water quality, traffic, solid waste production, drainage, animal or vegetation life; will not attract numbers of people to the Town; will not create any conflict with the Town’s plans or goals; will not impair the character of any community or neighborhood resource; will not create any health hazard; will not result in any change in energy use; and will not create any demand for other action which would result in the above consequences; and it is further

RESOLVED AND DETERMINED that this Board adopts and incorporates into this Resolution the attached Notice of Negative Declaration; and it is further

RESOLVED AND DETERMINED that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. 1-2024 at Town Hall located at 35 Cedar Street, Morrisville, New York in the Town of Eaton on February 13th, 2024 at 6:05 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

| | | | |
|--------------------------|-------------------|--------------|------------|
| David Verne | Councilor | Voted | Yes |
| Jean Hilts | Councilor | Voted | Yes |
| Stephen Dickerson | Councilor | Voted | Yes |
| Jeff Golley | Councilor | Voted | Yes |
| Joseph Wicks | Supervisor | Voted | Yes |

The foregoing resolution was thereupon declared duly adopted.

DATED: January 9th, 2024

RESOLUTION 2024-20 : Retirement reporting for Town Supervisor:

On a motion of Councilmember Dickerson, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that retirement reporting for Town Supervisor has been approved.

RESOLUTION NO. 20-2024 OF THE TOWN OF EATON COUNCIL

BE IT RESOLVED, that the Town of Eaton, Location code 30083, hereby establishes the following as standard work days for these titles and will report the officials to the New York State and Local Employees’ Retirement System based on their record of activities:

Dated: January 7, 2024

| Name | Social Security Number | NYSLRS ID | Title | Current Term Begin & End Dates | Standard Work Day | Record of Activities Result | Not Submitted | Pay Frequency | Tier 1 |
|--------------------------|------------------------|-----------|------------|--------------------------------|-------------------|-----------------------------|---------------|---------------|--------|
| <i>Elected Officials</i> | | | | | | | | | |
| JOSEPH WICKS | XXX | RXXXXX | SUPERVISOR | 1/1/2024 – 12/31/2027 | 6 | 3.12 | | BIWEEKLY | |

RESOLUTION 2024-21 : Declaring 2008 Chevrolet Pickup truck surplus and authorizing purchase of 2024 Chevrolet Silverado Pickup truck and modification of the 2024 Highway Operating Budget.

On a motion of Councilmember Verne, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that Town Board approve a Resolution declaring the 2008 Chevrolet 1500 pickup truck surplus, authorizing the purchase of a 2024 Chevrolet Silverado Pickup truck and modification of the 2024 Highway Operating Budgets

RESOLUTION NO. 21-2024 OF THE TOWN OF EATON COUNCIL

A RESOLUTION DECLARING THE 2008 CHEVROLET 1500 PICKUP TRUCK SURPLUS, AUTHORIZING THE PURCHASE OF A 2024 CHEVROLET SILVERADO PICKUP TRUCK AND MODIFICATION OF THE 2024 HIGHWAY OPERATING BUDGETS

WHEREAS, the Town of Eaton Highway Superintendent has determined it necessary to replace the Town’s 2008 Chevrolet 1500 pickup truck due to necessary repairs in excess of the vehicle’s value, and

WHEREAS, this necessary expenditure was not included in the 2024 Highway Operating Budgets, and

WHEREAS, there is sufficient appropriations available within other budgetary lines in the Highway – Townwide (DA) and Highway - Town Outside Village (DB) Operating Budgets to fund this expense, and WHEREAS, the Highway Superintendent has solicited four quotations from area dealerships and selected a vehicle readily available and sufficient for the Town’s needs.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, by the Town of Eaton Council that the 2008 Chevrolet 1500 pickup truck is hereby declared surplus and the Highway Superintendent is authorized to dispose of this asset by offering said vehicle for sale to a scrap vendor with the proceeds of such sale to be remitted to the Town, and

RESOLVED, by the Town of Eaton Council that the Highway Superintendent is authorized to purchase a 2024 Chevrolet Silverado 1500 Truck from Den Kelly Chevy GMC in an amount not to exceed \$48,000.00, and

RESOLVED, that the Highway Superintendent shall be, and hereby is authorized to execute, on behalf of the Town of Eaton such documents as may be required to carry out the intent of this resolution and the purchase of 2024 Chevrolet Silverado 1500 Truck from Den Kelly Chevy GMC, and

RESOLVED, by the Town of Eaton Council that the 2024 Highway – Townwide (DA) and Highway - Town Outside Village (DB) Operating Budgets are hereby amended to modify budget lines as follows:

| Account No. | Description | Debit | Credit |
|-------------|-------------------|-------------|-------------|
| DA9060.8 | Medical Insurance | \$22,800.00 | |
| DA5130.2 | Equipment | | \$22,800.00 |
| DB9060.8 | Medical Insurance | \$25,200.00 | |
| DB5130.2 | Equipment | | \$25,200.00 |

Dated: January 9, 2024

RESOLUTION 2024-21 : Budget Transfers:

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that

Budget Transfers for Fiscal Year End 12/31/2023

| <u>Appropriation Over Budget</u> | <u>Amount</u> | <u>Transfer from</u> |
|---------------------------------------|---------------|---------------------------------|
| A1110.102 (Court Clerk Personal Svc) | \$20.00 | A1110.4 Justice Contractual |
| A1355.4 (Assessor Contractual) | \$100.00 | A1220.41 Spvs Clerk Contractual |
| A1410.4 (Town Clerk Contractual) | \$120.00 | A1220.41 Spvs Clerk Contractual |
| A1620.4 (Buildings Contractual) | \$2,600.00 | A1989.4 Oth Gen Gov't Support |
| A5010.1 (Superintendent Personal Svc) | \$20.00 | A1989.4 Oth Gen Gov't Support |
| A5132.2 (Garage Equipment) | \$10,823.00 | A9901.9 Bldg Capital Improv |
| A5132.4 (Garage Contractual) | \$1,780.00 | A9901.9 Bldg Capital Improv |
| A9030.8 (Social Security/Medicare) | \$200.00 | A1989.4 Oth Gen Gov't Support |

PAY THE BILLS:

RESOLUTION 2024-22 : Audit of Claims for Abstract 600 for Service dates 2023 and Abstract 1 for 2024 dates.

On a motion of Councilmember Golley, seconded by Councilmember Verne, the following resolution was: ADOPTED: Ayes: 5, Nays: 0

Resolved that the bills contained on Abstract #600 and #1 have been reviewed by the Town Board and are authorized for payment in the following amounts:

Abstract 600 – 2023

| | | | | | |
|---------------------------|-----|-----|--------------|-----|---------------------|
| General A Fund | No. | 193 | through | 203 | 22,550.68 |
| General B Fund Part Town | No. | 49 | through | 50 | 90.70 |
| Street Lighting SL | No. | 13 | through | 13 | 742.89 |
| Highway Fund Townwide DA | No. | 96 | through | 102 | 3,926.86 |
| Highway Fund Part Town DB | No. | | through | | |
| | | | | | |
| | | | Total | | \$ 27,311.13 |

Abstract 1 – 2024

| | | | | | |
|---------------------------|-----|---|--------------|---|---------------------|
| General A Fund | No. | 1 | through | 8 | 27,578.13 |
| General B Fund Part Town | No. | 1 | through | 3 | 2,842.00 |
| Street Lighting SL | No. | 0 | through | 0 | 0.00 |
| Highway Fund Townwide DA | No. | 1 | through | 2 | 29,392.72 |
| Highway Fund Part Town DB | No. | 1 | through | 4 | 39,007.00 |
| | | | | | |
| | | | Total | | \$ 98,819.85 |

ADJOURNMENT:

With no further business to bring before the Board, Councilmember Dickerson moved to adjourn, Second by Councilmember Verne . All ayes. Motion carried. Meeting adjourned at 6:47 pm

Respectfully Submitted, Dean Curtis, Town Clerk/Tax Collector