

**Eaton Town Council Regular Board Meeting Minutes,
Tuesday, July 8th, 2025 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
Larry Phillips, Highway Superintendent - Absent
Amy Will, Secretary to Supervisor - Absent

Also present: Donald Bigelow, Michael Frazier, Steve McCarthy, Becky Rochin, Ken Masker, Sherry Zebert, Cynthia Klaila, Carol Borg, Jim Kellmartin, Shane Gallup, Meredith Leland, Lowell Lingo Jr.

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

PUBLIC COMMENT (5 min):

Don Bigelow – thanked the Highway Superintendent for help on Bradley Brook and gave update on Algae Bloom

Michael Frazier & Meredith Leland wanted an update on Pine Woods Cemetery, Supervisor Wicks informed that the Town of Eaton Town Attorney was reviewing the procedure

Becky Rochin – asked about the mowing along Westcott

Ken Masker gave update on Hatch Lake

Cynthia Klaila – asked if there was an update on the Town of Eaton changing Local Laws on Accessory Structure without a Primary Structure

Carol Borg – spoke about Septic Signs

Steve McCarthy Representative for ENV Insurance – 2026 proposal to council

RESOLUTION 2025- 94 : Open the public hearing on Local Law 3-2025 (“A Local Law Amending Chapter 25 of the Town of Eaton Code to Eliminate Residency Requirements for Certain Non-Elected Officials”)

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

Resolved that Town Board recess the Regular Town Board Meeting and open the Public Hearing at 6:20 p.m.

Supervisor Wicks reviewed the Local Law 3-2025 with the Board

RESOLUTION 2025- 95 : Close the public hearing

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

With all persons being heard for or against, Resolved that the public hearing be closed at 6:22 p.m. and continue with the Regular Scheduled Town Board Meeting.

REGULAR MONTHLY MEETING:

CODES OFFICER REPORT:

Town of Eaton
Codes Officer Report
06/01/2025 - 06/30/2025

Type	Date	Comment	Name	Fee
Variance	06/19/2025	Rocks Road 112.-1-5 Solar	Madison CSG 1, LLC	175.00
Site Inspection	06/19/2025	Rocks Road 112.-1-5 Solar	Madison CSG 1 LLC	100.00
Special Permit	06/12/2025	5355 St Rt 20 – Office Bldg	Milback, Ron	175.00
Building Permit	06/19/2025	#23-25 8x24 Covered Porch	Leworthy, Steve	278.00
Building Permit	06/23/2025	#25-25 8x24 Lean-To 3089 Rt 46	Gates, Keith	198.80
Demo Permit	06/16/2025	#22-25 3514 English Ave	Decock, Tonya & Robert	110.00
Tent Permit	06/30/2025	#24-25 5107 St Rt 20 20x40	Herboldt, Robert	110.00
		Total		\$1,146.80

TOWN CLERKS REPORT:

- All Dog Licenses have been mailed out in May, All are due by June 30th, after 10 days, July 11th a \$5.00 late penalty will be assessed
- June 2025 is Reconciled with Williamson and Community Bank

TOWN CLERK'S MONTHLY REPORT

TOWN OF EATON, NEW YORK

JUNE, 2025

TO THE SUPERVISOR:**PAGE 1**

Pursuant to Section 27, Subd 1 of the Town Law, I hereby make the following statement of all fees and moneys received by me in connection with my office during the month stated above, excepting only such fees and moneys the application and payment of which are otherwise provided for by Law:

A1255			
	<u>7</u>	DECALS	<u>31.81</u>
	<u>1</u>	MARRIAGE CERTIFIED CPY	<u>10.00</u>
		TOTAL TOWN CLERK FEES	41.81
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A1603			
	<u>42</u>	DEATH CERTIFIED COPIES	<u>420.00</u>
	<u>1</u>	VITAL COPIES/GENEALOGY	<u>22.00</u>
		TOTAL A1603	442.00
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A2544			
	<u>151</u>	DOG LICENSES	<u>1,503.00</u>
		TOTAL A2544	1,503.00
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B2110			
	<u>1</u>	VARIANCE	<u>175.00</u>
		TOTAL B2110	175.00
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B2115			
	<u>1</u>	SPECIAL PERMIT	<u>175.00</u>
	<u>1</u>	SITE PLAN REVIEW	<u>100.00</u>
		TOTAL B2115	275.00
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B2555			
	<u>2</u>	BUILDING PERMIT	<u>476.80</u>
	<u>1</u>	DEMOLITION PERMIT	<u>110.00</u>
	<u>1</u>	TENT PERMIT	<u>110.00</u>
		TOTAL B2555	696.80

TOWN CLERK'S MONTHLY REPORT

JUNE, 2025 page

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DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	1,986.81
PAID TO SUPERVISOR FOR PART TOWN FUND	1,146.80
PAID TO NYS DEC FOR DECALS	1,413.19
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	199.00
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TOTAL DISBURSEMENTS	4,745.80
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RESOLUTION 2025- 96 : Acceptance of Minutes – June 10th, 2025

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

Resolved that the minutes for Town Board Meeting on June 10th, 2025 be accepted.

HIGHWAY REPORT:

Weight Limits – A new law will be introduced in our August 12th 2025 Town Board meeting and there will be a Public Hearing in our September 9th 2025 Town Board Meeting

SUPERVISOR REPORT:

Supervisor Wicks gave update on Town Park, Chenango Canal Association, handed out DRAFT copies of our Short Term Rental Law, This law will be introduced in our August 12th 2025 Town Board meeting and there will be a Public Hearing in our September 9th 2025 Town Board Meeting

RESOLUTION 2025- 97 : Approval of July 8th, 2025 Supervisor Report

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

Resolved that the Supervisor Report Submitted on July 8th, 2025 is accepted and approved

OLD BUSINESS:**NEW BUSINESS:****RESOLUTION 2025- 98 : Support for the Chenango Canal Association (CCA)**

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

Resolved that Town of Eaton approve the support for the Chenango Canal Association *CCA) request to keep the Madison Feeder Between Lake Moraine and Chenango Canal open and rewatered and grant Supervisor Wicks authorization to sign letter of support.

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.

RESOLUTION 2025- 99 : Adopting/Enacting Local Law 3-2025 ("A Local Law Amending Chapter 25 of the Town of Eaton Code to Eliminate Residency Requirements for Certain Non-Elected Officials")

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

Resolved that Town of Eaton Town Board Adopt Local 3-2025 ("A Local Law Amending Chapter 25 of the Town of Eaton Code to Eliminate Residency Requirements for Certain Non-Elected Officials")

TOWN OF EATON**TOWN BOARD RESOLUTION 2025 - 99****JULY 8, 2025****TOWN OF EATON LOCAL LAW NO. 3 OF 2025**

("A Local Law Amending Chapter 25 of the Town of Eaton Code to Eliminate Residency Requirements for Certain Non-Elected Officials")

The following resolution was offered by Councilmember Golley, who moved its adoption, seconded by Councilmember Verne, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. 3-2025, "A Local Law Amending Chapter 25 of the Town of Eaton Code to Eliminate Residency Requirements for Certain Non-Elected Officials" was presented and introduced at a regular meeting of the Town Board of the Town of Eaton held on June 10, 2025; and

WHEREAS, a public hearing was held on such proposed local law on this 8th day of July, 2025, by the Town Board of the Town of Eaton and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Eaton in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Local Law No. 3-2025 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Local Law No. 3-2025.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Eaton, Madison County, New York, does hereby enact Local Law No. 3-2025 as follows:

**"TOWN OF EATON
LOCAL LAW NO. 3 OF 2025**

A LOCAL LAW AMENDING CHAPTER 25 OF THE TOWN OF EATON CODE TO ELIMINATE RESIDENCY REQUIREMENTS FOR CERTAIN NON-ELECTED OFFICIALS

Be it enacted by the Town of Eaton Town Board, as follows:

Section 1. Authority

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10(1)(ii)(a)(1) that grants local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this Local Law recognizes that the State Legislature previously amended Public Officers Article 2, §3 expanding the residency requirements for any appointed public office, thereby rendering Public Officers Law a special law with respect to any appointed town officer (see cf N.Y. Op. Atty. Gen (Inf.) No 2000-5).

Section 2.

This Local Law shall supersede Town Law §23(1) and Public Officers Law §3(1).

Section 3.

This Local Law shall repeal Section 25-2 of the Town of Eaton Code, titled “Purpose,” in its entirety and shall replace it with the following:

“§25-2 Purpose.

In order to permit the Town of Eaton to secure qualified personnel to enforce and administer the New York State Uniform Fire Prevention and Building Code, the Town’s Land Use Regulations and other local laws of the Town of Eaton, it is deemed advantageous by the Town Board of the Town of Eaton to enact a local law superseding the requirement in Town Law §23 and Public Officers Law §§3 and 30 that certain appointed Town officials be a resident of the Town of Eaton.”

Section 4.

This Local Law shall repeal Section 25-3 of the Town of Eaton Code, titled “Eligibility of Code Enforcement Officer,” in its entirety and shall replace it with the following:

“§25-3 Eligibility of Non-Elected Officials.

- a. Person(s) holding certain non-elected positions in the Town of Eaton, at the time of his/her appointment and throughout his/her term of office, need not be a resident or elector of the Town of Eaton; provided, however, that such person(s) shall reside in the County of Madison, State of New York.
- b. This provision shall apply to the following non-elected positions: Deputy Town Clerk, Code Enforcement Officer/Building Inspector, Deputy Codes Enforcement Officer, Dog Control Officer, Court Clerk, Planning/Zoning Clerk, Town Bookkeeper and Highway Workers.”

Section 5. Validity and Severability.

If any clause, sentence, paragraph, section, or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section, or part of this Local Law.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State.”

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 Hills	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.

RESOLUTION 2025- 100 : Assured Partners/ENV Proposal for Town Insurance for 2026:

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

Resolved that Town Board grant Authorization to accept Assured Partners/ENV Proposal including payment of premium for Town Insurance for 2026.

RESOLUTION 2025- 101 : Thomas Schmidt, Highway Department – Health Insurance opt-out payment

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

Resolved that Town of Eaton Authorize payment to Thomas Schmidt, former Highway Department employee, the amount of \$1,002.00, representing health insurance opt-out payment for the months of January 2025 through June 2025. Such payment shall be included with the next regularly scheduled processing of payroll.

RESOLUTION 2025 - 102 : Budget Transfers/Amendments

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

Resolved that the Board grant authority to Supervisor Wicks to move monies within 2025 Budget to keep all lines in balance:

Budget Transfers for July 2025

<u>Appropriation Over Budget</u>	<u>Amount</u>	<u>Transfer from</u>
A1320.4 (Auditor Contractual)	\$3,000.00	A1220.4 (Supervisor Contractual)
A1320.4 (Auditor Contractual)	\$1,600.00	A1990.4 (Contingency)
A1410.4 (Town Clerk Contractual)	\$175.00	A1990.4 (Contingency)

RESOLUTION 2025- 103 : Audit of Claims for Abstract 7 for 2025 dates.

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

Resolved that the bills contained on Abstract #7 - 2025 have been reviewed by the Town Board and are authorized for payment in the following amounts:

Audit and approval of Bills**Abstract 7 – 2025**

General A Fund	No.	86	through	100	\$44,213.59
General B Fund Part Town	No.	27	Through	29	\$ 210.15
General H – Capital Machine	No.		Through		
Street Lighting SL	No.	7	through	7	\$613.64
Highway Fund Townwide DA	No.	55	through	59	\$2,080.80
Highway Fund Part Town DB	No.	18	Through	24	\$250,058.13
			Total		\$ 297,176.31

ADJOURNMENT:

With no further business, on a motion of Councilmember Dickerson, seconded by Councilmember Hilts, the meeting was adjourned at 6:49 p.m. Carried unanimously.

Respectfully Submitted, Dean Curtis, Town Clerk/Tax Collector