

**Eaton Town Council Regular Board Meeting Minutes,  
Tuesday, December 9<sup>th</sup>, 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 - Absent  
Stephen Dickerson, Councilmember - Absent  
Jean Hilts, Councilmember  
Dean Curtis, Town Clerk - Absent  
Larry Phillips, Highway Superintendent  
Amy Will, Secretary to Supervisor

**Also present:** Ken Masker, Don Bigelow, David Bourgeois

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

**PUBLIC COMMENT (5 min):**

**PUBLIC HEARING:**

**RESOLUTION 2025- 152 : Local Law 6 – 2025 (“A Local Law to amend Chapter 120 of the code of the Town of Eaton to consolidate and create a joint Board of Appeals and Planning Board and to abolish the existing Board of Appeals and Planning Board in the Town of Eaton”).**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0  
Resolved that Town Board recess the Regular Town Board Meeting and open the Public Hearing at 6:07 p.m.

Supervisor Wicks reviewed the Budget with Council.

**RESOLUTION 2025- 153 : Close the public hearing**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0  
With all persons being heard for or against, Resolved that the public hearing be closed at 6:12 p.m. and continue with the Regular Scheduled Town Board Meeting.

**REGULAR MONTHLY MEETING:**

**CODES OFFICER REPORT:**

**Town of Eaton  
Codes Officer Report  
11/01/2025 - 11/30/2025**

Type	Date	Comment	Name	Fee
Variance	11/25/2025	6208 Route 20	Dutcher, James	175.00
Building Permit	11/25/2025	#23-25 8x24 Covered Porch	Leworthy, Stephen	39.60
Building Permit Ren	11/04/2025	#51-24 2485 Candy Lane	Duffy, Richard	50.00
Building Permit Ren	11/21/2025	#35-14 4603 Route 26	Vincent, Samuel	100.00
		<b>Total</b>		<b>\$ 364.60</b>

New 2025 International Building Codes go into effect January 1<sup>st</sup>, 2026

**TOWN CLERKS REPORT:**

- Tax collection info sent to County
- Legal notice to go to Oneida Daily Dispatch December 15<sup>th</sup> NY0162909, website posted
- All Dogs Renewal Licenses not paid and Complaints have been sent appearance tickets
- Bank Reconciliations are up to date, Clerk Bills paid 12/1/2025 for November
- Still need update on Drupal 7 to Drupal 10 conversion for Town Website
- Received notice that The Class Action Credit Card Settlement was reached, Town of Eaton to receive \$18.66
- Steve McCarthy sent Insurance certificate to US Bank to stop the monthly insurance charge \$19.22/month
- Pre Pay US Bank Finance for Copier under New Business to save \$23.87/month
- Still need 2 new members for The Board of Assessment Review BAR
- Sample Tax Bill received from County, Warrant to start December 29<sup>th</sup> 2025

**TOWN CLERK'S MONTHLY REPORT**

TOWN OF EATON, NEW YORK

NOVEMBER, 2025

**TO THE SUPERVISOR:**

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:

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A1255	_____ 13	DECALS	_____ 71.26	
	_____ 1	MARRIAGE CERTIFIED CPY	_____ 10.00	
		TOTAL TOWN CLERK FEES		81.26
<hr/>				
A1603	_____ 15	DEATH CERTIFIED COPIES	_____ 150.00	
		TOTAL A1603		150.00
<hr/>				
A2544	_____ 11	DOG LICENSES	_____ 131.00	
		TOTAL A2544		131.00
<hr/>				
B2110	_____ 1	VARIANCE	_____ 175.00	
		TOTAL B2110		175.00
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B2555	_____ 1	BUILDING PERMIT	_____ 39.60	
	_____ 3	BUILDING PERMIT RENEWAL	_____ 150.00	
		TOTAL B2555		189.60
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**DISBURSEMENTS**

PAID TO SUPERVISOR FOR GENERAL FUND	_____ 362.26
PAID TO SUPERVISOR FOR PART TOWN FUND	_____ 364.60
PAID TO NYS DEC FOR DECALS	_____ 1,221.74
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	_____ 15.00
TOTAL DISBURSEMENTS	_____ 1,963.60

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**RESOLUTION 2025- 154 : Approval of Minutes – 11/18/2025**

On a motion of Councilmember Hilts, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 3, Nays: 0  
Resolved that the minutes for November 18<sup>th</sup>, 2025 be approved

**HIGHWAY REPORT:**

**SUPERVISOR REPORT:**

**RESOLUTION 2025- 155 : Approval of December 9<sup>th</sup>, 2025 Supervisor Report**

On a motion of Councilmember Hilts, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 3, Nays: 0  
Resolved that the Supervisor Report Submitted on December 9<sup>th</sup>, 2025 is accepted and approved

**OLD BUSINESS:**

- **Patriot Burial Marker**

**RESOLUTION 2024- 121 : Place a Patriot Burial marker at the Eaton Farm Cemetery :**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0  
Resolved that the Board grant authorization for a Patriot Burial marker be placed in honor of Jonathan Bates/Baits, a Revolutionary War veteran buried at an Eaton Farm cemetery from the Pomeroy Foundation along with its gps location where donated sign will be placed.

- **Village of Morrisville Snow & Ice Removal**

**RESOLUTION 2025 - 148 : Renew agreement with Village of Morrisville for Snow & Ice Removal**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0  
Resolved that Town Board of The Town of Eaton approve the Village of Morrisville and The Town of Eaton for Snow & Ice removal Contract for 2026 Season, with authorization for Supervisor Wicks and Highway Superintendent Phillips to sign said Contract

**NEW BUSINESS:**

- **Adoption of local law 6 - 2025 A Local Law to amend Chapter 120 of the code of the Town of Eaton to consolidate and create a joint Board of Appeals and Planning Board and to abolish the existing Board of Appeals and Planning Board in the Town of Eaton.**

**RESOLUTION 2025 - 156 : Enactment to Local Law 6 – 2025 (“A Local Law to amend Chapter 120 of the code of the Town of Eaton to consolidate and create a joint Board of Appeals and Planning Board and to abolish the existing Board of Appeals and Planning Board in the Town of Eaton”).**

On a motion of Councilmember Hilts, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Town of Eaton Town Board adopt Local Law 6-2025 (“A Local Law to amend Chapter 120 of the code of the Town of Eaton to consolidate and create a joint Board of Appeals and Planning Board and to abolish the existing Board of Appeals and Planning Board in the Town of Eaton”) sent to DOS 12/10/2025

**TOWN OF EATON**

**TOWN BOARD RESOLUTION 2025 – 156**

**December 9, 2025**

**TOWN OF EATON LOCAL LAW NO. 6 OF 2025**

(“A Local Law to Amend Chapter 120 of the Code of the Town of Eaton to Consolidate and Create a Board of Appeals and Planning Board and to Abolish the Existing Board of Appeals and the Planning Board”)

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

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. 6-2025, titled “A Local Law to Amend Chapter 120 of the Code of the Town of Eaton to Consolidate and Create a Board of Appeals and Planning Board and to Abolish the Existing Board of Appeals and the Planning Board,” which Local Law consolidates and creates a new seven member joint Board of Appeals and Planning Board in the Town of Eaton was presented and introduced at a regular meeting of the Town Board of the Town of Eaton held on November 18, 2025; and

**WHEREAS**, a public hearing was held on such proposed local law on this 9th day of December, 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. 6-2025 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. 6-2025.

**NOW, THEREFORE**, it is

**RESOLVED**, that the Town Board of the Town of Eaton, Madison County, New York, does hereby enact Local Law No. 6-2025 as follows:

**“TOWN OF EATON  
LOCAL LAW NO. 6 OF 2025**

**A LOCAL LAW TO AMEND CHAPTER 120 OF THE CODE OF THE TOWN OF EATON TO CONSOLIDATE AND CREATE A JOINT BOARD OF APPEALS AND PLANNING BOARD AND TO ABOLISH THE EXISTING BOARD OF APPEALS AND PLANNING BOARD IN THE TOWN**

**BE IT ENACTED** by the Town Board of the Town of Eaton that this local law amends Chapter 120 of the Code of the Town of Eaton, titled “Land Use Law,” as follows:

**SECTION 1.            AUTHORITY**

This local law is enacted pursuant to the New York State Constitution, New York Municipal Home Rule Law § 10, and New York Town Law §§ 267 and 271.

**SECTION 2.            LEGISLATIVE INTENT**

The purpose of this Local Law is to increase the efficiency and administration of land use, planning and zoning review in the Town of Eaton by consolidating and creating a Joint Board of Appeals/Planning Board for the Town

**SECTION 3. SUPERSESION OF TOWN LAW SECTIONS 267 and 271**

Pursuant to Municipal Home Rule Law § 10(1)(a)(ii)(1), this Local Law shall supersede Town Law §§ 267 and 271 to the extent this Local Law conflicts with said sections of the Town Law. This Local Law specifically supersedes Town Law § 267 insofar as § 267 sets the maximum number of Board of Appeals at five (5).

**SECTION 4. CONFLICT WITH PRIOR LOCAL LAWS OR THE CODE OF THE TOWN OF EATON**

- A. To the extent any local laws or parts of local laws or the Code of the Town of Eaton are inconsistent with or conflict with any of the provisions of this Local Law, the terms of this Local Law shall control.
- B. Wherever the term “Board of Appeals” or “Planning Board” appears in any local laws or the Code of the Town of Eaton, said terms shall hereafter mean and refer to the Joint Board of Appeals/Planning Board as established by this Local Law.

**SECTION 5. CONSOLIDATION AND CREATION OF JOINT BOARD OF APPEALS/PLANNING BOARD**

Article VII (“Administrative and Enforcement”) of Chapter 120 of the Town Code of the Town of Eaton is hereby amended by deleting § 120-31 in its entirety and revising §§ 120-30(A) and (B) to read, in their entirety, as follows:

**“§ 200-30. Joint Board of Appeals/Planning Board.**

A. Administrative/General Provisions.

- (1) Establishment of Joint Board. A Town of Eaton Joint Board of Appeals/Planning Board is hereby established in order that the objectives and competent administration of this Chapter may be fully and equitably achieved.
- (2) Appointment of Members. The Town Board shall appoint seven (7) members to the Joint Board of Appeals/Planning Board. The initial appointments to the Board shall be such that the term of one (1) member shall expire each consecutive year. Thereafter, members of the Joint Board shall be appointed by the Town Board for a term of seven (7) years from and after the expiration of each initial term of office.
- (3) Chairperson. The Town Board shall annually appoint one of the members of the Joint Board of Appeals/Planning Board to act as Chairperson to preside at

all meetings and hearings, to supervise the affairs of the Joint Board and to fulfill the customary functions of that office.

- (4) Secretary. A secretary of the Joint Board of Appeals/Planning Board shall be designated by the Town Board on an annual basis. The secretary shall keep minutes of all of the Joint Board's proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact and shall also keep records of all of the Joint Board's official actions.

#### B. Powers and Duties.

- (1) The Joint Board of Appeals/Planning Board shall be the sole land use board within the Town of Eaton and shall be authorized to hear all planning and zoning matters within the Town of Eaton. The Joint Board of Appeals/Planning shall have all of the power and authority of the previously constituted and comprised Board of Appeals and Planning Board as set forth in this Chapter, the Code of the Town of Eaton, and the Town Law when considering all planning and land use matters.
- (2) The Joint Board shall have the following powers and duties:
  - a. Upon appeals of decisions by the Code Enforcement Officer, to decide questions involving interpretation of any provision of this Chapter.
  - b. To grant use variances upon application, if justified.
  - c. To grant area variances upon application, if justified.
  - d. To issue or deny special permits required by this Chapter.
  - e. To undertake planning activities allowed by Town Law or as requested by the Town Board.
  - f. Subdivision review and approval.
- (3) Decisions of the Joint Board shall be made within 90 days from the time that the complete application has been filed with the Board. Decisions shall be by motion and vote of the Board, and shall contain a full statement of findings of fact in the minutes of the Board."

#### C. Conflict with this Chapter.

- (1) To the extent any parts of this Chapter or any other Chapter of the Code of the Town of Eaton are inconsistent with or conflict with any of the provisions of this Section § 120-30, the terms of this § 120-30 shall control.
- (2) Wherever the term "Board of Appeals" or "Planning Board" appears in this Chapter or any other Chapter of the Code of the Town of Eaton, said terms shall hereafter mean and refer to the Joint Board of Appeals/Planning Board as established by this § 120-30."

### **SECTION 6. BOARD OF APPEALS ABOLISHED**

The Town of Eaton Board of Appeals as currently constituted and comprised is hereby abolished and, as set forth in Section 5 above, is consolidated into the new Town of Eaton Joint Board of Appeals/Planning Board.

**SECTION 7. PLANNING BOARD ABOLISHED**

The Town of Eaton Planning Board as currently constituted and comprised is hereby abolished and, as set forth in Section 5 above, is consolidated into the new Town of Eaton Joint Board of Appeals/Planning Board.

**SECTION 8. SEVERABILITY.**

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 9. EFFECTIVE DATE.**

This Local Law shall be effective upon filing with 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:

<b>David Verne</b>	<b>Councilor</b>	<b>Voted</b>	<b>Absent</b>
<b>Jean Hilts</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Stephen Dickerson</b>	<b>Councilor</b>	<b>Voted</b>	<b>Absent</b>
<b>Jeff Golley</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Joseph Wicks</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

- **Shred/Destroy Expired Abstracts, Banking, Financials and Monthly Reports**

**RESOLUTION 2025- 157 : Shred/Destroy Expired Abstracts, Banking, Financials and Monthly Reports:**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Town Board Authorize Town Clerk to Shred/Destroy Expired Abstracts, Banking, Financials and Monthly Reports, etc., per the NYS LGS-1 as described in attached document.

**RESOLUTION 2025- 158 : Request for Proposals:**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the Town Board grant authorization for Request for Proposals of Bids November 20<sup>th</sup> 2025 and the Sealed Bids be opened by Superintendent Phillips at 12:00 noon on December 9<sup>th</sup>, 2025

- **Fuel Bids - Fuel Oil & Diesel Fuel Bid Resolution**
- **Bid Posted Oneida Daily Dispatch November 20<sup>th</sup>, 2025 Affidavit 2775132:**
- **Sealed Bid opening: December 9<sup>th</sup>, 2025, 12 pm**
- **FUEL BIDS: Opening of Fuel Oil/Diesel Fuel Bids & Resolution to Select Successful Bidder Superintendent Larry Phillips proficiently opened the bids and read them aloud. Only received 1 bid from Buell Fuels.**

**RESOLUTION 2025- 159 : Fuel Bid for 2026 :**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the Town Board grant authority to Superintendent Phillips to award the 2026 All Fuel Bid to: **Buell Fuel**

**ULSD #2 Summer @ \$2.5050/gal Fixed Net Price**

**ULSD #2 Winter @ \$2.6950/gal Fixed Net Price**

**87ETH10 Gasoline @ \$1.8455/gal Fluctuating Net Price**

**SPECIFICATIONS FOR FUEL BID:**

The sealed bid is for an annual use of approximately 14,000 gallons of diesel fuel. Storage capacity is 2,000 gallons in an above ground tank. April through October deliveries will be #2 low sulfur Diesel of approximately 6,000 gallons. November through March deliveries will be a minimum 60% (#2)/40 % (#1) blend of approximately 8,000 gallons.

Selected supplier will also provide 87-octane gasoline with an annual use of approximately 2,000 gallons for a 500-gallon aboveground tank.

Sealed Bid must include rack price for #2 Low Sulfur Diesel, #2/#1 Blend, and gasoline on the bid date, differential, fluctuating net price, and if applicable, an annual firm net price for each product. The Town of Eaton prefers a fixed price over fluctuating. If no "firm price" is applicable, please specify for each product. [At no time during the contract period may the differential be exceeded, and fluctuating net price will be based on rack price day of delivery.]

Diesel fuel delivery schedule will be every 10 days from November 1 through April 1, and every 15 days April 1 through October 31. Gasoline to be delivered every 28 days.

- **Pre Pay US Bank**

**RESOLUTION 2025- 160 : Authorization to Pre Pay US Bank Finance in advance of Audit of claims for contractual charges:**

On a motion of Councilmember Hilts, seconded by Councilmember Golley, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the Town Board of the Town of Eaton authorizes payment in advance of audit of claims for contractual charges from US Bank Equipment Finance

**TOWN OF EATON  
TOWN BOARD RESOLUTION  
RESOLUTION NO 2025 - 160**

**December 9, 2025**

**A RESOLUTION AUTHORIZING PAYMENT IN  
ADVANCE OF AUDIT OF CLAIMS FOR CONTRACTUAL CHARGES  
FROM US BANK EQUIPMENT FINANCE**

**WHEREAS** the Town of Eaton Town Board has determined to authorize payment in advance of audit of claims for contractual charges from US Bank Equipment Finance; and

**WHEREAS** all such claims must be presented at the next regular meeting for audit; and

**WHEREAS** the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the Town of Eaton Town Board disallows.

**NOW THEREFORE BE IT RESOLVED:**

**Section 1.** That the Town Board of the Town of Eaton authorizes payment in advance of audit of claims for contractual charges from US Bank Equipment Finance. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Town of Eaton Town Board disallows.

**Section 2.** That this resolution is effective immediately.

- **Modifying the amount paid to Full Time Employees who opt out of Town of Eaton sponsored Health Insurance Plans**

**RESOLUTION 2025 - 161 : Modifying the amount paid to Full Time Employees who opt out of Town of Eaton sponsored Health Insurance Plans:**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that Town Council offer full time employees who are entitled to Town sponsored health insurance benefits who choose not to participate will be compensated in the amount of \$167.00 per

month, effective January 1, 2025. Such payment is made annually, typically in the month of December, or at the time of a qualified employee’s resignation or retirement.

**TOWN OF EATON  
RESOLUTION NO 2025 - 161  
OF THE TOWN OF EATON COUNCIL**

**A RESOLUTION MODIFYING THE AMOUNT PAID TO FULL TIME EMPLOYEES WHO OPT OUT OF TOWN OF EATON SPONSORED HEALTH INSURANCE PLANS**

**WHEREAS**, on April 8, 2010 the Town Council adopted an “Opt Out Plan for the Town of Eaton”, and

**WHEREAS**, this “Opt Out Plan for the Town of Eaton” compensates full time employees in the amount of \$50.00 per month who are entitled to Town sponsored health insurance benefits and choose not to participate; and

**WHEREAS**, the 2025 Town of Eaton operating budgets were amended to increase the compensation amount.

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, by the Town Council that full time employees who are entitled to Town sponsored health insurance benefits who choose not to participate will be compensated in the amount of \$167.00 per month, effective January 1, 2025. Such payment is made annually, typically in the month of December, or at the time of a qualified employee’s resignation or retirement.

**AND IT IS HEREBY FURTHER RESOLVED**, that all actions of Town officers and employees, and all payments made to any employee, made prior to the date of adoption of this resolution, but which are in conformance with the policies and procedures stated herein, are hereby ratified and approved.

- **Budget Transfers**

**RESOLUTION 2025- 162 : November 2025 Budget Transfers:**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, 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 November 2025**

<u>Appropriation Over Budget</u>	<u>Amount</u>	<u>Transfer from</u>
A1410.4 (Town Clerk Contractual Exp)	\$100.00	A1990.4 (Contingency)
DA9785.77 (2024 WS Lease Interest)	\$7,777.25	DA9785.6 (2024 WS Lease Principal)

Audit and approval of Bills

- **PAY THE BILLS:**

**RESOLUTION 2025- 163 : Audit of Claims for Abstract 12 for 2025 dates.**

On a motion of Councilmember Golley, seconded by Councilmember Hilts, the following resolution was: ADOPTED: Ayes: 3, Nays: 0

Resolved that the bills contained on Abstract #12 have been reviewed by the Town Board and are authorized for payment in the following amounts:

**Abstract 12 – 2025**

General A Fund	No.	154	through	166	\$6,514.25
General B Fund Part Town	No.	47	Through	48	\$ 184.55
General H – Capital Machine	No.		Through		
Street Lighting SL	No.	12	through	12	\$ 610.91
Highway Fund Townwide DA	No.	39	through	45	\$33,990.43
Highway Fund Part Town DB	No.		Through		
			<b>Total</b>		<b>\$41,300.14</b>

**ADJOURNMENT:**

With no further business, on a motion of Councilmember Hilts, seconded by Councilmember Golley, the meeting was adjourned at 6:39 p.m. Carried unanimously.

Respectfully Submitted, Dean Curtis, Town Clerk/Tax Collector