

At the Regular Meeting of the Eaton Town Council, held on September 13, 2022 at the Town of Eaton Office Building, 35 Cedar Street, Morrisville, New York, there were present:

Cliff Moses, Supervisor  
Dave Verne, Councilperson  
Jeff Golley, Councilperson  
Joe Wicks, Councilperson  
Paula Highers, Councilperson  
Larry Phillips, Highway Supervisor  
Dean Curtis, Town Clerk

Supervisor Moses opened the Meeting at 6:00 with the Pledge of Allegiance.

Councilperson Highers moved to accept the August minutes as submitted. Second by Councilperson Golley. All ayes. Motion carried.

**HIGHWAY REPORT:**

Supervisor Phillips informed Council about Roberts Road – Original Pipe had alignment issues, The price was increased by \$9,000, they are currently negotiating this price discrepancy. Pipe is complete, Everything has been mulched and paved. They will be adding 126 feet of guard rail and shoulder. Fencing on both sides will be up by end September 25<sup>th</sup>, 2022.

New truck is going to be painted this week should be up and ready to use by Mid October 2022.

Town Clean Up went extremely well. Received checks for items brought for Clean Up and given to Amy.

CHIPs money should be here by September 15<sup>th</sup> 2022

**SUPERVISORS REPORT:**

Supervisor Moses informed Council of the following:

Discussion continued on the New Zoning Board Codes. Currently postponed until June 2023 when RD1 residents on the lake return.

Supervisor Moses reported that the speed study #02220045 on Route 46 has been turned over to the Madison County Highway.

**OLD BUSINESS:**

Councilperson Golley asked about the Wind/Solar Status and Supervisor Moses gave an update

**NEW BUSINESS:**

Motion by Councilperson Golley to approve Resolution 12 2022 Municipal Endorsement, Downtown Revitalization Grant. Second by Councilperson Verne. All Ayes. Motion Carried

**MUNICIPAL ENDORSEMENT**

**Resolution No. 12-2022**

WHEREAS, the Village of Morrisville is applying to the New York State CNY Regional Council for a DRI or Downtown Revitalization Grant in conjunction with the villages of Cazenovia and Hamilton for the Madison County Higher Education Corridor.

WHEREAS, as a requirement under the rules of this program, said municipalities must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved, that the Board of Trustees of the Town of Eaton hereby does approve and endorse the application of the Village of Morrisville for a Downtown Revitalization Grant.

DATE OF ADOPTION

September 13<sup>th</sup>, 2022  
Signature\_

CERTIFICATION OF CLERK

\_\_\_Dean Curtis, electronic  
Dean Curtis, Town Clerk

Motion by Councilperson Wicks to approve Resolution 13 2022. BAN Resolution for Road Reconstruction. Second by Councilperson Golley. All Ayes. Motion Carried followed by Roll Call as follows JG Yes, DV Yes, CM Yes, JW Yes, PH Yes.

4150-3980-8061.01

New-2-700

**BOND RESOLUTION #13- 2022  
(EFFECTIVE IMMEDIATELY)**

At a regular meeting of the Town Board of the Town of Eaton, Madison County, New York, held at the Town Hall, in Morrisville, New York, on the 13<sup>th</sup> day of September, 2022, at 6:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Cliff Moses, and upon roll being called, the following were PRESENT: Highway Supervisor Larry Phillips, Councilperson Jeff Golley, Councilperson David Verne, Councilperson, Joseph Wicks, Councilperson Paula Highers, Town Clerk/Tax Collector Dean Curtis, Town Supervisor, Cliff Moses.

The following resolution was offered by Councilperson Joseph Wicks, who moved its adoption, seconded by Councilperson Jeff Golley., to-wit:

**BOND RESOLUTION 13-2022 DATED SEPTEMBER 13, 2022.**

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE TOWN OF EATON, MADISON COUNTY, NEW YORK, TO PAY THE COST OF THE ROAD RECONSTRUCTION, THROUGHOUT AND IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and the financing thereof;  
NOW, THEREFORE

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Eaton, Madison County, New York, as follows:

Section 1. Road reconstruction and resurfacing, throughout and in and for the Town of Eaton, Madison County, New York, including culverts, drainage, sidewalks, curbs, gutters, landscaping, grading or improving rights-of-way, as well as other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$200,000.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of \$200,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of Eaton, Madison County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Councilperson, Jeff Golley. VOTING Yes

Councilperson, David Verne. VOTING Yes

Town Supervisor, Cliff Moses. VOTING Yes

Councilperson, Joseph Wicks. VOTING Yes

Councilperson, Paula Highers. VOTING Yes

The resolution was thereupon declared duly adopted.

\* \* \* \* \*



Motion by Councilperson Wicks approving Budget transfers for Fuel September 2022. Second by Councilperson Verne. All Ayes. Motion Carried.

**Expenditures paid from Highway DA Fund**

		<b>Account</b>	<b>Debit</b>	<b>Credit</b>
Motion by		DB51110.44 Fuel	\$15,286.36	
		DB200 Cash		\$15,286.36
		<b>Account</b>	<b>Debit</b>	<b>Credit</b>
		DA5142.44 Fuel		\$15,286.36
		DA200 Cash	\$15,286.36	

Councilperson Golley approving Budget transfers for ARPA September 2022. Second by Councilperson Highers. All Ayes. Motion Carried.

To allocate American Rescue Plan Act funds

		<b>Account</b>	<b>Subsidiary Account</b>	<b>Debit</b>	<b>Credit</b>
To		A522 Expenditures		\$14,274.19	
		A1620.2 Buildings Equipment	\$14,274.19		
		A200 Cash			\$14,274.19
		<b>Account</b>	<b>Subsidiary Account</b>	<b>Debit</b>	<b>Credit</b>
		A688 Other Liabilities		\$14,274.19	
		A980 Revenues			\$14,274.19
		A4089 Federal Aid, Other	\$14,274.19		

**reclassify fuel**

Establish a Public Hearing on October 11<sup>th</sup> at 6:10 for the purpose of a resolution to override the tax cap limit. Motion by Councilperson Wicks, Second by Councilperson Highers. All Ayes. Motion Carried.

**RESOLUTION NO. 14-2022  
TO THE TOWN BOARD  
OF THE TOWN OF EATON**

**WHEREAS**, at the request of the Town Supervisor, the attorney for the Town has prepared and presented a proposed local law entitled, "A local law authorizing a property tax levy in excess of the limit established in General Municipal Law section 3-c for the 2023 fiscal year, and

**WHEREAS**, the proposed local law is intended to authorize the Town of Eaton to exceed the tax levy cap otherwise provided under New York State law for the Town's D19 budget and fiscal year.

**NOW THEREFORE IT IS HEREBY RESOLVED** that the Town Board of the Town of Eaton will hold a public hearing October 11, 2022 at 6:10 p.m. at the Town of Eaton Town Office Building to consider the proposed local law entitled, "A local law authorizing a property tax levy in excess of the limit established in General Municipal Law section 3-c for the 2023 fiscal year."

**Dated:** September 13, 2022

**PAY THE BILLS: ABSTRACT 9-2022**

General Vouchers numbered A-103-114: \$ 15,540.94 ; B-36-38: \$ 165.93 ; SL: 9-\$ 476.70

Highway Vouchers numbered DA 61-68 \$ 17,124.86 DB 19-22 \$ 38,661.40

Capital Machinery number H-1 \$ 48,473.40

After review of Abstract 9, Councilperson Golley moved to accept and pay the bills. Second by Councilperson Verne. All ayes. Motion carried.

**ADJOURNMENT:**

With no further business to bring before the Board, Councilperson Wicks moved to adjourn the meeting. Second by Councilperson Highers, All ayes. Motion carried. Meeting adjourned at 6:53 pm.