

At the Regular Meeting of the Eaton Town Council, held on January 10th, 2023 at the Town Office Building, 35 Cedar Street, Morrisville NY, there were present

Joe Wicks, Supervisor
Jeff Golley, Councilperson (absent)
David Verne, Councilperson
Paula Highers, Councilperson
Larry Phillips, Highway Superintendent
Dean Curtis, Town Clerk

Also present: Amy Will (bookkeeper), Kevin Masker

The Meeting opened at 6:02 pm with the Pledge of Allegiance.

The minutes of the December 13th, 2022 Regular Meeting were reviewed. Motion by Councilperson Verne to accept the minutes as submitted. Second by Councilperson Highers. All ayes. Motion carried.

The minutes of the December 20th, 2022 Emergency Meeting were reviewed. Motion by Councilperson Highers to accept the minutes as submitted. Second by Councilperson Verne. All ayes. Motion carried.

The minutes of the December 29th, 2022 Regular Meeting were reviewed. Motion by Councilperson Verne to accept the minutes as submitted. Second by Councilperson Highers. All ayes. Motion carried.

PUBLIC COMMENT:

Supervisor Wicks Recessed the Regular Meeting and opened the Organizational Meeting at 6:05 pm. Motion by Councilperson Highers, Second by Councilperson Verne. All ayes, Motion carried.

ELECTED OFFICIAL INFORMATION:

Board Meetings held the second Tuesday of the Month at 6:00 pm.
Mark Whitney, Justice: 4 yr. Term 01-01-2021 thru 12-31-2024
Larry Phillips, Highway Superintendent: 4yr. Term 01-01-2022 thru 12-31-2025
Joseph Wicks, Councilperson: 4 yr. Term 01-01-2020 thru 12-31-2023
Paula Highers, Councilperson: 4 year Term 01-01-2022 thru 12-31-2023
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

TOWN OF EATON SPECIAL DATA AND RECOMMENDATIONS FOR 2023:

Elected/ Appointed Officials: All amounts are annual rates unless otherwise stated.
Supervisor: Joe Wicks, \$ 9,120.00 paid biweekly
Town Council (2) \$ 2,280.00 each, paid semi-annually
Paula Highers-Dave Verne
Deputy Supervisor: Jeff Golley, \$ 7,280.00 paid bi-weekly
Superintendent of Highways: Larry Phillips \$ 67,106.00 paid bi-weekly
Town Clerk/Tax Collector/Registrar: Dean Curtis, \$37,593.00 paid bi-weekly
Town Justice: Mark Whitney \$ 13,676.00 paid bi-weekly

APPOINTMENTS:

Assessor: Brian Fitts, \$27,039.00 paid bi-weekly annually
Budget Officer: Joe Wicks, \$1,354.00 annually, paid bi-weekly
Building Custodian: Dawn Clark, \$3,857.00 annually, paid bi-weekly
Codes Officer: Larry Cesario, \$ 24,040.00 annually paid bi-weekly
Deputy Town Clerk/Tax Collector/Registrar: Debra Clark, \$ 8,876.00 annually paid bi-weekly
Dog Control Officer: Dan Hiltz \$4,351.00 annually paid bi-weekly
Historian: Sue Greenhagen no compensation
Justice Court Clerk: Brenda Herrick \$7,985.00 annually, paid bi-weekly
Secretary to Codes and Planning Board: Karen Jacobs \$ 8,384.00 annually paid bi-weekly.

Sexton: Pratts Hollow Cemetery-Brenda Taylor \$ 800.00 paid annually
Sexton: Route 46 Cemetery (Fairview) Ray O'Herion no compensation
Supervisor's Clerk/Bookkeeper/Secretary: Amy Will \$ 13,575.00 annually pd. bi-weekly
Town Attorney: Costello Cooney & Fearon, PLLC

COMMITTEE APPOINTMENTS:

Board of Assessment Review: \$150.00 each-paid annually (5 year terms)

Chairman: Marie Smith	09/30/2023
Debra Clark	09/30/2026 reappointment
John Vaughn	09/30/2025

Planning Board no compensation (5 year terms)

Chairman: Paul Rhyde	12/2025
James Crowell	12/2023
Denise Morris	12/2026
Michael Johnston	12/2024
Aaron Deland	12/2027 reappointment

Meetings are held on the fourth Monday of the Month at the Town Office Building at 7:00.

Zoning Board of Appeals: no compensation (5) year terms

Chairman	Mike Mazza-Chair	term 12/2024
	Fenton Groves	term 12/2023
	Shane Gallup	term 12/2027 reappointment
	Don Bigelow	term 12/2026
	Charlie Page	term 12/2025

Meetings are held the third Thursday of each month at the Town Office Building at 7:00.

OTHER:

Highway Employees: (Regular full-time week is 40 hours),(overtime is time and one half)(paid biweekly)

Jeff Davis Regular	\$26.37 per hour
John Von Dauber Regular	\$26.37 per hour
Tom Schmidt	\$26.37 per hour
John Schokker	\$26.37 per hour
Eric Berry	\$26.37 per hour

Part Time Highway Employees: \$14.43 per hour (no benefits)(OT \$16.83 per hour)

Newly Hired Highway Employees Full Time: 75%-90% of regular pay depending on experience and Board approval.

MILEAGE: Council approved mileage reimbursement in accordance with the current federal reimbursement rate.

HOLIDAYS: The Town of Eaton observes the following as legal holidays, Town Offices may be closed on these days:

New Year's Day, Monday January 02, 2023
Dr. Martin Luther King, Jr. Day, Monday January 16, 2023
Lincoln's Birthday, Monday February 13, 2023
Washington's Birthday, Monday February 20, 2023
Memorial Day, Monday May 29, 2023

Juneteenth National Independence Day, Monday June 19, 2023
Independence Day, Tuesday July 04, 2023
Labor Day, Monday September 04, 2023
Columbus Day, Monday October 09, 2023
Election Day, Tuesday November 07, 2023
Veterans' Day, Friday November 10, 2023 (observed)
Thanksgiving Day, Thursday November 23, 2023
Christmas Day, Monday December 25, 2023

OFFICIAL NEWSPAPER: Oneida Dispatch
OFFICIAL BANK: Community Bank.

RESOLUTION ONE 1-2023 Motion by Councilperson Verne

WHEREAS, the Town of Eaton Council has reviewed Supervisor Wicks recommendations for appointments, rates of pay, official newspaper meeting times, as well as other organizational data, and

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Eaton accepts the recommendations and data as submitted.

Second by Councilperson Highers. Roll Call: Supervisor Joe Wicks, Yes; Councilperson Jeff Golley, n/a; Councilperson Dave Verne, Yes; Councilperson Paula Highers, Yes; All ayes, Motion Carried

With the Organizational Meeting completed, Supervisor Wicks closed the Organizational Meeting and continued the Regular Meeting at 6:10 pm. Motion by Councilperson Highers, Second by Councilperson Verne. All ayes, Motion Carried

SUPERVISORS REPORT:

NEW BUSINESS:

Motion to accept the following Resolution 2-2023 by Councilperson Highers,

RESOLUTION 2-2023 Authorizing the Purchase of Real Property

WHEREAS, Madison County has constructed and is now utilizing an up-to-date highway facility located at 6200 Brown Rd. Eaton, NY; and

WHEREAS, the aforementioned Brown Rd. facility has replaced a now deconstructed out-of-date highway garage located on Cedar Street in the Village of Morrisville, NY (also known as Tax Map Nos.: 111.14-1-14 and 111.14-1-21); and

WHEREAS, Madison County no longer has a use for the Cedar Street property; and

WHEREAS, the Town of Eaton has a use for the property and has asked the County to take it over; and

WHEREAS, Madison County, under the authority of General Municipal Law 72-h, intends to gift the above-mentioned Cedar Street property to the Town of Eaton, but will retain and approximate 40 feet by 40 feet parcel and an easement to access said parcel;

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Board is hereby authorized to execute any and all documents in connection with the conveyance of the property from Madison County to the Town of Eaton, which said documents are to be prepared by the Department of law.

Second by Councilperson Verne. All Ayes, Motion Carried.

Motion to approve Resolution 3-2023 Cedar Street Apt. PILOT contract renewal by Councilperson Verne. Second by Councilperson Highers. All Ayes. Motion Carried.

Resolution 3-2023

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF EATON AUTHORIZING A REAL PROPERTY TAX EXEMPTION AND THE EXECUTION OF AN AMENDMENT TO TAX EXEMPTION AGREEMENT (“PILOT”) BY AND AMONG THE TOWN OF EATON, NEW YORK AND CEDAR STREET HOUSING GROUP, L.P.

WHEREAS, the Town of Eaton (the “Town”) desires to encourage the development and preservation of affordable housing that is safe and sanitary; and

WHEREAS, the Town and Cedar Street Housing Group, Inc. (the “Redeveloper”) previously entered into a Tax Exemption Agreement dated as of July 16, 2007 (the “PILOT Agreement”), pursuant to Article V of the New York State Private Housing Finance Law (the “PHFL”) and Town Resolution adopted on May 14, 2007, which exempted from real property taxation a 24-unit senior citizen rental housing project (the “Project”) located at 3821 Swamp Road, Town of Eaton, County of Madison and State of New York;

WHEREAS, the Town previously consent to, on November 8, 2021, a transfer of the general partner interests of the Redeveloper owned by Kinderhook Development, LLC and 3D Development L.L.C. to CRM Rental Management, Inc., as the new general partner of the Redeveloper;

WHEREAS, the PILOT Agreement has a term of fifteen (15) years and expires by its terms at the end of 2022, and both the Town and Redeveloper desire to extend the term of the PILOT Agreement for an additional fifteen (15) years starting in 2023 with an annual escalator of 3% thereafter; and

WHEREAS, the Town and the Redeveloper are willing to enter into an Amendment to the PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town as set forth in the Amendment to the PILOT Agreement substantially in the form as presented to the Town Board for approval, a copy of which is attached;

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby:

- (i) exempts the Project from all real property taxes to the extent authorized by Section 125 of Article V of the PHFL for an additional period of fifteen (15) years; and
- (ii) approves the Amendment to the PILOT Agreement by and among the Town of Eaton and the Redeveloper, substantially in the form attached as Exhibit A, providing for annual payments as set forth in such Amendment to the PILOT Agreement; and it is

FURTHER RESOLVED, that the Town Supervisor of the Town of Eaton is authorized to execute and deliver the foregoing Amendment to the PILOT Agreement on behalf of the Town; and it is

FURTHER RESOLVED, that this resolution shall take effect immediately.

Motion by Councilperson Verne to adopt resolution 4-2023 restating the over time pay policy for employees in the Highway department. Second by Councilperson Highers. All ayes, Motion Carried.

RESOLUTION NO. 4-2023

OF THE TOWN OF EATON COUNCIL
A RESOLUTION RESTATING THE OVER TIME PAY POLICY
FOR EMPLOYEES IN THE HIGHWAY DEPARTMENT

WHEREAS, a resolution titled “Over Time Pay Policy” was adopted by the Town of Eaton Council on December 8, 2020, and

WHEREAS, it was discovered this resolution did not clearly state the intention of Town Council to provide overtime pay to employees in the Highway Department when called back to work on the weekend or on scheduled days off, and

WHEREAS, Town Council is desirous of clarifying the “Over Time Pay Policy”.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that employees in the Highway Department shall be paid a minimum of three hours overtime pay for each instance an employee returns to work after their regular shift ended, or when called in to work on a holiday, weekend or scheduled day off.

AND IT IS HEREBY FURTHER RESOLVED, that all actions of Town officers and employees, and all payments made to any employee in the Highway Department, 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.

Motion by Councilperson Highers to adopt resolution 5-2023 restating the Compensatory Time Policy for employees in highway department. Second by Councilperson Verne. All ayes, Motion Carried.

RESOLUTION NO. 5-2023
OF THE TOWN OF EATON COUNCIL
A RESOLUTION RESTATING THE COMPENSATORY TIME POLICY
FOR EMPLOYEES IN THE HIGHWAY DEPARTMENT

WHEREAS, Town Council is desirous of clarifying the “Compensatory Time Policy” for employees in the Highway Department.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Highway Superintendent is authorized to provide “compensatory time” to employees in the Highway Department in lieu of paid overtime. When so authorized by the Highway Superintendent, an employee in the Highway Department will be credited with the equivalent of one and one-half hours for authorized time worked. An employee may accumulate up to sixty (60) hours in compensatory credits. An employee must use all compensatory leave credits within the fiscal year in which they are earned. Compensatory leave credits have no cash value.

AND IT IS HEREBY FURTHER RESOLVED, that all actions of Town officers and employees, and all payments made to any employee in the Highway Department, 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.

Motion to approve the 2023 SEVAC contract with authorization for the supervisor sign such by Councilperson Verne. Second by Councilperson Highers. All ayes, Motion Carried.

Motion by Councilperson Highers for Budget Transfers. Second by Councilperson Verne. All ayes, Motion Carried.

Budget Transfers for Fiscal Year Ending 12/31/2022

<u>Appropriation Over Budget</u>	<u>Amount</u>	<u>Transfer from</u>
A1420.4 (Attorney Contractual)	\$1,100.00	A1990.4 (Contingency)
A1620.2 (Buildings Equipment)	\$1,000.00	A1990.4 (Contingency)
A9030.8 (Social Security)	\$215.00	A1990.4 (Contingency)
A9050.8 (Unemployment)	\$330.00	A1990.4 (Contingency)
DA5142.4 (Snow Removal Contractual)	\$810.00	DA5142.1 (Personal Svc)
DA9030.8 (Social Security)	\$2.00	DA5142.1 (Personal Svc)

PAY THE BILLS:

Abstract 600 – A 153-160 \$ 4,034.32, B 50-51 \$ 97.27, DA 91-94 \$ 2,219.59

Abstract 1-2023 – A 1-7 \$ 25,322.72, B 1-3 \$ 3,844.00, DA 1-3 \$ 27,589.28, DB 1-2 \$ 35,663.00

Motion by Councilperson Verne to accept and pay the bills. Second by Councilperson Highers. All ayes. Motion carried.

Motion by Councilperson Highers to close the 2022 books and pay all outstanding claims. Second by Councilperson Verne. All ayes, Motion Carried.

ADJOURNMENT:

With no further business to bring before the Board, Councilperson Highers moved to adjourn the meeting. Second by Councilperson Verne. All ayes. Motion carried. Meeting adjourned at 6:24 PM