

TOWN OF EATON AGENDA
September 12th, 2023

JW__ JG__ DV__ SD__ JH__ AW__ LP__ DC__

Call meeting to order with Pledge of Allegiance._____

Motion_____ Review minutes of August meeting. Second_____

Motion by _____ to Recess Regular Meeting and open Public Hearing-Extending Moratorium on Wind/Solar.
Second by _____

Motion by _____ to Close Public Hearing and continue with regular scheduled Town Board meeting.
Second by _____

PUBLIC COMMENT:

CODES OFFICER REPORT: (see agenda packet)

TOWN CLERKS REPORT: (see agenda packet),

HIGHWAY REPORT:

SUPERVISOR REPORT:

NEW BUSINESS:

Motion by Councilperson_____ to adopt Resolution 15-2023 Local Law 2-2023 ("A Local Law Extending a Moratorium on the Establishment of Commercial Wind Energy Facilities and Ground Solar Energy Facilities within the Town of Eaton"). Second by Councilperson_____

Roll Call JG__ DV__ SW__ SD__ JH__

Motion by Councilperson_____ to advertise for public hearing to amend the zoning from RD2 to ARC
second by Councilperson_____

Motion by Councilperson_____ to refund Tim Yousey \$100 for overpayment for Subdivision He paid \$275 for a 3 lot Subdivision and should have paid for a 2 lot which is \$175. Second by Councilperson_____

Motion by Councilperson_____ to refund Jeff Golley \$50 for Boundary Line Change, since both lots are owned by same owner, does not require Planning Board Approval. Second by Councilperson_____

Motion by Councilperson_____ to adopt Resolution 16-2023 to appropriate American Rescue Plan Act funds to the Morrisville Public Library. Second by Councilperson_____

Motion by Councilperson_____ Authorizing Town Clerk to Shred/Destroy Expired Dog License Renewals 2018-2019 per the NYS LGS-1 as described in attached document. Second by Councilperson_____

PAY THE BILLS: MOTION_____ **SECOND**_____ to pay the August Bills.

ABSTRACT 9 - 2023

General Vouchers numbered A 121-139 \$ 17,336.34; B's 36-39 \$ 740.95; SL 9 \$ 588.18

Highway Vouchers numbered DA 63-68 \$ 4,348.08; DB 19-23 \$ 95,304.63

ADJOURNMENT: MOTION_____ **SECOND**_____ time_____

TOWN CLERK'S MONTHLY REPORT

TOWN OF EATON, NEW YORK

AUGUST, 2023

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>23</u>	DECALS	<u>310.67</u>
<u>1</u>	MARRIAGE LICENSES NO. 23022 TO 23022	<u>17.50</u>
<u>22</u>	LANDFILL TICKETS	<u>16.50</u>
<u>1</u>	MARRIAGE CERTIFIED CPY	<u>10.00</u>

TOTAL TOWN CLERK FEES

354.67

A1603

<u>47</u>	DEATH CERTIFIED COPIES	<u>470.00</u>
-----------	------------------------	---------------

TOTAL A1603

470.00

A2544

<u>22</u>	DOG LICENSES	<u>183.00</u>
-----------	--------------	---------------

TOTAL A2544

183.00

A2590

<u>1</u>	ROAD BORE PERMIT	<u>300.00</u>
----------	------------------	---------------

TOTAL A2590

300.00

B2110

<u>3</u>	VARIANCE	<u>525.00</u>
----------	----------	---------------

TOTAL B2110

525.00

B2115

<u>1</u>	SPECIAL PERMIT	<u>175.00</u>
<u>1</u>	BOUNDARY LINE CHANGE	<u>50.00</u>

TOTAL B2115

225.00

B2555

<u>5</u>	BUILDING PERMIT	<u>1,789.20</u>
----------	-----------------	-----------------

TOTAL B2555

1,789.20

TOWN CLERK'S MONTHLY REPORT

AUGUST, 2023

page 2

DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	1,307.67
PAID TO SUPERVISOR FOR PART TOWN FUND	2,539.20
PAID TO NYS DEC FOR DECALS	5,245.33
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	26.00
PAID TO NYS HEALTH DEPT FOR MARRIAGE LICENSES	22.50
PAID TO DEPT OF SOLID WASTE & SANITATION FOR LANDFILL	423.50
TOTAL DISBURSEMENTS	9,564.20

SEPTEMBER 7, 2023

_____, SUPERVISOR
JOSEPH WICKS

STATE OF NEW YORK, COUNTY OF MADISON, TOWN OF EATON

I, DEAN CURTIS, being duly sworn, says that I am the Clerk of the TOWN OF EATON that the foregoing is a full and true statement of all Fees and moneys received by me during the month above stated, excepting only such Fees the application and payment of which are otherwise provided for by law.



Town Clerk

09/07/2023

09:11:47

TOWN OF EATON**B2110 - B2555 Transaction Report**

For the period 08/01/2023 through 08/31/2023

Type	Date	Comment	Name	Quantity	Fee
B2115					
1.SP	08/15/2023	SPECIAL PERMIT NEW STAND CONST	MOSHER FARMS LLC	1	175.00
				1	175.00
B2555					
2.BLC	08/09/2023	4120 BROOKS RD/5121 STONEBRDG	GOLLEY, JEFF & KELLY	1	50.00
				1	50.00
3.BP	08/24/2023	#36-23 3 BD HOUSE/SEPTIC	ASCHCRAFT JORDAN	1	904.20
4.BP	08/07/2023	#32-23 FENCE #33-23 GREENHOUSE	BETTS, JUSTIN	1	50.00
5.BP	08/09/2023	#34-23 4 PREFABRICATED PROP TK	E & V ENERGY	1	297.00
6.BP	08/07/2023	#31-23 38'X40' GARAGE	KNOX, KEITH	1	428.00
7.BP	08/21/2023	#37-23 HVAC INSTALL, HOLBROOK	MUND, PATRICIA	1	110.00
				5	1,789.20
8.VARI	08/28/2023	3154 WESTLAND DRIVE	COPE DARIN	1	175.00
9.VARI	08/28/2023	6438 PAINO RD,	GUILMETTE, DORIS	1	175.00
10.VARI	08/03/2023	1013 CAMP RD 1	TAYLOR KATHRYN	1	175.00
				3	525.00
Total for B Fund:				10	2,539.20
Total Sales				10	2,539.20

TOWN OF EATON

PO BOX 66

MORRISVILLE NY 13408

(315) 684-8051

Date: 08/09/2023

Receipt #: 017417

Received From: GOLLEY, JEFF & KELLY

For:	1 - BOUNDARY LINE CHANGE / 4120 BROOKS RD/5121 STONEBRDG	50.00

☐ Cash

☒ Check/CC

1591

Total received:

50.00

Pamela Locke, DTC

THIS ACTION DOES NOT NEED
PLANNING BOARD APPROVAL
THUS THE \$50 FEE SHOULD
BE REFUNDED -

Karen C. Jones

8-31-23

TOWN OF EATON
PO BOX 66
MORRISVILLE NY 13408
(315) 684-8051

Date: 07/31/2023
Receipt #: 017389

Received From: **YOUSEY, TIM**

For:	1 - SUBDIVISION FEES / 3 LOT SUBDIVISION 4737 RT 20	275.00

☐ Cash
☒ Check/CC 1595

Total received: 275.00


Customer paid for a 3 lot Sub division \$275, should have been a 2 lot Sub Division which is \$175, refund of \$100 to be determined at September 12th Board Meeting.

Town of Eaton Records Retention Destruction Log

DEPT	Heading	Description (ours)	Years	LGS-1 SECTION	PAGE #s	RETENTION
Town Clerk	Dog Id and Control	Expired dog license renewals	2018-2019	326-336	87	3 years after exp
1		See Attached				
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						

Shredded

<u>Owners Name</u>	<u>Dogs Name</u>	<u>Status</u>	<u>Date</u>
Akers, Tracey	David	Dead	6/7/2019
Anderson, Jackie	Max Amillion	Dead	6/18/2019
Anderson, Denise	Amira	Moved	7/3/2018
Anderson, Denise	Joey	Moved	7/3/2018
Anderson, Denise	Gator	Moved	7/3/2018
Barker/Miller Michelle	Sassy	Dead	7/2/2018
Bigelow, Randy	Boo	Dead	6/6/2018
Blais, Patti	Amede R Dog	Dead	6/21/2018
Blais, Patti	Chip	Dead	6/21/2018
Brink, Irena	Lucky	Dead	6/13/2018
Broedel, Steven	Princess	Dead	7/5/2018
Brown, Grace	Sissy	Dead	7/1/2019
Bruno, Bill	Jacks/Bubba	Moved	6/29/2018
Bruno, Bill	Baby	Moved	6/29/2018
Bruno, Bill	Jax	Moved	6/29/2018
Burcroff, Stephen	Jax	Dead	6/9/2018
Byron, Jacob & Karen	Osan	Dead	6/12/2018
Carrol, Holly	Sadie	Dead	6/27/2019
Chandler, Alan & Tammy	Maggie	Dead	6/3/2019
Cordell, Dion	Jade	Dead	6/6/2018
Cota, Robert JR	Briar	Gone	10/30/2019
Cox, Douglas	Sandy	Dead	6/11/2018
Cresswell, Kim	Boo	Dead	11/5/2019
Cunningham, Chris	Talie	Dead	6/26/2018
Davenport, Tracy	Bella	Moved	6/18/2019
DeRouchey, John	Callie	Dead	6/6/2019
Egelston, Angela	Octavia	Gone	11/18/2019
Farney, Gary & Karen	Kozmo Mot	Dead	8/14/2018
Farney, Gary & Karen	Miss Cassidy	Dead	8/14/2018
Featherly, Dianna	Honey	Gone	11/29/2018
Flanagan, Courtney	Dixie	Gone	6/7/2019
Flanagan, Courtney	Libby Grace	Gone	6/13/2019
Frawley, Barbara	Molly	Dead	6/19/2018
Fredericks, Alyssa	Milo	Dead	12/13/2018
Funke, Fred	Bear	Dead	6/17/2019
Gerakopoulos, Carolyn	Jasper	Gone	6/3/2019
Howell, Marti	Lilly	Dead	6/5/2019
Howell, Marti	Abbey	Dead	6/5/2019
Kelly, Don	Trixie	Dead	6/18/2019
Kent, Alan	Casey	Dead	6/17/2019
Koehl, Brian	Bonnie	Dead	6/7/2019
Krause, Kayla	Miles	Dead	6/24/2019
LaLonde, Brittany	Olive	Gone	6/30/2019

Lenhart, Bill	Bella	Gone	7/26/2018
Little, Bea	Bella	Dead	6/3/2019
Lloyd, Katie	Bella	Gone	2/4/2019
Lloyd, Katie	Parker	Gone	2/4/2019
Longo, Erin	Jewels	Gone	6/3/2019
Loverme, Justin	Charlie	Gone	3/1/2018
Lydford, Eileen	Sadie	Dead	8/15/2018
McIntosh, Julie	Cheyenne	Gone	8/6/2018
McLain, Norma	Benny	Dead	6/5/2019
Mandell, Anne	Bella	Dead	6/4/2019
Migonis, Erik	Zeus	Gone	12/5/2018
Migonis, Erik	Cash	Gone	12/5/2018
Migonis, Erik	Charlie	Gone	12/5/2018
Migonis, Erik	Rocky	Gone	12/5/2018
Mitchell, Jim	Boomer	Dead	10/28/2019
Moot, Amanda	Meme	Gone	7/26/2018
Orth, William	Zip	Gone	6/14/2018
Palmer, Lucille	Murphy	Gone	7/25/2018
Panzone, Maggie	Sophia	Gone	5/4/2018
Papelino, Danielle	Gunther	Dead	6/7/2019
Pearsall, David	Duke	Dead	6/10/2019
Perry, Catherine	Astro	Gone	8/20/2018
Perry, Catherine	Penny	Gone	8/20/2018
Perry, Catherine	Cali	Gone	8/20/2018
Robbins, David	June	Dead	6/18/2019
Robbins, David	Tido	Dead	6/18/2019
Roberts, Jahnae	Griffin	Dead	11/12/2019
Roberts, Jim	Kipper	Dead	7/18/2019
Roher, Shannon	Bailey	Dead	6/5/2018
Smith, Kris	Lucy	Dead	6/27/2018
Tapp, Dan	Scooter	Gone	11/20/2018
Tapp, Dan	Max	Gone	11/20/2018
Tapp, Dan	Scooter	Gone	8/12/2019
Taylor, Cathy	Lily	Dead	12/1/2018
Thayer, Jared	Allie	Dead	6/24/2019
Thomas, Kristin	Gus	Dead	7/11/2019
Townsend, Kalin & Julie	Athena	Gone	6/11/2019
Townsend, Kalin & Julie	Sasha	Gone	6/11/2019
Townsend, Kalin & Julie	Karma	Gone	6/11/2019
Unczer, Peter	Laya	Gone	11/26/2019
Vair, Julie	Sammy	Dead	6/4/2019
Wade, Greg	Dotty	Dead	3/6/2019
Wade, Greg	Bear	Dead	6/7/2019
Wendt, Samantha	Buddy	Dead	12/27/2019
Whitney, Mark	Callie	Dead	5/13/2019

**TOWN OF EATON
TOWN BOARD RESOLUTION 15-2023**

September 12, 2023

TOWN OF EATON LOCAL LAW NO. 2 OF 2023

**(“A Local Law Extending for an Additional Period of Six (6) Months
the Moratorium on the Establishment of Commercial Wind Energy
Facilities and Ground Solar Energy Facilities within the Town of Eaton”)**

The following resolution was offered by Councilor _____, who moved its adoption, seconded by Councilor _____, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. 2-2023, “A Local Law Extending for an Additional Period of Six (6) Months the Moratorium on the Establishment of Commercial Wind Energy Facilities and Ground Solar Energy Facilities within the Town of Eaton,” was presented and introduced at a regular meeting of the Town Board of the Town of Eaton held on August 3, 2023; and

WHEREAS, a public hearing was held on such proposed local law on this 12th day of September 2023, 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 Proposed Local Law No. 2-2023 has previously been determined to be a Type II 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 Proposed Local Law No. 2-2023.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Eaton, Madison County, New York, does hereby enact proposed Local Law No. 2-2023 as Local Law No. 2-2023 as follows:

**“TOWN OF EATON
LOCAL LAW NO. 2 OF 2023**

**A LOCAL LAW EXTENDING FOR AN ADDITIONAL PERIOD OF SIX (6) MONTHS
THE MORATORIUM ON THE ESTABLISHMENT OF COMMERCIAL WIND
ENERGY FACILITIES AND GROUND SOLAR ENERGY FACILITIES WITHIN THE
TOWN OF EATON**

Be it enacted by the Town Board of the Town of Eaton 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.

SECTION 2. INTENT.

It is the intent of the Town Board of the Town of Eaton to extend the moratorium on the establishment of commercial wind energy facilities and ground solar energy facilities within the Town of Eaton for a period of six (6) months.

SECTION 3. LEGISLATIVE PURPOSE.

The Town Board hereby finds that without adequate regulations governing the location and placement of ground mounted solar panel energy arrays, such facilities may have a detrimental impact on the scenic rural character of the Town, the continuation of agriculture as a viable business activity, and on residential neighborhoods and the community in general. Such facilities, if not properly sited, may have adverse visual impacts, render agricultural uses unviable or uneconomical, and have a detrimental effect on the value of other properties. At present, the Town of Eaton does not have any specific regulations for the location or placement of such facilities.

The Town Board further finds that without adequate regulations governing the location, placement and operation of commercial wind energy facilities, such facilities may also have detrimental impacts upon the Town, including impacts on the scenic rural character of the Town, its rural character, its agricultural resources, its residential neighborhoods, birds and wildfowl, public communications, and the quality of life of the community in general.

The Town desires to continue its study and evaluation of the land use impacts of commercial wind energy facilities and ground mounted solar panel energy facilities to revise its local law regulating their location and placement in order to preserve and protect the Town’s aesthetic and visual resources, the continuation of agriculture as a viable business activity, and the property values within the Town by providing specific regulations and restrictions on the location, size and siting of ground solar energy facilities within the Town.

The Town has adopted Local Law No. 1 of 2023 (“A Local Law Imposing A Moratorium On The Establishment of Commercial Wind Energy Facilities And Ground Solar Energy Facilities Within the Town of Eaton”). Since passage of the moratorium, the Town has been preparing proposed amendments to the local Zoning Law for public comment. It has been determined that a moratorium extension limited to an additional six (6) months in duration from the date of expiration of the moratorium, coupled with a mechanism for a “hardship” appeal procedure, will achieve an appropriate balancing of interests between, on the one hand, the public need to safeguard the character and other resources of the Town of Eaton and the health, safety and general welfare of its residents, and, on the other hand, the rights of individual property owners and businesses desiring to conduct such activities during such period.

This Local Law shall therefore act as an extension to the moratorium adopted by the Town of Eaton Town Board on March 14, 2023 (Local Law No. 1 of 2023), which shall expire September 14, 2023, for an additional six (6) months, resulting in a new expiration date of March 14, 2024.

During the period in which the moratorium established by this Local Law is in effect, the Town will evaluate potential restrictions concerning ground solar facilities that may be necessary or appropriate to achieve the herein stated objectives of this Local Law. The Town Board further finds that although a review of the Town's zoning law as envisioned by this Local Law had previously been commenced, due to unforeseen circumstances such review was not timely completed, and that such a review remains necessary to protect the future health, safety and welfare of present and future residents of the Town of Eaton.

SECTION 4. VALIDITY & SEVERABILITY

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Local Law.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon passage and thereafter shall be filed with the New York State Department of State and shall remain in force and effect for a period of six (6) months from the date of the expiration of the twelve (12) month moratorium memorialized in Local Law No. 1 of 2023 (“A Local Law Imposing A Moratorium On The Establishment of Commercial Wind Energy Facilities And Ground Solar Energy Facilities Within the Town of Eaton”), on March 14, 2023.”

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/No
Jean Hilts	Councilor	Voted	Yes/No
Stephen Dickerson	Councilor	Voted	Yes/No
Jeff Golley	Councilor	Voted	Yes/No
Joseph Wicks	Supervisor	Voted	Yes/No

The foregoing resolution was thereupon declared duly adopted.

DATED: September 12, 2023

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Clerk of the Town of Eaton, Madison County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing Resolution with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on September 12, 2023.

(SEAL)

DEAN CURTIS, Town Clerk

TOWN OF EATON
TOWN BOARD RESOLUTION 16-2023

September 12, 2023

**A resolution to appropriate American Rescue Plan Act funds to the
Morrisville Public Library**

The following resolution was offered by Councilor _____, who moved its adoption, seconded by Councilor _____, to wit:

WHEREAS, the United States Congress passed the American Rescue Plan Act of 2021, effective March 11, 2021 (“ARPA” or the “Act”); and

WHEREAS, the Act created the Coronavirus Local Fiscal Recovery Fund (“CLFRF”) which, among other things, appropriated money to cities, non-entitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (“COVID-19”); and

WHEREAS, the Town of Eaton (the “Town”) has received a distribution of funds (“ARPA Funds”) through the CLFRF; and

WHEREAS, the Final Rule adopted by the Department of Treasury provides that participants may use ARPA Funds for the provision of government services up to the amount of the experienced revenue loss, whether that be the standard allowance amount or the amount calculated using the formula set forth in the Rule; and

WHEREAS, government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise. The Rule and other guidance provides that “government services” expressly recognized by Treasury include, but are not limited to, (a) road building and maintenance, and other infrastructure; (b) health services; (c) general government administration, staff, and administrative facilities; (d) environmental remediation; (e) provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles); (f) maintenance or pay-go funded building infrastructure; and (g) modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; and

WHEREAS, the Town Board has identified a project or expenditure which, in the judgment of the Town Board, qualifies as a permitted use of the ARPA Funds, in direct support of the provision of governmental services, which consists of renovating the “local history room” at the Morrisville Public Library, the purpose of which room is, in part, to properly store and maintain historical Town of Eaton government records and artifacts (the “Expenditure”); and

WHEREAS, the Board believes that it is in the best interest of the Town and its residents to approve the Expenditure and authorize the use of a portion of ARPA funds for the Expenditure.

NOW THEREFORE, BE IT

RESOLVED, the Board believes, in exercising its reasonable judgment, that the Expenditure meets the criteria in ARPA and the Final Rule, and is a permissible expenditure of ARPA Funds for the provision of government services; be it further

RESOLVED, the Expenditure is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed \$5,000; be it further

RESOLVED, that the Town Board finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements; be it further

RESOLVED, that this resolution shall be in full force and effect immediately upon its adoption.

The foregoing resolution was thereupon declared duly adopted.

DATED: