Board Members Present: Josh Aarum, John Hill, R. Nick Morgan, & Supervisor Dustin Bliss Geoff Milks sent a letter of resignation effective immediately Other Officials Present: Planning Board Member Lyle Morgan Others: 7

Meeting called to order at 7:00 pm by Supervisor Dustin Bliss

LPLEDGE TO THE FLAG: Led by Supervisor Dustin Bliss

II.REVIEW OF MINUTES:

Board Meeting-Monday, October 17, 2022

A motion was made by Dustin Bliss to accept the Meeting Minutes from October 17, 2022 as submitted. Seconded by John Hill.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

Review of the Special Board Meeting Minutes for the 2023 Preliminary Town Budget Discussing from November 14, 2022, at 6:00 pm.

A motion was made by Dustin Bliss to accept Minutes from November 14, 2022, Special Board Meeting for the Preliminary Town Budget Discussion as submitted. Seconded by Josh Aarum.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

Review of the Special Board Meeting /Public Hearing Minutes from November 14, 2022, at 7:00 pm.

A motion was made by Dustin Bliss to accept the Minutes from the November 14, 2022, Special Board Meeting / Public Hearing Minutes as Submitted. Seconded by Josh Aarum.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

Dustin Bliss made a motion to close the Regular Board Meeting and to open the Public Hearing on Local Law #2 of 2022 at 7:01 pm. Seconded by R. Nick Morgan.

III. PUBLIC HEARINGS LOCAL LAW #2 OF 2022

A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE

NO Comments

Dustin Bliss made a motion to close the Public Hearing on Local Law 2 of 2022 and to open the Regular Board Meeting at 7:02 pm. Seconded by John Hill.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

A motion was made by Dustin Bliss to pass Local Law 2 of 2022, A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE.

Seconded by John Hill.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

IV.

TOWN OF FREEDOM

Resolution #12

June 20, 2022

Resolution Requesting the Cattaraugus County Legislature and the Cattaraugus County Industrial Development Agency (the "IDA") to Support a Payment in Lieu of Taxes ("PILOT") for the Alle-Catt Wind Energy Project to Ensure Adequate Financial Compensation for the Host Communities

WHEREAS, in 2018, Alle-Catt Wind Energy LLC ("ACWE") applied to the New York State Board on Electric Generation Siting and the Environment (the "Siting Board") for a Certificate of Environmental Compatibility and Public Need pursuant to Article 10 of the New York Public Service Law for the construction and operation of a 340 megawatt wind-powered electric generation facility located in the Towns of Centerville and Rushford in Allegany County, the Towns of Farmersville and Freedom (the "Town") in Cattaraugus County , and the Town of Arcade in Wyoming County (the "Wind Project").

WHEREAS, in 2019, the Town Board of the Town of Freedom (the "Town Board"), agreed to and adopted Host Community Agreements (the "HCAs") with ACWE, to ensure that the Town and its residents were compensated for the impacts of the Wind Project, as well as for ACWE's use of the Town's roads and infrastructure to construct the Wind Project.

WHEREAS, the projected total compensation under the HCAs for the Town is several millions of dollars, paid over a period of 20 years.

WHEREAS, the HCAs contemplate ACWE applying for and obtaining a PILOT from the IDA and set the compensation for the Town based on the size of the approved PILOT.

WHEREAS, the Town Board recognizes that many of the Town's residents, including the Board Members themselves, have been either opposed to or concerned about the Wind Project or certain aspects of it, or about the policy of New York State to overrule local communities, or both.

WHEREAS, members of the County Legislature shared these concerns when, in August of 2018, they adopted Resolution/Act No. <u>368-2018</u>, which requested that the IDA not approve a PILOT for the Wind Project.

WHEREAS, in June of 2020, the Siting Board granted ACWE's application for the Certificate.

WHEREAS, the Town of Farmersville and a group of local citizens filed lawsuits challenging the Siting Board decision to award the Certificate.

WHEREAS, in late 2021, the New York State Supreme Court, Appellate Division, Fourth Department denied and dismissed these lawsuits and upheld the Siting Board's decision to award ACWE a Certificate, meaning the most viable legal challenges against the Wind Project have now concluded.

WHEREAS, the Wind Project is now poised to move forward, with construction expected to begin in 2023.

WHEREAS, the Town understands that ACWE intends to move forward with the Wind Project regardless of whether a PILOT is approved.

WHEREAS, if the IDA does not approve a PILOT, ACWE has the right to terminate the HCAs, including the annual payments, as ACWE will instead be paying taxes on the Wind Project.

WHEREAS, the Town Board recognizes that significant portions of these taxes will not go directly to the host community Towns, whose residents will be most impacted by the Wind Project.

WHEREAS, in the absence of a PILOT, the Town and their residents will stand to lose several millions of dollars in annual payments under the HCAs, which would not be equitable, as a host community Town will be most directly impacted by the Wind Project.

WHEREAS, the Town Board members, regardless of their personal feelings or concerns about the Wind Project (or the State's policy), cannot in good conscience allow their communities to lose these annual payments under the HCAs while the Wind Project moves forward, nor can they support a greater share of revenues being diverted away from a host community Town, which is the end result absent an appropriate PILOT.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Freedom that:

- 1. The Town Board respectfully request that the County Legislature and IDA support a PILOT for the Wind Project, particularly a PILOT that would allow for ACWE to make the largest possible annual host-community payments to the Town whose residents must endure the most significant impacts of the Wind Project. Specifically, the Town Board would request the PILOT agreement be for at least 20 years and for an amount at \$5,000 per megawatt (MW) or less of installed capacity.
- 2. The Town Board believes that support for a PILOT is not the same thing as support for the Wind Project. Instead, support for a PILOT simply recognizes that the Wind Project is now moving forward, and that it is in the best interests of the host community—and their elected representatives in Little Valley—to maximize the financial benefits for the affected Town and its residents. At the time the County Legislature adopted Resolution/Act No. 368-2018, it was far from clear whether the Wind Project would ever move forward. The situation has changed considerably since then.

3. This resolution is ef PASSED AND ADOPTED, 2022	fective immediately. by the Town of FREEDOM Town Board on this day o
Motion by:	Seconded by:
Aarum:	
Hill:	
Morgan:	
Bliss:	

		Clerk		_Date /	1	
	A motion was made by John Hill.	by Dustin Bliss	to table to the n	ext board 1	meeting. Seconded	
Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss ***********************************						
	V.	TOWN OF	FREEDOM	- -		
RESOL	UTION #17-2022		Nove	ember 21,	2022	
	A Resolution Trans	ferring Funds				
	The Town Board of Paragraph 1 wishes t		edom, pursuant to	Town Law	Section 112,	
	Transfer funds from: A2771 (Dog Enumer		ount of \$707.50			
	To: A3510.4 (Control of	Dogs Contractua	al Expenditures)	as per gene	ral voucher 258	
	Motion by: Dustin B	Bliss Seconded by	/ John Hill			
	Roll call: Aarum: Aye Hill: Aye Morgan: Aye Bliss: Aye	lerk: <u>Min) 1</u>	<u>n KA</u> Date:	11/21/2022		
******	******	******	******	*******	******	

VI. NEW BUSINESS:

1. YEAR-END MEETING- We will no longer be having a year-end board meeting as our new accounting software does not allow us to close

until the bank statements have been processed. Due to the Holiday the bank statement will not be generated until January 3. Going forward all account transfers and year-end Supervisor Report will be taken care of at our Reorganization Meetings.

2.) REORGANIZATION MEETING

A motion was made by Dustin Bliss to have the Reorganization Meeting on January 7, 2023, at 11am. Seconded by John Hill

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

- 2. Street Light at the Corner of Route 98 and Moore Road: Tabled till next meeting.
- 3. Tractor mount snow blower that is now surplus: Highway Superintendent Jim Haggerty submitted information on a snow blower that the town no longer has use for. Supervisor Dustin Bliss read a letter from Jim. We have a 5' snow blower that we used to blow back banks in the winter that is no longer used because the hydraulic mechanism it was hooked to is beyond repair. Need to know if you want it gone and if so how do you want it done. In Jim's opinion scrap price is probably what you will end up with. Dustin stated that there are two town employees that are interested into the blower. Dustin stated it would be best to accept sealed bids that they can open at the next town board meeting.

A motion was made Dustin Bliss to accept sealed bids at the next town board meeting. Seconded by John Hill.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

4. The Town of Freedom was sent a notice in the mail that as of January 2023 the town will no longer be getting a complimentary newspaper from the Arcade Herald, it will be \$49.00 a year: Dustin stated we just need to get a subscription. It was recommended to ask for a two-year subscription. Councilman R. Nick Morgan asked Town Clerk Mindy Holland to see if there is a two-year discount.

VII.Old Business:

1. Resume for Grievance Board: One person expressed interest in the Grievance Board and it was Randy Lester.

A motion was made by Dustin Bliss to appoint Randy Lester to the Grievance Board. Seconded by John Hill.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

2. RESOLUTION 18-2022

NOVEMBER 21, 2022

OPPOSING SENATE BILL S.9517 AND ASSEMBLY BILL A.10644 IN RELATION TO CERTAIN DUTIES AND RESPONSIBILITIES OF CEMETERY CORPORATIONS AS TOO FINANCIALLY BURDENSOM

WHEREAS, Senate Bill S.9517 and Assembly Bill A.10644 propose another layer of rules and regulations on cemetery corporations under the Not-for-Profit Corporation Law, and

WHEREAS, this legislation would require cemetery associations to carry liability insurance to cover claims filed if someone is injured or is killed by the collapse of any cemetery monument or marker; it would also require a cemetery corporation to carry liability insurance for monuments and other embellishments on a plot or cemetery lot, and

WHEREAS, activities like excavating a grave, setting concrete vaults, excavating foundations, concrete pouring, monument installation, maintenance and use of heavy machinery would require guidance from a licensed engineer, and

WHEREAS, cemeteries would also be required to remain available for grave openings and interments outside of normal business hours in the case of persons belonging to a religious and/or ethnic tradition that requires burial or interment prior to sunset on the date of the person's death, and

WHEREAS, those cemetery corporations that maintain and designate a burial section for persons of a particular religious belief or ethnic tradition would be required to appoint an inspector to ensure the cemetery is in compliance with the applicable rules and regulations governing those

religious beliefs or ethnic traditions with respect to burials; inspectors would be appointed in consultation with local religious leaders, and

WHEREAS, this legislation also requires the cemetery corporation to disclose to a person purchasing a plot in the cemetery the condition of the soil under such lot, plot or part thereof, including but not limited to the existence of groundwater or any other defects or past disturbances which may substantially impair or alter the natural condition of the soil, and

WHEREAS, this legislation would create a huge financial burden upon the small rural cemetery corporations in the town of Freedom by requiring them to hire a licensed engineer or excavating company to perform excavation work in the cemetery, purchase additional liability insurance to insure monuments and other embellishments belonging to individual plot owners, hire a religious inspector, and compensate cemetery employees to keep the premises open after normal business hours for grave openings and interments outside normal business hours, and

WHEREAS, this legislation would also require the cemetery corporation to contract for services to determine the soil conditions creating an additional financial burden on them, and

WHEREAS, the rural cemetery corporations of the town of Freedom do not have adequate funds to support the additional financial burden this legislation would impose upon them. Some of these cemetery corporations do not have enough funds to pay for lawn care and general maintenance leaving them to rely up volunteerism, now, therefore, be it

RESOLVED, that the Freedom Town Board hereby opposes Senate Bill S.9517 and Assembly Bill A.10644 and the amendments to the Not-for Profit Corporation Law contained therein as creating an enormous financial burden upon the rural cemetery corporations in the town of Freedom, and be it further

RESOLVED, that the Town Clerk of the town of Freedom is hereby directed to forward certified copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-

Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George Borrello and Assemblyman Joseph Giglio.

A motion was made by Dustin Bliss

Seconded by John Hill

Josh Aarum -Aye

John Hill - Aye

R. Nick Morgan - Aye

Dustin Bliss - Aye

Clerk: Many Market Date11/21/2022

Supervisor Dustin Bliss showed the public the map of the Elton Cemetery that the Town was given when they took it over. The map is a wooden box with each plot written inside. Dustin told the public that there is a gentleman by the name of Don Jaquish that would like to be buried on a plot with his parents and other family in the Elton Cemetery. Dustin said that the State thinks they can impose regulations from above. Dustin said in the past talking to Don, in the past lots of these cemeteries the people who live near them would go mow them. Now no one wants to do anything that's not paid for. With this law it would hurt small cemeteries.

VIII. PUBLIC COMMENTS:

Denise Willard: Please see attached

IX. Supervisor Dustin Bliss read Councilman Geoff Milks Resignation letter:

Please accept my formal resignation as Councilman for the Town of Freedom effective immediately. I am grateful for all the support during my time here and I appreciate all of the valuable experiences I have gained. It has been a sincere pleasure representing the residents of the Town of Freedom. Best Wishes, Geoff Milks

X. REPORTS & COMMUNICATIONS:

- A. Assessors Report Submitted
- B. Building Committee -
- C. Building Inspector Report Submitted
- D. Highway Superintendent -Report Submitted
- E. Clerk/Collector Report submitted
- F. Constable –
- G. DCO-
- H. Highway Committee -
- I. Insurance Committee-
- J. Justices –
- K. Parks & Recreation –
- L. Planning Board Report submitted from October
- M. Supervisor Report Submitted
- N. Other Town Officials -

A motion to accept the reports & communications as submitted was made by Dustin Bliss. Seconded by John Hill

Roll call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

XI. APPROVAL OF VOUCHERS:

General #259 to # 288 Amt. \$82,520.63, Yrly Amt. \$ 271,594.87.

Motion made by Dustin Bliss to accept the General vouchers as written. Seconded by R. Nick Morgan.

Roll call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

Highway # 115 to #129 Amt. \$35,964.35 Yrly Amt. \$835,566.32.

Motion made by Dustin Bliss to accept the Highway vouchers as written. Seconded by Josh Aarum.

Roll call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

<u>Safe Act Monies</u> #1 to #1, Amt. \$21,060.00, Yrly Amt. \$21,060.00.

Motion made by Dustin Bliss to accept the Safe Act vouchers as written. Seconded by Josh Aarum.

Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

XII. Councilman John Hill asked Supervisor Dustin Bliss if they should put an ad in the paper for anyone interested to fill the Councilman position on the board. The board discussed the reason why they should have a five-person board instead of waiting till the election in November next year. The Board would like to run an ad in the paper for two weeks and have all cover letter and resume, in by December 16, 2022. Also get it on the website. This would be effective immediately after the approval of the board.

XIII. ADJOURNMENT:

Dustin Bliss made the motion to adjourn the meeting at 7:34 pm. Seconded by John Hill.

Roll call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan, Supervisor Dustin Bliss

Respectfully Submitted By

This Market Street Town Clerk

Denise Willard 11/21/2022

Some things that I would like to mention to or ask the board:

Wyoming County, the County in New York that has the most operating wind turbines (this does not, of course, include the 10 smaller turbines in Hermitage, next to Camp Wyomoco, that are just sitting there rotting), asked the state, in late October of 2018, to waive the 2% tax cap. Now, in 2022, Java and Arcade, both in Wyoming County, recently voted to pass local laws to override their tax caps of their respective towns. Why? I thought Invenergy was pouring money into the community to provide tax relief. There are 2 projects there that do not share funds with other counties. What is the matter? Is land not being further developed there to provide more tax base to draw from? Also states 5 years of stagnant sales tax revenue. What is the matter? Is no one visiting the county and spending their money there? I thought towns made money on these.....that's how the predatory renewable energy developers sell these projects to rural towns.

I'd like to encourage you to look up this Facebook page — "The Diary of a Wind Farm Neighbor" and I also have a Facebook friend, Lisa Meyers, that hasn't signed any sort of "Good Neighbor Agreement", and I'm sure that she'd be willing to answer any questions you may have. She has lots of videos on her page of the shadow flicker that she deals with.

I'd like to ask, once again, why the board has done nothing to maximize getting more money from Invenergy and that Dustin has been on the board for 3 years and there have been no improvements to taxes or roads.

Why was it so urgent to vote for the transmission line attorney last July when he never filed for Intervenor funds until March of this year? Who is overseeing the \$50,000.00 in intervenor funds, especially since attorneys in the town can't do anything without board approval?

murder on March 7, 2018,"

evicting him. Mlyniec was in the process of been a tenant of Mlyniec's and Prior to the murder, Irvine had

the apartment." that still needed to get moved from that Robbie had some belongings that was getting people upset was girlfriend, and that the only thing bie had actually moved in with his what was interesting was that Robmovein,"O'Geensaid,"However, man, was having his girlfriend bie's roommate, Mitchell Chaphad done wrong, but because Rob-"Notbecause of anything Robbie

Mlyniec's property that contained his belongings. He could come and Irvine reportedly had a shed on

See Two worlds -

ships on the playground. ATTACKED OF THE PROPERTY OF TH

is to make buddies, not bullies. simple and caring way; the idea and help that student in a very feels. They can quickly intervene aware of how their classmate she is feeling without saying a word and makes other students lows a student to show how he/ to play. The Buddy Bench alto that student and invite them will see this and in turn, go over Buddy Bench, Other students or is being bullied or left out, he or she can simply sit on the When a student feels lonely,

Quilts, Larry Romance & Son, DeFazio Chiropractic, Arcade Auto Parts, Brass' Shurfine, to create the benches: Zimmer for donating the funds needed and individuals are responsible -umber, Creekside Fabrics & The following local businesses

inc., Automotive Alley, Inc., De-

donation. Colour Barre, and an anonymous Sign Art, Sue Reding, Marcos, The

Plaques will be engraved with

Benches to recognize the generosity these businesses and individuals' of those who made this happen for names and placed on the Buddy

take place at Arcade Elementary in Buddy Benches and to model for the early spring to introduce the the students their purpose. A school-wide presentation wil

New York State mandates continue to hit Wyoming County hard

By Natalie Muster - WCC Editor -

exceed the tax levy limit for fiscal Woming County is looking to inded mandates by the state, in order to keep up with un-

Supervisors meeting in order to lie Wyoming County Board of 2.30 p.m. Tuesday, Nov. 13 at public hearing will be held

discuss the override.

Wyoming in the form mandated citizens," an introduction to a local other important services to our of New York upon the County of law for the override reads. governmental services that are said services, also must provide county, in addition to providing obligations compelled by the State not fully funded by the state, the "Due to the continued financial

> General Municipal Law \$3-c, and County of Wyoming pursuant to erty taxes that may be levied by the limit on the amount of real prop-(No. E - Year 2018) to override the "It is the intent of this local law budget for the fiscal year 2019 contained in General Municipal that requires a real property tax levy in excess of the 'tax levy limit'

2019 that requires a real property to allow the County of Wyoming tax levy in excess of the 'tax levy to adopt a budget for the fiscal year nual growth of property taxes to whichever is less. 2 percent or the rate of inflation, into law in 2011. It limits that an-The property tax cap was signed

County of Wyoming to adopt a tax cap many times in the past. The county has overridden the

limit as defined, and to allow the

state mandates. This is because over 100 percent of the levy is eaten up by unfunded

was due to a rebound in sales tax revenue after five years of stagnant the cap for the 2018 fiscal year. This Wyoming County did stay under

for it to be adopted legislature must approve the law At least 60 percent of the county

LOCALLANDIO CONTRIBUTAR SOCIAL DVANCEARCIDE COUNTY OF WAGNING

A LOCAL LAW TO COVERRIDE THE TAX DEVY ENVIRENCE TARGETED BY GENERAL MUNICIPALE AW 25 CHOC FISCAL VIOLENCE OF THE TAX DEVELOPMENT OF TAX D

Section 4. Legislation intents

(but the intent of this local law grower ide that limit on the articular is proceed as the may be extended the form of Arcade of section 2 deneral influences in the control of Arcade to accord this general integer forms of Arcade to accord the first of the form of Arcade to according to the first of the

Section 2. Authority

This local towns adopted pursuant to sticile son applicate lightening a light of the property of the pro

sealand fath explainte venides.

The Town Board of the Court OPA calls (Pourt) of the Dougler Board OPA (2012) OPA (2012)

Section (Section (Section))

(Application of the section of the s

エキママテン

Town of Java adopts 2023 budget

By Maya Borer -Staff Reporter-

JAVA, N.Y. - The November monthly meeting for the Java Town Board began with Supervisor Vanessa McCormick opening with a public hearing for the tax cap override,

Leaving the public hearing open, the meeting went on to discuss the highway superintendent's report. After the report, McCormick asked for comments, to which there were none from the board, the public, or any written ones. The public hearing was then closed and the board took a vote; the tax cap override was approved.

During the second half of the meeting, Supervisor McCormick opened a second public hearing for the 2023 town budget. Residents were provided with a hard-copy of the 2023 budget.

Accountants Ashley Kaufman and Jenna Utz, from Kaufman Utz Accounting, LLC attended the board meeting to discuss a summary of the 2023 budget.

Salary increases were budgeted at 4 percent. One resident wanted clarification on the increase stating, "Ithoughtit was agreed that the salary increase would be increased by 3 percent and not 4 percent." McCormick responded that the 4 percent was the motion on the floor.

Utz went on to explain that the reason for the tax override was due to the Strykersville Fire Contract budget of \$100,000.

McCormick then stated that everything looked well

and that they added more to the budget due to the water meter grant project that the town has planned but there were no other major increases.

Kaufman went on to explain the tax rates stating that since assessments went up tax rates per dollar went down. She further explained the budget and stated that the town's overall budget increased by \$630.

Utz stated that the town did very well as they were sitting between what towns are usually raising their taxes by, "A lot of them are doing anywhere between 3 and 5 percent," she said.

McCormick made the motion to close the public hearing. Carrying the motion the board then moved to adopt the budget as their 2023 fiscal year budget. In other news:

- Matters regarding a sign on Route 98 and Sheer Road were brought up. The conversation was a result of a resident who showed concern for those driving on it. It appeared that there was no sign for Sheer Road at that intersection. There was a question as to whether it would be a state or a county issue, and who to contact. Highway Superintendent Mike Kozlowski stated he would look into the matter.
- During a discussion regarding the tax collector, McCormick let the board know that there have been three inquiries but unfortunately only one was a resident of Java.