

Town of Freedom
Regular Board Meeting
September 19, 2022

**Board Members Present: Josh Aarum, John Hill, R. Nick Morgan,
& Supervisor Dustin Bliss
Absent: Geoff Milks**

**Other Officials Present: Planning Board Members Lyle Morgan, Michael Kauffman, and
Highway Superintendent Jim Haggerty**

Others: 15

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

I. PLEDGE TO THE FLAG: Led by Supervisor Dustin Bliss

II. REVIEW OF MINUTES:

Regular Board Meeting minutes for August 22, 2022

**A motion was made by John Hill to accept the Regular Board Meeting Minutes
as submitted. Seconded by Dustin Bliss.**

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

III. 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.

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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. 368-2018, 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:

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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 effective immediately.
PASSED AND ADOPTED by the Town of FREEDOM Town Board on this ____ day of _____, 2022

Motion by: _____ Seconded by: _____

Aarum:
Milks:
Hill:
Morgan:
Bliss:

Clerk _____ Date / /

A motion was made by Dustin Bliss to postpone this Resolution to the next Board Meeting. Seconded by John Hill.

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

IV. TOWN OF FREEDOM

RESOLUTION #14-2022

September 19, 2022

A resolution clarifying Health Insurance Benefits for those who buy out of the plan

The Town Board of the Town of Freedom wishes to clarify health benefits for those buying out of the health insurance offered by the Town of Freedom.

WHEREAS, a motion was made at the July 28, 2022 Special Board Meeting stating that going forward, all employees buying out of the health insurance offered, would receive a benefit of \$2,000 per year, paid pro-rated in their paycheck each pay period.

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WHEREAS, that amount, based on a 26 week pay period is \$76.93 per bi-week.

THEREFORE BE IT RESOLVED, that health insurance benefits will be paid retroactive at the old rate through June 19, 2022 and reimbursed retroactive through the current pay period.

HEREAFTER, the health insurance buyout will be based on the number of pay period per fiscal year, totaling \$2,000 per year.

Motion by: Dustin Bliss, Seconded by R. Nick Morgan

Roll call:

Aarum: Aye

Milks: Absent

Hill: Aye

Morgan: Aye

Bliss: Aye

Clerk:  Date: 09/20/2022

V. TOWN OF FREEDOM

RESOLUTION #15-2022

September 19, 2022

A Resolution Transferring Funds

The Town Board of the Town of Freedom, pursuant to Town Law Section 112, Paragraph 1 wishes to:

Transfer funds from:

A2770 (Misc. Revenue Account) in the amount of \$116,768.92

To:

To the Safe Act Grant Fund, established in 2021 to be used at a future date.

Motion by: Dustin Bliss Seconded by R. Nick Morgan

Roll call:

Aarum: Aye

Milks: Absent

Hill: Aye

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Morgan: Aye

Bliss: Aye

Clerk: *Mindy Holland* Date: 09/19/2022

VI. Resolution #16 of 2022:

Resolution #16-2022 of the Town of Freedom

DUSTIN BLISS, Supervisor

Members of the Town Council: John Hill | Geoffrey Milks | R. Nick Morgan | Josh Aarum

Clerk: Mindy Holland

DATE: 09/19/2022

MOVED BY: Dustin Bliss

SECOND BY: John Hill

TITLE: Resolution Introducing Local Law 1 - 2022 A LOCAL LAW ESTABLISHING THE NUMBER OF MEMBERS OF THE BOARD OF ASSESSMENT REVIEW

WHEREAS, Pursuant to section 10 of the municipal home rule law, the Town of Freedom may from time to time enact such local laws as it deems necessary; and

WHEREAS, placed on the desks and delivered to each Councilman and the Clerk is Local Law 1-2022 entitled "A Local Law Establishing the Number of Members of The Board of Assessment Review"; and

WHEREAS, prior to adoption by the Town Board, a public hearing must be held; now therefore be it

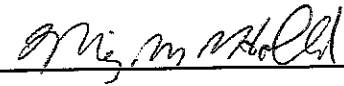
RESOLVED, there be introduced Local Law 1 – 2022 entitled "A Local Law Establishing the Number of Members of The Board of Assessment Review" on this date, September 19, 2022; and be it further

RESOLVED, that a public hearing shall be held on the proposed Local Law 1 – 2022 by the Freedom Town Board on October 17, at 7:01 p.m. at Freedom Town Hall, 1188 Eagle Street, PO Box 89, Sandusky, New York 14133, and that at least five (5) days notice of such hearing shall be given by the Clerk by the posting thereof upon the bulletin board in the Town Hall and by publishing such notice at least once in the newspaper of record of the Town of Freedom. The resolution as stated above is hereby adopted by a majority vote of the Town of Freedom Town Board at an official meeting held on the 19th day of September in the year 2022, the ayes and nays take and recorded below:

Aye	Josh Aarum Councilmember
Absent	Geoffrey Milks, Councilmember
Aye	John Hill, Councilmember
Aye	R. Nick Morgan, Councilmember

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Aye Dustin Bliss, Supervisor

CERTIFIED: 

Mindy Holland, Clerk

VII. Introducing Local Law 1 of 2022:

TOWN OF FREEDOM

LOCAL LAW 1 of 2022

A LOCAL LAW ESTABLISHING THE NUMBER OF MEMBERS OF THE BOARD OF
ASSESSMENT REVIEW

A local law authorizing the Town of Freedom to formally authorize and lay down rules and procedures for the Town of Freedom Planning Board being enacted by the Town of the Town of Freedom as follows:

I. PURPOSE AND INTENT

WHEREAS, the Town of Freedom desires to set forth the number of members of the Board of Assessment Review;

AND WHEREAS, the Town of Freedom determined that in order to ensure the effective operation of the Board of Assessment review requires three (3) Members;

WHEREFORE, the Town hereby adopts the following Local Law:

II. NAME OF THE LAW

This law is known as "A Local Law Establishing the Number of Members Of The Board Of Assessment Review"

III. BOARD OF ASSESSMENT REVIEW, TERM OF OFFICE

The Board of Assessment Review shall consist of three (3) members who shall be appointed by the Town Board for a term of five (5) years to be staggered pursuant to §523 of the Real Property Tax Law.

Neither the Assessor nor any member of his or her department may be appointed to the Board of Assessment Review.

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IV. EFFECTIVE DATE

This local law will take effect immediately upon the filing in the Office of Secretary of State of the State of New York.

VIII. New Business:

A.) Work Sessions on 2023 Town Budget, Monday, October 3, 2022 @ 7:00 pm:

A motion was made by Dustin Bliss to accept the dates for the October 3, 2022 work session. Motion seconded by John Hill.

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

B.) Work Sessions on 2023 Town Budget, on Monday, October 24, 2022 @ 7:00 pm.

A motion was made by Dustin Bliss to accept the dates for the October 24, 2021 work session. Seconded by John Hill

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

C.) Halloween Night: Trick or Treat, Monday, October 31, 2021 what times, 5:00 pm to 8:00 pm

A motion was made by Dustin Bliss to set Trick or Treat times for 5:00 pm to 8:00 pm. Seconded by Josh Aarum.

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

D) Three Public Hearings for Arcade, Delevan, and Farmersville fire contracts, One Public Hearing for 2023 town budget during the Regular Town Board meeting on November, 21st 2022.

A motion was made by Dustin Bliss to hold the Public Hearings for the Arcade, Delevan and Farmersville fire contracts and 2023 budget to be held during the November 21st 2022 Board Meeting. Motion was seconded by John Hill.

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

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IX. Old BUSINESS:

**A. REMINDER FALL JUNK DAY will be on Saturday, September 24, 2022
from 7:00 am to 3:00 pm:**

X. Public Comment:

Rick Lange: Rick stated that this town has turned into a laughing stock with all the surrounding villages. He stated that the Town Board has a mentally ill member. He called one of our neighbors a protoplasm pile of puss. Then accused Rick wife of telling Nazi secrets. Rick asked the Board if that sound like irrational person? He would like 4 members of the board to vote that member off.

Jessica Williams: She wanted to introduce herself and she would like to get involved in local politics. She stated that the sale of her new house that was Stephanie and Geoff Milks house, has turned in to a mess. She stated that she is disappointed in the Town Board Members posting articles in the Arcade Herald slandering these people. Also putting in her house transaction, she stated that the price was wrong and the closing date was wrong. She feels the Town of Freedom needs to do better and she thinks that people who are elected or have power should be ashamed of themselves for the things that they say.

Denise Willard: See attached...

Marsha North: In regards to the article from the Arcade Herald by Councilman John Hill, she does agree with him that Freedom does have the worst road use agreement. It also has the worst Host Community Agreement voted in by Ron Ashworth, Ann Marie Dixon and Randy Lester in 2019. Ann Marie would not vote yes until an amendment was added to the Host Community Agreement. The town could substitute another towns Host community Agreement, terms of decider. Freedom has yet to adopt another towns Host Community Agreement. Councilman Geoff Milks and other residents have brought this matter up a number of times. It would be the towns benefit to adopt another towns Host Community Agreement. Marsha stated that Peter Sorgi the Article 7 attorney works for Invenergy. She would like to know why the Board voted for Peter to represent the town for the Article 7. Marsha stated that Dustin is a lease holder so she knows his reason. Marsha said that the sale of one house in the town is not responsible for anyone's house assessment going up. Her assessment went up in 2021 and 2022 before the Milks house sold. Market values have changed and the main driver for taxes going up are increasing budgets and declines of population. John Hill letter in 2018 requesting Randy Lester to resign as Town Supervisor for the following reasons. Randy was pandering at a Cattaraugus County Legislature meeting for Invenergy to keep the PILOT program and not go full taxation for wind turbines. The Town of Freedom would make 300% more full taxation. All additional taxes would be paid for by Invenergy. Supervisor Dustin Bliss and Randy did not do more to fight against wind turbines then Councilman Geoff Milks. Marsha stated that Geoff did all the proper leg work for protective windmills 2020 would have never happen. The vote kept

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getting postponed and then voted at the August 2020 board member that Geoff was not present. The board acts as a body, and no single member of the board can act for the board. Marsha said that Supervisor Dustin Bliss does not have the authority to dismiss the DCO job duties.

Dan Meyers: Dan does not understand why certain board members have to go to the newspaper to belittle other board members instead of confronting them face to face. Makes the board look dysfunctional with no leadership at all. Dan said for someone to write comic strip article for the Arcade Herald, creating fictional characters, with childish gibberish, shows what a modern day jewart collecting a few shackles looks like. Dan told Councilman John Hill he's a definition of a coward. Dan stated that there is another board member that interrogate a young lady to slander another board member, that backfired on him. A predator to further his greed using town people as pawns in his quest to destroy and bankrupt the town for future generations, showing that he will never be a leader profitable steward of the land, that being Supervisor Dustin Bliss.

XI. REPORTS & COMMUNICATIONS :

- A. Assessors –Repost 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
- M. Supervisor – Report Submitted
- N. Other Town Officials –

A motion to accept the reports & communications as submitted was made by Dustin Bliss. Seconded by R. Nick Morgan.

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

XII. APPROVAL OF VOUCHERS

General #201 to # 229, Amt. \$12,537.62, Yrly Amt. \$171,262.37.

Motion made by Dustin Bliss to accept the General vouchers as submitted. Seconded by Josh Aarum.

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

Highway # 84 to # 96, Amt. \$205,449.32, Yrly Amt. \$776,852.32.

**Motion made by Dustin Bliss to accept the Highway vouchers as
submitted. Seconded by R. Nick Morgan.**

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

**XIII. Executive Session: To discuss the lawsuit between the Town of Freedom
Eric and Jennifer Daugherty, as well as Article 7 proceeding legal
action.**

**A motion was made by Dustin Bliss to close the regular board meeting and open an
executive session at 7:22 pm. Seconded by John Hill.**

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

**A motion was made by John Hill to close the executive session and open the regular
board meeting at 7:58 pm. Seconded by R. Nick Morgan.**

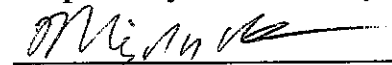
**Roll Call: Ayes-4 Josh Aarum, John Hill, R. Nick Morgan,
& Supervisor Dustin Bliss**

XIV. ADJOURNMENT:

**John Hill made the motion to adjourn the meeting at 7:59pm. Seconded by Dustin
Bliss.**

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

Respectfully Submitted By:



Freedom Town Clerk

09/23/2022

Denise Willard
Public Comment 9/19/22

Your actions, Mindy, John, and Dustin, are not only disgusting, they are reprehensible.

Yours, Mindy, has been disturbing for quite some time. I find it interesting that you can manage to give out audio and video with intent to harm innocent residents, but when that exact same information is FOIL requested, you pretended it was not available. That is a violation of the Freedom of Information Law. Look it up. I don't know whether to be disappointed in you or feel sorry for you. You have absolutely no professionalism and are completely biased and lie when you say you are "Neutral." Maybe you shouldn't have your nose in everything and just do your job. I don't feel safe having you know my business because obviously everyone in Town and beyond will know my business.

John, when I read your letter to the editor, I knew immediately that you didn't write it by yourself. You're willing to throw innocent people and Freedom residents, under the bus all because you got your butt hurt last July when you voted in favor of an Invenergy friendly attorney. I hope that most individuals are smarter than you think they are. If I'm going to ask anybody if you're "fighting turbines" it definitely wouldn't be 2 leaseholders and an Invenergy representative. Trusting people with conflicts of interest, which is what these 3 individuals have, is like asking the tobacco company if smoking cigarettes could give you cancer or having the fox watch the hen house. Really? Was it, as in your words, your faith in Jesus Christ your savior, your oath as a councilman, or your oath as a professional engineer that made you do it? That letter was filled with misinformation, starting with the fact that Geoff was not part of the special election for Ann Marie's seat. Dustin was. Geoff was elected for a full 4 year term in November of 2019. That is why, when he lost the supervisor race, he was still on the board. If Dustin had lost the supervisor spot, he would have no longer been on the town board because he was only filling Ann Marie's partial term. That can be verified at the Cattaraugus County Board of Elections in Little Valley and in the Freedom Town Clerk's Office. I guess you should have had Mindy check on that.

Geoff did do the wind law John was referring to properly. That can be verified in the Cattaraugus County Planning Board meeting minutes since the law was sent down there to be reviewed and given approval which is proper procedure. You wouldn't know that John because the wind laws done under Randy, Ann Marie, Ron and yourself were not done properly and not sent to the Cattaraugus County Planning board for approval. That is why the 2018 wind law was found null and void, the 2019 wind law was dismissed and the only wind law still standing is the 2020 wind law that Geoff made sure was properly done.

I'm pretty sure that you have no clue how Dustin and Invenergy have used you, I think I see "sucker" written across your forehead. Dustin and Invenergy saw you as a pawn in their game of lies and deceit, took the reins, and ran with it.

And Dustin, you have just confirmed my belief that you might actually be a bigger snake than Invenergy themselves. You, in this case, are so pathetically desperate for money that you abused your power to coerce an innocent person to give you information, and for what? I also believe that you are so pathetically desperate for money that you would throw your own family under the bus if that is what it took. The information you tracked, or should I say stalked down, doesn't effect who you may think it does at all. It does, however, make you look like a manipulative fool. Do you feel better about yourself now? Is this your way of puffing up your chest and feeling like a big man? These people should be excited about moving into a new house, but instead they're questioning their decision to move here.

How many of you have signed up for party status with regards to the Article 10 and Article 7 process? I know, I know, none of you. None of you are following along to see how Freedom is going to be severely impacted. Clearly you all haven't checked out Exhibit 27 to see how badly Invenergy tried to screw the towns, counties and schools out of money and give them the bare minimum. Dustin certainly doesn't care about asking, as he still gets his money. Randy didn't give a darn either, just in it for himself, which he proved down at the legislature meeting where he spoke for one resident in the town. If it weren't for the concerned citizens groups, Freedom would still be getting \$288,000, Invenergy didn't start offering more until Geoff won the primary in 2019

Here you all are, so obsessed with a handful of people who have worked their tails off to help this town and supply nothing but documented truth, that you haven't even noticed that New York is crumbling around us and you have done nothing to help the 2,400 Freedom residents. New York and all it's crazy policies are chasing people out in droves. Over 300,000 last year alone. Vaccine mandates, woke Boards of Education with harmful gender policies, quarantine and isolation camps, more restrictive gun laws, skyrocketing and suffocating taxes, renewable policies that are going to leave people cold, stranded and in the dark, and you're all busy spreading lies and misinformation and calling people petty names. You're so self-centered, selfish and shallow that you didn't even notice that the same people who were researching Invenergy's studies, their bogus financial claims to the town of Freedom and New York State's policies saw what is coming down the pipes and then wisely spent their time researching 3 additional states' policies and schools to figure out how to propel their family forward while you are all sitting stagnant in your own pathetic drama and dragging the rest of Freedom down with you.