

Town Of Freedom  
Regular Board Meeting Minutes  
June 20, 2022

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

Other Officials Present: Highway Superintendent Jim Haggerty, Town Attorney Eric Firkel, &  
Article 7 Attorney Peter Sorgi

Others:11

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

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

**I.REVIEW OF MINUTES:**

A. Town Board Meeting minutes from Monday May 16, 2022

A motion was made by John Hill to accept the meeting minutes as submitted. Seconded by  
Dustin Bliss

Roll Call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan  
& Supervisor Dustin Bliss

B) Special Board Meeting, Public Hearing & Work Session Minutes from June 6,  
2022.

A motion was made by John Hill to accept the meeting minutes as submitted. Seconded by  
Dustin Bliss

Roll Call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan & Supervisor Dustin  
Bliss

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**III. Executive Session on Article 7- Legal Matters:**

Dustin Bliss made a motion to close the Regular Board Meeting and Open the Executive Session  
on legal matters. John Hill seconded the motion.

Roll Call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan  
& Supervisor Dustin Bliss

Dustin Bliss made a motion to close the Executive Session and reopen the Regular Board  
Meeting. Seconded by Josh Aarum.

Roll Call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan  
& Supervisor Dustin Bliss

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IV. Assessor's MOU and Resolution:

RESOLUTION #11-2022

RESOLUTION SUPPORTING THE CATTARAUGUS COUNTY REAL PROPERTY TAX  
SERVICES IN UPDATING THE 2023 ASSESSMENT ROLL

**WHEREAS**, the Freedom Town Board supports the efforts of Cattaraugus County's Real Property Tax Services in updating the 2023 assessment roll to full-market value, and

**WHEREAS**, the Town feels that it is necessary to conduct a reassessment project of all properties to maintain a uniform standard of assessment for the Town; and

**NOW, THEREFORE**, it is hereby

**RESOLVED**, by the Town Board of the Town of Freedom, New York, that the Town of Freedom hereby requests State assistance, specifically from the New York State Office of Real Property Tax Services, to do a reassessment project to maintain a uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law

Motion made by John Hill. Seconded by Dustin Bliss

Roll Call:

Aarum: Abstain

Milks: Aye

Hill: Aye

Morgan: No

Bliss: Aye

Councilman R. Nick Morgan stated he did some research on this and the State tax guidelines recommend they do recommend that the town does an assessment every year, but to qualify for the financial assistance, the town only has to do it once every four years.

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**V.) OLD BUSINESS:**

A. **Computer back up for the Town Clerk:** R. Nick Morgan said Boces would not do this. Nick said IDrive would be fine for the Clerks computer and maybe Bookkeeper Jessica Dart's computer. Mindy will look into what Bookkeeper Jessica Dart computer is backed up with and get a price on both by next meeting.

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**VL) NEW BUSINESS:**

- A. August meeting:** Due to the fair schedule this year, and with most involved with agriculture, it is recommended to move the August meeting to the 22<sup>nd</sup>.

A motion was made by Dustin Bliss to change the August meeting to August 22<sup>nd</sup> at 7:00pm.  
Seconded by John Hill.

**Roll Call:** Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan &  
Supervisor Dustin Bliss

- B. Adding an Addendum to the Agenda:** Councilman are Nick Morgan would like to add at the end of the agenda an addendum so in the case that there was something added last-minute the board would have the ability to approve the proposed addendum to make a part of the agenda and then act on it as part of the business. Town Attorney Eric Firkel stated he would take a cautious approach and shy away from this and follow open meetings laws to the max.
- C. Grievance Board Member Position needs to be renewed:** Supervisor Dustin Bliss asked for a legal notice to be run in the paper for two weeks. The resumes are due August 22, 2022.
- D. PILOT VS NYS UNIFORM ASSESSMENT:** Sean Perry from Invenergy discussed the paper that he had emailed to the board with the difference in payments between the PILOT VS NYS UNIFORM Assessment. He stated what was discussed several years ago was \$5,000 a megawatt. The town has a most favored nation clause in to the Host Community Agreement where they can choose the payment terms of other Host Community's Agreements. Sean stated that he assumes that the Town will adopt a better HCA at some point. He stated that it's \$10,950 per megawatt as a payment rate, including the onetime upfront payment of \$2,500 a turbine. Sean stated that they have the Towns percentage of the PILOT bases on megawatt rates of the Town of Freedom, it would be \$719 a megawatt. Altogether it is \$6669 per megawatt of the \$10,950 per megawatt pot. Under the NYS Uniform Assessments is how Assessors can model taxation for wind and solar. Invenergy will go to the department of tax and finance, they enter in the location of the project, where the project is located in the town, and generate the capacity that's located within the town. Sean stated under a PILOT payment would start at \$823,000 per year and then slowly move up. Sean said that the town does not have much say in this, it's what the Cattaraugus County Legislator and the IDA want to do. Right now, the Catt Co. IDA exemption policy currently they are not going to move forward on any application for a wind farm unless they have support form a town board that they want to enter into a PILOT. Stephanie Milks told the board to check the number that Invenergy gave. Sean will get the board the date on how he came up with the Uniform Assessment. Town Attorney Eric Firkel asked why it is much more likely that the town would get more under the PILOT than under the Uniform Assessment what's the uncertainty Invenergy is worried about. Sean stated its two parts a financial perspective, to have financing over the lifetime of the project, it's better for them to have the certainty of payments, or overall, they are willing to pay more to de risk that uncertainty. After discussion Supervisor

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Dustin Bliss stated at this point the town board is not prepared to vote on this. This will need to be pushed to the next board meeting.

**E. EMS charge to insurance companies starting July 8, 2022:** Starting July 8, 2022 if you get picked up by an ambulance they can charge your insurance company, if you do not have insurance, they will not be charging you. The board will be looking into this closer at budget time, they feel that they should not be getting an increase on taxes by the fire district if they are charging for ambulance calls.

**F. Trade in for a color copier, the B376W in the Clerk's office would be traded to a Sharp C407F, the cost is \$2100 for the new one, with trade the town would pay \$1,100.00:** R. Nick Morgan has concern that the new one only does 40 pages per minutes. He would like to see what prices we can get for maybe a different, more efficient model. Mindy will also talk to Prizm about a better model.

**G. Highway worker wage rate:** Superintendent Jim Haggerty stated that they need to pay the excavator operator more money. He's having a hard time keeping one, and he did not have too many applications. Councilman R. Nick Morgan asked about the Civil Service Titles, then they can get paid more an hour based on that title. Councilman John Hill stated that the town needs a two-tier system, one a rate for drivers, looking at \$24.00 per hour and one for skilled operator, mechanic, driver looking at \$28.00 per hour.

**John Hill made a motion that the Town Board accepts the resignation of Mark Morgan and Roland Martin. Seconded by Dustin Bliss.**

**Roll Call: Ayes-4 Josh Aarum, Geoff Milks, John Hill & Supervisor Dustin Bliss  
Abstain-1 R. Nick Morgan**

**VI.) Public Comment:**

**Randy Lester:** Randy asked Town Attorney Eric Firkel what is happening with the survey of the Town Green. Eric stated that the surveyor will be working on this within the next month.

**Dan Meyers:** Dan asked how is it going to work when the Town Green goes up for sale? He was wondering if it would be a silent bid. Supervisor Dustin Bliss stated that the board is trying to determine what is actually there before they decide what to do with it. Dan stated that when he was on the planning board, he was told he was not professional, by the way he spoke to Randy Lester. He stated that's why he resigned because he is a straight shooter. Dan asked Councilman John Hill if it's professional for Bonnie Hill to be taping someone the whole meeting. John asked was it appropriate for Stephanie Milks to record Randy Lester for all the years she did. Stephanie stated it was the wind portion only. Dan and John got into a heated discussion. Dustin stopped the heated discussion.

**Denise Willard:** Denise wanted it on record that at a special meeting on July 1, 2020, that Mr. Dustin Bliss has failed to disclose his interest in Article 7, and the 49-year leases that are on 6

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out of 8 pieces of his property. She stated that there is a memo in the August 23, 2021 meeting minutes. She also would like to know how Dustin could not pay his taxes in 2019, but he could come up with \$20,000 plus the interest of \$5,000, in 2020. Also, Dustin bought another piece of property and she would like to know how he was able to do that.

**Stephanie Milks:** Stephanie told the board before you approve any PILOT for Invenergy or send a Resolution down to Catt. Co IDA, she recommends that they get Tax information from the IDA and Catt. Co Tax office to verify what Invenergy tax numbers look like vs the taxes the town would collect. She stated that Freedom rushed into HCA and only getting \$3,800 per megawatt when all the others got 5950. She is concerned that this will get repeated if they rush into getting a PILOT. She stated to wait to see what the project lay out is, to know exactly what turbines are going to be used, how any are going to be used, this will determine how much money the town would get. Stephanie also stated that the 4.0 megawatts will take out about 31 turbines from the project. She stated that there is labor, inflation and part shortage, she does not see this being a done deal. She also said that Invenergy has asked for 7 extensions with some of these compliance filings. Stephanie said Supervisor Dustin Bliss does have a conflict of interest and he would like to move fast on this.

Councilman John Hill stated that the board agrees with taking their time and looking into things.

Town Attorney Eric Firkel stated for the record Dustin was the one who stated that they were not going to do anything today. Eric also stated that everyone on the board made the decision to take these numbers and evaluate them and to have them reviewed by people who are non-biased.

**VII. REPORTS & COMMUNICATIONS:**

- A. Assessors – Reports Submitted:
- A. Building Committee –
- A. Building Inspector –Reports Submitted:
- A. Highway Superintendent –
- A. Clerk/Collector – Reports Submitted -
- A. Constable –
- A. DCO- Report Submitted
- A. Highway Committee --
- A. Insurance Committee-
- A. Justices –
- A. Parks & Recreation –
- A. Planning Board – March, April and May Reports Submitted-
- A. Supervisor – Report submitted:
- A. Other Town Officials –

Dustin told the board and public there will be an additional Public Statement Hearing for Article 7 on June 28, 2022, at 6pm. Denise Willard added that you have to register ahead of time, by 3pm, June 27, in order to speak.

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

Roll call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan,  
& Supervisor Dustin Bliss

**VIII). APPROVAL OF VOUCHERS:**

General #120 to #151, Amt. \$ 23,761.50, Yrly Amt. \$142,107.94.

Motion made by Dustin Bliss to accept the General vouchers as written. Seconded by Geoff Milks.

Roll call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan,  
& Supervisor Dustin Bliss

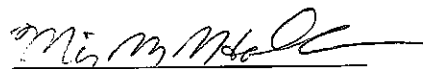
Highway # 54 to #62, Amt. \$16,894.83, Yrly Amt. \$115,795.04.

Roll call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan,  
& Supervisor Dustin Bliss

**IX). ADJOURNMENT:** Dustin Bliss made the motion to adjourn the meeting at 8:23 pm. Seconded by Geoff Milks.

Roll call: Ayes-5 Josh Aarum, Geoff Milks, John Hill, R. Nick Morgan,  
& Supervisor Dustin Bliss

Respectfully Submitted By



Freedom Town Clerk

6/24/2022