

**Town of Freedom  
Regular Board Meeting Minutes  
Monday, March 18, 2019**

Board Members Present: Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

Absent: Jolene Esposito

Other Officials Present: Justice Gary Chamberlain

Others: 17

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Meeting called to order at 7pm by Supervisor Randy Lester

**I. PLEDGE TO THE FLAG:** Led by Supervisor Randy Lester

**II. REVIEW OF MINUTES:**

A) Town Board Meeting – Monday, February 11, 2019

A motion was made by John Hill to accept the Meeting Minutes as submitted. Seconded by Ann Marie Dixon.

Roll Call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon  
and Supervisor Randy Lester

**III. NEW BUSINESS:**

A). The Town Board and Highway Superintendent Jim Haggerty talked about the Freedom clean up days. Jim Haggerty would like to see about having one day in the spring, and one day in the fall instead of both days being in just the spring. He would like to see them at least 6 months apart. Supervisor Randy Lester asked what of the two days are the busiest. Jim Haggerty said both are busy. Councilmen Ron Ashworth would like to do two days in the spring, and one day in the fall. Jim Haggerty said we can do that but we will be paying more adding a third day. Councilwomen Ann Marie Dixon is suggesting one day in the spring and one day in the fall. Jim Haggerty said yes but we are too late for this year we have the dates all set for the spring. Jim Haggerty also asked if it was ok to have it at Preivity's again this year because it worked out great last year. The guys have extra equipment there to help if needed and extra boxes on site as well in case they need them. Ann Marie Dixon said she would say try the two days in the spring and one day in the fall this year and see how it goes. Councilmen John Hill also agrees with Ann Marie Dixon. John Hill also said the future hope is that next year they would do one day in the spring and one day in the fall. Jim Haggerty said sometime around October 1<sup>st</sup>. Randy Lester said he thinks a Saturday would work best.

A motion was made by John Hill that the Town does May 17<sup>th</sup> and May 18 for Freedom Clean up days and then some date in the Fall (to be determine at a later date). Seconded by Ann Marie Dixon.

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Roll Call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

B). Route 98- Want Action Call-NYSDOT Regional Director Francis Cirillo (716)847-3238 Supervisor Randy Lester said that the State DOT did some Patching on March 18<sup>th</sup>. He asked Highway Superintendent Jim Haggerty about a new road this summer? Jim Haggerty said he has heard from New York State that they are doing RT 98 from 243 to Bray RD possibly to be resurfaced. He also heard Route 16 from Delevan to Machias light is possibly going to be resurfaced. Jim is also asking if you call the NYSDOT please don't complain but to ask if they will be patching because it's hard to say when they will get to these projects it maybe August before they get to it. A question was asked if there was any plans for Osmun Rd. Jim Haggerty said he has plans for everything just depends on money. The concern was made about the corner of Osmun and Freedom RD. Jim Haggerty said that is a County rd issue at the intersection and the other end of Osmun Rd is a NYSDOT issue at the intersection. He also wanted to let the citizens know that all aprons are not the Towns. He said he still patches them every year but it's not up to the Town. Starting on Monday March 25, the highway guys will be out patching, along with the bridge on Eagle Street. Councilwomen John Hill wanted to publicly Thank Jim Haggerty and crew for patching roads they aren't suppose to, this helps out the residence of the Town of Freedom.

C). Local Government and Conference on 5/9/2019 at Houghton Collage.  
Registration Form needs to be into Town Clerk by noon of Saturday 4/15/2019 for the town to write a check to pay for attendance.

D.) Highway Superintendent Jim Haggerty has 3 Bids to open for a Wing for the 2017 Kenworth Single Axle. Two are from Marquart Repair & Equipment Sales. Valley Fab also submitted a bid for the amount of \$27,750.00. For the bids from Marquart one wing is better made then the other. The one is a Larochele and its \$18,998.00. The other is for a Monroe and it's for \$23,444.39. Jim Haggerty explained to the board he would like a wing on this truck to have as a spare. If one of the other trucks goes down they can at least clear the roads with this and then push banks back at a later time with the bigger trucks. They can also use this truck on the smaller roads so they do not have to put a Ten Wheeler on them. Councilmen John Hill asked if Jim Haggerty thought the cheaper wing of the two from Marquart would work for what they needed. Jim Haggerty said that being it's the first time we will be using it he would go with the cheaper one. Jim Haggerty also informed the Town Board he needs this ok tonight because it takes 3 months to get parts and a month or two to get it done and ready for next winter. Councilwomen Ann Marie Dixon asked what is the difference between the two. Jim Haggerty said the I-beam a little stronger.

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A motion was made by Ann Marie Dixon to except the bid for \$18,998.00 for a wing for the 2017 Kenworth Single Axle. Seconded by John Hill.

Roll Call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

**IV. OLD BUSINESS:**

A). Supervisor Randy Lester is opening discussion back up about the Ally-Catt Host Community Agreement. He also said that if anyone wanted to submit it in writing they were welcome to.

Discussion from the floor:

-For the Town Board to look at Host Agreement from The Town of Sheldon and Make sure the Town of Freedom gets the same thing.

-What happens after 20yrs?

-Councilwomen Ann Marie Dixon stated she received a email from Stephanie Milks and she put in the email quite a bit of things she like to see and what others would like as well.

-What does good Faith Mean?

-Ann Marie Dixon said that just like at the Work Session she felt the Host Agreement is vague.

-The Road agreement is a concern because it only states that the roads would be brought back to current conditions.

-They would like to see better roads with the Road Agreement

-Councilmen John Hill asked how the Town would judge if they bring the roads back to where they were at the beginning of project. Highway Superintendent Jim Haggerty said he would take pictures. Randy Lester said that Invenergy will be videoing the roads before they begin.

-A concern about the agreement it's called the Community Host Agreement why isn't the Community involved. Ann Marie Dixon Suggested a panel of Two Board members and Couple Community Members in this panel to negotiate.

-Another concern only a handful of people know about know about this discussion and they were the ones at the work session.

-Citizens feel that when they start building the Wind Turbines people will be questioning what they are.

-It is a worry that the Host Agreement is going through Invenergy, they don't have to live here. The community does.

-A question about the Town of Sheldon, Has anyone asked the Sheldon Town Board what they thought of their host agreement. Randy Lester spoke with someone on the board in Sheldon and they still have people against the windmills, but the Town of Sheldon will be getting \$900,000 in November.

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-Did the Town of Sheldon feel they made the proper host agreement?

-Councilmen Ron Ashworth spoke up and said he feels they should have another work session and have a copy of Sheldon Host Agreement.

-What about Eagle and Weathers field? Randy Lester said things have changed sense they did there agreements because the State was not involved with all the regulations. It was up to the Town Boards and Noble.

-Valuations of homes are there any guarantee that they won't go down, so if in the future they would like to sell it be sold at a fare price or would it be less because of the Wind Turbines Supervisor Randy Lester said no agreement.

-Can a guarantee be wrote in

-For the 20 years a minimal decreases at that point. Just in case it a decrease if it's a obsolete technology the Town should have control on how much it decreases.

-Date when project starts making electricity the Town starts making money; it seems risky if the market changes. If they can't find a buyer for two years does the Town not make anything from the Turbines?

- Ann Marie Dixon the Town will make money on the windmill operating not on how much electricity. We get a certain percentage. If it goes down for a year then they recalculate and the Town would get less.

- Ann Marie Dixon said she wrote down all the concern property assessment, and communication. She went to Inevergy and asked them about them two things they said they can't guarantee because people abuse those things. It more of a one on one guarantee. They also said if a windmill goes up and there is a communication problem they would address the issue and if it was true they would give a check and pay for it. (Ann Marie Dixon is asking that the public not say she went behind their back to do this, she did this for them).

- \$10,000 decommission

- In the 2007 Wind law stated that if the windmills where no longer operating the property would have to returned to its prior state it was in. Randy Lester said it is in the new law as well.

- If the Town of Freedom gets money for these windmills where is it going, who's benefiting from these windmills other then the people who have them on their land. A Gentleman in the audience spoke up and he stated that he lived in the Town of Sheldon and he had no Town tax but still had County. Ann Marie Dixon said the Town Board will decide where the money goes. Randy Lester said if you look at the projective pay out verses the Town tax currently there would not be enough to pay 100% of everyone taxes.

-Also concern that only the people getting windmills will be the only one profiting from them. People are worried the windmills will destroy our Town.

B). Open bids for Lawn Mowing service. Three bids were submitted. Councilmen John Hill asked Highway Superintendent Jim Haggerty if he new roughly how much the Town has paid in the past to mow lawns. Jim Haggerty was not sure but two years ago he said it was around \$8,000 but the help also did more work for Jim as well. John Hill

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asked that's using our equipment as well. Jim Haggerty said yes and the mowing equipment can use some updating any time now. They have lots of hours on them. Councilwomen Ann Marie Dixon stated Charles Vince has a quote with a insurance policy attached. The Board discussed the three bids. They looked closer at Charlie Vince \$489 a week and Bushwacker was \$550 a week. John Hill feels that the Town should try Contracting someone this year and see how it goes. Jim Haggerty told the Board that the Baseball diamonds needed to be mowed twice a week. Supervisor Randy Lester replied that he had spoke to the head of baseball and it may be up to 5 times a week because Arcade is putting in a new diamond. Jim Haggerty felt two times is plenty. John Hill said it should be clear that the baseball diamonds need to be cut two times a week during baseball season, and that should be separate.

A motion was made by Ron Ashworth to except the bid from Charlie Vince to mow the Town of Freedom Grounds for the mowing season of 2019 from April 22 to October 31 in the amount of \$13,790.00. Seconded by Ann Marie Dixon.

Roll Call: Ayes- 4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

C). Freedom Rec Direct Tanya Siddle sent the Board paper work talking about what she suggest for the coming 2019 summer rec program. Councilwomen Ann Marie Dixon stated that Micki Matyjasik is interested in coming back as assistant director. Ann Marie Dixon said things went well with her last year as assistant. Councilmen John Hill concern is that there is a problem with staff count and the age should be reduced. It was brought up that Tanya Siddle has concerns about the swimming part of the program; last year did not go well because they have to share the pool with Delevan. John Hill would like the director and assistant director to reval the program. Also there was kids over 13 being disrespectful to staff that is the ages of 16-18. Supervisor Randy Lester agrees with John Hill and will ask Tanya Siddle and Micki to make a presentation at the next board meeting.

A motion was made by Ann Marie Dixon that the summer recreation will be 4 weeks long from July 8- August 2. The motion was seconded by John Hill.

Roll Call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

A Motion was made by John Hill to appoint Micki Matyjasik as an assistant director for the summer rec program. Seconded by Ron Ashworth.

Roll Call: Ayes -4 Ron Ashworth, John Hill, Ann Marie Dixon  
and Supervisor Randy Lester

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D.) The Gernatt Proposal: Fox Property/ Town Property Mining Agreement. Supervisor Randy Lester said the Town Board had a work session on this and asked the Gentlemen in the audience to give a update. Gernatts stated they have a agreement with Mr. Fox. They also are next to the Town of Freedom minding site. They already are on the west side and the south side of the Gravel pit. They have a agreement to mind up to the common property line with the Town so both Gernatt and the Town can mind it. If there is no agreement the Town has to leave a 25 foot set back off the property line so do Gernatts. If they add the Fox property line on the east side they will be neighbors with the Town pit on this side as well. There will be about 6 acres mind from the Fox property. Gernatts is asking the Town to agree so they can put in a application together to separate the Town pit and the Fox property. Councilmen John Hill asked them if this will affect the well water. They said no, this will not go below ground water. Councilwomen Ann Marie Dixon wants to thank Gernatts for taking care of the lighting situation that she addressed at the work session. John Hill discussed with Gernatts about the backup safety devises noise early in the morning.

A motion was made by Ron Ashworth authorizing Supervisor Randy Lester to sign the Agreement for Fox Property/ Town Property Mining Agreement. Seconded by John Hill.

Roll Call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

**V. ITEMS FROM THE FLOOR:**

A.) Rick Lange- said he has notice that Councilwomen Jolene Esposito has not been to a few meeting. When was the last time she came? Should she resign? Supervisor Randy Lester said he had got a text from her about resigning, have no response further from her about it. Councilwoman Ann Marie Dixon until she resigns nothing we can do about it. Denise Willard asked is there a time line on this. Randy Lester said no there is not. He will be call the Association of Towns to get guidance on this.

B.) Highway Superintendent Jim Haggerty told the Board that the old truck they are selling someone is interested in buying it for \$60,000.00 should the Town ask \$65,000. Councilmen John Hill said we should at least get \$65,000.00 we got that price for another truck the same person bought 6 years ago. The mileage on the truck is 74 miles.

C.) Susan Lester- At the last Board meeting there was talk about committees. She would like to know what a person can do to get on a committee for something. Supervisor Randy Lester said to let a Board member know or the Town Clerk. Susan also stated if one person wants to step up to be a committee and comes forward to the Board is

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everything they say going to get question. If that one person wants to take on something in the Town will they have 25 people coming to them saying that person can't do something. Randy Lester said all it takes is the Boards approval.

**VIII. REPORTS & COMMUNICATIONS:**

- A) Assessors
- B) Building Committee –
- C) Building Inspector –
- 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 – Swing set plans have been given to Highway Superintendent Jim Haggerty to start this spring.
- L) Planning Board – Report Submitted February & March
- M) Supervisor – Report Submitted
- N) Other Town Officials –

Councilwomen Ann Marie Dixon discussed with Ann McDonnell Miller about the park shelter Grant and there is no deadline but sooner the better.

A motion to accept the reports & communications as submitted was made by Ann Marie Dixon. Seconded by John Hill.

Roll call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

**IX. APPROVAL OF VOUCHERS:**

General #65 to # 92, Amt. \$7,084.20, Yrly Amt. \$83,944.27.

Motion made by Ann Marie Dixon to accept the General vouchers as written.  
Seconded by Ron Ashworth.

Roll call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

Highway # 28 to #45, Amt. \$23072.06, Yrly Amt. \$75,973.58.

Motion made by Ron Ashworth to accept the Highway vouchers as written.  
Seconded by Ann Marie Dixon.

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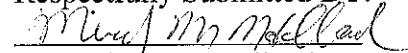
Roll call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

**VII. ADJOURNMENT:**

Ann Marie Dixon made the motion to adjourn the meeting at  
8:27pm. Seconded by John Hill.

Roll call: Ayes-4 Ron Ashworth, John Hill, Ann Marie Dixon,  
and Supervisor Randy Lester

Respectfully Submitted BY:



Mindy M. Holland  
Freedom Town Clerk

03/30/2019