

**Town of Freedom
Regular Board Meeting & Public Hearings
Mondays, February 24, 2020**

Board Members Present: Dustin Bliss, John Hill, Geoff Milks
and Supervisor Randy Lester

Absent: Jolene Esposito

Other Officials: Highway Superintendent Jim Haggerty, Justice Mary Zink, Planning
Board Member DeVere Bliss, Grievance Board Member Barb George
Town Attorney Eric Firkle, & Constable Rob Harrington

Others:26

Meeting called to order at 7 pm by Supervisor Randy Lester.

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

II. REVIEW OF MINUTES:

Town Board Meeting – From January 27, 2020

A motion was made by John Hill to accept the Regular Board Meeting Minutes from January 27, 2020 as submitted. Seconded by Dustin Bliss.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks, & Supervisor Randy Lester

Board Meeting- February 3, 2020

A motion was made by John Hill to accept the Board Meeting Minutes from February 3, 2020 as submitted. Seconded by Dustin Bliss

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks, & Supervisor Randy Lester

Public Hearing on Local Law 2 of 2020 and Special Board Meeting-
February 10, 2020.

A motion was made by John Hill to accept the Public Hearing on Local Law 2 of 2020 “
A Local Law Amending Local Law 1 of 2013, Titles a Local Law Amending the Land
Use Ordinance of 1975 of the Town of Freedom” and Special Board Meeting Minutes
from February 10, 2020 as submitted. Seconded by Geoff Milks.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks, & Supervisor Randy Lester

III. A motion was made by John Hill to close the Regular Board Meeting at 7:04 pm.
Seconded by Geoff Milks.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

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A motion was made by John Hill to open the Public Hearing on Amending proposed Local Law 1 of 2020 “Town of Freedom Wind Energy Facilities Law” at 7:04 pm. Seconded by Geoff Milks
Roll call:Ayes-4 Dustin Bliss, John Hill, Geoff Milks, & Supervisor Randy Lester

Public Hearing

Amending Proposed Local Law 1 of 2020 “Town of Freedom Wind Energy Facilities Law”

Public Comment

Charles Malcomb- Buffalo- He is the attorney representing the Ally-Catt Wind energy, and Invenergy. He stated that the reason why we are having this Public Hearing is because this Local Law was referred to the County Planning Board. The County Planning Board made some comments that in their view that could improve the draft Local Law and the Town Board here is considering those proposed changes. His question is why we are not doing that with the Towns own Planning Board. Why are we not trusting the Towns Citizens who serve in that capacity to do their job and provide a recommendation. Why do not extend the same courtesy to one of your existing Boards. He stated the answer is because there is an effort by anti-wind people to try and destroy the Planning Board in an effort to ram this Law through and hurt the wind project. He said the wind project is one project in the community. The Planning Board existed long before and should continue to exist long after. To be short sited to achieve a momentary goal with respect with getting this local law across the finish line as fast as possible, he said you are going to destroy one of your boards that is designed to provide this Legislative body with citizen input. He stated the opinion from Town Attorney Eric Firkle demonstrates a complete lack of understanding of the Planning Board that has been in place sense 1975. He pointed out if you have problems with the Planning Board or the way the Planning Board functions, talk about it and fix it. The answer is not to dissolve the Planning Board so you can ram through this Wind Law. They would encourage the Town Board to look at the Planning Board situation stop and think things through because your own citizens may have input. The Planning Board is an advisory with respect to this type of land use Legislation. He stated put aside the fact you have an attorney and one board member taking there ques from antis who are trying to ram this Law through and the collateral damage that will cost this community with one of there respected boards and take the time and think it through.

Supervisor Randy Lester stated he has not seen the County Planning Boards results. Councilman John Hill stated we have not submitted it to the County Planning Board. Charles stated Farmersville has and the Town of Freedom is piggybacking off the referral that came from Farmersville Planning Board. So eventually they are going to do the same thing because they have to respect to the wind law. But they are taking the ques from Farmersville.

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Supervisor Randy Lester stated in two areas of this Windmill Law. First this Law calls for 450 feet towers, he stated he does not know where you can buy a tower for 450 feet. They don't make them anymore. The other he has some issues with the home guarantee it seems as if you don't have to sell your house, you can get two appraisal one by Invenenergy and one by the home owner and take the average and you get a check for that. You can do that anytime with in 10 years. Also, within 2 miles of any wind tower. That encompasses 90% of the Town of Freedom.

A motion was made by Dustin Bliss to close the Public Hearing on Amending proposed Local Law 1 of 2020 "Town of Freedom Wind Energy Facilities Law" at 7:10pm.
Seconded by John Hill

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks, & Supervisor Randy Lester

A motion was made by Dustin Bliss to open the Regular Board Meeting at 7:11pm.
Seconded by Geoff Milks.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks, & Supervisor Randy Lester

IV. LOCAL LAW 1 of 2020- Wind Energy Facilities Local Law.

A motion was made by John Hill to table Local Law 1 of 2020. Seconded by Dustin Bliss.

Roll Call:

Jolene Esposito-Craft: Absent

Dustin Bliss: Aye

John Hill: Aye

Geoff Milks: Aye

Randy Lester: Aye

V. A motion was made by John Hill to close the Regular Board Meeting at 7:11pm
Seconded by Geoff Milks.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

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A motion was made by Dustin Bliss to open the Public Hearing on Local Law 3 of 2020 “A Local Law Establishing the Date for the Town of Freedom Board Assessment Review to Hear Complaints in Relations to Tax Assessments and Repealing Town of Freedom Local Law 1 of 2008” at 7:12pm
Seconded by Geoff Milks.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

Public Hearing

Local Law 3 of 2020 Establishing the Date for the Town of Freedom Board of Assessment Review to Hear Complaints in Relation to Tax Assessments and Repealing Town of Freedom Local Law 1-2008.

Public Comment

NONE

A motion was made by Dustin Bliss to close the Public Hearing on Local Law 3 of 2020 “A Local Law Establishing the Date for the Town of Freedom Board Assessment Review to Hear Complaints in Relations to Tax Assessments and Repealing Town of Freedom Local Law 1 of 2008” at 7:13pm. Seconded by John Hill.

Roll call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

A motion was made by Dustin Bliss to open the Regular Board Meeting at 7:14pm. Seconded by Geoff Milks.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

VI. Local Law 3 of 2020 “A Local Law Establishing the Date for the Town of Freedom Board of Assessment Review to Hear Complaints in Relation to Tax Assessments and Repealing Town of Freedom Local Law 1-2008.

A motion was made by John Hill to adopt Local Law 3 of 2020. Seconded by Dustin Bliss.

Roll Call:

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Jolene Esposito-Craft: Absent

Dustin Bliss: Aye

John Hill: Aye

Geoff Milks: Aye

Randy Lester: Aye

**NOTE FILED AT THE STATE AS LOCAL LAW 1 of 2020
because it was the first law to be filed with them for the year.**

VII. TOWN OF FREEDOM

RESOLUTION #19-2020
2020

February 24,

**A Resolution Closing former Town Justice Gary Chamberlain's and
current Building Inspector Patrick Cumming's petty cash accounts**

WHEREAS, Randy Lester, Town Supervisor has received the petty cash from both the former Justice Gary Chamberlain and the current Building Inspector Patrick Cummings,

AND WHEREAS, the Building Inspector no longer needs petty cash due to having hours along side the Town Clerk, should he need change,

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Freedom, does hereby deposit the \$150.00 from Justice's petty cash into A1110.4 (Justice Contractual Expenditures)

AND THEREFORE BE IT RESOLVED, that the Town Board of the Town of Freedom, does hereby deposit the \$100.00 from Building Inspector's petty cash into A8010.4 (Building Inspector Contractual Expenditures).

Motion by: John Hill, Seconded by Dustin Bliss

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Roll call:

Esposito-Craft: Absent

Bliss: Aye

Hill: Aye

Milks: Aye

Lester: Aye

Clerk: _____ Date: / /

VIII. Town of Freedom

RESOLUTION #20-2020

February 24, 2020

**A Resolution to establish the delegation of authority
and the responsibilities of all Attorneys that represent the Town of Freedom**

WHEREAS, the Town Board of the Town of Freedom has legal responsibility to protect the Town of Freedom's finances,

WHEREAS, no attorney shall perform work or provide services without prior approval from a majority of the Town Board,

THEREFORE BE IT RESOLVED, that any and all attorneys working for the Town of Freedom, must receive direction from a majority of the Town Board prior to commencing litigation, defending litigation, settling any actual, proposed, or threatened litigation, conduct and participation in settlement conferences, and appearing on behalf of the Town in any and all matter of the Town.

AND THERFORE BE IT RESOLVED, that all services rendered by any attorneys representing the Town of Freedom be submitted on a monthly basis by either mail or e-mail, directly to the Town Clerk, Bookkeeper or Town Supervisor.

A motion was made by Dustin Bliss.
Seconded by Supervisor Randy Lester.

Roll Call:

Jolene Esposito – Craft: Absent

Dustin Bliss: Aye

John Hill: Aye

Geoffrey Milks: Nay

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Randy Lester: Aye

Councilman Dustin Bliss asked to have discussion, he stated he proposed this resolution, he wrote it himself. It appears that some people don't understand the chain of commands and how things are handled. To have one board member present a bill totaling almost \$9,000.00 to the Town for Intervenor Funds is improper. There is a ton of discrepancies on the itemized portion of the bill. One of them being that the Zoghlin Group billed the Town of Freedom for the Intervenor Funds allegedly for work done on January 6, 2020. Dustin said unless they were working from 9pm-12 midnight he does not know why they did work and then billed it to the Town when they had not even been hired to do work on our behalf. There are also comments in the bill reviewing work on resolution for both the Town of Farmersville and the Town of Freedom. That might need more clarification, but Dustin said it certainly opens up the opportunity for double dipping. The problem with this is that Intervenor Funds are not guaranteed. When the State runs out its done. When the Town makes a practice reimbursing a law firm for Intervenor Funds and the Funds dry up with the State the Town is stuck with that bill. The State is not obligated to pay a 100% of the request given, so if they only pay half, we are left to pay \$4,500.00. This situation should have been brought to the Town Board and we would agree to turn in the paperwork which would be proper and when the Town is reimbursed then we could pay the Zoghlin Group. This resolution here is to basically to correct the resolution that was crammed down the Board at the January 6, 2020 board meeting that gave the attorneys basically carte blanche ability to do any work and bill for any work without the Town Board approving it. He said whether Town Attorney Eric Firkle is our attorney or anyone else as a Freedom Town resident and a member of the Town Board he does not think that proper. If there is an emergency and we need to seek out legal counsel to represent us, then we can have an emergency board meeting. If we have gotten only one bill from the Zoghlin Group from the month of January for \$9,000.00 that's more than a third of legal expenses, we paid last year. He stated this is not a dig at Mr. Firkle this is just correcting a mistake that was made on January 6, 2020.

Councilman John Hill comment that he agrees with that statement, but he would like to point out that according to our Bookkeeper they did not apply for any Intervenor Funds for 2018 or 2019. His understanding if you do not file it in a timely matter all the moneys that could have been used for Intervenor Funds are gone for 2018 and 2019. John stated he agrees with Dustin that the Town Board should approve before we spend money on something. John stated after Bookkeeper Jessica Dart had review the things, he had talked to Eric Firkle about the previous Friday, John said he had some discrepancy he wanted corrected before the Town Board could approve the attorney's bill. He said he agrees the Town Board should approve this, the Town lost the last two years of Intervenor Funds because the proper order was not followed back in 2018 and 2019.

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Dustin stated he does not mind if the Town applies for Intervenor Funds, he objects to paying the bill then wait for reimbursement.

Eric Firkel stated that the bill in front of the board was from the Zoghlin Group and the board hired them by a majority vote, he did not. You hired them to do exactly what they are doing. Also, there is some misunderstanding about what was signed, he said it was not a bill they have to pay now. It was a voucher for the application to get reimbursed by the Intervenor Funds. Those funds would come to the Town and then the Town pay after that.

Councilman Geoff Milks said they are putting this in on a timely fashion to get the voucher rolling.

Dustin said that some of this could have avoided had the normal proper's been followed. Dustin said you giving the bill to the Town Clerk. Dustin wanted to know why are they sending Geoff the bill? Geoff said they gave me the voucher for the State. Dustin said this is another example of you taking action outside of your responsibilities and them cramming it on the rest of us. Geoff said proper that procedure was done, we got the voucher rolling. Dustin said if that's the normal channel why does the Supervisor have to sign the Voucher? Geoff said the Supervisor was out of Town, he would have signed it.

Eric said the Supervisor was out of Town and his deputy signed it and everything was followed properly. He stated in this example the Zoghlin Group was hired to specifically do exactly what they did. He said everything your asking in your resolution respect to the bill it was done to a tee. Dustin said billing the Town on January 6 was done to a tee? Eric said the items that was with Freedom and Farmersville, the time was split, they were there representing both Towns, so Freedom got billed for half the time and Farmersville got charged for the other half of the time.

Dustin asked in the resolution that was passed in January he believed that the Zoghlin Group was hired for article 10? He has a hard time believing that they did 44 hours of work reviewing resolutions. Geoff Milks stated it's a pretty detail process. Eric said we can get into detail of this before you decide to pay them. This is an application to get reimbursement by the Intervenor Funds. Dustin said he is making a public statement, on January 6 the Board had nearly 80 documents piled in front of us at the beginning of the Town Board Meeting. He stated he does not know any attorney that works pro bono, especially that amount of work. It's his suspicious to have people that work before they get reimbursed. He does not know how anyone could rack up \$9,000.00 and to his knowledge the only thing they did with the Article 10 was the environmental assessment. Geoff said have you read through what they have submitted on the DPS site it is huge. Eric said there was a lot more then that and he suggested that maybe Dustin and himself could get on a call together with the Zoghlin Group to go through it in detail.

Jane Ross asked Dustin if he didn't you don't want Supervisor Randy Lester to authorize Mr. McAuley, the previous Town Attorney, without the Town Board approval to authorize an appeal on a certain law. Dustin said I understand about

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the feeling on this, he does not want to dive down a rabbit hole what was done by the previous Town Board. He is saying everyone on this Town Board is held accountable that's why he's proposing this now. She stated she understood but what Mr. Lester did should not have happened. Dustin said that's not up to him to decide.

Ron Previty stated that Randy Lester is the Supervisor, if he agrees on something that one thing. If he's not at a meeting, Ron does not think they should go forward and do whatever they want to do around here. He stated your talking for the whole Town. He not talking 5 board members only. When you do stuff like this, he said you do a rapid meeting and only part of the board is there, it's crazy. You have been voted in to be a part of the town and to look out for the town, not your own interest. One guy should not go out and hire nobody with out the rest of the Town Board not knowing. Geoff said the only one who did that at one point was Randy, the lawyer they are talking about was put in by a resolution that was voted in by the majority of the board. To Ron's understanding that Randy should know everything that's going on. Because if he okay with it then who's the blame. Randy said he only has a certain amount of authority.

Highway Superintend Jim Haggerty asked it says \$9,000.00 and it got split with Farmersville?? Dustin said I don't know what Farmersville bill was. Jim said that's what he means is that Farmersville got billed the same amount? Eric said the answer to this is that anything that has both Towns on it, had benefit to both towns. So, if they spent an hour on it Freedom got billed for 30mins and Farmersville got billed for 30mins.

Geoff said based on the January 6, 2020 resolutions, he is opposed to this resolution. We already did exactly what you are saying it was done with proper resolution with board majority as it should have been done and that is how stuff is done. Previous board did not handle everything that way.

Dustin said the previous board is behind us. He stated the resolution that was past January 6, 2020 would be like hiring a contractor to fix your roof and then saying if you see anything wrong with your siding, windows, plumbing, the driveway just go ahead and do it and send me the bill I'll gladly take it. Geoff said he disagrees the resolution was clearly said what they where doing.

John stated that this resolution goes in effect from this day forward we should be doing everything above board, and if there is a question of who did what, when it's a good resolution that the attorneys will know what the Board is asking them to do, because they work for us we don't work for them.

Randy adding to that they should be sending us a report. They have been working for close to two months now and the board should know as to what is going on and what the future is. So, the board members know.

Board Voted on Resolution 20 of 2020:

Later in the meeting they Amended this Resolution:

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John Hill made a motion to amend resolution 20 of 2020 resolve this resolution should not apply to any litigation for proceedings against the Town of Freedom or involving the Town of Freedom. Seconded by Geoff Milks.

Roll Call: Ayes-3 John Hill, Geoff Milks, and Supervisor Randy Lester
Abstain-1 Dustin Bliss

IX. New Business

- A.) Supervisor Randy Lester read a thank you card from the Freedom Senior Citizens thanking the board for their financial contribute and support.
- B.) Supervisor Randy Lester read a letter from the Arcade Free Library thanking for the support for the library and stated the residence of Freedom continue to be faithful. In 2019 patrons from the Town of Freedom numbered 548.
- C.) Change some of the Bylaws in regards to Elected Officials
Job Description: Highway Superintendent Jim Haggerty stated there was a board member that was getting paid and was only at three meetings in two years. He stated there should be some town level law that's says if they can't make the meetings, they should either resign or not get paid. The biggest reason why he's doing this is for his job there is no rules for Highway Superintendent other than the book from the County. The book from the County stated he can hire anyone he wants the board can't stop him. The board can pick the man he hires. He can hire another man right now. His point is if he retires in two year or does not get reelected, he does not want it to go back to having an extra man that the Town don't need if the Highway Superintendent works. He said it needs to say he works a shift during the winter because if he does not work a shift you can't have the two shifts during the winter. If you don't have a second shift it will cost the town more money in overtime. With his job he could go to Florida for 4 to 5 months and call back and tell them what to do. The book you get when you get elected is a joke Jim said he feels there should be some sort of Town rules for that job, its not stopping anybody for hiring a guy and putting back the way it was. He wants something to be put down as a Town rule for this job. Councilman Dustin Bliss asked if Jim is suggesting if the Board make the job subscription a little bit more robust. Town Attorney Eric Firkle stated there is no such thing as a town bylaw, the

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Town can't really do what your asking in regards to your position. Dustin said he like to get more facts on this. Grievance Board Member Barb George said there is a State Law that an elected official cannot be removed for absence. Eric said that's correct. Dustin Bliss made a motion to table this to the next Town Board meeting on March 16 to see if they can get more facts to see what they can do on this subject. Seconded by John Hill.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks & Supervisor Randy Lester

D.) Freedom Rec: Councilman Dustin Bliss said that the Arcade Herald would be the best answer in regard to advertising for a Rec Director. Councilman Geoff Milks said time with the Arcade Herald is a little slow but that will be fine this time, he asked do we know when we are going to put the ad in. Councilman John Hill stated to get the ad in as soon as possible, but not only in the Arcade Herald but in the Arcade Penny Saver as well. Town Clerk Mindy Holland asked if they would like to run the ad as soon as possible and run it again two weeks later. Dustin said that be proper. Mindy said we seem to have a hard time getting people so by having them run ad for two different weeks, then by the April meeting we should have a few resumes. Also have a deadline for the resumes to be handed in. Supervisor Randy Lester said the Rec Committee should have interviews before the April meeting. Mindy stated that there should be a deadline. John asked does this person have to be a Freedom resident. Randy said he does not believe they have to be. Dustin said he would not want to limit to that and get the best person possible. John stated to put in the ad that its only for 4 weeks also residency not required. Dustin suggested April 3rd for a deadline. Town Clerk will come up with an ad and have the Rec Committee proof the ad.

E.) Freedom Senior Food Drive: Joan Carlson said if anyone wants to donate nonperishable food the Seniors are at the Town Hall on the first Wednesday of the month from 11am to 1:30pm. The Town Clerk will also collect items other times as well. It goes to the Rushford food pantry.

Geoff Milks made a motion to go into executive session for litigation that's on going with the Town at 7:47pm. Seconded by Dustin Bliss

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Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks and Supervisor Randy Lester

John Hill made a motion to end the executive session at 8:23pm Seconded by Geoff Milks.

Roll Call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks and Supervisor Randy Lester

X. OLD BUSINESS:

A.) Local Law 2 of 2020 “A Local Law Amending Local Law 1 of 2013, Titled a Local Law Amending the Land Use Ordinance of 1975 of the Town of Freedom. -See Attach

Resolution 18 needs to be re-read because a majority of the board did not agree to pass or table this law at the last board meeting. The Public Hearing for this was done at the February 10, 2020 meeting.

Read by Councilman Geoff Milks

A motion was made by John Hill to table Local Law 2 of 2020.
Seconded by Geoff Milks

Roll Call:

Jolene Esposito-Craft: Absent

Dustin Bliss: Aye

John Hill: Aye

Geoff Milks: Aye

Randy Lester: Aye

A.) Snow Removal Laws: Highway Superintendent Jim Haggerty stated he does not understand why there is a Town of Freedom Law because there is a New York State Law that says you can't do it. It opens up for a lawsuit because if someone does plow across the road and we have our own law, we have a stipulation in there that says its wrong we have a lawsuit. He said instead just have the New York State Law. Councilman John Hill said that he agrees with Jim on this because the way the local law is written it is actually more severe then the State law. Sometimes John will push snow across the street, but he never leaves snow in the road. The local law states its illegal to plow across the road and the state

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law says as long as you clean it off, you're okay. The board would repeal this local law with a new local law. The State Law is 1219A that the Town would follow. Councilman Geoff Milks agrees with this, he question the documentation for this he feels we should table this till the next meeting and have an official resolution. John said we can have a public hearing on March 16, 2020.

John Hill made a motion to have a Public Hearing to remove the snow removal Local Law 1 of 1998 and go with State Law 1219A the vehicle and traffic code. Seconded by Dustin Bliss

Roll Call: Ayes-3 Dustin Bliss, John Hill, and Supervisor Randy Lester
Abstain-1 Geoff Milk

B.) Junk Yard Laws: Councilman John Hill stated that its requested by a Junkyard owner Ron Preivity that we increase the fee to have a junk yard. Ron ask what is the procedure to get a junk yard in the Town of Freedom? He has no problem with raising the fee providing someone knows the steps to have a junkyard in the Town. Ron asked what do I have to do to satisfy the Town to get a license? Supervisor Randy Lester said another thing what constitutes a junkyard. Randy said if I have 20 cars in my back yard am I a junk yard. Ron said if you have 2 cars in your back yard you have enough. Councilman Dustin Bliss asked if they could task the Planning Board with this. Ron said definitely that's who it should go to. Ron said a few other things that should be looked into, should there be a used car dealer license, a car collector license. Dustin stated if we are worried that a windmill is going to diminish the value of a homes, he could make the argument that 10 junk yards could diminish the value of a house. Ron said we have a junk yard law and he thinks that we are using the municipal law. Does the Town have something that says you have to have this to have junkyard? Town Attorney Eric Firkel said that they should pull the text to the law and discuss this at the next meeting. Eric ask are we talking about a true junkyard/scrapyard or are we talking about someone with three or four cars in the yard that are not license. Ron said State Law says your aloud two and he's under the assumption that the Town is using the municipal law. Ron said if a guy can come in and pays the fee for a junkyard license then you are not going to increase mine. If you want to make new laws tighten up the ones we have and understand what we have so we are all on the same page. Ron said there's a lot of mix feelings about windmills but what would the you think of a junk yard coming in. There are a lot of big junkyards that are opening up within 50 miles. What's the procedure to do it, Ron said protect yourself today. He's not trying to stop a little guy who's got a couple little cars, his concern is a company that has 50 million dollars. Randy said he was not at the Planning Board meeting, but did they discuss the junkyard law. Planning Board Member DeVere Bliss said yes, we did, he said times have changed and you have to revisit and bring things up to date. Ron would suggest looking into a use car dealer license. Town Clerk Mindy Holland stated that there is two license that

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Ron pays a year \$5.00 for his Junkyard License and \$25.00 for his Town License. John said he wants the Planning Board and Eric Firkel have a copy of the laws to review. Ron believes that they are following Municipal law 415 section 136.

Dustin Bliss made a motion to defer this to the Planning Board and review the laws we have in place and compare them with the New York State municipal law and see what they believe is necessary. Seconded by Randy Lester.

Roll Call: Ayes- 3 Dustin Bliss, John Hill, and Supervisor Randy Lester
Nay-1 Geoff Milks

XI. Public Comment:

-Charles Malcomb- He said the last little bit of business just demonstrated how important the Planning Board is to the community. When issues come up with respect to land use the Planning Board has the expertise to provide an opinion. He understands there is certain contingent of people working with the lawyers and Councilman Geoff Milks to do what they can to harm his clients project, but the Town Board can overturn a negative recommendation of the Town planning without a super majority vote.

-Highway Superintendent Jim Haggerty- He stated that first time in his life he is embarrassed to say he is from the Town of Freedom; the Board meetings have become a joke. He's also sick and tired of half-truth and deceit at the meetings. He referenced a letter that Bonnie Hill wrote at a previous meeting, he stated that it reads that he wanted her to come to him privately about the millings on the road. He stated that he wanted her husband who should have discuss this with him as a member of his highway committee. Jim said it is not his job to deal with this at a public meeting that why he has a highway committee. He comes to public meetings because he thinks he should be here, but he is not required to, according to his handbook he got when he was elected. Secondly, he stated that there was mention of names of two men that should not have had been said there should have been common courtesy to speak to the men before they were pulled into this. He stated in the letter that it said she did not know who the guy is, he said you could figure it out that was Al Bishoff who did not want his name mention that's why he avoided saying his name. Jim said by the way Al said he would do exactly what he has done as long as he covers the material when he can. Baird and East County Line Rds. have the millings on there, they are now 22-23feet wide. As for Mark Bliss, Jim said he has put millings down on the roads when he worked for him. As far as getting him out in a year and half it is every individual right to vote for who ever they want, if you succeed, he looks forward to retiring early, however he plans on running again. There are many decent voters that know about the slander and deceitful information at these meetings, he's sorry but I don't think they will be to concern about what you have to say. Jim also wanted to address Stephanie Milks; he referenced a letter she wrote at the last meeting. She stated that Jim Haggerty Highway Superintendent signed a wind lease with Invenergy, Jim held up folders one being an easement agreement and one being a wind

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lease there is a big difference he said. He has never signed a wind lease and never will, he had an attorney read it and he was told unless he was promised a windmill its not a wise choice because it gives them way more rights to his property.

-Denise Willard- See attached

-Ron Preivity- Ron wanted to say he had a chance to talk to Planning Board Member DeVere Bliss about this Junkyard law. Then he heard that the Planning Board was going to be gone. He does not know if its really smart to get rid of the Planning Board. What was brought up earlier that its average of 2 places a year that they do a variance for, he does not think the Town is built on variances. If they did something to help the Town and the people who needed the variance that's what the Planning Board is for. He feels the Planning Board is important to the Town and it takes some work off of the board.

-Rick Lange- He read in the Arcade Herald that the Herald is not longer the official paper for the Town of Freedom for legal notices and stuff and its going to be the Olean Times Herald. He said it makes no sense that a local paper that he can get in the mail every week or at the store is not longer the one he will read the legal notices in. He cannot get the Olean Times Herald at his house; he cannot get it at the Arcade Market. Rick asked why are we doing things with Olean when Arcade is 6 miles away. Arcade mails their papers all over the Country. Olean won't even deliver to Freedom. He wanted to know how this happen. He like to ask the Board to revisit, and who ever came up with this and made this decision. He also talked to Casey at the Herald nobody notified her of this, she did some research for him. There were 2 legal notices in January in the paper and one for February. He asked can we count on that still happening and if it does stop and it only goes in the Olean Herald how are the residence going to know about things. He's asking to rethink about this, he thinks it's wrong and should be fixed. Councilman John Hill said the Olean Times Herald was chosen because is a daily paper and not a weekly paper. You can not always get notices in on time, it usually a two-week turnaround time to get it to the Arcade Herald. John said that we try to get most things in both the Arcade Herald and the Olean Times Herald. Rick asked can we continue to count on that. The only way Rick can get the Olean Times Herald is if he buys a subscription. John said you can go and get anything for the Town on the Town website. Rick disagrees the Herald has done fine for years and years, why should people go searching for information when they buy a subscription to have it come to them. Councilman Dustin Bliss stated at the next Board Meeting he will move a motion to change the official paper and if it does not pass you will know who did not want it.

-Bonnie Hill- She said to Ron Preivity that he led everyone in the meeting to believe that at the last meeting there was something shady that happened, which did not happen. She said if you read the minutes you would of know there was no votes, there was nothing that took place. Bonnie stated to Supervisor Randy Lester that he lets a select few talk. She said Randy lets a few select women talk and last Board Meeting that Ron Preivity was at he took a phone call and Randy was oblivious to it.

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-Councilman Dustin Bliss said according to the Department of State if the Town has land use restrictions, they are required to have a Zoning Board of Appeals. Over the years it's his understanding the Town Board informally allowed the Town Planning Board and the Town Zoning Board of Appeals become one. He said in a perfect world they would be two different bodies, and they can address those issues. Its against New York State Law for the Town Board to address Zoning Appeals.

XII. REPORTS & COMMUNICATIONS:

- A) Assessors –Repost Submitted
- B) Building Committee –
- C) Building Inspector – Report Submitted.
- D) Highway Superintendent – Report Submitted
- E) Clerk/Collector –Monthly and 2019 Annual Report Submitted
- F) Constable –
- G) DCO –
- H) Highway Committee –
- I) Justices –
- J) Parks & Recreation –
- K) Planning Board – Report Submitted
- L) Supervisor –Report Submitted
- M) Other Town Officials –

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

Roll call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

XIII. APPROVAL OF VOUCHERS:

General 43 to # 61, Amt. \$4,964.60 Yrly Amt. \$94,667.04.

Motion made by John Hill to accept the General vouchers 43 through 61 not 62.
Seconded by Dustin Bliss.

Roll call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

Highway #16 to #27, Amt. \$7,212.44, Yrly Amt. \$155,813.17.

Motion made by John Hill to accept the Highway vouchers as submitted.
Seconded by Geoff Milks.

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Roll call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

XIV. ADJOURNMENT:

John Hill made the motion to adjourn the meeting at 7:08 p.m. Seconded by
Dustin Bliss.

Roll call: Ayes-4 Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

Respectfully Submitted

Mindy M. Holland
Freedom Town Clerk
02/24/2020

2/24/2020

So, with regards to the planning board, and how I don't feel they are necessary: Mrs. Baker brought up a concern of hers that the planning board also works on variances. What that work is or was, she did not say, and the planning board minutes don't say either, other than, pretty much, "worked on variance". So, I did some research and according to Pat Cummings, between 2005 to the present date, there have been 31 variances. I'm pretty sure that with an average of 2 variances a year over the last 15 years, the Town Board can handle those requests, don't you?

Also, I have another concern, on Friday, February 14th, 2020, I was home sick, sitting in the living room surrounded by our 4 dogs. At about 9:30 or so, that morning, an Amish horse and buggy went by and our smallest dog, Minnie, saw it and started barking. If you know dogs, you know that suddenly I had 4 dogs barking, so I quickly got up and walked out to the kitchen window to show the other dogs what Minnie was barking at. Well, as I stood there, imagine my disbelief as I watched a Town of Freedom snowplow pass the Amish horse and buggy, both of which were going North, in front of my house. I know that unless you have x-ray vision, there is no way that the driver of that snowplow could see through the line of trees, my neighbor's house, and around the 90° turn that is just North of my home. That driver should have stayed behind the horse and buggy until he was absolutely sure that the road was clear and then slowly went around them. Not only was that move illegal, it was dangerous.

Denise Willard
Freedom Resident