

Town of Freedom
Regular Board Meeting & Public Hearing
March 15, 2021

Board Member Present: R. Nick Morgan, Dustin Bliss, John Hill, Geoff Milks,
& Supervisor Randy Lester

Other Officials Present: Highway Superintendent Jim Haggerty, Dog Control Officer
Denise Willard, Planning Board Member Norman Feldman, Assessor Kate Harrington, &
Dan Martonis, & Constable Rob Harrington.

Others: 14

Meeting called to order at 7:00 pm by Supervisor Randy Lester

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

II. REVIEW OF MINUTES:

A) Town Board Meeting – Monday, February 22, 2021

A motion was made by John Hill to accept the Meeting Minutes as submitted. Seconded
by Geoff Milks.

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

III. Assessors Kate Harrington, & Dan Martonis: Dan gave an overview about the property reval. It has been a yearlong process, they have driven every street, looked at every property, they have also done aerial photography. A broad overview of the reval is that vacant land was being a little bit over assessed, residential was being a little under assessed, and the farms were being way over assessed. This is just a generality. Dan stated that some residents went down, some vacant land went up. The farms were being over assessed, also the agriculture exempts that the farmers get were not being done correct, they were valued to low. The County fixed all those so they will get a better exemption for next year. It has been a month sense the letter have been sent to all property owners stating that this is the property new value. Dan said with a reval they get about 10% of the property owners that will contact the Assessors. The Town of Freedom has just under 1400 properties, and they have had only 20 phone calls to discuss 38 properties. That is only 2.7% of properties that question their new assessment value. Dan stated that they legally can only do roadside assessing and aerial photography. Linda Kinney asked when was the last assessment? It was in 2012. Linda said she is upset because she has not done any improvements. Dan stated that if they do not do a reval, the assessments might not indicate what really going on with the market. They look at sales with in the town, they do comparable to see what a comparable property looks like. Dan said going forward they will do

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updates, so this does not have to happen again. Kate stated the full market values were reflected in 2012, and sense then property values have gone up. Kate said what they want is full market assessment to match the full market value. Dan stated as the equalization rate drops the fair market value goes up. So, if the assessment says \$100,000.00 but the E rate is 50% then the assessment is only indicating only half of what it's worth. Bonnie Hill asked about inventory letters that they stated they sent out. Dan stated that they sent them out for the ones they did not have really good inventory for. Kate told her that they have the forms that are indicated in the letter for people to fill out if they feel that the data the assessors have is incorrect. When filling out the forms, the assessors ask for as much evidence you can to show that your property is not worth the assessed value that they have, if you have to take pictures. Once they get the evidence, they will look at it and maybe its not in good condition its in poor condition, they will run the numbers in the computer system and then send letters out saying this is the new assessment that they came up with. Kate stated that they do not want to incorrectly assess you. Linda Kinney stated she does not see were real estate has gone up in Freedom. Dan said that they go back on sales from the last 6 years, and look through it with a fine-tooth comb, see what the good sales are and the bad sales that are not useable. That is why they ask the public to show what evidence they have that their property is assessed fair, so the assessors can look at everything and get a new assessment put in time, if the property owner is still not happy, they can go in front the Board of Review on Grievance Day, May 27 for the Town of Freedom. Then they can make a decision. Donnis Morgan asked if they go by square footage. Dan stated is one of the indicators. Donnis asked how someone can who as three to four times the square footage then her property would have lower assessment. Dan said that is just one indicator, there acreage, number of bathrooms, bedrooms all the data goes into it. Kate said even the style of the house, like a ranch style maybe selling for more then other styles in the town. Dan stated the assessors are available 8am -5pm Monday – Friday, the phone number is on the application. Denise Willard said that they did comparable when they sent theirs in. Councilman John Hill said he got his assessment, and it was raised up \$50,000.00, since 2012 all he added was a picnic shelter on the back of the house and if that picnic shelter is worth the \$50,000.00, that drives him crazy because he knows he only spend no more the \$800.00 on it. Dan said it what the market is saying its not just the inventory, what homes are selling for in the town. Jeff Newland asked if they are going to lower the assessment after the Covid scare is over, because out here assessment went up, people are paying big money. Dan said the real estate market is hot because people are moving out of the cities and the big villages and trying to find more rural area. Kate stated that she has already looked over some of the informal reviews and has already made some changes. She said some of them did not have lots of information so its hard to change the assessment, so she needs as much information that will help her see what the property owner sees. Linda Kinney asked about a realtor assessment. Dan stated that a realtor gives an opinion value. Dan stated to get an appraisal

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done by a appraise is one of the best pieces of evidence, but it will also cost you a couple hundred bucks, but it can hurt you if the appraisal comes out at what the assessment says, then you're out the money. Kate stated that there is different kind of appraisals done by appraisers, its hard for them to use a bank appraisal, because the home equality will always come in lower than the actual full market value. It really serves you best to get an appraiser who will find the full market value. Tony Newland said that when the property values tank, he said that the assessors are not going to give us a break on our taxes. Dan stated that the job of the assessors is just to say what the full market value is. If the property is in a flood zone, or wetlands that helps them with the assessment value to help make a fair assessment and they put an influence code on the property. Kate stated that she wants to make a point is taxes, there are two types of notices, one is just change notice that shows you how much your assessment if it went up or down. The notice they sent the public is a disclosure notice and that shows your preliminary assessment and applies last year tax rates and shows if this is your assessment from last year this is what your taxes would have been last year. Kate also stated that the assessors do not determine taxes. It is the school budget, town budget, county budget, New York State, she said that 70% of the county portion of the town and county bill goes to state funded programs. Councilman Dustin Bliss stated that one of his problems is that out of four properties that he has in the Town of Freedom he had three went up and one went down. He has property in the Towns of Yorkshire and Farmersville, they have not done a reassessment in an number of years, in the Town of Freedom if you look at the taxes per acre of actual farm ground, he pays more taxes for his farm ground in Freedom then in the other two towns. Dustin feels the frustration is that we are carrying an unnecessary load for the State and school district because of screwy E rates. Dan stated that is a big issue, in Yorkshire the County Legislators are trying to get the Town to do a reval. Farmersville will be doing a reval in a couple of years from now. Dan said it is all about fairness because all Towns should be paying 100% E rate. Dustin asked is other Towns around the County getting a break, is the Town of Freedom residence making up the difference. Dan stated no its base on the full market value. Dan stated the more the Town is worth the more the sales tax revenue the Town gets. Constable Rob Harrington when they do their comparable, they do it by sales from a year of two years, how are they doing a comparison, and will they review them comparable with us if we call. Dan stated yes and they can go back for 6 years. Rob asked what if they do not get them sales. Dan stated yes, they have to get them sales. Planning Board Member Norman Feldman asked when are we going to get hit with the next reval. Dan stated that the good news that they will keep the Town at a 100% so they will never have to do a big jump like this again. Kate stated if they see the Covid trend of high market property sales go down over the next couple years that means the properties that are comparable will go down too. John Hill stated that the property owners should contact the assessors and look at the property and why is it so high. John also stated were he lives all he has is electricity, the don't have water, they

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don't have gas, they don't have internet, they don't have sewer, his question is are their assessment lower because of that, compared to someone who gets all of them amenities and utilities. Kate stated that they are comparing apples to apples here. Someone asked how do they assess the Amish? Dan stated that Amish land is assessed like everyone else, Amish houses don't have the indoor plumbing or wiring, the property is a third lower than a house with all that stuff. Bonnie Hill stated that 5 years ago they put on a shelter and their taxes went up and is almost as much as someone else house that their property went down and is now almost the same amount assessed and they added a large add on to a building. Dan stated that its best is for the to call. Building permits go to the assessors after they have bene issued and then the assessors go out and try to get a picture once its build. If it is a new roof they don't care about that permit. Dustin asked is there any good data for Amish house sales? Dan said no good data, but they have to look at the data and see if it's a usable sale, its not through a realtor, or if it's not through the open market they won't use the sale. They assess it what the market says. Kate stated another option is that if a property owner feels the house is over assessed, send them pictures, they never get published and they will just be in the property owner folder. The hours in Little Valley are Monday – Friday 8-5 at the Town hall Thursday from 1-4.

A motion was made by John Hill to close the regular board meeting at 8:03 pm.
Seconded by Geoff Milks.

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

A motion was made by John Hill to open the Public Hearing on Local Law 1 of 2021 at 8:04 pm. Seconded by Geoff Milks.

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

IV. PUBLIC HEARING ON LOCAL LAW 1 of 2021- Titled “A local law providing for no exemption for wind, solar, or farm waste energy facilities under New York State Real Property Tax Law section 487”

PUBLIC COMMENT

Denise Willard: Please see her comments attached.

Stephanie Milks: Please see her comments attached.

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Stephanie Milks also submitted a statement made by Marsha North please see her comments attached.

Councilman John Hill stated that he agrees with the Wind and Solar portion of the law. The farm waste energy portion, he is a little bit confused on that part. John stated that local farmers convert manure into methane gas. He personally feels that yes there are farmers with more money than he has but farming is not an easy industry. If they can benefit from something that they need to get ride of anyway. After the farm takes the methane off of it, the smell is not so bad. Dog Control Officer Denise Willard asked if we have any farm waste facilities in Freedom. Councilman Dustin Bliss stated no, the closes one is in Perry, the farms have to be at a certain scale to justify the cost. It cost 7 million dollars to build a methane digester, it has not come into popularity until recent with the discussion of agriculture impact on global warming, methane from cows. The green new deal stated that agriculture contributes 27% of the gases. Dustin stated that is bogus. Dustin explained that a methane digester is enclosed, it's a big pressure cooker that keeps the manure microbes create methane out of the digestion of the organic matter, that is ran through a diesel engine, that runs a generator that produces power. Dustin stated he is not voting on this law because he is conflicted, but if John Borer or Jason Schwab wanted to build one of these it would be a positive for the community because the manure does stink less after it goes through the processer. Ron Preivity asked if it would be something that would last five years or is something they will throw off to the side. Dustin stated it has not been feasible without grants from New York State because the state capped the priced of energy from the methane digester about ½ cent a kilowatt even knows the power is buying back it ranges any where from 6 to 11 cents. In the State of Maine, they pay the dairy farms 12-15 cents a kilowatt. Councilman Geoff Milks stated that the industrial power scale that would be required with building, if they are getting a grant to build this and making a profit from them, its taxpayers' money to for the grant, Geoff sees no reason they can't be taxed on that portion. Geoff said they can still get PILOT agreements and all the other stuff that comes down with it that taxable. Its not saying they can't build them, its just saying that when they are making a portion of the electricity that the can be taxed for it. Dustin stated that he does not have a problem taxing out of Town Wind and Solar, but we don't necessarily create hurdles for local business. Geoff read an email from the County that talked more about this law, it's a 15-year tax free exemption for these energy companies if the taxing entity does not opt out 487. If the Town opts out, then the corporation will have to seek a PILOT and then the Towns will at least get some revenue from the building within your boundary. John stated if the farmers are doing something that could help the environment, something that is local the board should encourage it as opposed to it being taxed on industrial bases it be at most taxed on agricultural basis. Stephanie Milks said she is understanding what John is saying that he would not want to have the methane facilities taxed so a farmer can build one of these

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million dollars facilities on their property and it be taxed free. Dustin stated that it's a sole purpose asset, you can put 10 million into it, but it might be worth what Ron Preivity pays you to come take it down and haul it away. Dustin stated you can talk about government grants on it, if the government had not screwing up the price of what energy is worth it would not be needed. The comparison is not fair whatsoever. Geoff stated that maybe, but the truth is their government grants right now. Stephanie Milks regarding Dustin saying the methane digester not being worth anything, Ron Preivity has been paying taxes all these years on his junk yard, who is going to want to buy his junk yard. There are pieces of property that she would not want to buy. If someone said I would never want to buy your property you don't have to pay taxes on it even know you bring in some sort of profit. She does not see were that is right. Councilman R. Nick Morgan stated that the law stated Real Property Tax exemption to certain Wind, Solar, and Farm Waste Energy Facilities. So, in the future if they are looking into a farm waste facility it may not apply to this because it is a certain project. Nick feels that they are getting a little to invested in the language of the law.

A motion was made by John Hill to close the Public Hearing on Local Law 1 of 2021 at 8:33 pm. Seconded by Dustin Bliss.

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

A motion was made by John Hill to open the regular board meeting at 8:34 pm. Seconded by R. Nick Morgan.

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

V. TOWN OF FREEDOM LOCAL LAW NUMBER 1 - 2021

Pursuant to Section 487 of the Real Property Tax Law and Section 10 of the Municipal Home Rule Law

A LOCAL LAW PROVIDING FOR NO EXEMPTION FOR WIND, SOLAR OR FARM WASTE ENERGY FACILITIES UNDER NEW YORK STATE REAL PROPERTY TAX LAW SECTION 487

WHEREAS, the Town of Freedom is desirous opting out of the real property tax exemption granted to certain wind, solar and farm waste energy facilities under Section 487 of the Real Property Tax Law; now therefore

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BE IT ENACTED by the Town Board of the Town of Freedom, in the County of Cattaraugus, as follows:

SECTION 1.

1. This Local Law shall be known as Local Law 1 – 2021 entitled “A Local Law Providing for No Exemption for Wind, Solar or Farm Waste Energy Facilities Under New York State Real Property Tax Law Section 487”.

SECTION 2.

1. This local law repeals and replaces any prior local law that is inconsistent herewith.

SECTION 3.

1. No exemption from Town of Freedom taxation, under Real Property Tax Law Section 487, shall be applicable with respect to any wind or solar energy system or farm waste energy system.
2. No exemption from taxation as authorized in Real Property Tax Law Section 487 be applicable with respect to any micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system or fuel-flexible linear generator electric generating system.

SECTION 4.

1. If any provision of this Local law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication shall not affect, impair or invalidate the remainder thereon, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5.

1. This Local Law shall take effect immediately upon the filing thereof in the office of the Secretary of State of the State of New York.

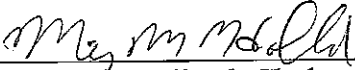
CERTIFICATION

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I hereby certify that the local law annexed hereto, designated as local law number 1 of 2021 of the Town of Freedom was duly passed by the Town Board on the 15th day of March, 2021 in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

DATE: 3-15-2021


Mindy Holland, Clerk
Town of Freedom

John Hill asked Nick if he believes the way it is worded if a group of farmers came to the town and they would like to be taxed exempted for building this manure facility for 15 years that the Town Board could do that. Nick feels they would have to work with the county and then they would bring the program to the town and the town would have the flexibility at that time with the county and move that process then. The language does not say all projects so its certain ones working with the IDA or the Ag bureau.

Geoff Milks made a motion to except Town of Freedom local law 1-2021, a local law providing for no exemption for wind, solar or farm waste energy facilities under New York State Real Property tax law section 487. Seconded by R. Nick Morgan.

Roll Call: Ayes-3 R. Nick Morgan, John Hill, Geoff Milks
Abstain-2 Dustin Bliss, & Supervisor Randy Lester

VI. TOWN OF FREEDOM

RESOLUTION # 6-2021

March 15, 2021

A Resolution transferring monies to the Justices Grant Fund.

BE IT RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, this Town Board does hereby transfer monies from the Municipal Account to a Justices Grant Funds account funded by the State of New York Unified Court System,

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which proceeds were received in the amount of \$11,051.00, deposited on 3/5/2021 and 3/15/2021, to be used for the installation of a transfer window, new locked box and handicap accessible door for the justice department as authorized in the Funding Grant.

No expenditure shall be made from this fund except upon authorization of this board pursuant to Section 6-c of the General Municipal Law.

Motion by: Dustin Bliss, Seconded by Geoff Milks

Roll call:

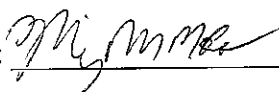
Morgan: Aye

Bliss: Aye

Hill: Aye

Milks: Aye

Lester: Aye

Clerk:  Date: 03/15/2021

VII. NEW BUSINESS:

A). Freedom Clean Up - Set Date, Time and Place.

A motion was made by Dustin Bliss for Freedom Clean up days to be May 21, & May 22, & September 25 between the times of 7:00 am to 3:00 pm and location will be Preivity's Auto Wrecking. Seconded by R. Nick Morgan

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

Town Clerk Mindy Holland is going to get flyer out, also advertise in the Pennysaver and the Arcade Herald.

B.) Seasonal Mowing: Councilman John Hill asked Highway Superintendent if he hired someone to mow the lawns. Jim stated he was not told to officially. John said at the budget meeting they officially excepted it, and Jim would hire someone. Jim just wants the okay and he has someone in mind. He is not going to hire the board will have to, because Jim son is interested, and Matthew has done it for 4 years in the past, and he

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would love to do it as a part time job. Councilman Dustin Bliss stated it would be best to post the position in the Arcade Herald, someone who is interested can submit a resume and a cover letter to the town and the board could decide at the next board meeting. Jim stated they have to have a valid driver license. Supervisor Randy Lester said he suggested maybe Parks and Recreations do the interview of the applicants and set it in April. Town Clerk Mindy Holland will have an ad in the paper the last week of March and the first week of April. Mindy asked if they need to be a town resident. Councilman Geoff Milks stated preferred. Parks and Rec will meet with the applicants prior to the next board meeting, the week of April 12th. Geoff stated they had been hiring an outside individual to mow, the board would like to go back to the town hiring an employee to do it.

C.) Code of Ethics: Needs to be updated. Its 31 years old. Councilman Dustin Bliss said why don't the board just except the way it is and put a new date on it. He said it worked for all these years. Dustin said unless someone wants to rewrite a code of ethics, he would just prefer to set up a public hearing for next Town Board meeting and adopt this one. Supervisor Randy Lester stated he thinks it should be reviewed first. Councilman John Hill agreed. R. Nick Morgan said if it has been adopted as an law, maybe other towns have updated their laws, he suggested to see if our attorney could get us an copy of other towns code of ethics, to go off of. Councilman Geoff Milks stated the same thing to get copies of other towns to see compare and move forward.

D.) Little league donation: Councilman Dustin Bliss stated after a circulation of emails, he still stands by his belief not to extend a donation sense they are not playing in the town. Town Clerk Mindy Holland stated they will be using the diamonds in the park. Councilman R. Nick Morgan stated he would want to have the proper uniforms if they are the Town of Freedom baseball team. Supervisor Randy Lester stated he does not believe that they are going to be a Freedom baseball team, they all register through Arcade and they set up the teams. Mindy said the reason why they are using the baseball diamonds is because the other travel teams are using the diamonds in Arcade more, they are trying to get out to the other towns, Freedom, Delevan, Machias, Sardinia. They have been just using the Arcade ones for years. Nick stated if the Town is mowing the lawn and providing the facility, it be enough town donation, unless information changes if asked. Dustin thinks that cash donations, you have to draw a line somewhere, how do you give to one organization and not give to another. The town will allow them to use the park.

Dustin Bliss made a motion to not donate to little league. Seconded by Randy Lester.

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

E.) Use of the Park Grounds, Health concerns, R. Nick Morgan questions, if the health department will let use rent out the park, if there is an executive order saying we could not open the park. Town Clerk Mindy Holland said last year it was up to the

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municipalities on use of the park. Mindy asked if the board is going to let the park be used this year. Councilman Dustin Bliss said he is all-in favor of it. Nick recommended a weaver; say they are at their own risk for using the waver. Councilman Geoff Milks said they could sign on if they wanted to for the sake of having it on file.

F.) Brian Arnold resigned from the Planning Board.

A motion was made by Dustin Bliss to except Brian Arnold resignation. Seconded by Geoff Milks.

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

Councilman John Hill said that he really appreciated Brian for all the work has done, he did a great job for the Town of Freedom. He has his head on his shoulders, and he will be missed. John thinks the board should be posting the opening, to get someone to volunteer for that position. Councilman Geoff Milks said he had a conversation with Brian on his way out. Geoff did not always agree with his politics, but he did appreciate his work. The board would like to advertise in the Arcade Herald. The resumes need to be in by the April meeting.

VIII. OLD BUSINESS:

- A. Dog Law: Councilman Geoff Milks said it is a really solid law, he asked the board if they had any different of opinion on the fees. Dog Control Officer Denise Willard had the board look at page 8 section 10 regarding kenneling fees, impoundment fees, veterinarian fees, \$150.00 pickup / drop off fees, this was changed. Geoff said that up until now there was always a dollar amount shown on how much we charge per day on a kennel. It had not been updated and the SPCA is charging far more then we are charging. This just now says any all fees incurred are charged for. Denise also said that the late fees on dog licensing late fee, page 7 the top, any dog not license with in 60 days they will have an \$10.00 fee added to there late fee, then 90 days another \$10.00, and 120 days another \$10.00. Councilman Dustin Bliss agreed with the dog law and told her she did a nice job. Councilman John Hill stated that in that section it should say \$10.00, then \$20.00, then \$30.00, or an additional \$10.00. Geoff said he feels the fees make a lot of sense being this low, it will hopefully help get people to pay the \$7.00. Denise said that they did not raise the licensing fee, like the Town of Hume has \$11.00 for a spay or neutered dog and \$18.00 for un spayed or unneutered. Dustin asked why the higher fees for un-spayed and unneutered. Denise said because you're taking the chance of raising the dog population. Geoff it is to encourage to spay or neuter. Dustin feels the purpose to the dog law is to ensure that the dogs are vaccinated for rabies, so asking for additional fees for a dog who has all its parts

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seems a little silly. Its like this in every town Denise said the un-spayed and unneutered fees are more. John asked if the Town Attorney Eric Firkel looked it over to make sure it can be enforced. Geoff said he supplies the templet, they made minor changes to this, but the lawyer had gone over the templet. Dustin asked if there is any way that if someone has a dog in the town running around and the town picks it up and it goes to the SPCA, the town gets a several thousand-dollar bill that we can tack them fees onto there property taxes. Denise said she does not think it's on here, but she thinks through the courts, that the court can file it through Cattaraugus County they can put a lean on the property. Denise suggested to talk that over with Court Clerk Gillian Koerner, and Town Justice Kara Brunner to be sure. Dustin would like to talk to Eric to see if there is something, they can do with it. John wants this law to be totally usable, that there are no loopholes in the law, so people can't not pay their fines on licensing or controlling their dogs. Dustin would like Eric to review before the next board meeting. At the next board meeting the board will review and see about setting a public hearing.

- B. Junk Law: Town Clerk Mindy Holland showed the board a copy of NYS DMV Controlling Junk Law, from Ron Preivity. Councilman Geoff Milks said if the board is getting a copy of this, they can review it for the next meeting. Planning Board Member Norman Feldman stated that the State has a law for Junk Yards, salvage yards, the Town has a law for someone who has cars in his yard and does not want to get rid of them. Ron Preivity asked if they can force two or more junk cars on a property in the Town of Freedom as of right now. The Board will go over the Controlling Junk Law for the next meeting.
- C. Comprehensive Plan: Councilman John Hill asked if anyone read the Cattaraugus County Comprehensive plan. Councilman Dustin Bliss said he started reading it and could not believe that they spent taxpayer's money on this. Dustin understands that they are doing this for a specific purpose on a County level. He not sure why the Town would make a large comprehensive plan like the County unless they have a justified return on the towns work. John said that he did not see anything that he objected to, there is nothing that they should object the Town on. Councilman Geoff Milks said this plan took some time and money for the Town to do something like this would be crazy, its already done. The County did a really good job. Dustin stated as long its none binding, he does not agree with some of the info in the plan.

John Hill made a motion that the Town abide with respect to the Cattaraugus County Comprehensive Plan, unless the majority of the Board of the Town of Freedom deems otherwise. Seconded by Geoff Milks

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

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- D. Emergency Plan (per Governor request): Town Clerk Mindy Holland asked the board if they just wanted to fill in the template from the State. She also asked who the board would want to work in case of another pandemic. Councilman Dustin Bliss said Highway Superintendent Jim Haggerty should definitely work. As for looking at board meeting, they should have been on zoom meetings. Mindy will get the templet filled in, then email to the board to have them proof it. Mindy stated she feels that her office would be considered essential, especially during tax season, the assessors would not have to be in office. The question came up about building inspector, Mindy said this past time he filled in building permits and pass through the door. Councilman John Hill said that basically everyone at the town will be an essential worker. The Highway Department would be the most essential, because if they don't plow the snow no one is going anywhere. Mindy will send the template to the board and they will go over in April.
- E. Natural disaster plan copy of the plan has been given to the board for review. Discussion and passing updated plan will take place at the April 19, 2021 board meeting. Town Clerk Mindy Holland told the board that they need to read it and she has to fill some areas. She is waiting on the Fire Companies info to fill in. The board needs to review this and pass this at the next board meeting.
- F. Security Cameras, and Keyless entry update. Councilman R. Nick Morgan meet with DFT security to go over their plan. He was unable to talk to additional members because of quarantine. He has rescheduled them and have more info at the next board meeting. He stated that we can utilize the Cattaraugus-Allegany Boces, as a shared service, and have them come in as computer tech support and infrastructure support. They can run the lines and hang security cameras for us, as a shard service with them. They have a tech shop of 6 people that's fully staffed, and they can come do the work during the day. They do have an agreement of shared serviced that the town would have to look at. Their attorney already has a templet where they have done work for other towns and municipalities. Councilman Dustin Bliss asked if Nick has any experience with them. Nick said through the school yes. Nick said they are fairly inexpensive, they charge the school, \$65.00 an hour, to come and do technical work. Councilman John Hill suggest that Nick keep working on this. Nick asked what has the town done with shared services in the past. Highway Superintendent said they have done stuff with State with the millings. Nick said this would be a little different, this would-be office support. Nick will talk further with the director and get some numbers and have them send over what shared services looked like to see if its something the board would like to move forward on. They would not be able to do security alarms, but they can do the wiring for the cameras, help reduce cost. They can also help with some infrastructure with wireless.

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G. Historical Preservation: Supervisor Randy Lester stated they meet 3-4 times, and they came up with, also this is money that Invenergy pays, the total amount is \$175,000.00. They broke it down for 8 different areas.

- 4 – Churches in the Town of Freedom
 - Sandusky Baptist Church-\$41,130.00
 - Salam Church-\$20,000.00
 - Freedom Baptist Church-\$20,000.00
 - Elton Baptist Church-\$35,500.00

The Town Green-\$25,000.00, Dog Control Officer asked for what, Randy stated it was discussed at the meetings. Denise said it was never discussed, they never had anything for \$25,000.00. Randy said it was discussed and there are two plaques. Denise asked what the plaques are for. Denise said she had spoke to Shawn and the money cannot be used to develop a park. Randy said that is not the conversation he had, sense it has historical nature, it uses to be the center of town. Denise suggested to auction off the property by a seal bid. After more discussion of the Town Green, Councilman John Hill asked what else would-be getting funds. Randy said the remainder of the funds would go to all the cemeteries. Cemeteries do not need to be broken up for funds. Denise also brought up Circle C Ranch because it is historical. John asked is there was anything brought up about the Train Depo or is that beyond fixing. John feels its beyond fixing. Councilman Geoff Milks said if there is time still, he could reach out to the land owner about the Depo, but it needs a lot of work, and its still on Railroad property. Stephanie Milks said it is a cool building but its out of the way and in disrepair. Denise suggested what about a plaque or anything were the Freedom School use to be. She also asked about a War Memorial in front of the Town Hall. She contacted a gentleman about the memorial to get estimates, but he did not get back to her. She said they can make marble wall with all the names; they also can add other names to it. Denise said we are the Town of Freedom we should memorialize the people who fought for the Freedom. Randy said that's what Ron Ashworth had brought up before at one of the meetings to list all the people that have served. Denise will need the amount of people that would be listed. Randy said it be hundreds of people. Councilman Dustin Bliss asked how they decided how much money to give to the Churches and for what projects. Randy said it was based on estimates. Dustin asked estimates on what? Planning Board Member Norman Feldman said that they did estimates at the church he goes to. One of the guys that goes there is a contractor, and he went through and did estimates. Dustin said to do what? Norman said to re shingle the steeple, storm windows, another roof needs to be shingles, the main beam in the old part of the church needs to be changed, that's what they asked for that's what they got. Stephanie said the money is coming though the State Historical Preservation office, so it has to be used to repair the historical buildings. John said if it's just an estimate on things we are not bound and stone on any one of these things. John asked would we be able to move the money around or is that all we can spend on each project. Randy said he things that's Invenergy allocation of varies projects. Geoff said SHPO approves the project. Dustin said so we are desinating where we would like the funds to go. Geoff would like to put flexibility on the Town Green, he said it's a small piece of property that we are going to put a memorial on it's a really weird spot oppose to

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across the street were people can park and see it. Dustin asked Geoff that the money for the Town green would be good with a Veterans Memorial here at the Town Hall. Geoff thinks that's what he is thinking somewhere they can park. John feels it should be at the Town Park. Councilman R. Nick Morgan asked if the committee had given any special consideration for the Revolutionary War Veteran in the Sandusky Cemetery. Nick would like to see maybe a special stone and sign. Randy said that Shawn Perry from Invenenergy said the cemeteries are all bunched together, and the Town would determine what would all go to these cemeteries. Nick said that he would like to see the \$25,000.00 for the Town Green to be used for a Veterans Memorial and signs. Norman said that with the money for the cemeteries you get a block of money and you can do anything you want.

Geoff Milks made a motion to except everything with the exception with the Town Green being location to be determined for a Veterans Memorial. Seconded by Dustin Bliss.

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

IX. Public Comment: No Comment

X. REPORTS & COMMUNICATIONS:

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

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

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

XI. APPROVAL OF VOUCHERS:

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General #51 to # 63, Amt. \$4,644.30, Yrly Amt. \$116,284.48.

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

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

Highway # 28 to #35, Amt. \$16,673.85, Yrly Amt. \$72,111.63.

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

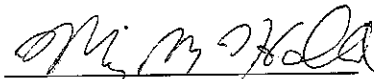
Roll call: Ayes-5 R. Nick Morgan, Dustin Bliss, John Hill, Geoff Milks
& Supervisor Randy Lester

XII. ADJOURNMENT:

Dustin Bliss made the motion to adjourn the meeting at 9:5pm. Seconded by
John Hill.

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

Respectfully Submitted,



Mindy M. Holland
Freedom Town Clerk
03/22/2021

Public Hearing Statement

March 15, 2021

Re: Local Law 1-2021

**A Local Law Providing for No Exemption for Wind, Solar or Farm Waste
Facilities Under New York State Real Property Tax Law Section 487**

Submitted by: Denise Willard

I would like to voice my support for Local Law 1-2021, which allows for the full taxation of wind and solar projects, as well as Farm Waste Energy Facilities. This allows for much more revenue to be brought into the Town of Freedom and it requires out of state, billion dollar and multi-million dollar companies to pay their fair share of taxes to the Town of Freedom and New York State. If you, myself, and all the businesses within this Town have to pay our fair share of taxes, shouldn't we all?

I, for one, am not a billionaire, but I pay full taxes, as I'm sure everyone in this room does. If you are as upset as I was to have received an increase in my assessment, this Local Law is very important. Taxes, as we know, are one thing in life that are guaranteed, and we all should be paying the same percentage. We all need to pay our full share of taxes. There is no reason that a billion dollar or multi-million dollar corporation shouldn't be paying their fair share of taxes and bring millions more dollars in revenue to the town of Freedom over the life of a project.

Thank you for your time.

Public Hearing Statement

March 15, 2021

Re: Local Law 1-2021

A Local Law Providing for No Exemption for Wind, Solar or Farm Waste Energy Facilities Under New York State Real Property Tax Law Section 487"

Submitted by: Stephanie Milks

I am in favor of Local Law 1-2021 to allow for the taxation of wind and solar projects as well as Farm Waste Energy Facilities. This will allow for much more revenue to be brought to the town of Freedom in addition to requiring out of state, multi million and billion dollar corporations to pay their fair share of taxes to Freedom and New York State.

In the case of renewables, including wind and solar, the 2021 New York State budget highlights as can be found on governor.ny.gov, there is a \$33 billion dollar plan over the course of the next 5 years alone to be given to renewables. That is tax money coming out of our pockets. Cuomo is taking our taxes and giving it to billion dollar wind and solar developers that already do not pay taxes in New York State. Invenenergy is based in Chicago, Illinois and pays their taxes there. It is important to be sure that wind, solar and Farm Waste Energy Facilities pay their fair share of taxes to Freedom. Again, allowing more money to come to our town.

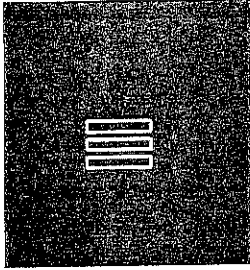
Per windustry.org, "The cost for a utility scale wind turbine range from about \$1.3 million to \$2.2 million per MW of nameplate capacity installed." In the case of a 3.6MW turbine that is likely proposed for Freedom, that would be \$4,680,000-\$7,920,000. How would you like to have your neighbor, who is worth \$1 billion dollars, build a \$4 million dollar mansion next door, have Cuomo giving them a portion of the \$33 billion that is coming out of your pockets only to then be giving them even more tax breaks? While you pay your taxes in full on your modest home?

If you are here because you are not happy with your increased taxes or assessments, I would imagine you would not be in favor of allowing a billion dollar corporation (or multi million dollar corporation) to walk in here, take a portion of your already astronomical New York State taxes and then get more tax breaks to top it off.

This is clearly a law that must be passed for the benefit of each and every Town of Freedom resident.

-\$33 billion divided by 18 million (NYS) population = \$1833 per every man, woman and child in New York State. Of course, not every man, woman and child in NYS pays taxes which means that amount rises exponentially for each taxpaying resident.

-For any billion dollar (or multi million dollar) company that comes to Freedom and then claims that they can not operate unless they are able to have large tax breaks should raise many red flags as to the legitimacy of their ability to pay on long term contracts without going bankrupt. If they can so easily run out of money paying their taxes, they can just as easily run out of money to pay you.



[HOME](#) > [FAQ](#)

Q How much do wind turbines cost?

A

Home or Farm Scale Wind Turbines

Wind turbines under 100 kilowatts cost roughly \$3,000 to \$8,000 per kilowatt of capacity. A 10 kilowatt machine (the size needed to power a large home) might have an installed cost of \$50,000-\$80,000 (or more).

Wind turbines have significant economies of scale. Smaller farm or residential scale turbines cost less overall, but are more expensive per kilowatt of energy producing capacity. Oftentimes there are tax and other incentives that can dramatically reduce the cost of a wind project.

Commercial Wind Turbines

The costs for a utility scale wind turbine range from about \$1.3 million to \$2.2 million per MW of nameplate capacity installed. Most of the commercial-scale turbines installed today are 2 MW in size and cost roughly \$3-\$4 million installed.

Total costs for installing a commercial-scale wind turbine will vary significantly depending on the number of turbines ordered, cost of financing, when the turbine purchase agreement was executed, construction contracts, the location of the project, and other factors. Cost components for wind projects include things other than the turbines, such as wind resource assessment and site analysis expenses; construction expenses; permitting and interconnection studies; utility system upgrades, transformers, protection and metering equipment; insurance; operations, warranty, maintenance, and repair; legal and consultation fees. Other factors that will impact your project economics include

March 15, 2021,

Dear Freedom Town Board Members,

I support the resolution for full taxation of wind, solar and waste facilities.

For the past several years all I have heard from Randy Lester is that this town needs money and Dustin Bliss ran a campaign for getting money for the Town; but action speaks louder than words. Randy solely negotiated a Host Community Agreement with Invenergy for the least amount of money per MW than all the rest of the towns in this project. There is a statement in the HCA, read 5 (d), that if another town has a higher monetary HCA payment in order for Freedom to get the higher monetary amount per MW, the town of Freedom must substitute all the Other Town's Host Payment Terms and the Town of Freedom shall promptly notify the Company (Invenergy) of the substitution. Neither Randy nor Dustin have made a move to do this nor has Invenergy advised them to do so. Randy and Dustin, please seek the advice of our town attorney, not Invenergy's reps or attorneys.

Again action speaks louder than words. Invenergy is here to make the most amount of money from this project for them, hence a billion dollar company. They do not want to spend nor give the town any more money or protections than absolutely necessary. Why do leaseholders sign contracts with harmless and gag orders if there is not going to be a problem? Why is there not a property protection plan in the HCA if there is not a problem with property values?

I have chosen to live in a rural area for its calming natural beauty. 600ft vibrating, electrical generation facilities towering over resident's homes with their incredibly short setbacks from neighboring property lines, extraordinarily high noise decibel limits and flicker will cause decreased economical value of property. There needs to be a better plan for placement of these huge turbines to reduce detrimental impacts to people and the environment.

Money: 60 residents in Orangeville have filed a lawsuit against Invenergy, claiming loss of quality of life and reduced property value. The Town of Sheldon has eliminated town taxes completely, only for the first 5 years of their wind project. Permanent jobs for this project are few. Later on down the road there is decommissioning of the turbines, \$10,000 per turbine in Freedom's HCA. This is not going to be a long term monetary gain for many residents in this town.

Please approve the resolution of full taxation of wind, solar and waste facilities. This will bring in millions more dollars to the town, instead of having Invenergy make all the money. Action speaks louder than words.

Sincerely,

Marsha North
1306 Cross Rd. Freedom, NY