

**Town of Freedom
Public Hearing & Regular Board Meeting
September 20, 2021**

Board Members Present: R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill

Absent: Supervisor Randy Lester

Other Officials: Highway Superintendent Jim Haggerty, Dog Control Officer Denise Willard, Planning Board Member Lyle Morgan, Town Attorney Eric Firkel and Constable Robert Harrington.

Others: 5

I. PLEDGE TO THE FLAG: Led by Deputy Supervisor John Hill

II. A motion was made by Dustin Bliss to open the meeting at 7:09. Seconded by R. Nick Morgan.

**Roll call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

III. REVIEW OF MINUTES:

Regular Board Meeting minutes for August 23, 2021

A motion was made by Dustin Bliss to accept the Regular Board Meeting Minutes as submitted. Seconded by R. Nick Morgan.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

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

**Call Roll: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

A motion was made by Dustin Bliss to open the Public Hearing at 7:11 pm. Seconded by Geoff Milks.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

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IV. PUBLIC HEARING

**Local Law 3 of 2021,
Titled Local Law Licensing, Control, Confining
and Leashing of Dogs in the Town of Freedom,
and repealing Local Law 2 of 2021**

No Public Comments

Later in the meeting the Board revisited the updated Dog Law with Town Attorney Eric Firkel.

Geoff Milks made a motion to adopted Local Law 3 of 2021, Titled Local Law Licensing, Control, Confining and Leashing of Dogs in the Town of Freedom, and Repealing Local Law 2 of 2021. Seconded by R. Nick Morgan.

Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
& Deputy Supervisor John Hill

A motion was made by Dustin Bliss to close the Public Hearing at 7:12 pm.
Seconded by Geoff Milks.

Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill

A motion was made by Dustin Bliss to open the Regular Board Meeting at 7:13 pm.
Seconded by Geoff Milks.

Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill

V. NEW BUSINESS:

- A) **Grievance Board of Review:** Angel Feness would like to be re-appointed for her position till 2026. Councilman R. Nick Morgan suggested to advertise the position.

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Dustin Bliss made a motion to re-appoint Angel Feness Grievance Board of Review until 2026. Seconded by R. Nick Morgan.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

B) Vandalism at the park: The board had an email regarding the park being vandalized. The white shed that was at the park had been broken into. Highway Superintendent Jim Haggerty brought the shed back to the town hall. The shed had rec stuff inside, a lot of the stuff had been destroyed by mice. Town Clerk Mindy Holland asked Supervisor Randy Lester if she could get plastic totes, to store what is salvageable. Randy had no issue with it. Mindy explained that the lock was ripped off the shed, there's also been other vandalism at the park. The playground has had vandalism, the porta potty has had vandalism, there is a glass being broken, and drugs being used on the playground. Mindy said she knows there's been discussion about more cameras down there in the future. Councilman R. Nick Morgan that's a passive solution, he asked if the State Troopers or the County Sheriff has been notified. Mindy stated the County Sheriffs have been, they have had two complaints on file. The board would like to see the Constable Rob Harrington swing down to the park a few nights a week and checked on things. Rob stated he would go down and check on things a few nights a week. Deputy Supervisor John Hill stated he would like to know is the State Troopers and the Cattaraugus County Sheriffs could take a drive by, even drive behind the church. Nick said having the presents of the police would help, and they can get quotes for cameras, the only thing is the town would have to at Internet to the park building. John would like to find out from Supervisor Randy Lester what he discussed with the Sheriff's Department, he liked to see them have a presence there. Councilman Dustin Bliss and John are not thinking the cameras would be a great idea at this time.

Highway Superintendent Jim Haggerty ask the board what they want to do with the white shed that was vandalized down at the park. The shed is sitting behind the town hall, he'd like to know if the town would like to get rid of it during the upcoming junk days. Dustin asked what kind of condition it was in. Jim stated it's not good but not horrible it needed a new roof; it needs a little work. Jim stated that he would put it by the road for free and if nobody takes it he is going to take it to Preivity's for trash days on Saturday.

John hill made a motion 4 highway Superintendent Jim Haggerty to put the white shed out by the road for free. Seconded by Dustin bliss.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

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Town clerk Mindy Holland stated that if nobody wants to shed, she would take it. The board gave her permission to have the shed and it's up to Mindy to get it to her house. Dustin said he worked pick up the shed with his farm equipment and take it to Mindy's.

C) Insurance Company Inspection: Tabled till next meeting for Supervisor Randy Lester presents.

D) Highway Superintendent would like to hire a new highway person because Scott Brown is retiring: Highway Superintendent Jim Haggerty stated there was an ad put in the Olean Times the official paper for the Town of Freedom and nobody sent in a resume or called. Councilman Dustin Bliss asked if it was put in the Arcade Pennysaver. Jim stated no because the official paper is the Olean Times Herald. Dustin would like to get an advertisement in the paper as soon as possible. Jim stated he's got four applications that he's had for over a year now. One of the gentlemen that is interested called Jim the day that Scott decided to let Jim know he is retiring. The gentleman's name is Mark Powell, and he still showing interest. Mark is mechanically incline, can run machines, and has his class 3. Dustin stated that the town should call back the other three or four people even if he is the guy that the town picks. Councilman R. Nick Morgan stated he like to see an ad in the Pennysaver for the job posting. Jim said he's fine with that but his complaint is why is the Olean times the town the official town paper. Rick Lange said that the Pennysaver is free and the Arcade Herald is \$2.00 an issue but they both cover the surrounding Towns. The Olean Times Herald he cannot get delivered, he can have it mailed days late or he can pay for subscription on line and he will not do that.

Geoff Milks made a motion to use the Arcade Herald as the official paper for the Town of Freedom. Seconded by R. Nick Morgan.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

R. Nick Morgan made a motion to advertise the highway job posting in both the Arcade Herald and the Arcade Pennysaver and have a deadline for all resumes by October 8, 2021. Seconded by Geoff Milks.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

Dustin stated if they get all the resume in by October 8th like Nick is proposing, that would give Jim, Supervisor Randy Lester, and Dustin the week after to do interviews. If the person took the job and needed to get their employer two weeks' notice, then the person could start October 25th.

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**E) Work Sessions on 2022 Town Budget, Monday, October 4,
2021 @ 7:00 pm:**

**A motion was made by Dustin Bliss to accept the dates for the
October 4, 2021 work session. Motion seconded by Geoff Milks.**

**Roll call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

**Work Sessions on 2022 Town Budget, and discussion of Procurement
policy as required by General Municipal Law (104-b) on November 1,
2021 @ 7:00 pm.**

**A motion was made by Dustin Bliss to accept the dates for the
November 1, 2021 work session. Seconded by Geoff Milks.**

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

**F) Halloween Night: Trick or Treat, Sunday October 31, 2021 times, 5:30
pm to 8:00pm.**

**A motion was made by Dustin Bliss to set Trick or Treat times for
5:30 pm to 8 pm. Seconded by Geoff Milks.**

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

**Town Clerk Mindy Holland will advertise this in the Arcade Herald
and the Pennysaver. Constable Robert Harrington will stay out till
9:00 pm.**

**G) Two Public Hearings for Arcade and Farmersville fire contracts, one
Public Hearing for 2022 town budget during the Regular Town Board
meeting on November 15th, 2021.**

**A motion was made by Dustin to hold the Public Hearings for the
Arcade and Farmersville fire contracts and 2022 budget to be held
during the November 15th 2021 Board Meeting. Motion was seconded
by Geoff Milks.**

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

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H) Clerk Window: Town Clerk Mindy Holland stated that years ago there were plans to put a transaction window next to the town clerk door. Councilman R. Nick Morgan stated it wouldn't hurt to get some quotes on this. Bookkeeper Jessica Dart told Mindy that there is money in the buildings saving that this can be done.

John Hill made a motion to at least get a quote on a transaction window. Seconded by R. Nick Morgan.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

VI. Old BUSINESS:

A) American Rescue Plan Act use for money: Town Clerk Mindy Holland told the board that they have to set a committee to come up with ideas to use the money. Councilman John Hill and Councilman Geoff Milks both agreed to table this till the next meeting when Supervisor Randy Lester is available. Geoff said that he had a chance to talk to the County and that they are hiring an expert to help the County use the funds properly. Geoff, said he believe that they'll be assessable to the towns as well to utilize. Councilman Dustin Bliss asked how much would it cost to hire an engineering firm to assess the Town roads and set priorities and long-term objectives. Town Attorney Eric Firkel said it would cost a fortune. Eric asked isn't this something the town can do themselves. Dustin stated his understanding that you have to have a professional organization come in. Eric recommended that'd be worth to see if there's any firms doing this now, that might have some formulas that they can use. Eric said there's three or four of them in the Buffalo area. Councilman R. Nick Morgan ask Highway Superintendent Jim Haggerty if the town ever adopted a standard for the roads, like the DOT has a standard for the State Roads. Jim stated no.

B) Junk Law: Town Clerk Mindy Holland went through the updated version with the Board, that the Town Attorney Eric Firkel updated. After the Town reviewed the updated Mindy stated that the Board already had a Public Hearing on the Application for Junkyard Permits, and Notice to Comply with Junkyard Storage Laws.

R. Nick Morgan made a motion to have a Public Hearing on the Junkyard law on October 18, 2021, at 7:01pm. Seconded by Dustin Bliss.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

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- C) Set Public Hearing for a variance to construct a Pole Building 24 x 32 at 478 Zimmer RD the Eugene Martin residence:**

A motion was made by Geoff Milks to have a Public Hearing on October 18, 2021, at 7:01 pm for the construction of a Pole Building 24 X 32 at 478 Zimmer RD the Eugene Martin residence. Seconded by R. Nick Morgan.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

- D) Dog Census:** The Board had asked at the last meeting how much per hour. It was based per dog; it was \$1.21 per dog in 2017. There is \$2,309.00 in the enumerations account for the dog census. Don Howe would be interested in doing them this again, as long as he was not on unemployment anymore.

John Hill made a motion that the Town continues to do dog enumerations, the next being done in 2022, and then every 5 years after that. Seconded by Geoff Milks.

**Roll Call: Ayes-3 R. Nick Morgan, Geoff Milks & Deputy Supervisor John Hill.
Nays-1 Dustin Bliss**

- E) Alcohol Consumption:** Town Attorney Eric Firkel said that the Town needs to go through the process a cleaning up the Dry Town Law. In 2016 the town intended to repeal anything that was on the books, but it's not as clean as it should have been. The Town needs to take the steps to get this done. Being as late as it is in the year, it's not something that they could get on the ballot for this November. Eric stated that the Town Board anonymously is in support of removing any of the Alcohol Laws. Councilman John Hill stated he doesn't know if he'd agreed with that, he does not have a problem with a dry town. Councilman Dustin Bliss stated that we need to take action to ensure this resident that the Town Board does support their business venture. Dustin suggested that the Town Board passes a resolution in favor of them moving forward on the business venture, ensuring them that the Town Board will not stand in the way of them doing what they intend. Eric stated if the Town Board would like to pass a non-binding, memorializing resolution stating that the Town Board supports this business moving the town. Councilman Geoff Milks asked if it be better to wait on that, until they have all the proper info together. Geoff is in favor for this business moving forward. Eric stated if she's moving forward, then continue letting her move forward and the Town Board will do the official steps.

- F) Loader:** Highway Superintendent Jim Haggerty told the Board that they okayed the loader for the amount of \$12,000 with updates, also they're going 13 months

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instead of 12. He stated when you do the math it be \$12,000 a year, but with them going 13 months it would be \$13,000. The different price of \$16,648.00 is to get the Town a brand-new loader and they're still signing a contract to keep it for up to three years, or traded it again next year and do the same contract again. Councilman Dustin Bliss ask Jim why is it the \$16,648.00. Jim stated it's for the updates, has more bells and whistles. Deputy Supervisor John Hill asked how the highway guys has liked this loader. Jim stated this is the best loader by far. Councilman Geoff Milks asked if the town keeps it for a second or third year will it be the same price. Jim stated if we keep it for 24 months it will be \$24,000.00, plus the updates.

John Hill made a motion to approve the adjusted price of the 2022 Loader Hitachi from Baschmann, for \$16,648.00. Seconded by R. Nick Morgan.

**Roll Call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

x. Public Comment:

Bonnie Hill: Bonnie asked Councilman Dustin Bliss, when she will be giving her his sign for her yard. Dustin responded to see him after the meeting.

Denise Willard: She wanted to inform the Board regarding Dog Control. Denise would like to look at other places to contract with for kenneling. She stated on the 5th of September, she received a report from dispatch regarding a dog had been thrown out of a car window. She met a State Trooper upon Bixby hill Rd. The Trooper told her that he's pretty sure the dog did not get thrown out of a car window because when he got there the dog was running alongside the road, the dog ran on to some property and sat on the porch. Denise stated the Town of Freedom is contracted with the Cattaraugus County SPCA. After she did some research and the Trooper did his research, Denise ended up taking the dog to the SPCA. She called there ahead of time; they had a kennel ready. She took the dog to the SPCA and dropped the dog off. For two weeks Denise tried to get the information that she wrote down about the owner, hearing that the Town of Freedom would get a bill for the dog being dropped off at the SPCA. The Trooper told Denise that the person that owned the dog was going to surrender the dog because they had been evicted. After two weeks of trying to get information about the owner of the dog, she got informed by the SPCA that the Town of Freedom was no longer allowed to bring dogs to the SPCA, and she didn't have permission to bring dogs there. The gentleman that she dealt with at the SPCA was pretty nasty. Denise stated that she was never given a copy of the signed contract so she doesn't know what the sign contract states, but in a copy of a contract, it states that anyone can cancel the contract but they have to give 30 days' notice. Denise also said that in the email she received it stated she never had permission to take

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the dog there in the first place. Denise had found out from somebody that the SPCA was giving the dog back to the owner, she called the SPCA and questioned why they would give the dog back to the owner. Denise stated the person that she spoke to said that the owner of the dog told him that the SPCA could not give the dog a rabies shot, and she called and questioned that. Denise also heard that Freedom would get a bill for \$150 and give the dog back to the owner free of charge. She also does not understand the whole contract because she was under the impression that they are to hold the dog until things are cleared up at the Towns end. Deputy Supervisor John Hill ask the board if Denise could look into other options for kenneling the dogs. Councilman Dustin Bliss stated it wouldn't hurt, and he asked if she could get estimates on daily rate.

Denise submitted other information that is attached to the minutes.

Rick Lange: Asked where did Supervisor Randy Lester name go, where he usually sits, why is it Councilman Dustin Bliss name there and why is Deputy Supervisor John Hill sitting behind that name, and where is Randy. John stated that Randy called in sick and he is the Deputy Supervisor.

XI. 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 –
- H) Highway Committee –
- I) Insurance Committee-
- J) Justices –
- K) Parks & Recreation –
- L) Planning Board – Report Submitted
- M) Supervisor – Report Submitted
- N) Other Town Officials –

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

**Roll call: Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

XII. APPROVAL OF VOUCHERS

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General # 176 to # 196, Amt. \$5,337.29, Yrly Amt. \$192,208.30.

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

Roll call: **Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

Highway #104 to #119, Amt. \$179,274.18, Yrly Amt. \$392,365.89.

Motion made by Dustin Bliss to accept the Highway vouchers as submitted.
Seconded by Geoff Milks.

Roll call: **Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

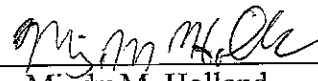
Deputy Supervisor John Hill thanked Highway Superintendent Jim Haggerty for doing Hughes Road.

XIII. ADJOURNMENT:

Dustin Bliss made the motion to adjourn the meeting at 8:24pm. Seconded by Geoff Milks.

Roll Call: **Ayes-4 R. Nick Morgan, Dustin Bliss, Geoff Milks
and Deputy Supervisor John Hill**

Respectfully Submitted By



Mindy M. Holland
Freedom Town Clerk
09/27/2021

Denise Willard
9-20-2021

I'd like to bring up some more inaccuracies with the 3-15-2021 Town Board meeting minutes. Not only was I mentioned as Dog Control Officer in the portion of the meeting, page 14, where we were discussing the historical preservation funds, but at the point in the meeting minutes, where it says, "After more discussion of the Town Green..." (see highlighted section), it has no mention of me, Denise Willard, Freedom Town Resident, saying to Randy that the only reason that he wanted anything done at the Green was because he owned the property next-door. That is when Randy turned to me and angrily said, "Bullshit!!"

Please amend the 3-15-2021 meeting minutes.

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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 Invenenergy 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 Invenenergy 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