

*******DRAFT*******

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, May 4, 2023**, at the town hall.

Supervisor Hogue called the meeting to order at 6:00 p.m.

Roll Call – Present – Daniel S. Hogue, Jr., Supervisor
Karen Ellsweig, Councilperson
Steve Budofsky, Councilperson
Susan Parks-Landis, Councilperson
Vincent C. Galligan, Jr., Councilperson

Recording Secretary – Teresa Collins, Deputy Town Clerk

Others Present – Richard Robbins, Planning Board Chair
Troy Johnstone, Esq. – Attorney for the town

PUBLIC COMMENT – Richard Robbins- want to express his gratitude that after so much hard work by so many people, the final process to bring our town zoning code back up to date. The biggest change from my perspective was with the commercial zone of the business owners. Our thought as a committee was that you wanted to expand business where it had already existed and that's how we came to the three zones. The modification proposed to the B1 District, which includes a subdivision of the black forest that was created years ago. In those creations the planning board inserted a condition of approval that there would be no commercial activity on the lot of the black forest subdivision. Which I support. What I do not support is the amplification that the other lots in the proposed B1 district should also be excluded. Mr. Robbins requests that the board modify the B1 district by only removing the one lot with the restrictions and not the other ones that are part of the B1 district.

Yehuda Miller – after executive sessions will there be any action (resolution) taking tonight. As per Supervisor Hogue no action will be taken after executive session.

MINUTES – March 30, 2023, Minutes

MOTION by Councilperson Landis, seconded by Councilperson Ellsweig

Vote: 5 ayes – 0 nay. Motion carried.

GENERAL FUND VOUCHERS - # 82-100 in the sum of \$25,181.60 as set forth in abstract #5 were audited for payment. MOTION by Councilperson Budofsky, seconded by Councilperson Landis, to pay the General Fund Vouchers. Vote: 5 ayes – 0 nay. Motion carried.

HIGHWAY FUND VOUCHERS - # 33-49 in the sum of \$14,990.62 as set forth in abstract # 5 were reviewed. MOTION by Councilperson Landis, seconded by Councilperson Budofsky to accept the highway fund vouchers. Vote: 5 ayes - 0 nays. Motion carried.

ESCROW FUND VOUCHERS – in the sum of \$2787.50 for Hartwood Club Estates and \$1035 for Finnegan as set forth in abstract #3 were reviewed. As per Supervisor Hogue the escrow fund needs to be replenished before payment can be made. MOTION by Supervisor Hogue, seconded by Councilperson Budofsky. Vote: 5 ayes - 0 nays. Motion carried.

CORRESPONDENCE

My name is William Kapito and I am the county

Master of Ceremonies for Memorial Day and Veterans Day.

On Monday May 29 at the Government Center for Memorial Day. I would like to have you send

A member or members of your fire department

And town for services.

I can be reached at 1 845 794 9804 or Billkapito

@yahoo.com.

Thank you.

At 10 am for

Forestburgh Fire Company
2539 State Rt 42
Forestburgh NY, 12777

Town Board
332 King Rd
Town of Forestburgh
Forestburgh NY 12777

Dear Members of the Forestburgh Town Board,

At the March organizational meeting of the Forestburgh Fire Company concerns were readdressed referencing the 911 addressing system and the need of proper display of correct addresses for all town residents. We are aware that the Town Board has looked into trying to add a town law to address this problem but encountered difficulties at the state level of government. The membership of the fire company feels quite strongly that having all residences clearly and properly numerically identified is a critical component of fire prevention and effective first responder success. We request that the Town attempt to readdress the state of NY on this issue. We especially request the Board attempt the enlistment of our state representatives in this important endeavor.

On behalf of the membership of the Forestburgh Fire Company,



Alan Devlin
Secretary

UNFINISHED BUSINESS

Updated Zoning Regulations – Supervisor Hogue held up the amended B1 Zoning Map with lots which were removed from the district by the Town Board on January 5th, 2023. He said to avoid confusion, this is the amended map to be used currently. That the map is posted on the town website along with the proposed Zoning Code. Supervisor Hogue stated that amendments to anything within the proposed zoning regulations package should be heard and addressed by public comment.

Town of Forestburgh

RESOLUTION 2023-04

INTRODUCING A LOCAL LAW 1 Amending Town of Forestburgh Existing Zoning Dated: May 4th, 2023

At a meeting of the Town Board of the Town of Forestburgh, Sullivan County, New York, held at the Town Hall, 332 King Road, Forestburgh, N.Y., on the 4th day of May 2023, there were:

Supervisor Daniel S. Hogue, Jr.	Present
Councilmember Steven Budofsky	Present
Councilmember Karen Ellsweig	Present
Councilmember Vincent Galligan	Present
Councilmember Susan Parks-Landis	Present

Supervisor Hogue offered the following resolution and moved for its adoption:

BE IT RESOLVED, that introductory Local Law No. 1 of the Year 2023 entitled “Forestburgh Code §180” is hereby introduced before the Town Board of the Town of Forestburgh, Sullivan County, State of New York; and

BE IT FURTHER RESOLVED, that copies of the aforesaid local law be laid upon the desk of each member of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on said local law at the Forestburgh Fire House, 2539 Route 42, Forestburgh, New York, at 6:00 p.m. prevailing time, on June 6th, 2023; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the Sullivan County Democrat, of said public hearing at least ten (10) days prior thereto.

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is authorized to prepare the Environmental Assessment Form under the State Environmental Quality Review Act, and its implementing regulations;

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is to provide notice, if required, under GML § 239-m to Sullivan County Planning Board and abutting municipalities under Town Law § 264; and

BE IT FURTHER RESOLVED, that the Town Supervisor or his designee is authorized to take any other action required under law in furtherance of this resolution and passage of the proposed local law

On a motion by Councilperson Budofsky, seconded by Councilperson Galligan, the resolution was adopted on a roll call vote, the results which follow:

Supervisor Daniel S. Hogue, Jr.	Aye
Councilmember Steven Budofsky	Aye
Councilmember Karen Ellsweig	Aye
Councilmember Vincent Galligan	Aye
Councilmember Susan Parks-Landis	Aye

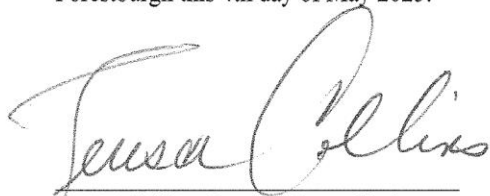
Adopted this 4th day of May 2023.

By Order of the Forestburgh Town Board
Teresa Collins, Deputy Town Clerk

I, Teresa Collins, Deputy Town Clerk of the Town of Forestburgh, Sullivan County, New York, **DO HEREBY CERTIFY** that the foregoing local law was approved by the Town Board of the Town of Forestburgh on **May 4, 2023**, and that the foregoing is a true and correct transcript of the original local law and of the whole thereof and that said original local law is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Forestburgh this 4th day of May 2023.



Teresa Collins, Deputy Town Clerk



Introductory Resolution for Proposed Local Law 2 of 2023 regarding Amendments to Chapter 153-26 of the Town of Forestburgh

Town of Forestburgh

RESOLUTION 2023-05

INTRODUCING A LOCAL LAW REGARDING Amendments to Chapter 153-26 of Taxation (Elimination of Subsection D&E)

Dated: May 4, 2023

At a meeting of the Town Board of the Town of Forestburgh, Sullivan County, New York, held at the Town Hall, 332 King Road, Forestburgh, N.Y., on the 4th day of May, 2023, there were:

Supervisor Daniel S. Hogue, Jr.	Present
Councilmember Steven Budofsky	Present
Councilmember Karen Ellsweig	Present
Councilmember Vincent Galligan	Present
Councilmember Susan Parks-Landis	Present

Supervisor Hogue offered the following resolution and moved for its adoption:

BE IT RESOLVED that an introductory Local Law No. 2 of the Year 2023 entitled "Chapter 153-26 of Taxation" (Elimination of Subsection D&E) is hereby introduced before the Town Board of the Town of Forestburgh, Sullivan County, New York pursuant to authority under the New York State Constitution, the provisions of § 10 and § 22 of the New York State Municipal Home Rule Law, § 10 of the New York State Statute of Local Governments, and the New York State Town Law;

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board;

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at the Town Hall, 332 King Road, Forestburgh, New York at 5:50 pm on June 1, 2023;

BE IT FURTHER RESOLVED that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Forestburgh of said public hearing at least five (5) days prior thereto;

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is authorized to prepare the Environmental Assessment Form under the State Environmental Quality Review Act, and its implementing regulations;

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is to provide notice, if required, under GML § 239-m to Sullivan County Planning Board and abutting municipalities under Town Law § 264; and

Introductory Resolution for Proposed Local Law 2 of 2023 regarding Amendments to Chapter 153-26 of the Town of Forestburgh

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is authorized to take any other action required under law in furtherance of this resolution and passage of the proposed local law

On a motion by Councilperson Ellsweig, seconded by Councilperson Landis, the resolution was adopted on a roll call vote, the results which follow:

Supervisor Daniel S. Hogue, Jr.	Aye
Councilmember Steven Budofsky	Aye
Councilmember Karen Ellsweig	Aye
Councilmember Vincent Galligan	Aye
Councilmember Susan Parks-Landis	Aye

Adopted this 4th day of May 2023.

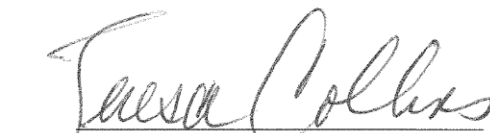
By Order of the Forestburgh Town Board
Teresa Collins, Deputy Town Clerk

I, Teresa Collins, Deputy Town Clerk of the Town of Forestburgh, Sullivan County, New York, **DO HEREBY CERTIFY** that the foregoing local law was approved by the Town Board of the Town of Forestburgh on **May 4, 2023** and that the foregoing is a true and correct transcript of the original local law and of the whole thereof and that said original local law is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Forestburgh this 4th day of May 2023.




Teresa Collins, Deputy Town Clerk

§ 153-26. Qualifying conditions.

- A. In accordance with § 487, Subdivision 9, of the Real Property Tax Law, an owner of real property upon which a large-scale ground-mounted solar energy system is to be constructed must enter into an agreement with the Town to make payments in lieu of taxes (PILOT agreement). Such contract may require annual payments in an amount not to exceed the amounts which would otherwise be payable but for the exemption under Real Property Tax Law § 487, Subdivision (2).
- B. The PILOT agreement shall not operate for a period of more than 15 years, commencing in each instance from the date on which the benefits of such exemption first become available and effective.
- C. Upon filing an application to construct a large-scale ground-mounted solar energy system upon real property located in whole or in part in the Town of Forestburgh, the owner of the property, developer or agent or representative thereof must file written notice with the Town Supervisor, providing that an application to construct a large-scale ground-mounted solar energy system has been filed with the Town and that the owner is ready to enter into a PILOT agreement with the Town subject to the ultimate construction of such system.
- D. Repealed.
- E. Repealed.

DRAFT

REPORTS – BOARD MEMBER COMMENTS

SCHOOL BUDGET VOTE– Voter Registration Day May 9 and Election Day is May 16. Town Clerk office will be closed due to the deputy town clerk will working the school budget vote.

GRIEVANCE DAY – May 25, 4 to 8 p.m.

VACANCIES – We are currently still looking for a ZBA Secretary.

LIFEGUARDS – We are currently looking for lifeguards for the summer.

POOL OPENING – Councilperson Landis has called to request the pool be open.

PLANNING BOARD – Richard Robbins – Planning Board attorney poached to another firm.

Fire Department – Jim Steinberg ask the Town Board to look into 466 Law that was passed by the governor back in December.

Town of Forestburgh Spring Clean Up 2023

May 11th- May 13th

Residents must separate materials into the following categories prior to bringing it to the town barn.

- A. Appliances and scrap metal (washers, dryers, stoves, water heaters, pipes, etc)
- B. Construction and demolition debris and bulky waste (furniture, mattresses, carpets, etc)
- C. Recyclables

******ANY BULKY WASTE SHOULD BE NEAT AND TIED WITH ROPE******

(For Example: shingles)

We cannot accept the following items:

No tires
No refrigerators or air conditioners
No item greater than 4 feet in length (please cut to proper size)
No fuel tanks, oil drums or large propane tanks
No full or partially full cans of paint, petroleum products, pesticides or any other hazardous waste
No brush, yard waste, bags of leaves, stumps or rocks
No explosives, ammunitions, radioactive material, medical waste, medications or car batteries
No household garbage or commercial waste
No asbestos or liquids
No electronic scrap

HOURS OF OPERATON

Thursday through Friday 7:00 am to 6:00 pm
All day Saturday May 13th from 7:00 am to 6:00 pm

Please, no more than one pick-up truck load per family. We are only allocated for 12 tons.

IF YOU ARE DISABLED OR A SENIOR AND NEED ASSISTANCE

Please call the town barn at 845-794-8069

Joe Ruggeri – Highway Superintendent

Town of Forestburgh

Highway Department

May 2023

Highway Report

Members of the Board

Spring

- Road Repair – Asphalt plants are currently open and we will be out checking roads for repair.
- Seasonal Roads have been reopened as of April 30th.
- Road Ditching – We have started ditching. If residents need ditch dirt have them contact the highway department.

Spring Clean -up

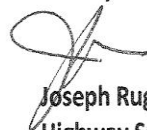
Finally got the information for spring clean-up. It will be held on Thursday, May 11th through Saturday May 13th from 7:00am - 6:00pm. Seniors and residents with disabilities who need help please call the Highway and we will assist you 845-794-8069. Any further questions can be directed to me.

New Hire

We have hired new employee James Gibson who will be on a six-month probation.

Any questions contact the Hwy Dept at (845)794-8069

Thank you



Joseph Ruggeri
Highway Superintendent

EXECUTIVE SESSION – MOTION by Supervisor Hogue, to enter into executive session, for the purpose of Litigation and would like to invite Troy Johnstone Attorney and Richard Robbins Planning Board Chair at 6:31 P.M.

The executive session ended at 6:50 p.m. No Action Taken.

Respectfully submitted,

Teresa Collins Deputy Town Clerk