

**PUBLIC HEARING UPON
THE 2021 PRELIMINARY BUDGET**

TOWN OF FORESTBURGH, SULLIVAN COUNTY, STATE OF NEW YORK

November 5, 2020

Supervisor Hogue opened the public hearing at 6:00 p.m.

Roll Call: Present – Daniel S. Hogue, Jr., Supervisor
Karen Ellsweig, Councilwoman
Susan Parks-Landis, Councilwoman
Steve Budofsky, Councilman

Absent – John W. Galligan, Councilman

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – E. Danielle Jose-Decker, Attorney for the Town
Joseph Ruggeri, Highway Superintendent
Richard Robbins, Planning Board Chair

Supervisor Hogue asked if there were any questions on the budget.

Katherine Barnhart – Well, I wanted to review it to pose my questions, but it wasn't posted on the website, so I didn't have a chance to review it.

Supervisor Hogue stated it has been a rough year; I apologize for it not being posted. Rather than go through 20 something odd pages, I will give you the budget in a nutshell. There is a slight increase in the general fund and a slight decrease in the highway fund. There is a steep decrease in the revenue lines due to the state cutting our aid money. The budget does reflect a 2.4% budget decrease in taxes. Which is obviously below the state mandated tax cap of 2%, which is, according to their calculations is 1.54%. There are no salary increases in the budget except for the building inspector. Which we anticipate him having a much heavier workload with the permits associated with Lost Lake.

Katherine Barnhart asked how much of a raise was he given.

Supervisor Hogue replied \$900.

Supervisor Hogue stated there increases in the insurance premiums. Health insurance has gone down to the unfortunate deaths of two retired highway employees.

We are planning on opening the pool next year, it has been budgeted.

That is pretty much the budget. Our biggest issue was the loss of revenue from the state, we lost \$36,000 plus in AIM money and CHIPS funding was also cut by 20%.

Barbara Leone – Was there money allocated for a summer program?

Supervisor Hogue replied no, but there was money for supplies, but we did not fund a full recreation program.

Stephanie Hance – I see you only left \$100 in one line for salaries, is that so you do not lose it?

Supervisor Hogue replied yes. Yet adult recreation went from \$4,500 to \$2,500 and basically the youth program is out entirely. And you are saying you're not sure of the feasibility of opening the pool next year.

Supervisor Hogue replied we plan on opening the pool, it depends on the pandemic. If New York State says we can open the pool, we will.

Mrs. Hance – I just do not see where our tax dollars are going. I did not realize there were pools across the state that did not open. I just see that adult was cut and where is the balance.

Supervisor Hogue replied youth and adult were both cut by the same level. Both are at \$2,500. The board is discussing, since we don't have a youth recreation program, expanding the playground area. This is all preliminary but that is what the board is discussing. There are no plans to staff a full summer program.

Mrs. Hance – What happens to money that is in a budget line that is not spent? Supervisor Hogue replied that the town historically does not use money that is in one line for funding on another line. If funds are not spent go into the unexpended fund line that is used to offset the next years taxes.

Mrs. Hance asked if these funds could be set aside for future use for children's programs. I understand this year has been rough on everyone, but before March the seniors were fully funded and had their

program and activities and there was nothing going on for the children. Supervisor Hogue stated that if skiing is allowed this winter, we will once again run our ski program. There are a lot of unknowns of what will be available. The ski program is for all residents of the town, not just children. As for funding a full recreation program, right now we do not have the funds to do that.

Barbara Leone – You do have supplies and stuff for arts and crafts. Supervisor Hogue replied yes. She asked if a person wanted to volunteer, once or twice a week to come down and do arts and crafts with the kids, would that be possible? Supervisor Hogue stated that the board would have to discuss it. Councilwoman Ellsweig stated that the board would have to talk to our attorney because there could be issue with a program being offered by a non-town employee – it's all about the liability.

Mrs. Hance stated that she gets the entire liability issue. But there is money funded for youth recreation and it's not being used for anything for the children. Supervisor Hogue replied that is what the board felt comfortable with leaving it in the youth line. A new playground could be forty, sixty, eighty or 100,000 dollars. Is the board going to budget \$100,000 for a new playground – no. It is a start, it's something to build on. Councilwoman Ellsweig stated that we didn't cut that line item and at one of the budget meetings Maria Pappas came up with some excellent ideas. We haven't really discussed them yet because this is all for next year.

Katherine Barnhart – Your giving the building inspector a raise for \$900 – do you anticipate his time increasing? If so for what?

Supervisor Hogue replied he's currently working two days a week, but there are many times he comes down for different things, he's very accommodating to those that request him. We do expect a significant workload increase due to lost lake. Should he need assistance, it would come from the consultant that we will be hiring to oversee the project.

Katherine Barnhart asked what about tax grievances, is there a budget line that those refunds come from? Supervisor Hogue stated that the county issues the refunds, and we pay the attorney's fees. The town doesn't actually write the check to refund tax grievances.

MOTION by Councilwoman Ellsweig, seconded by Councilman Budofsky to close the public hearing at 6:19 p.m. Vote: 4 ayes – 0 nays. Motion carried.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, November 5, 2020** at the Forestburgh Fire House.

Supervisor Hogue called the meeting to order at 6:20 p.m.

Roll Call: Present – Daniel S. Hogue, Jr., Supervisor
Karen Ellsweig, Councilwoman
Susan Parks-Landis, Councilwoman
Steve Budofsky, Councilman

Absent – John W. Galligan, Councilman

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – E. Danielle Jose-Decker, Attorney for the Town
Joseph Ruggeri, Highway Superintendent
Richard Robbins, Planning Board Chair

PUBLIC COMMENT – None.

MINUTES – Clerk Nagoda submitted minutes of the regular town board meeting of October 1, and the budget workshops on October 15 and 22 for review.

MOTION by Councilwoman Landis, seconded by Councilwoman Ellsweig to accept the minutes of the regular meeting on October 1, 2020. Vote: 4 ayes – 0 nays. Motion carried.

MOTION by Councilman Budofsky, seconded by Councilwoman Ellsweig to accept the minutes of the budget workshop held on October 15, 2020. Vote: 4 ayes – 0 nays. Motion carried.

MOTION by Councilwoman Landis, seconded by Councilman Budofsky to accept the minutes of the budget workshop held on October 22, 2020. Vote: 4 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - # 210 – 235 in the sum of \$8,142.77 as set forth in abstract # 11 were audited for payment. MOTION by Councilwoman Landis, seconded by Councilwoman Ellsweig to pay general fund vouchers. Vote: 4 ayes – 0 nays. Motion carried.

HIGHWAY FUND VOUCHERS - #143 – 156 in the sum of \$12,785.31 as set forth in abstract # 11 were reviewed for payment. MOTION BY Councilwoman Ellsweig, seconded by Councilwoman Landis to accept the highway fund vouchers. Vote: 3 ayes – 0 nays. Supervisor Hogue abstained. Motion carried.

ESCROW FUND VOUCHERS - # 14 & 15 in the sum of \$1,751.00 as set forth in abstract # 9 were audited for payment. MOTION by Councilwoman Ellsweig, seconded by Councilwoman Landis to pay the escrow fund vouchers. Vote: 4 ayes – 0 nays. Motion carried.

REPORTS

Supervisor Hogue submitted a report a monthly financial activity for the month of October.

Superintendent Ruggeri stated that Burns Road has been closed for the season and that the salt/sand mix is available for residents in front of the highway garage.

Clerk Nagoda submitted a report of clerk fees and activity for the month of October.

Code Officer Gabbard submitted a report of building department fees and activity for the month of September & October.

Justices Carroll & Gunther submitted reports of court fees and activity for the month of October.

CORRESPONDENCE - None

UNFINISHED BUSINESS

2021 BUDGET – We just had the public hearing on the budget, does the board have any questions or comments on the budget. MOTION by Councilwoman Ellsweig, seconded by Councilman Budofsky to adopt the preliminary budget as the budget for the Town of forestburgh for fiscal year 2021. Vote: 4 ayes – nays. Motion carried.

NEW BUSINESS

YEAR END MEETING – As always, we will have our regular December meeting, and I'd like to change it to 6:00 p.m. but we need to schedule our year end meeting for the purpose of balancing the books. Discussion was held on various dates and conflicts with holidays. MOTION by Councilman Budofsky, seconded by Councilwoman Landis to hold the year end meeting on Monday, December 21, 2020 at 3:00 p.m. in the town hall and to have the December meeting be held at 6:00 p.m. at the firehouse. Vote: 4 ayes – 0 nays. Motion carried.

LOST LAKE CONSULTANT – I have been in contact Chairman Robbins and he and I met with Chuck Voss who is now with Barton & Loguidice. Mr. Voss worked with C.T. Male when Lost Lake was in its beginning stages. Richard also met with C.T. Male, I was unable to attend who was our consultant that went through the approval process with us. We are not going to make any decisions tonight, but I want to get the proposal packets to the board for their review. A project of this magnitude is more than we are prepared to handle. The developer will be paying for the cost of our consultant who will oversee approvals and construction. They will also consult with the planning board to provide insight and guidance as this project moves forward. Chairman Robbins stated that both groups have excellent qualifications. Chuck Voss has committed to being our point person on this project and he understands our position well, as he is the Chairman of a small-town planning board just outside of Albany. He understands our role and what lies ahead of us. C.T. Male was our consultant for Lost Lake, there are people still at C.T. Male who worked on Lost Lake, including their most senior person, John Munsey. The Planning Board feels we may need a consultant sooner than later, as they have already found some of their infrastructure to be inadequate and they are talking about re-designs. Any deviation from the original plan have to come back to the planning board. I would urge the board to be ready to make a decision. Our deadline to be on the agenda for the November meeting is November 12, so anything could still come through the door. Copies of both proposals will be sent to all board members for their review.

Justin Evans – As important as a consultant is right now, legal advice is AS important. I think now is the time to hire a law firm with experience and expertise in land development and density. Let the developer pay for that in escrow too and be locked and ready to go. This is going to be the largest development in New York State in our little Podunk town and we need REAL litigation advice. Chair Robbins has spoken with our planning board attorney, Jacy Ricciani who has given us the names of a couple of firms and I am familiar with other firms as well. Chair Robbins urged the town to also hire land use attorneys to help the planning board.

Supervisor Hogue stated that no buildings can be built without infrastructure – water, sewer and that is a huge undertaking. The DEC will be involved if they are talking about making changes to the sewer which is one of the things I have heard. We will have to wait and see.

ROUTE 42 SIGNAGE AT TOWN HALL – In the last few months there have been several accidents and a few weeks ago, a 23 year old man lost his life at the entrance to town hall. There is currently one little sign showing the curve. I think we have to do a resolution asking the state to please do a traffic review at the intersection of Route 42 and King Road. Councilwoman Ellsweig stated we should ask for more signage and today I was walking there with Susan Hawvermale and those trucks are flying and it looks like they are on two wheels when they take that turn. Supervisor Hogue stated that he knows who he has to speak to but feels if we attach a resolution requesting their review. We can't just ask for more signage – they determine that. MOTION by Councilwoman Ellsweig, seconded by Councilman Budofsky to authorize the Supervisor to contact the State Department of Transportation to review road conditions and signage at the intersection of Route 42 and King Road. Vote: 4 ayes – 0 nays. Motion carried.

BOARD MEMBER COMMENTS –

Councilwoman Ellsweig – Franklin Trapp from the Forestburgh Playhouse contacted Susan Hawvermale and I and Susan Miller who were on the fundraising committee for the Playhouse for years. Franklin has come up with a way to do something Covid-19 friendly and I just wanted to let the board know. He is announcing a holiday event at the Playhouse – there will be a tree lighting and a menorah lighting on December 12 and basically what they are doing is a food drive. They are looking to collect food, mainly rice – they said the Federation for the Homeless has a steep demand for rice. Forestburgh General Store is a drop off point for donations. I just wanted to help promote the event. I think it is a wonderful idea and a good way for the Playhouse to give back to the community. If you wish to attend on December 12, you must make a reservation at the Playhouse. Franklin has limited space available due to social distancing and Covid-19 guidelines.

Councilwoman Landis – I would like to take this time to congratulate our attorney, E. Danielle Jose-Decker on her successful election to Sullivan County Court Judge and Surrogate.

Supervisor Hogue – I have an email from the Public Service commission that they are holding a public hearing on the acquisition of American Water Works by Liberty Eastern Water. There is comment period in November. This affects those people living on Black Brook Drive, Valley Road and Cross Street. The town does not have any financial interest in any of this, however, we will put this on the website. I also attended a Supervisor’s meeting yesterday. The county is looking for any regulations that the town’s have regarding Air BnB’s – some towns want to be very restrictive and other towns don’t want to restrict anything. The county is looking to get some sort of user fee. Bethel is having an issue with them in the Smallwood area. We are fortunate that we haven’t had any issues with them and ours in town seem to be pretty upscale. We had issue with one early on, but that has been resolved.

Councilwoman Ellsweig – In hindsight of this week, between the windstorm and the power failures, would it serve the board to have some sort of written emergency plan? If we lose power, phone and internet, I think we could work better as a team. We could call on each other to help with different things. Dan is incredibly good at writing emails and getting stuff done, but perhaps he could delegate some of that on to the rest of us board members. Maybe just some sort of written plan. We’re going to have another emergency – it’s Forestburgh, we’ve had tornado’s, blizzards, hurricanes. Supervisor Hogue replied that both the Highway Superintendent and I both must attend emergency mitigation sessions in order for us to receive funding from FEMA after a disaster. A smaller plan more directed for the town is not a bad idea – jot down your thoughts and we’ll put something together. Councilwoman Ellsweig asked Councilman Budofsky if he could call a few other town’s and see if they have anything on the books. Why recreate the wheel if another town already has a plan. Attorney Jose added that by 2021 you are also going to be required to have a Pandemic Plan in place – that’s coming down, so while you are at it, you should try to incorporate that into the mix. Councilwoman Ellsweig asked if there were any recommendations or requirements from the state. Attorney Jose replied no, you are just required to form your own Pandemic Plan. Supervisor Hogue will check with our insurance company NYMIR and see if they are coming up with a plan. Councilman Budofsky stated that we had no issues – thankfully power restored before the polls opened, I had been in contact with Spectrum which was in and out. But for the elections, we had no issues – everyone followed protocol, social distanced and wore masks, there were no political issues. Under the circumstances, it went as smoothly as it could go. Councilwoman Ellsweig asked if we could put on the agenda exploring the possibility of a generator and asked if it was something we could bond. Supervisor Hogue stated that it would depend on the cost but we really don’t have the resources to power a generator for extended periods of time. It cost the fire department thousands of dollars the last time we had a lengthy outage and the town hall isn’t used as a warming center. Superintendent Ruggeri has three quotes that he received in March and they are not cheap. Superintendent Ruggeri will have his guy come and give a quote for the town hall and the three quotes he has for the garage will be shared with the board members.

COMMITTEE REPORTS

Planning Board – We had our first real live meeting and thank you to the Forestburgh Fire Company for allowing us to use the firehouse. The Forestburgh Pond project has received their approval so they may now move forward with the purchase of the property, which their contract was contingent on receiving our approval. Antler Club received their subdivision approval – that was done in one meeting as the county road naturally dissected their property, so they received their approval in one meeting.

Historian – We are doing a project with the Town of Deerpark Historian that we are collecting old flags for proper destruction on Flag Day. There is a flag collection box in the town hall.

Seniors – No report

Zoning Review – The next meeting is Tuesday from 7 – 9 p.m. at the town hall. We are getting closed to completion of the zoning rewrite.

Grateful Deadheaders – We are basically done for the season and we have received our \$500 continuation grant which we must spend by next October. We still need to repair the locks on the pool house and there is a bunch of stuff on the shelves that needs to be cleaned out of the pool house. There is some stuff that is brand new, such as large containers of sidewalk chalk. Well hopefully this year we will be able to open the pool this year and that stuff can come out for the kids who don’t want to swim. We will get it cleaned out.

Supervisor Hogue added that the Visitor’s Association will be doing a drive through Holiday Lights program at Bethel Woods from the end of November through December.

Friends for Fitness – No activity – but we are working on the walking path around town hall.

Fire Department – No report

PUBLIC COMMENT – None

ADJOURNMENT – MOTION by Councilman Budofsky to adjourn at 7:24 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk