

The Town of Forestburgh held their regular monthly meeting on **Thursday, July 2, 2020** at the town hall.

Supervisor Hogue called the meeting to order at 7:00 p.m.

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

Absent – None

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – E. Danielle Jose-Decker, Attorney for the town
Richard Robbins, Planning Board Chair

PUBLIC COMMENT – None.

MINUTES – Clerk Nagoda submitted minutes of the June 4, 2020 regular meeting for review. MOTION by Councilman Galligan, seconded by Councilwoman Landis to accept the minutes. Vote: 5 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - # 123 – 137 in the sum of \$4,290.67 as set forth in abstract # 7 were audited for payment. One invoice for engraving stones for the dove garden was removed as it is to be paid by Grateful Deadheaders from their funds. MOTION by Councilwoman Landis, seconded by Councilman Budofsky to pay general fund vouchers. Vote: 5 ayes – 0 nays. Motion carried.

HIGHWAY FUND VOUCHERS - #79 – 95 in the sum of \$13,752.19 as set forth in abstract # 7 were reviewed. MOTION by Councilman Galligan, seconded by Councilman Budofsky to accept the highway fund vouchers. Vote: 4 ayes – 0 nays. Supervisor Hogue abstained. Motion carried.

ESCROW FUND VOUCHERS - #6 in the amount of \$657.75 as set forth in abstract # 5 were reviewed for payment. MOTION by Councilwoman Landis, seconded by Councilman Budofsky to pay escrow fund vouchers. Vote: 5 ayes – 0 nays. Motion carried.

REPORTS

Supervisor Hogue submitted a monthly report of financial activity for the month of June 2020.

Clerk Nagoda submitted a report of clerk fees and activity for the month of June 2020.

Code Officer Gabbard submitted a report of building department fees and activity for April, May and June of 2020.

Justices Carroll and Gunther submitted reports showing no activity for March, April, May and June of 2020 since the courts are still shut down due to the pandemic.

CORRESPONDENCE – None

UNFINISHED BUSINESS

SPECTRUM PUBLIC HEARING – Since we keep scheduling a public hearing on this matter and the Governor extends his orders on public gatherings, we will try to schedule a public hearing that may be able to happen. MOTION by Councilwoman Ellsweig, seconded by Councilwoman Landis to hold a public hearing on Spectrum’s Franchise Agreement on Thursday, September 3, 2020 at 7:00 p.m. at the town hall. Vote: 5 ayes – 0 nays. Motion carried.

2020 CENSUS – Sullivan County’s response to the 2020 Census is as high as had been hoped. Forestburgh is currently 3rd in the county for the response, but the other towns are sadly lacking. So please, remind everyone to complete the Census. It only takes a few minutes online and it’s only like 4 questions.

NEW BUSINESS

COMMENTS BY BOARD MEMBERS –

Councilwoman Landis stated that the playhouse is now doing food to go. You must order a week ahead of time, but the tavern menu is available as are cocktails. They will also be doing music in the garden. I believe the first entertainer is Slam Allen. It will all be outdoors. He is trying to bring in some business so please support local.

Supervisor Hogue stated that the Department of Motor Vehicle in Monticello is open. They are noticeably short staffed due to layoffs and they are trying to accept appointments if you need to renew your drivers license. For now, that State is letting all license/registration issues slide due to the shutdown. They are serving Sullivan County residents only.

TOWN OWNED FACILITIES - We have already decided to not open the pool. I have been speaking with Judge Gunther who is working with Wendy and Joanne to meet the state mandates to have a partial opening of the justice courts. There will no entry to the town hall unless you are wearing a mask. We should try to have people make appointments with the department they need. You responsible for the space that you are in at the end of the day. Wipe down your computers, keyboards, telephone, desk, doorknobs, light switches etc. We have decided that the downstairs rest rooms are off limits to the public.

COMMITTEE REPORTS –

Planning Board – We had another meeting via Zoom and it went well. There was not response to our intent to declare lead agency, which we declared for the Forestburgh Pond project. There were good questions and a public hearing has been scheduled for SEQRA portion of the project via zoom. There are two environmental issues of concern. The first is the dam which is in poor condition and there is a shooting range where there is lead contamination in the soil.

Historian & Seniors – There has been no activity with either.

Zoning Review – Hoping to have a meeting on July 14 from 7-9 p.m. at the town hall.

Grateful Deadheaders – As you can see, we all have shirts for the group. All of our trees and grasses have been planted. Today the renaissance group was there to plant four Japanese willows on the north side of the property. The project is just about completed. We have our intern continue to water and weed the sites. Renaissance has been extremely generous in assisting us with the work crew. Councilwoman Landis asked about the juniper bushes at the Veteran’s Memorial – we met with Renaissance and they strongly suggested that they be removed. They are both on their way out and they are taking over the monument. Renaissance suggested that they be replaced with some grasses that won’t distract from the memorial. MOTION by Supervisor Hogue, seconded by Councilman Budofsky to remove and replace the juniper bushes from the memorial triangle. Vote: 5 ayes 0 nays. Motion carried.

Forestburgh Friends For Fitness – Everything is on hold and probably will be until next year.

Fire Department – No report

PUBLIC COMMENT – None

EXECUTIVE SESSION – MOTION by Supervisor Hogue, seconded by Councilwoman Ellsweig to enter into executive session for the purpose of litigation and invite Attorney Jose-Decker into said session. MOTION by Supervisor Hogue, seconded by Councilman Galligan to reconvene into regular session at 7:50 p.m. Vote: 5 ayes – 0 nays. Motion carried.

RESOLUTION # 9

RESOLUTION CONFIRMING SETTLEMENT OF PROCEEDINGS INSTITUTED UNDER ARTICLE 7 OF THE REAL PROPERTY TAX LAW AGAINST THE TOWN OF FORESTBURGH

WHEREAS, Petitioners have instituted proceedings under article 7 of the Real Property Tax Law to review the assessments of certain parcels, and which proceedings are pending in the Supreme Court of the State of New York, County of Sullivan, under Index Numbers 2018-1477 & 2019-1521; and

WHEREAS, the parties herein have appeared through counsel, to wit, E. Danielle Jose-Decker, Esq., and Richard Newberg, Esq., on behalf of petitioner; and

WHEREAS, negotiations by and between the parties hereto have produced a proposed settlement of the issues and matters of dispute; and

WHEREAS, the proposed settlement will also result in a fair and equitable resolution of the complaint, as set forth below:

166 St. Joseph’s Rd.,

<u>T/Forestburgh SBL 6.-2-36.56</u>	<u>Assessed Value/Full Value</u>	<u>Reduced Full Value</u>
2018	100,000	90,000.00
2019	100,000	90,000.00

WHEREAS, refunds, if any, are to be made within 60 days of service of a demand for a refund, and the assessments shall be subject to the statutory moratorium (RPTL 727(1)) for future

assessment rolls as per the statute, absent a statutory exception.

Now, therefore, be it resolved, by the Town Board of the Town of Forestburgh as follows:

1) That the settlement of the above reference proceedings be and hereby is all respects approved and confirmed.

2) That the attorney for the Town of Forestburgh be and is authorized, empowered and directed to enter into and execute a formal written stipulation settlement and to bind the town thereto, such stipulation to be in the form approved by the said attorney.

MOTION BY: Councilman Galligan
SECOND BY: Councilwoman Landis
VOTE: 5 ayes – 0 nays.

ADJOURNMENT – Motion by Councilman Galligan to adjourn at 8:51 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk