

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

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, March 5, 2026**, at the town hall.

Supervisor Hogue called the meeting to order at 6:00 P.M.

Roll Call: Present – Daniel S. Hogue, Jr., Supervisor
Steven Budofsky, Councilperson
Vincent Galligan, Councilperson
Robert Sipos, Councilperson

Absent Susan Parks Landis, Councilperson
Troy Johnstone, Attorney for the Town

Recording Secretary Teresa Collins, Town Clerk

MINUTES – February 5, 2026, regular town board meeting minutes are acknowledged receipt.

MOTION by Councilperson Budofsky, seconded by Councilperson Galligan.

Vote: 4 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - #31-61 in the sum of \$22,507.45 as set forth in abstract #4 of 2026 were audited for payment. **MOTION** by Councilperson Budofsky, seconded by Councilperson Galligan to pay for the General Fund Vouchers 2026. Vote: 4 ayes – 0 nay. Motion carried.

HIGHWAY FUND VOUCHERS - # 19-32 in the sum of \$21,291.91 as set forth in abstract #2 of 2026 were reviewed. **MOTION** by Councilperson Budofsky, seconded by Councilperson Sipos, to accept the Highway Fund Vouchers 2026. Vote: 4 ayes - 0 nays. Motion carried.

ESCROW VOUCHERS - #4-6 in the sum of \$2,582.50 as set forth in abstract # 2, were audited for payment. **MOTION** by Councilperson Galligan, seconded by Councilperson Budofsky to pay the escrow vouchers. Vote: 4 ayes – 0 nay. Motion carried.

CORRESPONDENCE –

03/05/2026

Town Board

Town of Forestburgh
322 King Rd, Forestburgh, NY 12777
By: Electronic Mail

Dear Members of the Town Board:

I write to follow up on my correspondence and public comment at the February meeting.

First, it is now clear that the Town, again and on notice, knowingly violated the Open Meetings Law despite my repeated protests and objections. The Board voted on and adopted a fee schedule, more than doubling certain fees, without the public knowing what the fees are actually being set to or the record being available to the public¹.

Second, I publicly raised the very specific point that the Town had already passed a fee schedule for signs and home-based businesses. The Supervisor publicly denied that fact. I urged the Supervisor to review the minutes and offered to provide the video of the meeting at which he voted to set the fees. The Supervisor did not accept my offer, and instead doubled down on his denial of the facts.

To remove any doubt as to the truth of the Supervisor's statements, the motion made by the Supervisor is recorded in the Town Board minutes available on the official Town website, as is his vote on sign fees.

Below is a screenshot of his motion and vote on the Home Business fee from the minutes:

Permit Application fees- Motion for the following permits
Home Business - \$500 per business per address
MOTION by Supervisor Hogue, seconded by Councilperson Ellsweig
Vote: 5 ayes – 0 nay. Motion carried.

Below is his vote on the Sign fees:

Sign - \$250
MOTION by Councilperson Galligan, seconded by Councilperson Ellsweig
Vote: 5 ayes – 0 nay. Motion carried.

¹ Even worse, the Board failed to discuss in public or even disclose to the public the actual proposed fee amounts. Instead, the Board just voted to adopt the fee schedule as presented, without affording the public any opportunity to observe or review the fee amounts under consideration prior to the vote. The newly adopted fees became known to the public only upon publication of the meeting minutes, which occurred about two weeks after the Board's adoption vote.

These facts not only amplify the inconsistency and the Open Meetings Law violations of the Board, but raise serious issues regarding the fees set by the Town, and demonstrate that the fee schedule does not align with applicable law as it was adopted without any proper analysis.

The Supervisor insisted publicly that the fee increases are based solely on increased costs of the Town Building Department.

However, the fact is that the Town reduced fees set just two years ago, reducing sign fees from 250 dollars to 75 dollars and home-based business fees from 500 dollars to 100 dollars, amounting to an 80 percent decrease. It is therefore difficult to reconcile, for example, how an increase from \$0.25 per square foot to \$0.50 per square foot, a 100 percent increase for a standard building permit, is justified.

Moreover, there has been no showing that the Building Department fails to cover its expenses so as to warrant any increase at all.

The foregoing demonstrates that the Town undertook no analysis, let alone a proper one.

Finally, as I noted in my correspondence last month, to the extent that any record, resolution, or policy scheduled to be discussed or voted upon at tonight's meeting is not made available online or made available to the public before and at the meeting, it would represent a continuation of the Town's apparent disregard for the law.

It is time for the Board to take seriously its responsibility to govern lawfully, including strict compliance with the Open Meetings Law. The results of failing to do so are increasingly evident.

Sincerely,

Yehuda Miller

OLD BUSINESS

Planning Board Engineer – Supervisor Hogue-I did receive back late today a proposal from MHE Engineering. I ask the board to review it.

Planning Board Member Vacancy- Supervisor Hogue- We have received three applications for the planning board. The board would like to schedule interviews with the applicants on April 2, 2026, at 5pm.

Board of assessments Review – Looking for two board members for the board of assessment review.

Server for Town Computers- Teresa Town Clerk/Councilperson Galligan - received a proposal from Computer Doctor for a total of \$20,746 which included server, computers, attachments

and monthly backup fees. The fee does not include labor fee which is \$98 per hour. Councilperson Galligan would like to reach out to some other people. Will table this for next month.

Camera system for Highway Department- Supervisor Hogue- I met with P&N Alarm. They gave us a proposal for the cameras at the highway dept for \$5253.50. That was for six cameras, expandable up to eight. Waiting to hear from Bedick with a proposal. Will table this for next month.

NEW BUSINESS

Petroleum products bid- Supervisor Hogue – so we need put out to bid for fuel, heating oil, diesel fuel and gasoline. I thought we had a propane bid also. Opening date for packet will be on April 1,2026 at 2pm.

MOTION by Councilperson Budofsky, seconded by Councilperson Sipos to put out the petroleum products for bid. Vote: 4 ayes – 0 nay. Motion carried.

SLFRF Funds- Supervisor Hogue -SLFRF Funds (state and local fiscal recovery funds relief funds back when COVID was a thing) The town received a little over \$100,000 for the funds lost during COVID. The funds were used for chips funding that was not funded through the state and some administrative fees during COVID time. There is \$34,934.39 left of that money. The federal government required certain criteria for the fund to be spent on. The town does not meet the criteria, and the only option is to return the money.

Town Barn – Supervisor Hogue- Pictures was taking by our insurance carrier showing the barn in disarray. Councilperson Galligan asked to discuss the town barn tonight at the board meeting. **Councilperson Galligan** – it seems to be a constant battle to get to a point where we feel comfortable that the town barn is meeting the qualifications for the town. I think we have to come up with some type of plan to bring this all together between the town board and the town barn. **Councilperson Sipos** – I actually was over there and spoke to Joe. He actually drafted up a few things that need to be fixed. **Councilperson Galligan** – I think we need to establish some kind of committee liaison, something to try to get to the bottom line where we are comfortable with the insurance company. **Supervisor Hogue** – one of the responsibilities of highway superintendent other than maintaining the roads and bridges is to provide for safe storage and upkeep of the facility. I agree we need a liaison. **Councilperson Galligan** - asked Councilperson Sipos if he could talk to Joe. **Councilperson Sipos** – agreed and will report back.

Town of Forestburgh Highway Department
1401 Sackett Lake Road
Forestburgh, N.Y. 12777

Building Maintenance

Lunch Room: Ceiling Cracking Seems, Needs Repair and Repainting.

Garage: Concrete Floor Sinking and Breaking Up, Needs New Floor
Ceiling Breaking Apart and Falling Down, Needs to be Replaced
Garage Doors Drafty, Rusting, Work Hard, Need Replacing, and New Seals
Windows Drafty Causing Lose Of Heat, Need Replacing
Lighting is Old, Need LED or More Cost Efficient Lights
Electric Old and Out Dated, Should have Checked and Updated
Sewage Drains Slow, Should Be Checked and Changed if Needed
Insulation, Building Should be Reinsulated to Save on Heating Costs
Water, Building Loses Water After Washing Equipment and Leaves Film on Everything

Outside of Building: Paint Peeling, Scarp and Chip Paint, Repaint
Outside Lighting Should be Updated

Fuel Tanks: Rust and Peeling Paint and Decals, Need Cleaning and Sanding Then Repainting and
New Decals

Yard : Tires, Need to Take Loads to Landfill
Old Equipment, Needs to be Put on Auction and Got Rid of

Salt Shed: Building Still Needs To be Repaired From Previous Accident a Few Years Ago

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Equipment: #9 International 1994
Cab Rotted and Falling off
Exhausted Fumes Entering Cab
Condition: POOR, Needs Replacing

#8 Chevy 8500C 2005
Air Compressor Failing, Discontinued, Can not Get
No Power
Bed is Good can be Used on New Truck
Condition: POOR

Dodge 1 Ton 2008
Cab Rotted Out
Dump Bed Rotted Out and Rebuilt Several Times, May Fall off Soon
Plow Falling Apart, Been Rewelded and Repaired Several Times
Condition: Poor, Needs Replacing

#12 International 2010
Hole in Cab Roof
Motor was Rebuilt
Bed is Good can Be Used on New Truck
Condition: Fair, Turn Into Dumping Flat Bet and Use as a Backup Truck

#21 Western Star 2014
Will Need Clutch
Dump Bed Work Needs To Be Had
Condition: Good

#1 Dodge 3500 Pickup 2021
Condition: Excellent

Old #3 Needs to go to Auction and got rid of
Old #15 Needs to go to Auction and got rid of

Grader: Needs Tune Up, Light Work, 6 Wheel Drive Issues
Backhoe: New Excellent Condition
Loader: Has Some Issues, Fair Condition
Small Roller: Good Condition
Large Roller: Old, Needs Hydraulic Lines and Other Work, Been Sitting
Chipper: Fair Condition
New Holland Tractor: Fair Condition

Log Cabin Roof – Supervisor Hogue – The town clerk asks a builder to give us a price to repair the log cabin roof. The proposal was for \$9007. We are looking to see if we can use the grant money to replace the roof. We don't have to take any action tonight, this is informational. Roof does have to be bid.

REPORTS – BOARD MEMBER COMMENTS

FIRE DEPARTMENT- we are looking for new members and corned beef dinner on March 7th.

PLANNING BOARD- Chairperson Robbins-regular February meeting took place with two agenda items. First matter on the agenda was the Grand Luxury Retreat, which was granted a special use permit and site plan approval with full page of conditions. Second was Eagle Creek which got tabled for further information required from them.

Town of Forestburgh Highway Dept. HIGHWAY REPORT Highway Superintendent,

March 2026

Roads

Please don't push your snow from your driveway out into the road especially after the town truck plows and salts the road

Parking

We are now into winter months please keep your cars, trucks off the road or it will be towed because if it gets hit by a plow wing or plow truck even snow or ice don't blame the town you have been warned

Winter Hour

Winter Hours are in effect and if you need sand for the winter come to the town barn it will be in the shed

Septic Tank

Highway dept put in a new septic tank which really needed to be changed out .The old me low profile tank which was replaced with a 500 gallon Snyder low profile new style plastic tank


Highway Superintendent

ADJOURNMENT TO EXECUTIVE SESSION – MOTION by Supervisor Hogue, to enter into executive session for purpose of litigation pertaining to Millennium Pipeline at 6:42 p.m.

ENTER OUT OF EXECUTIVE SESSION at 7:10

MOTION: by Councilperson Galligan, second by Councilperson Budofsky to sign retainer for Harris Beach for Millennium Pipeline and to further authorize Attorney Johnstone to sign the Joint Defense Agreement. Vote: 4 ayes – 0 nay. Motion carried

ADJOURNMENT – MOTION By Supervisor Hogue to adjourn at 7:12 p.m.

Respectfully submitted,

Teresa Collins,
Town Clerk