

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

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, May 7, 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
Susan Parks Landis, Councilperson
Robert Sipos, Councilperson

Other Present Troy Johnstone, Attorney for the Town

Recording Teresa Collins, Town Clerk
Secretary

MINUTES – April 2, 2026, regular town board meeting minutes are acknowledged receipt.

MOTION by Councilperson Landis, seconded by Councilperson Budofsky.

Vote: 5 ayes – 0 nays. Motion carried.

MINUTES – April 15, 2026, Emergency Executive Session town board meeting minutes are acknowledged receipt. **MOTION** by Councilperson Budofsky, seconded by Councilperson Landis. Vote: 5 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - #81-107 in the sum of \$12,452.68 as set forth in abstract #6 of 2026 were audited for payment. **MOTION** by Councilperson Budofsky, seconded by Councilperson Landis to pay for the General Fund Vouchers 2026.

Vote: 5 ayes – 0 nay. Motion carried.

HIGHWAY FUND VOUCHERS - #45-62 in the sum of \$61,977.76 as set forth in abstract #4 of 2026 were reviewed. **MOTION** by Councilperson Landis, seconded by Councilperson Sipos, to accept the Highway Fund Vouchers 2026. Vote: 5 ayes - 0 nays. Motion carried.

ESCROW VOUCHERS – #7-8 in the sum of \$5,895.00 as set forth in abstract #3 of 2026 were reviewed. **Motion** by Councilperson Galligan, seconded by Councilperson Landis, to pay for the Escrow Vouchers 2026. Vote: 5 ayes – 0 nay. Motion carried.

CORRESPONDENCE –

Dear Town Council,

I write to commend longtime prominent Forestburgh resident **Marvin Rappaport** who published a letter to the editor this week in both the **Sullivan County Democrat** and **The River Reporter**. I also wish to recognize the young man from our community whose kindness inspired that letter.

Mr. Rappaport wrote the following:

Recently, we were driving west on Route 17 above Exit 113 when our rear right tire went flat. I looked for an 800 number for AAA, but could not find it, so I called 911. They referred me to the state police, who would help me get a tow truck.

At that very moment, a van pulled up behind me with lights flashing, and I assumed it was a state trooper. However, out stepped a young Orthodox man with sidelocks and a yarmulka who told me that he saw my lights flashing on the other side of the road, and he turned around to see if he could help.

He said there was a big hole in my tire and he could plug it for me. I said that would be appreciated. After plugging it, he inflated the tire, but said that he thought it had been too damaged to hold the plug. So he said he would put my spare tire on for me.

He jacked up my car with his jack in two minutes, quickly took my tire off, pulled my spare from the trunk, and put it on in a matter of moments. He had all the equipment with the appropriate size lug wrench.

He wished us well and said not to go over 55 mph on the donut. I offered him some money, but he refused and said, "Pay it forward."

This young good Samaritan made our day and renewed our faith in the value of good deeds. It was a real mitzvah.

**Marvin Rappaport
Forestburgh, NY**

His words speak far more clearly than stereotypes or rhetoric ever could.

Acts like this, while rarely publicized in the paper, are not unusual in our community. They reflect the values we teach our children: kindness, responsibility, charity, and helping others regardless of background or belief.

Instead of judging our community based on bigotry or prejudice, I ask each of you to reflect honestly: when was the last time you stopped to help a complete stranger and changed his tire, expecting nothing in return? (It should be noted that the stranger may actually hate you because of prejudice and bigotry. For example, it was recently reported that a Hatzolah medical volunteer was physically assaulted and subjected to antisemitic rhetoric.)

The reality is that the Orthodox Jewish community contributes positively to this county every day through volunteerism, local business, and acts of quiet decency that rarely make headlines.

As a nearby neighbor and community leader, I am keenly aware of the prejudice and hostility that the Orthodox Jewish community continues to face in this county, and particularly in this town.

The bigotry directed toward our community is not only illegal, wrong and disgraceful, it is unfounded.

Enough is enough, it is time for the town and its leadership to reject and stop the hate.

Respectfully, Yakov Mandelovics

05/07/2026

Town Board

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

Dear Members of the Town Board:

My correspondence to the Board has been clear on the core requirements of open government under New York's Open Meetings Law and Freedom of Information Law that the Town is consistently violating.

My recent April 14th appeal concerning violation of the freedom of information law included (1) untimely acknowledgment beyond the mandatory five business days; (2) failure to meet its own October 24, 2025 "date certain," resulting in constructive denial; (3) improper designation of the Town Supervisor (whose own records are at issue) as appeals officer, contrary to Town Code § 37-8(C); (4) "granting" the appeal on constructive denial but remanding for further delay instead of producing records, a procedure unauthorized by POL; (5) imposition of excessive additional timeframes (60 business days merely to quantify hits, totaling 98 business days), without a reasonable date certain or adequate justification, as expressly deemed inconsistent with FOIL by the Committee on Open Government (FOIL-AO-19885); (6) improper and unauthorized fees charged, as expressly advised by the Committee on Open Government charging for non-reimbursable tasks beyond actual mechanical reproduction costs, including apparent administrative and preparatory time is prohibited by *Forsyth v. City of Rochester*, 185 A.D.3d 1499 (4th Dep't 2020); and (7) continued non-production, and failure to meet self-imposed deadlines, resulting in successive constructive denials.

This appeal has not yet been decided, despite the law clearly requiring a decision within 10 business days. The undersigned and the New York State Committee on Open Government have already advised the Town of what the law requires. Nevertheless, the Town continues to disregard those requirements.

The law, as you know, also provides for mandatory attorney fees in circumstances like these should litigation be commenced to obtain these records. The Town should avoid that potential outcome by simply following the law, which it clearly is not currently doing.

Sincerely,

Yehuda Miller

OLD BUSINESS

Planning Board Engineer – Supervisor Hogue- we have a representative here from MHE Engineering and I wish to open the floor to them. I am Matthew Sickler, one of the partners with MHE Engineering. We submitted a proposal in response to a request for the planning board and zoning board engineering services. We do approximately two dozen municipalities between Sullivan County, Orange County, Ulster County and Pike County Pennsylvania. We have an office in Milford, Pennsylvania since 1990. We mostly provide engineering services to municipalities, towns, villages, cities counties. That has been the bulk of our business since we were formed in 1978. We attend meetings for most of our clients. **Councilperson Galligan** – questioned on availability. **Mr. Sickler** - responds he will be available for every planning board meeting. He represents the Town of Thompson, Town of Monroe, Town of Minisink and the Lehman Township in Pike County. We are a firm of about 40 full-time people and will provide coverage for whatever you need. **Supervisor Hogue** – would the board wish to take action on it tonight? I recommend we do since Tim retires in June, which is next month.

Motion by Councilperson Galligan, second by Councilperson Budofsky to retain MHE for engineering services for the planning board and zoning board in the town as needed.

Roll call: Supervisor Hogue -aye

Councilperson Budofsky- aye

Councilperson Landis – aye

Councilperson Galligan – aye

Councilperson Sipos – aye

Vote: 5 ayes – 0 Nay. Motion carried.

Planning Board Member Vacancy- Supervisor Hogue- Last month we reviewed two of the applicants and one in phone contact with the third applicant. **Councilperson Budofsky** - motion to appoint Dr. Gupta to the planning board position. Councilperson Landis and Councilperson Sipos ask to postpone until after the meeting and have a chance to meet Mr. Gupta at executive session since they were not able to speak to him.

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

Server for Town Computers - Teresa Town Clerk/Councilperson Galligan- will be tabled for next month.

Camera system for Highway Department- Supervisor Hogue- will be tabled for next month.

Town Line Solar Update – Supervisor Hogue – Townline solar is the solar project that on 3000 acres between Thompson and Forestburgh. RWE has not submitted their final plan yet. They

anticipate doing that this month. We signed the memorandum of agreement/memorandum of understanding to cumulatively retain Harris Beach to represent all three municipalities. The purpose of that is there's \$200,000 available from the applicant for such costs. As soon as the application is submitted that starts a 30 day clock to request these funds. The only thing the town has to enforce on this is our zoning.

So, one thing that was brought up is where one property owner has a property that is subdivided into possible two, three, four or whatever. Part of our code says that we cannot build close to property lines. So that is something that they would probably have to come before the town to get a variance on. When they submit their final application that's when everybody gets to lay eyes on it and see exactly what is going to happen. So, it's quite a massive project.

NEW BUSINESS

Franklin Trapp, Forestburgh Playhouse – Supervisor Hogue – we had a request from Franklin from the Forestburgh Playhouse to speak for a couple minutes at the board meeting. So, I motion to open the floor to Franklin Trapp to speak about Forestburgh Playhouse. **Franklin Trapp** – the reason I'm here is that I just want to talk about a couple thing that you might already know and some things that are very exciting about the Forestburgh Playhouse because this is our 80th season this year. The playhouse in 1947 was a ragtag group of actors from New York City that came up here to Forestburgh and bought a barn. They bought it in February and started working on it in March and then opened for the first show in July. So that was the very first season of the Forestburgh Playhouse. Since we started over 500 productions, 200 cabarets, 6000 artists, technicians, and then community members have been employed and 1 million plus audience members have come through the Playhouse doors. We generate about 3 million with the county in terms of the sales that we do, the tourism that we generate people go to restaurants they get hotels rooms. We also donate, and support really important organizations throughout the county. We have donated over 200 tickets to local charities. We raised money for the fire company. One thing that I want to make sure you know we will be inviting you to our ribbon cutting on June 18th to celebrate turning 80. We encourage everyone in this room to get a ticket to come to see the show. Your support and talking about us makes a massive difference. We are a big organization. At the end of each year, we will employ 20 to 250 people, that includes all the local folks that come out to work at the box office, or to bartending or to park cars or to do the different things that we have. It makes me feel very good to be a part of this place and a part of this town.

Highway Diesel Fuel Tank – Supervisor Hogue – the highway superintendent submitted tonight the diesel fuel tank which is a double wall tank that has a ball petroleum facility. Storage requires leak protection. A tank within a tank. So, if there is a leak it is contained within the outer tank. Evidently the thousand gallon diesel tank has a leak but because of the secondary tank. There was no spill. However, the tank needs to be replaced. Joe (highway superintendent) submitted some quotes. Used tank from County Petroleum for \$9,500, New tank from Francis

Smith and Sons \$17,100 and other quote from tank and barrel for \$8,783.50 without shipping. There was also quote from Luzon for a portable tank to be temporarily placed for \$6,000 a month rental fee. There is a process to decommission the tank, take it out of service and put a new tank in. It's all permitting through DEC. **Supervisor Hogue** would like to open the floor to Todd Petrowsky because he is actually in the tank business. **Todd Petrowsky** - Francis Smith will probably be giving you a full package. You don't want to buy a used petrol hopper. The problem with the petrol hopper is that they're inherently moist in between primary and secondary tank always rot. **Supervisor Hogue**, I'll talk to Joe Gottlieb and hopefully have some specs for next month's meeting so that we can put it out to bid.

REPORTS – BOARD MEMBER COMMENTS

PLANNING BOARD- regular April meeting took place with two items on the agenda. The first item was Eagle Creek. The public hearing was held, and it was open and closed with no one that spoke at the public hearing. The other application was for a land division on Griffin Road. Application was incomplete.

FIRE DEPARTMENT- Todd Petrowsky- pancake breakfast was a huge success. Better news, right now we have two applicants waiting for their background checks and six applications were given out at the pancake breakfast.

Town of Forestburgh
Highway Department
1401 Sackett Lake Road, Forestburgh, NY 12777
Phone (845) 794-8069 – Fax (845) 794-0360
Email: forestburghhighwaydepartment@gmail.com

May 2026 – HIGHWAY REPORT

Summer Hours

June 1st to start summer hours which is 4 – 10hr days

Roads

Looking to pave road Plank A from the Fowlerville line to just short of Eagle Creek at the end June

Mowing

We have already started to mow around the Town

Spring Clean-up

Spring Clean -up will be this Thursday and Friday from 7:00 am till 5:00 pm and Saturday 12:00 am till 1:00 pm

Garbage

There has been too much garbage around the town also the bear been raising cane around the town, getting into the residents garbage cans

Parking

Been complaints of residents parking on St Joseph Hill Rd please put your vehicle in your driveway not on the road

Highway Clean Up

The highway dept just got rid of old tires that been at the town barn for yrs, still a few left

Thank You


Highway Superintendent

ADJOURNMENT TO EXECUTIVE SESSION – MOTION by Supervisor Hogue, second by Councilperson Landis to enter into executive session to discuss personnel pertaining to highway department and invite Mr. Gupta also 6:44 p.m.

ENTER OUT OF EXECUTIVE SESSION at 7:43 p.m.

MOTION: by Councilperson Budofsky, second by Councilperson Galligan to appoint Dr. Rom Gupta to fill the vacant position on the Planning Board.

Vote: 5 ayes – 0 nay. Motion carried

ADJOURNMENT – MOTION by Councilperson Sipos to adjourn at 7:45 p.m.

Respectfully submitted,

Teresa Collins,
Town Clerk