

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

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, July 16, 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
Vincent Galligan, Councilperson
Susan Parks Landis, Councilperson
Robert Sipos, Councilperson

Absent Steven Budofsky, Councilperson
Troy Johnstone, Attorney for the Town

Recording Secretary Teresa Collins, Town Clerk

MINUTES – June 4, 2026, regular town board meeting minutes are acknowledged receipt.

MOTION by Councilperson Landis, seconded by Councilperson Galligan.

Vote: 4 ayes – 0 nays. Motion carried.

GENERAL FUND VOUCHERS - # 123-153 in the sum of \$18,225.18 as set forth in abstract #8 of 2026 were audited for payment. **MOTION** by Councilperson Landis, seconded by Councilperson Sipos to pay for the General Fund Vouchers 2026. Vote: 4 ayes – 0 nay. Motion carried.

HIGHWAY FUND VOUCHERS - # 81-94 in the sum of \$125,884.92 as set forth in abstract #6 of 2026 were reviewed. **MOTION** by Councilperson Landis, seconded by Councilperson Sipos, to accept the Highway Fund Vouchers 2026. Vote: 4 ayes - 0 nays. Motion carried.

ESCROW FUND VOUCHERS – - #9-10 in the sum of \$4,233.75 as set forth in abstract #4 of 2026 were reviewed. **MOTION** by Councilperson Landis, seconded by Councilperson Galligan, to accept the Escrow Fund Vouchers 2026. Vote: 4 ayes - 0 nays. Motion carried.

CORRESPONDENCE –

07/16/2026

Town Board

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

Dear Members of the Town Board:

Last month, I submitted correspondence and spoke before the Board regarding the principles of open government, transparency, equal treatment of members of the public, and the manner in which concerns surrounding the proposed solar project have been addressed.

The proposed solar facility is massive and is one of the largest projects of its kind in the Northeast. Given its scale and significance, the public deserves complete transparency and confidence in the decisions that are being made.

At the last meeting, the Town did not alleviate my concerns. Instead, the Supervisor's conduct increased and raised them.

To start, the Supervisor stated that he has not read my correspondence, which I would have expected him to do if he had any real interest in addressing the issues raised. Then, when faced with facts and criticism, he chose to cut off my public comment by openly and publicly stating a complete falsehood, that I had called him and others a "Nazi." THAT NEVER HAPPENED.

I urge the Supervisor to publicly state when this allegedly occurred, or to publicly apologize for the false statement made against me. I was the only commenter shut down, and I was shut down based on an outrageous lie.

Other than plain old-fashioned discrimination, the only other plausible explanation I can think of is that the truth was inconvenient, and therefore hiding it or preventing it from becoming part of the public record was the chosen course. Open Government Laws exist precisely to expose the truth and increase trust in government and elected officials, not to suppress it.

Having been cut off, I will now address some of what was raised, though certainly not all issues. First, the Supervisor claimed he only knows Solar Farm property owners Walter Garigliano and Justin Evans by name only and not on a personal level. Second, there was the implication that the Town has no say on Solar. Third, I was cut off right as I began addressing how the Town actually changed its laws to accommodate Solar Projects.

I will also address some of what I was alluding to in my prior correspondence, using the actual emails.

These emails raise serious questions about the relationship between the owners, Town leadership, Richard Robbins of Merriewold Club, and Harris Beach the so-called "independent" consultant, whose CEO is also part of Merriewold Club.

On May 9, 2023, Walter Garigliano wrote to Richard Robbins regarding the proposed zoning amendment and Solar, and what he considered fatal flaws for the project:

I reviewed the draft zoning amendment last night... There were three identified fatal flaws for this project... One was the zoning which get solved if the Town Board adopts the proposed amendment...

On May 10, 2023, Mr. Robbins wrote to Mr. Garigliano:

... Had a reach out from RWE Clean Energy - a voicemail that I've returned, leaving my own....

On August 29, 2023, Mr. Garigliano wrote:

... Last hurdle is the zoning change. Is timing to completion known?...

To which Robbins responds timing is unknown because the county recommended disapproval, to which Garigliano responds that the Town should simply override the county and that he is "happy to call Troy with the blueprint if it helps."

On September 27, 2023, Garigliano again asked for an update. Robbins responded:

Public hearing on Solar law completed 3 minutes ago. SEQR public hearing on Zoning law about to start in 2 minutes. Town board meeting next Thursday (week from tomorrow)

This email was sent at 6:09 p.m., while the public hearings regarding the solar law and zoning amendments were taking place, by the Planning Board Chair to an attorney representing the then solar project and one of the property owners of the current proposed Solar project. At a minimum, the correspondence warrants a full public explanation before the Town proceeds further.

To save space, I have not copied all the emails, but here are a few:

-----Original Message-----

From: Richard Robbins <rarobbinsattorney@mac.com>
Sent: Wednesday, September 27, 2023 6:09 PM
To: Walter Garigliano <Walter@GariglianoLaw.com>
Subject: Re: Zoning Law

Public hearing on Solar law completed 3 minutes ago. SEQR public hearing on Zoning law about to start in 2 minutes.
Town board meeting next Thursday (week from tomorrow)

Richard Robbins
Sent from my iPhone, so please forgive the typos.

> On Sep 27, 2023, at 5:57 PM, Walter Garigliano <Walter@gariglianolaw.com> wrote:
>
> Any update on expected timing? Thanks and I'll update you on my meeting with Charlie after we meet.
> <winmail.dat>

>> On Aug 29, 2023, at 3:18 PM, Richard Robbins <rarobbinsattorney@mac.com> wrote:
>>
>> Enjoy your last few days in Ireland. Didn't watch the game - but saw that Notre Dame "sank" the navy in a blow out.
>> Last night got the 239 back, with a recommendation for disapproval - a lot of little things - mostly surrounding Agriculture.
>> Haven't digested it yet (34 pages, with attachments) nor discussed a plan on how to respond/amend/etc. so timing to completion is not known now.
>>
>>
>> Sent from my iPad
>>
>>> On Aug 29, 2023, at 10:11 AM, Walter Garigliano <Walter@gariglianolaw.com> wrote:
>>>
>>> The CESIR from O&R received and is acceptable.
>>> Last hurdle is the zoning change. Is timing to completion known?
>>> We are in Ireland. Back Thursday.
>>>

>>>> On May 9, 2023, at 7:46 PM, Walter Garigliano <Walter@gariglianolaw.com> wrote:
>>>>
>>>> I reviewed the draft zoning amendment last night. My focus was the solar section. I have a question/comment.
>>>> Large-Scale Solar is permitted in the Recreational Residential and Rural Conservation zoning districts According to the new proposed Town zoning map, the Dellorusso parcel is in the "Rural Residential" district and there is no Recreational Residential district on the proposed map. I assume "RR" refers to the same district and it could be a typo in the proposed code or key to the map. Or I could be missing something. Can you please confirm if it should be "Rural Residential" and not "Recreational Residential" in the new code or if the map needs correction and should be Recreational Residential? Or if I am missing something let me know.
>>>> Barbara confirmed that the CESIR for this project site is due from O&R on July 26. We have a CESIR for a project on Dill Road that will be built in Thompson (Dill Road is the Town line) if for some reason this site is not viable from an interconnection standpoint.
>>>> There were three identified fatal flaws for this project. One was wetlands but is not an issue. One was the zoning which get solved if the Town Board adopts the proposed amendment. The third is the CESIR costs for interconnection.
>>>> Let me know if the RR issues I noticed is a typo or if there
>>>> is some other explanation. WG

These documented emails, the history of shutting down concerns when they are raised, the relationship between property owner and Solar proponent Walter Garigliano and the Planning Board Chair, the emails between property owner Evans

and the Town Supervisor and Planning Board Chair (who refers to him as his “friend from Hartwood”), and the fact that both the Planning Board Chair and the CEO of Harris Beach are connected to Merriewold Club, along with other publicly available information about Mr. Garigliano and Harris Beach, raise serious questions about whether the firm is truly an “INDEPENDENT TECHNICAL CONSULTANT” as stated in today’s proposed resolution.

In light of all of this, I urge the Town Board to take immediate steps to ensure public trust in the process, stop the double standard, ensure complete transparency and full disclosure, and table the proposed resolution approving Harris Beach until a real review is conducted as to whether they are truly independent and examine all the relationships between the owners, their representatives, the firm, and the Planning Board Chair.

This is the very least that the public deserves, and in my opinion, is not currently getting.

Sincerely,

Jehuda Miller

OLD BUSINESS

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

Highway Diesel Fuel Tank- Supervisor Hogue- will table it for next month’s meeting.

NEW BUSINESS

Resolution naming firm for joint representation with Thompson and SC- Supervisor Hogue- in the past we have authorized the resolution jointly for the Townline Solar Project jointly joining with Town of Thompson and Sullivan County for representation, legal representation for the intervener funds. The application has not been filed by RWE as of yet. The one thing that was

brought up by the county is they would like us to pass a resolution, although we discussed it, that it's going to be Harris Beach Murtha representing all three of us.

Mr. Miller asks to make a comment before passing the resolution.

Motion by Councilperson Sipos, second by Councilperson Galligan to open the floor to Mr. Miller.

Mr. Miller- so in the correspondence I actually detail concern that I have with having Harris Beach as an independent consultant.

Supervisor Hogue- have you brought these concerns to the Town of Thompson or Sullivan County. I want you to understand that this is a group.

Mr. Miller- I have significant interest in forestburgh that why I'm addressing it. I will address it to them too.

Councilperson Galligan- I propose that we move ahead with the resolution Councilperson Landis second.

TOWN OF FORESTBURGH
TOWN BOARD RESOLUTION NO. 2

**AUTHORIZING ENGAGEMENT OF HARRIS BEACH MURTHA CULLINA PLLC AS SPECIAL
COUNSEL AND STERLING ENVIRONMENTAL ENGINEERING, P.C. AS INDEPENDENT TECHNICAL
CONSULTANT IN CONNECTION WITH THE COORDINATED REVIEW OF THE TOWNLINE SOLAR
PROJECT**

DATED JULY 16, 2026

At a regular meeting of the Town Board of the Town of Forestburgh, Sullivan County, New York, held at Forestburgh Town Hall, 332 King Road, Forestburgh, NY 12777, on July 16, 2026, the following resolution was offered by Councilperson Galligan, who moved its adoption, seconded by Councilperson Landis:

WHEREAS, RWE Solar Development, LLC has proposed the Townline Solar Project ("Project"), a major renewable energy generation facility proposed to be located in the Towns of Forestburgh and Thompson, Sullivan County, New York; and

WHEREAS, the Project is subject to review by the New York State Office of Renewable Energy Siting ("ORES") pursuant to Article VIII of the New York State Public Service Law and applicable implementing regulations, including PSC Matter No. 24-03035; and

WHEREAS, ORES regulations provide for the availability of local agency account ("Intervenor") funds to assist municipalities and local parties in participating in the permitting process; and

WHEREAS, the Town has an interest in participating in the ORES review process to ensure that environmental, land use, public health, safety, community-impact, and local-law issues associated with the Project are appropriately reviewed and addressed; and

WHEREAS, the Town, together with Sullivan County and the other host municipality, has entered into or is considering a Memorandum of Understanding to establish a cooperative framework for coordinated review of the Project, including the joint engagement of legal counsel and environmental/planning consultants and the pursuit and use of local agency account or intervenor funds; and

WHEREAS, the proposed scope of representation may include advising the Town and the other participating governments regarding the Article VIII/ORES permitting process; coordinating with designated representatives and jointly retained consultants; assisting with preparation, review, and submission of comments, correspondence, filings, and other materials; advising regarding local law, land use, environmental, public health, safety, and community-impact issues; assisting with applications for, allocation of, and use of local agency account or intervenor funds; and providing related legal advice and support in connection with the matter; and

WHEREAS, Sullivan County issued Request for Proposals R-26-18 to retain qualified independent technical consultants to assist in reviewing the Project, and proposals received in response to R-26-18 have been reviewed by the County and the Towns; and

WHEREAS, the County and the Towns have agreed that Sterling Environmental Engineering, P.C., located at 24 Wade Road, Latham, New York 12110, is the best qualified firm to provide independent technical consulting services in connection with the coordinated review of the Project; and

WHEREAS, the total estimated cost of the independent technical consulting services to be provided by Sterling Environmental Engineering, P.C. is \$98,200, plus incidental expenses, as detailed in the applicable fee schedule; and

WHEREAS, Harris Beach Murtha Cullina PLLC has provided an engagement letter describing the proposed legal services to be provided in connection with the coordinated review of the Project and the related ORES proceeding; and

WHEREAS, the cost of the services will be covered by the aforementioned intervenor funds made available as a requirement of the permitting process set forth by ORES, and neither the County nor the Towns shall be obligated to pay expenses beyond those fully covered by intervenor funds unless appropriate authorizations are secured from each municipality's governing body; and

WHEREAS, the Town Board finds that it is in the best interests of the Town to authorize the engagement of Harris Beach Murtha Cullina PLLC as special counsel and Sterling Environmental Engineering, P.C. as independent technical consultant for the limited purposes described herein, subject to the availability and use of awarded intervenor funds and any further authorization required for expenditures not covered by such funds

NOW, THEREFORE, BE IT RESOLVED by the Town of Forestburgh Town Board as follows:

1. That the Town Board hereby authorizes the engagement of Sterling Environmental Engineering, P.C. to provide independent technical consulting services in connection with the coordinated review of the Townline Solar Project and related ORES proceeding, in an amount not to exceed \$98,200 plus incidental expenses, substantially in accordance with the proposal, fee schedule, and contract documents approved through the coordinated review process; and be it further
2. That the Town Board hereby authorizes the engagement of Harris Beach Murtha Cullina PLLC as special counsel to represent the Town, jointly with Sullivan County and the other host municipality as applicable, in connection with coordinated review of the Townline Solar Project and the related ORES proceeding, including PSC Matter No. 24-03035, substantially in accordance with the terms of the engagement letter presented to the Town Board; and be it further
3. That the Town Supervisor is hereby authorized to execute the Harris Beach Murtha Cullina PLLC engagement letter, any agreement or authorization necessary for Sterling Environmental Engineering, P.C. to provide the independent technical consulting services

described herein, and any related documents necessary to effectuate this resolution, subject to review and approval as to form by the Town Attorney, if applicable; and be it further

4. That the legal and independent technical consulting services authorized by this resolution are intended to be paid from local agency account or intervenor funds awarded by ORES to the extent such funds are awarded and available for such purposes, and that no Town funds shall be expended for fees, expenses, or disbursements not covered by such funds unless separately authorized by the Town Board or otherwise agreed in writing in accordance with the MOU, the engagement letter, and any applicable consultant agreement; and be it further
5. That the Town Supervisor, Town Clerk, and other appropriate Town officials are hereby authorized and directed to take such further actions as may be necessary or appropriate to carry out the intent of this resolution.

This Resolution shall take effect immediately.

Upon a vote being taken, the vote was as follows:

Ayes: 3 Supervisor Hogue, Councilperson Galligan, Councilperson Landis

Noes: 1 Councilperson Sipos

Absent: 1 Councilperson Budofsky

Abstain: 0

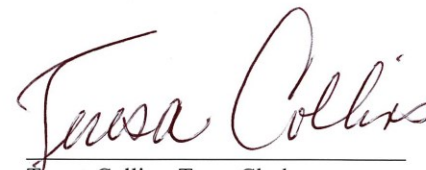
The resolution was thereupon declared duly adopted.

TOWN CLERK CERTIFICATION

I, the undersigned Town Clerk of the Town of Forestburgh, do hereby certify that the foregoing resolution was duly adopted by the Town Board at its meeting held on the 16th day of July 2026, and that the same is a true and correct transcript therefrom.

Dated: July 16, 2026
Forestburgh, New York




Teresa Collins, Town Clerk

Planning Grant. Will the board authorize me to send a letter of support. **Motion** by Councilperson Galligan, second by Councilperson Landis to send a letter of support.

Highway Superintendent Resignation -

Joseph Ruggeri

1222 Sackett Lake Road - Forestburgh, NY 12777

josephruggeri57@yahoo.com

845-707-2187

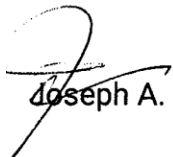
June 24, 2026

To the Supervisor and members of the Forestburgh Town Board.

After much reflection, I am writing to formally announce my retirement from my position as Highway Superintendent for the Town of Forestburgh, effective July 31st, 2026.

While I look forward to the next chapter of my life, I will always carry with me the pride of having contributed to the growth and well-being of our town.

With sincere appreciation,


Joseph A. Ruggeri

Supervisor Hogue- The deputy highway superintendent which Gary Miller would be running the day to day function from August to November.

REPORTS – BOARD MEMBER COMMENTS

PLANNING BOARD- No June meeting

FIRE DEPARTMENT- Forestburgh Day August 29th, 2026, 12 to 4pm.

Forestburgh Community Yard Sale August 1,2026 9am to 4pm.

ADJOURNMENT – MOTION By Supervisor Hogue to adjourn at 6:24 p.m.

Respectfully submitted,

Teresa Collins,
Town Clerk