

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

The Town of Forestburgh Town Board held their regular monthly meeting on **Thursday, August 6, 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/resigned Steven Budofsky, Councilperson

Attorney Troy Johnstone, Attorney for the Town

Recording Secretary Teresa Collins, Town Clerk

MINUTES – July 16, 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 - #154-168 in the sum of \$62,201.30. as set forth in abstract #9 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 - #95-102 in the sum of \$27,678.96 as set forth in abstract #7 of 2026 were reviewed. **MOTION** by Councilperson Galligan, seconded by Councilperson Landis, to accept Highway Fund Vouchers 2026. Vote: 4 ayes - 0 nays. Motion carried.

ESCROW FUND VOUCHERS – - #11 in the sum of \$67.50 as set forth in abstract #5 of 2026 were reviewed. **MOTION** by Councilperson Landis, seconded by Councilperson Sipos, to accept the Escrow Fund Vouchers 2026. Vote: 4 ayes - 0 nays. Motion carried.

CORRESPONDENCE –

08/06/2026

Town Board

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

Dear Members of the Town Board:

My correspondence to the Board at the last meeting focused on processes and procedures that appear to be tainted by *who* is applying, not *what* the application is for.

I recognize Supervisor Hogue, Councilman Galligan, and Councilman Sipos for allowing me to comment at the last meeting on this very important topic. Councilwoman Parks-Landis, however, was openly hostile to my participation for no apparent reason.

While my last letter focused on the very least that should have been done based on the documented email communications and the known relationships between officials, landowners, and their representatives, these issues, at a bare minimum, warranted being looked into. However, the Town chose not to do even that, even if only as lip service. Instead, the papers were shuffled back and forth, barely looked at, and, without discussion, the Board voted to move forward by a vote of three ayes to one nay.

That is disturbing rather than reassuring at a time when there are increasing public questions and ethical concerns regarding this proposed massive project. Public reporting has likewise identified environmental and ethical concerns surrounding the proposal¹. Those concerns have apparently attracted statewide attention, with a gubernatorial candidate, a congressional candidate, and a state senator candidate publicly opposing the project².

It may be revealing that Justin Evans communications with the Town Supervisor, who publicly claimed to know him by name only, and Planning Board Chair Robbins included email communication that the United States Department of Justice characterized as evidence of anti-Semitic opposition. As the Department of Justice explained, after Planning Board Chair Robbins

¹ See, for example: <https://wjffradio.org/the-catskills-largest-proposed-solar-project-draws-environmental-and-ethics-concerns/>

² See, for example: <https://www.scdemocratonline.com/stories/ny-gov-candidate-blakeman-slams-proposed-solar-farm-in-forestburgh,246152>

received an email from Justin Evans comparing Hasidic Jews to “locusts”, Robbins did not reject its characterization. Instead, he forwarded it.³

Evans also wrote to Robbins on August 20, 2020:

... Walter instituted a ward system in Mamakating to help defend against a religious takeover. He said it doesn't stop it in the very long term, but it does a nice job at severely slowing down a takeover.

The "Walter" Evans refers to is presumably Walter Garigliano, the co-owner of the property on which this massive project is now proposed. Against the backdrop of the above-referenced views, Evans accused the Lost Lake developer, in a letter to the Town Board⁴, of being about money, stating:

... he knows this has nothing to do with religion its disgusting what's he's willing to say and do, for money.

The contrast between Evans's statements and allegations, and the project now proposed on his and Garigliano's property, and the Town's handling of it speaks for itself.

Furthermore, the aforementioned email cited by the Department of Justice was forwarded by Planning Board Chair Robbins, who referred to Evans as his “friend”, stating:

... I'm forwarding this email that was sent by Justin Evans, a friend and Hartwood guy who recently purchased 1,100 acres across Cold Spring Road from Lost Lake, adjacent to Phillwold. ...

Further reinforcing concerns regarding the relationship between these friends is the following November 16, 2020 email regarding the Town hiring of Harris Beach, upon the urging of Robbins and Evans. Robbins stated:

... Not mentioned by Javid is that the CEO of his firm (Chris Jagel) is a life-long Merriewolder (3rd generation), and obviously very familiar with Forestburgh's situation. ...

Against this backdrop, while perhaps predictable, it is nevertheless disappointing that the Board has been openly dismissive of the concerns raised.

³ The United States Department of Justice Statement of Interest is available here, <https://www.justice.gov/crt/media/1392766/dl>. The New York Attorney General letter referencing the Department of Justice Statement of Interest is available here, <https://perma.cc/8YCB-AY5D>.

⁴ The letter to the Town Board is available here, <https://forestburgh.net/wp-content/uploads/2023/02/TB-2-2-2023.pdf>.

As explained in my correspondence of the July meeting, I was inappropriately stopped from commenting on these serious issues at the June meeting. The Town Supervisor publicly accused me of saying something I never said in an apparent effort to prevent me from speaking regarding this proposal, thereby potentially infringing upon my constitutional rights. I urge him again to either identify when I allegedly made that statement or publicly apologize. Failure to do either is not only unacceptable, it raises serious questions regarding the credibility of the Supervisor public statements.

The public is entitled to a process that is open and transparent, free from both actual conflicts of interest and the appearance of favoritism. Continuing to ignore documented relationships, past communications, and legitimate ethical questions only deepen public distrust. I urge the Town Board to reconsider and take these concerns seriously, conduct an independent and transparent review of the relationships involved, and restore public confidence that decisions concerning this massive project are being made fairly and impartially, not because Justin Evans and Walter Garigliano are the landowners who apparently stand to benefit greatly from it and are friends of members of the Town leadership.

The quoted emails are all publicly available. Should the Town change course and decide to look into these matters, I will be glad to direct the Town to the relevant emails.

Sincerely,

Yehuda Miller

OLD BUSINESS

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

Highway Diesel Fuel Tank- Supervisor Hogue- open bid for Fuel tank for the highway dept, bid date September 2, 2026, at 2pm.

NEW BUSINESS

Councilperson Budofsky Resignation –

July 17th, 2026

To: Teresa Collins, Forestburgh Town Clerk

From: Steve Budofsky, Forestburgh Town Council member, Deputy Supervisor,
DCO

As per protocol I am submitting my two week notice of my resignation from the positions of town council member/deputy supervisor and dog control officer. I am relocating and must resign from the above positions as of August 1st, 2026. I will continue to serve in those positions until that date.

Sincerely,

Steve Budofsky

Supervisor Hogue -regretfully we received a letter of resignation from Steve Bodofsky. The position of councilperson would be vacant for the rest of this year and then the entirety of 2027.

Councilperson Galligan – I think personally it's a long period of time without filling the seat.

Supervisor Hogue – I spoke to a couple of different people. Some were interested and others that weren't. Somebody that was interested in it, I would **Motion** to appoint is Karen Ellsweig to the unexpired term of Councilperson Bodofsky. Councilperson Landis second.

Councilperson Sipos – I would like to appoint Susan Hawvermale

Councilperson Galligan – Karen was a very good neutral party who was willing to listen to everything and give opinion and spent a lot of time on different grants and applications.

Supervisor Hogue- Councilperson Sipos did present Susan Hawvermale as a motion to the board. Do we have a second? No second, the motion does not proceed. We do have a motion for Karen Ellsweig so with that I would call a roll call vote to appoint Karen Ellsweig for the unexpired term of Steve Budofsky.

Roll Call

Supervisor Hogue – Yes Councilperson Landis – Yes Councilperson Galligan – Yes
Councilperson Sipos – No Motion passes.

Townline Solar Project – Supervisor Hogue- the Townline solar was not on the agenda, but I see a whole bunch of people here. The town has no business with Townline solar. The application is not served to the town. The application is served to ORES. I have been reviewing the application. I reviewed it because I googled Townline solar, I was not provided a copy by RWE. The Town of Forestburgh, Town of Thompson and Sullivan County as I stated last month, have been combined to hire a law firm and an engineering firm to apply for the intervenor funds, which are up to \$200,000, potentially more if we could show just cause. Our attorneys are working on that, and we will review and bring to question any inconsistencies or discrepancies. There are a lot of quotes, unquote confidential or redacted material in the application with a lot of blacked out material which there are a lot of questions on. So, the application is not before any one municipality. New York State has rewritten the laws and basically wrongfully stripped home rules from local municipalities across the state. They have article 8 which supersedes town law and ORES has authority and the ability to just override anything we do. Not saying we are not going to dispute it and argue it and want to see the environmental studies, the groundwater studies, the runoff studies, the long-term decommissioning. These are just some of the things that I've seen reviewing the large document.

Motion to open the floor for comments by Councilperson Sipos, second by Councilperson Galligan.

Comments: Mr. Billy Sipos, Mr. Miller, Lee Gordon, Joan Otino, Joanne Jasper and Scott Mace (Town of Thompson Supervisor). All comments were heard and answered.

REPORTS – BOARD MEMBER COMMENTS

PLANNING BOARD-

Dan Hogue, Supervisor
Town Board Members

Re: August Planning Board Report

Mr. Supervisor and Town Board Members;

I will not be able to attend Thursday's meeting and submit this report in advance.

The Planning Board met for its regular July meeting. There was one agenda item. The Hartwood Club seeks to divide a 5.14 acre parcel from the 925 acre parcel on Galligan Road it recently purchased from the Boy Scouts of America. There were a number of concerns and issues that were identified with this application and the matter was adjourned to our August meeting to. Give the applicant the opportunity to address these concerns.

Respectfully Submitted

Richard Robbins.

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

Forestburgh Community Yard Sale went off amazingly. Coming up in September we will have our roast beef dinner.

ADJOURNMENT – MOTION By Supervisor Hogue to adjourn at 6:48 p.m.

Respectfully submitted,

Teresa Collins,
Town Clerk