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

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

Supervisor Hogue called the meeting to order at 6:05 P.M.

Roll Call: Present – Daniel S. Hogue, Jr., Supervisor
Robert Sipos, Councilperson
Susan Parks Landis, Councilperson
Karen Ellsweig, Councilperson

Absent Vincent Galligan, Councilperson

Recording Secretary Teresa Collins, Town Clerk

Other Present Troy Johnstone, Attorney for the Town

MINUTES – October 1, 2026, regular town board meeting minutes are acknowledged receipt. **MOTION** by Councilperson Landis, seconded by Councilperson Sipos.
Vote: 4 ayes – 0 nay. Motion carried.

MINUTES – October 14, 2026, Budget workshop minutes are acknowledged receipt.
MOTION by Councilperson Landis, seconded by Councilperson Sipos.
Vote: 4 ayes – 0 nay. Motion carried.

GENERAL FUND VOUCHERS - #198-221 in the sum of $22,515.10 as set forth in abstract #12 of 2026 were audited for payment. **MOTION** by Councilperson Landis, seconded by Councilperson Ellsweig to pay for the General Fund Vouchers 2026. Vote: 4 ayes – 0 nay. Motion carried.

HIGHWAY FUND VOUCHERS - #112-116 in the sum of $27,625.34 as set forth in abstract #10 of 2026 were reviewed. **MOTION** by Councilperson Landis, seconded by Councilperson Ellsweig, to accept the Highway Fund Vouchers 2026. Vote: 4 ayes - 0 nays. Motion carried.

ESCROW FUND VOUCHERS - #13 in the sum of $300.00 as set forth in abstract #7 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 – None

OLD BUSINESS

2027 Budget – Supervisor Hogue – Motion to adopt 2027 Budget. Motion by Councilperson Ellsweig seconded by Councilperson Landis to adopt 2027 Budget for the Town of Forestburgh. Vote: 4 ayes – 0 nays. Motion carried.

Board of assessments Review – **Supervisor Hogue** -we are looking for two board members for the board of assessment review. We received a letter of interest from Tracy Barnes a longtime resident of the town. Will be table for next month so that the town board and the new supervisor can interview her.

NEW BUSINESS

Veterans tax exemptions – Supervisor Hogue – We had a request by Billy Sipos about looking into the proposed, New York State proposed veteran tax exemption. I believe the county adopted it; it is for 100% disabled veterans. It would have to be a local law to opt in. So that will take several months to process. I would ask the board to look into that if you guys want and consult the attorney moving forward. Will be table for next month.

Highway Superintendent – **Supervisor Hogue** – There is a vacancy in the highway department for superintendent. With the election now behind us and the apparent winner becoming Todd Petrowsky. I don't know if the board would entertain a motion to appoint Todd for the unexpired term of the Highway superintendent which is basically town months.

MOTION by Supervisor Hogue, seconded by Councilperson Ellsweig, to appoint Todd Petrowsky for the unexpired term of the Highway superintendent. Vote: 4 ayes - 0 nays. Motion carried.

REPORTS – BOARD MEMBER COMMENTS

PLANNING BOARD- Chairman Robbins- We had our regular Octobber meeting, we had two items on the agenda. The first was the completion of an application for a land division of the old Camp Terrell Property bought by Hartwood. The second item on our agenda was a sketch plan review for a property on Rod and Gun Club Road owned by Birchwood Estates.

Chairman Robbins would like to ask the board to consider adding and passing an Escrow Sketch Plan fee for $1000 which involves both work by the attorney and by the engineer going forward. **MOTION** by Councilperson Ellsweig, seconded by Councilperson Landis, to add $1,000 escrow fee for sketch plan review for major subdivisions and conservation subdivisions going forward. Vote: 4 ayes - 0 nays. Motion carried.

FIRE DEPARTMENT- Chief Petrowsky – check your smoke alarms and clean and check your heating systems.

ADJOURNMENT TO EXECUTIVE SESSION – MOTION by Supervisor Hogue, to enter into executive session for the purpose to discuss the Tax Cert Litigation at 6:32pm.

MOTION OUT OF EXECUTIVE SESSION - Motion by Supervisor Hogue at 6:58pm.

MOTION by Supervisor Hogue to reconvene into regular session at 6:58pm.

MOTION By Supervisor Hogue, second by Councilperson to settle tax certiorari as presented by the town attorney. Vote: 4 ayes - 0 nays. Motion carried.

RESOLUTION 4- 2026

RESOLUTION CONFIRMING SETTLEMENT OF TAX CERTIORARI PROCEEDINGS 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 Number E2022-1334; E2023-1111; E2024-1122; E2025-1440 and E2026-1756; and

WHEREAS, the parties herein have appeared through counsel, to wit, Troy J. Johnstone, Esq., for Board of Assessors for the Town of Forestburgh and Town of Forestburgh and Walter F. Garigliano, Esq., on behalf of petitioners High Falls, LLL, Brookie LLC, Donald Devine, and Eden Island Inc; and

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

WHEREAS, the attached Stipulation of Settlement will also result in a fair and equitable resolution of the petitions:

WHEREAS, refunds, if any, are to be made within 30 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 that the settlement of the above reference proceedings be and hereby is all respects approved and confirmed, and the attorney for the Town of Forestburgh is authorized, empowered and directed to enter into and execute a formal written Stipulation of Settlement and to bind the town thereto, such Consent Judgments to be in the form approved by the said attorney.

RESOLUTION 5- 2026

RESOLUTION CONFIRMING SETTLEMENT OF TAX CERTIORARI PROCEEDINGS 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 Number E2020-1032; E2021-1149; E2022-1340; E2023-1051; E2024-1149; E2025-1351; E2026-1602; and

WHEREAS, the parties herein have appeared through counsel, to wit, Troy J. Johnstone, Esq., for Board of Assessors for the Town of Forestburgh and Town of Forestburgh and Joseph Albert, Esq., on behalf of petitioners Jeanne Albert; and

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

WHEREAS, the attached Consent Judgment will also result in a fair and equitable resolution of the petitions:

WHEREAS, refunds, if any, are to be made within 30 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 that the settlement of the above reference proceedings be and hereby is all respects approved and confirmed, and the attorney for the Town of Forestburgh is authorized, empowered and directed to enter into and execute a formal written Consent Judgment and to bind the town thereto, such Consent Judgments to be in the form approved by the said attorney.

ADJOURNMENT – MOTION by Supervisors Hogue, second by Councilperson Ellsweig to adjourn at 7:12 p.m.

Respectfully submitted,

Teresa Collins, Town Clerk