TOWN OF FORESTPORT
REGULAR TOWN BOARD MEETING MINUTES
WOODGATE FIRE HALL
12445 State Route 28, Forestport, N.Y.
October 21, 2026 @6:15 PM

PRESENT: Supervisor Entwistle
Councilman Scouten
Councilwoman Verschneider
Councilman Addison
Councilwoman Abrial

ABSENT: No members of the Town Board were absent.

RECORDING SECRETARY: Tracy Terry

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

CALL TO ORDER:

The meeting was called to order by Supervisor Entwistle at 6:15 P.M.

PUBLIC HEARING:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Forestport will be holding a Public Hearing on October 21, 2026, at 6:15 PM at the Woodgate Fire Hall,12445 State Rt. 28., Forestport, NY. The Public Hearing is being held to review and accept public comments regarding the 2027 Preliminary Town Budget. The proposed budget is available for inspection in the Town Clerk's office during regular business hours. BY ORDER OF THE TOWN BOARD OF FORESTPORT.

Tracy M. Terry – Forestport Town Clerk

Schedule of Proposed Salaries of Elected Town Offices

Town Board 4 @ 7,448.25	$29,793.00
Supervisor	$25,186.00
Town Clerk	$35,827.87
Tax Collector	$6,115.54
Superintendent of Highways	$65,928.26
Justice	$20,721.98

PUBLIC COMMENT:

- Laurie Fessler, from the Gallery stated she didn't see justification of 8% raises and gave examples of what others give for raises.

- Becky McGough agreed with Laurie Fessler's statement about raises and stated it is no more than a 3% raise.
- Don Frank agreed with Laurie Fessler's statement regarding raises.
- Supervisor Entwistle stated there is a small pool of qualified individuals that will do these jobs. The maintenance worker came from another position, so he already had his license. The town did not have to pay for him to get any training. He gave an example of two individuals that spearheaded a project that would've cost the town thousands of dollars, but they did the job without hiring out. He thinks about the bigger picture.
- Laurie Fessler brought up the Boat wash. She asked if the DEC was taking it over. It was answered they are unsure, but it is still being funded by a grant as the Grant Writer, Jen Hartsig reapplies every year.
- Supervisor Entwistle mentioned Jen Hartsig has made $8,600 this year to date and has been able to secure much funding.
- The town did receive money back from the grant regarding the kiosk. The kiosk was supposed to be mobile but it wasn't.

ABSTRACTS:

GENERAL:

A motion was made by Councilwoman Abrial and seconded by Councilwoman Verschneider to pay Abstract #10, Vouchers #671-#759 in the amount of $65,070.48

5ayes/ 0 nays/0 absent MOTION CARRIED

HIGHWAY:

A motion was made by Councilman Scouten and seconded by Councilman Addison to pay Abstract #10, Vouchers #219- #253 in the amount of $111,882.14

5ayes/ 0 nays/0 absent MOTION CARRIED

WATER DISTRICT #1:

A motion was made by Councilman Addison and seconded by Councilwoman Verschneider to pay Abstract#10, Vouchers #106- #114 in the amount of $4,816.67

5ayes/ 0 nays/0 absent MOTION CARRIED

SEWER DISTRICT #1:

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Abrial to pay Abstract#10, Vouchers #51-#61 in the amount of $51,092.14

5ayes/ 0 nays/0 absent MOTION CARRIED

BUCKHORN WATER DISTRICT:

A motion was made by Councilwoman Abrial and seconded by Councilwoman Verschneider to pay Abstract#10, Vouchers #29-#30 in the amount of $2,284.60

5ayes/ 0 nays/0 absent MOTION CARRIED

PLANNING ESCROW:

A motion was made by Councilwoman Abrial and seconded by Councilwoman

Verschneider to pay Abstract#10, Voucher #4-#9 in the amount of $752.99

5ayes/ 0 nays/0 absent MOTION CARRIED

TOWN CLERK MINUTES:

A motion was made by Councilman Addison and seconded by Councilman Scouten to accept the minutes from the:

August 19, 2026: Regular Town Board Meeting and Budget Workshop minutes

5ayes/ 0 nays/0 absent MOTION CARRIED

REPORTS

Town Clerk Reports
Justice Report
Supervisor Report
Planning Board

A motion was made by Councilwoman Abrial and seconded by Councilwoman Verschneider to accept the monthly reports.

5ayes/ 0 nays/0 absent MOTION CARRIED

NOCCOG: Joe Rowlands went over the monthly announcements.

WATER:

- Lucas procured a new tablet and it is charging today. He is going to get training to get the meter readings done.

SEWER:

- Lucas and Bart are doing good with the technical part.

BUCKHORN:

UNFINISHED BOARD:

- **Round Lake Bridge Project:** Improvement Project should be completed by the second week in November.
- **Community EXPO:** This was a success with 100 people in attendance. Supervisor Entwistle thanked Town Clerk, Tracy terry for organizing this event and Bart and Lucas for the setting up and taking down.
- **Town Hall Boilers:** The boiler project is almost complete. The heat should be turned on this week.
- **PBA Applications:** The Town Board has received a couple applications and will be reviewing them and approving someone at the November meeting. Ron Davies, from the Gallery asked if they are still accepting applications. He was told to send resume to either Supervisor Entwistle or the Town Clerk, Tracy terry.
- **Highway Truck:** The new truck is supposed to be here Friday. The bank is working on making sure the money is there.

NEW BOARD BUSINESS:

- **Election Day:** The Upper District votes at the Woodgate Fire Hall and the Lower District votes at the Forestport Town Hall.
- **Trestle Road/O'Brien Road Intersection:** The intersection is not perpendicular, and it can make for a dangerous situation. A Planning Board of Appeals member was at a conference and spoke with a DOT employee. The DOT did a speed study and ideally, it should enter at a 90 degree "T", Grant writer, Jen Hartsig is going to see if she can get a grant for the work. According to the study, the triangle is owned by the town.
- **Civil Service Housekeeping:** The following are released of their duty for the Boat Wash: Olivia Komacek, Pete Webster, Scott Silverman and Cole Entwistle. The following are released from the Highway are Allyn Kelsey and Ray Rueger.
- **Ski Trip:** The town is planning on a trip to Killington Vermont with the youth with the town sponsoring it. They need 30 participants for it to come to fruition.
- **Ski:** There will be McCauley Learn to Ski sessions and a Gore trip planned for the year as well.
- **Basketball:** The town has a request for building use for a basketball program through Resmen school.

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Abrial to deny the building use request.

5ayes/ 0 nays/0 absent MOTION CARRIED

- **Sewer Rates:** The Sewer project is very expensive, and the Engineers stated the rates need to be raised $12-$15 dollars more a month for the project. Discussion took place. A Public Hearing will be held on November 18th at 6:15PM at the Forestport Town Hall regarding the rate increase.

NEW BUSINESS PUBLIC:

- Don Olney, from the Gallery, suggested the town do something about the intersection at the light on Bear Creek Road. He stated it is very dangerous.
- Jeannie Wolcott, from the Gallery brought up "Old Forestport Days" and asked if the town could patent it because there have been discussions on changing the date and the name of it. She brought up the "Christmas Light -Up Parade as well regarding the horses. The cost has gone up to $800 from $600 last year. It was stated it probably isn't worth the cost of it.
- Ron Davies asked about the $5,000 National Grid Bill. Supervisor Entwistle stated the town hasn't received a bill from August of 2023 to August of 2026 and when we received a bill, we had a credit of $10.00. Councilman Addison stated they legally can only go back 6 months. Ron also asked about there being $1,000 in the budget for the groomers. He asked if the town would be willing to purchase two more counters.

A motion was made by Councilwoman Abrial and seconded by Councilman

Scouten to use the $1,000.00 in the budget for the snowmobile counters.

5ayes/ 0 nays/0 absent MOTION CARRIED

- Laurie Fessler, from the Gallery, stated the Town Board should act on the site review Law sooner regarding animals. There are goats on picnic tables at the Community Hall, someone's dog killed someone else's chickens. There's an issue downtown with Guinea Hens. Supervisor Entwistle stated he will look into this over the winter.

EXECUTIVE SESSION:

A motion was made by Councilwoman Abrial and seconded by Councilman Scouten to enter into Executive session to discuss a legal matter.

5ayes/ 0 nays/0 absent MOTION CARRIED

Supervisor Entwistle returned from Executive Session by himself.

The board returned from Executive session at 7:50P.M. with a letter for the record. Councilman Addison stated the letter from Tim Benedict be entered into the minutes. He stated there are still too many unanswered questions as to who has ownership of the road. Until that has been proven, the town can do nothing.

LAW OFFICE OF

TIMOTHY A. BENEDICT

VIA ELECTRONIC MAIL ONLY TO: supervisor@townofforestport.gov
youngjessicalee@gmail.com

October 8, 2026

Town Board Town of Forestport, NY
c/o Hon. TJ Entwistle, Town Supervisor
PO Box 117
10275 State Route 28
Forestport, NY 13338

RE: Red Rock Quarry, LLC (Oneida County Tax Map ID 8.000-1-8)
White Lake Quarry--Stone Quarry Road

Dear Supervisor Entwistle:

As you are aware, I represent Red Rock Quarry, LLC ("Red Rock"), and Thomas J. Sunderlin, Jr., has Principal of Red Rock, relative the above-referenced matter. As you are presumably also aware, Red Rock has made good faith efforts to facilitate the Town of Forestport, New York ("Town") and the Town of Forestport, New York Planning Board ("Planning Board") being able to undertake the requisite action necessary for Red Rock to move forward with its quarry operations.

Red Rock's good faith efforts have included making an offer to the Town in January 2026, by which Red Rock offered to assume all costs associated with shoulder improvements and maintenance (collectively as "Improvements") identified by the New York State Department of Transportation ("NYS DOT") required for Red Rock to be able to utilize Stone Quarry Road in its expanded mining operations. That good faith offer was followed-up by still more good faith when I proffered a *suggested* Agreement to the Town's Attorney in February 2026 on Red Rocks' behalf, which included, *inter alia*: language obligating Red Rock to assume all costs associated with the required Improvements to Stone Quarry Road; the mechanism by which Red Rock would pay for the Improvements; as well as language requiring Red Rock to performance annual maintenance along Stone Quarry Road.

Of course, upon transmitting the proffered Agreement to the Town, I made additional good faith efforts on Red Rock's behalf through the end of April 2026, by unilaterally e-mailing the Town's Attorney on six (6) occasions seeking the Town's position and/or counter-demands and placing five (5) calls to the Town's Attorney's office. Prior to April 30, 2026, the only "return" on Red Rock's good faith efforts was a message from the Town Attorney that you and Steven

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Addison, Town Councilperson, were meeting to discuss the Agreement. From April 30, 2026 to today's date, Red Rock has not received so much as the courtesy of a "Thanks, but no thanks". In short, the Town's silence as been deafening.

Therefore, at this point, expecting the courtesy of a good faith substantive response from the Town is folly. Consequently, Mr. Sunderlin has directed me to notify the Town that Red Rock's prior offers to assume the costs associated with the required Improvements to Stone Quarry Road are rescinded in-full.

In doing so, Mr. Sunderlin asserts the Improvements required by the NYS DOT are required Improvements to a Town Road and which benefit the property owners along that Road, not just Red Rock. As such, the Town has a duty and obligation to explore funding options to complete the Improvements, including, but not limited to: payment of the Improvements as part of the Town's annual road maintenance and/or capital improvement project budget; implementation of special assessment/improvement district; and solicitation of third-party funding sources, including but not limited to, grants from the State--such as the NYS DOT CHIPS program. Red Rock asserts the Town's failure to any action with regard to the Improvements issue has been done in bad-faith and, presumably, to prevent Red Rock from being able to conduct business.

To that end, and just as importantly, Mr. Sunderlin asserts the Town has shirked its duties and obligations to undertake the required action necessary to approve Red Rock's business permit application, so as to allow it to conduct its business in accordance with the previously approved DEC Mining and APA Permits. There is no lawful reason the Planning Board could not issue the business permit; however, the Planning Board inexplicably asserts the Town must address the Improvements issues before it can issue the business permit. Unfortunately for Red Rock, the Town has refused to take any action regarding the Improvements--thereby leaving Red Rock in Forestport limbo. It is becoming more and more evident that, rather than consider Red Rock a business partner, the Town sees it as more of an adversary on the opposite side of a controversy.

As such, Red Rock reserves all rights it has to commence such proceedings and/or actions as it deems appropriate to remedy the Town's inaction, including, pursuant to CPLR, Articles 30 and 78, as well as for damages.

In closing, Red Rock's attempts to work with the Town in good faith have been wholly ignored, such that it's only recourse is to seek judicial intervention.

Very truly yours,

Timothy A. Benedict, Esq.

cc (via e-mail only): Red Rock Associates, LLC
file

Law Office of Timothy A. Benedict
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ADJOURNMENT:

A motion was made by Councilman Scouten and seconded by Councilman Addison to adjourn the meeting.

5ayes/ 0 nays/0 absent MOTION CARRIED

There being no further business, the meeting was adjourned at 7:52 P.M. by Supervisor Entwistle.

Respectfully submitted,
Tracy M. Terry

Forestport Town Clerk